AGENDA

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, October 16, 2023 - 5:00 PM

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

I. Call Public Meeting to Order

II. Executive Session

The City of Rockwall City Council will recess into executive session to discuss the following matter as authorized by chapter 551 of the Texas government code:

1. Discussion regarding possible sale/purchase/lease of real property in the vicinity of the downtown area, pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney)

2. Discussion regarding (re)appointments to city regulatory boards and commissions, pursuant to §551.074 (Personnel Matters).

III. Adjourn Executive Session

IV. Reconvene Public Meeting (6:00 P.M.)

V. Invocation and Pledge of Allegiance - Councilmember Moeller

VI. Proclamations / Awards / Recognitions

1. Texas Chamber of Commerce Week

VII. Appointment Items

1. Appointment with Planning & Zoning Commission representative to discuss and answer any questions regarding planning-related cases on the agenda.

VIII. Open Forum

This is a time for anyone to address the Council and public on any topic not already listed on the agenda or set for a public hearing. To speak during this time, please turn in a (yellow) "Request to Address City Council" form to the City Secretary either before the meeting or as you approach the podium. Per Council policy, public comments should be limited to three (3) minutes out of respect for others' time. On topics raised during Open Forum, please know Council is not permitted to respond to your comments during the meeting since the topic has not been specifically listed on the agenda (the Texas Open Meetings Act requires that topics of discussion/deliberation be posted on an agenda not less than 72 hours in advance of the Council meeting). This, in part, is so that other citizens who may have the same concern may also be involved in the discussion.

IX. Take Any Action as a Result of Executive Session

X. Consent Agenda

These items are administrative in nature, have previously been discussed at a prior Council meeting, or they do not

warrant Council deliberation. If you would like to discuss one of these items, please do so during "Open Forum."

1. Consider approval of the minutes from the October 2, 2023 city council meeting, and take any action necessary.

2. **P2023-029** - Consider a request by Dakota and Claire Brewer for the approval of a *Final Plat* for Lots 1-3, Block A, Brewer Bend Addition being a 5.41-acre tract of land identified as Tract 4-2 and a portion of Tract 4-06, of the W.W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 4.0 (SFE-4.0) District, addressed as 626 Cullins Road, and take any action necessary.

3. Consider approving contract renewals for concrete and asphalt pavement repairs and maintenance and authorizing the City Manager to execute associated purchase orders to multiple vendors for a total of $2,750,000 to be funded by the Streets & Drainage Operating Budget, and take any action necessary.

4. Consider authorizing the City Manager to execute purchase order(s) with Avsant for the purchase and installation of an audio and recording solution at municipal court in the amount of $37,692.40 to be funded by the Municipal Court Budget, and take any action necessary.

5. Consider awarding bids to Caldwell Country Chevrolet, Rockdale Country Ford, Longhorn & Maverick Harley Davidson, Cavender Nissan, and Rush Truck Center for the purchase of model year 2024-25 vehicles for a total amount of $871,406 to be funded by Police Patrol, Criminal Investigations Division and Sewer Operating Budgets, as well as authorizing the City Manager to execute associated purchase orders, and take any action necessary.

6. Consider authorizing the City Manager to execute a contract with Pipeline Analysis, LLC to conduct a Sanitary Sewer Condition Assessment in an amount of $162,600.00 to be funded by Water / Sewer Funds, and take any action necessary.

XI. Public Hearing Items

If you'd like to speak regarding an item listed below, please turn in a (yellow) "Request to Address City Council" form to the City Secretary either before the meeting or as you approach the podium. The Mayor or Mayor Pro Tem will call upon you to come forth at the proper time. Please limit your comments to no more than three minutes.

1. **Z2023-045** - Hold a public hearing to discuss and consider a request by Cari Foote of CFPC Investments, LLC for the approval of an **ordinance** for a *Zoning Change* amending Planned Development District 50 (PD-50) [*Ordinance No. 17-19*] for the purpose of allowing the *General Personal Services* land use by Specific Use Permit (SUP) for all properties within the district, being a 21.266-acre tract of land situated within the S. S. McCurry Survey, Abstract No. 146 and B. F. Boydston Survey, Abstract No. 14, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, generally located along N. Goliad Street [*SH-205*] north of Olive Street and south of Live Oak Street, and take any action necessary **(1st Reading)**.

2. **Z2023-046** - Hold a public hearing to discuss and consider a request by Javier Silva of JMS Custom Homes, LLC on behalf of Ruben Fragoso of RSR Capital, LLC for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Residential Infill Adjacent to an Established Subdivision* for the purpose of constructing a single-family home on a 0.22-acre parcel of land identified as Lot C, Block 112, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 52 (PD-52) and Single-Family 7 (SF-7) District, situated within the Southside Residential

Neighborhood Overlay (SRO) District, addressed as 715 Sherman Street, and take any action necessary **(1st Reading)**.

3. **Z2023-047** - Hold a public hearing to discuss and consider a request by Jeff Wolf of Nexcourt, Inc. on behalf of Rafael Hidalgo for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Tennis Courts* (*Pickleball Courts*) on a 0.7940-acre parcel of land identified as Lot 3, Block B, Eagle Point Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, situated within the Scenic Overlay (SOV) District, addressed as 1400 Ridge Road, and take any action necessary **(1st Reading)**.

4. **Z2023-048** - Hold a public hearing to discuss and consider a request by Clay Cristy of ClayMoore Engineering on behalf of Staci Bowen of Metroplex Acquisitions for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for a *Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In* for the purpose of constructing a restaurant (*i.e. HTeaO*) on a 0.93-acre portion of a larger 5.16-acre parcel of land identified as Lot 13, Block A, Stone Creek Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD70) for General Retail (GR) District land uses, situated within North SH-205 Overlay (N. SH-205 OV) District, generally located at the northeast corner of the intersection of N. Goliad Street [*SH-205*] and Bordeaux Drive, and take any action necessary **(1st Reading)**.

XII. Action Items

If your comments are regarding an agenda item below, you are asked to speak during Open Forum.

1. Discuss and consider a request from Rockwall Independent School District Executive Director, William Salee for approval of the height and size of two new ninth grade / freshmen center monument signs, and take any action necessary.

2. Discuss and consider acceptance of SAFER Grant Funding for the Rockwall Fire Department and associated FY2024 budget amendments related to funding the City's share of said grant program, and take any action necessary.

3. Consider approving a lease agreement with JBC Land & Cattle Company, LLC for office space in the Rockwall Technology Park, including authorizing the City Manager to negotiate and execute the contract on behalf of the City, and approving a project budget for renovations, and take any action necessary.

XIII. Adjournment

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

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

I, Kristy Teague, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 13th day of October, 2023 at 4:00 PM and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

_____ _____

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

Date Removed

Rockwall, Texas

Proclamation

Whereas, Chambers of Commerce work with area industry, businesses, and merchants to advance the civic, economic, industrial, professional, and cultural life of cities; and

Whereas, Chambers of Commerce were first chartered by the Republic of Texas in 1840 and have contributed to the civic and economic life of Texas for 183 years; and

Whereas, this year marks the 94th anniversary of the Rockwall Area Chamber of Commerce and the 117th Anniversary of the Texas Association of Chamber of Commerce Executives, the state's longest standing association of Chamber professionals in the nation; and

Whereas, the Rockwall Area Chamber of Commerce, founded in 1929, is the leading broad-based business organization that serves as a unified voice for area business; and

Whereas, Chambers of Commerce encourage the growth of existing industries, services, and commercial firms and encourage new businesses and individuals to locate in Rockwall, acting as a liaison with the State of Texas, City and County of Rockwall, schools and business community; and

Whereas, Chambers of Commerce remain strong, viable organizations of professionals throughout the nation; and

Whereas, Chambers of Commerce provide guidance and leadership to communities across the state and serve as a career development organization for chamber of commerce professionals.

Now, Therefore, I, Trace Johannesen, Mayor of the City of Rockwall, Texas, do hereby proclaim **October 16 - 20** as

Chamber of Commerce Week

in the City of Rockwall and encourage all citizens to recognize and applaud this organization for its many professional endeavors which benefit our city and beyond.

In Witness Whereof, I hereunto set my hand and official seal this 16th day of October, 2023.

Trace Johannesen, Mayor

MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING
Monday, October 2, 2023 - 5:00 PM
City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. Call Public Meeting to Order

Mayor Johannesen called the public meeting to order at 5:00 p.m. Present were Mayor Trace Johannesen, Mayor Pro Tem Anna Campbell, and Councilmembers Sedric Thomas, Mark Moeller, Dennis Lewis and Tim McCallum. Also present were City Manager Mary Smith and Assistant City Manager Joey Boyd. City Attorney Frank Garza was present for Executive Session via video teleconferencing ("ZOOM"). Councilmember Clarence Jorif was absent from Executive Session, but he joined the public meeting at 6:09 p.m.

Mayor Johannensen read the below-listed discussion items into the record before recessing the public meeting to go into Executive Session at 5:01 p.m.

II. Executive Session

The City of Rockwall City Council will recess into executive session to discuss the following matter as authorized by chapter 551 of the Texas government code:

1. Discussion regarding (re)appointments to city regulatory boards and commissions, pursuant to §551.074 (Personnel Matters).

2. **Pulled from Public Meeting Agenda – Action Item #4.** Discuss and consider approval of the Rockwall Baseball Softball League's Zero Tolerance Umpire Policy, and take any action necessary

III. Adjourn Executive Session

Council adjourned Executive Session at 5:26 p.m.

IV. Reconvene Public Meeting (6:00 P.M.)

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

V. Invocation and Pledge of Allegiance - Councilmember Thomas

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

VI. Proclamations / Awards / Recognitions

1. Domestic Violence Awareness Month

Kristen Ostertag and Heather Adams from "Women in Need," along with representatives of the Rockwall Police Department and Rockwall County came forth, including Judge Mark Russo. Mayor Johannesen then read and presented them with this proclamation to raise awareness for Domestic

Violence and encourage supporting organizations that aim to eradicate this type of crime.

2. National Night Out

Members of the Rockwall Police Department came forth and accepted this proclamation from Mayor Johannesen. "Texas Night Out" is being celebrated tomorrow, October 3, and various neighborhoods within the City of Rockwall will be holding 'block parties' and other events. Residents throughout the city were encouraged to participate.

3. Fire Prevention Month

Mayor Johannesen called forth Fire Chief, Kenneth Cullins. He then read and presented this proclamation for "Fire Prevention Month," encouraging all residents to use caution to prevent home and other fires.

It was noted that Councilmember Jorif joined the meeting at this point in time (6:09 p.m.).

VII. Open Forum

Mayor Johannesen explained how Open Forum is conducted, asking if anyone would like to come forth and speak at this time.

Melba Jeffus
2606 Cypress Drive
Rockwall, TX 75087

Mrs. Jeffus came forth and expressed many concerns related to 'short-term rentals' (i.e. "Air B&Bs"), a topic which she stated she had previously come to Council about a year ago to discuss. She shared that she previously expressed to the Council that Rockwall needs to form a committee to create guidelines to regulate short-term rentals in our city. She does not believe a committee has been formed, thus far, and she is very concerned about these sorts of properties. She shared that she found many, many listings today when she "Googled" "short-term rentals, VRBO and Air B&B Rockwall" earlier today. She does not want our city to find itself in the same position as cities such as Dallas and Plano have found themselves in. She urged the city council to appoint a committee to evaluate establishing regulations.

Lonnie Herbst
1509 S. Alamo
Rockwall, TX 75087

Mr. Herbst came forth and also discussed concerns about short-term rentals in the City of Rockwall. The one located at 1400 Ridge Road, which overlooks several homes and the neighborhood below, just opened last week, and already there have been several calls made to the police. He shared that his entire neighborhood is now essentially an amphitheater (loud music). He shared that if regulations are not put in place soon to delineate how short-term rentals operate, how many people can occupy them, etc., additional issues will arise. When this particular short-term rental is being occupied, it is lit up like a Christmas tree, he stated, and – overall – the property is unkept. He believes this will begin to adversely affect his neighborhood more and more, including diminishing home values and tearing up families. He believes this particular short-term rental "on steroids" will very much adversely impact his home and his neighborhood.

Stan Jeffus
2606 Cypress Drive
Rockwall, TX 75087

Mr. Jeffus came forth and shared concerns about short-term rentals. He would like to see some sort of regulations and some sort of plan put into place to address these types of properties. He generally has concerns about trash/littering as well as traffic, noise and other things that are undesirable.

Marvalee Barrett
1511 S. Alamo Road
Rockwall, TX 75087

Mrs. Barrett shared that her home is directly behind and beneath the short-term rental that recently opened on Ridge Road. She has a lot of concerns, including this potentially being a 'party house' and having a large metal structure out back that already has a lot of things inside of it. Her daughter's windows are right nearby, and her driveway is as well. She will greatly appreciate the Council taking a deep look into these concerning issues.

Judy Dickson
205 Meadowdale
Rockwall, TX

Mrs. Dickson shared she has three short-term rentals within a block of her house. She believes that they pose a security concern, and – also – when someone purchases a home, they have certain rights. She generally expressed the belief that these short-term rentals are essentially commercial establishments that serve as hotels. She believes that short-term rentals infringe on property owners' rights, and they directly impact surrounding neighbors. She posed some questions to council related to short-term rentals and then generally urged Council to do what's best to manage and support our existing residents in our city.

Joy Bounds Murphy
209 Tanya Drive
Rockwall, TX 75087

Mrs. Bounds came forth to speak about short-term rentals ("Air B&Bs"). She indicated that eight or nine years ago, she and others came to Council to discuss Dan Bobst and his wife, who she indicated the "Central Appraisal District tax rolls" currently show to have 100% ownership of the property at 1400 Ridge Road. Staff clarified that Mr. Bobst recently sold the property; however, the ownership information shown on the Central Appraisal District website has not yet been updated to reflect the home having recently changed ownership. Mrs. Bounds pointed out that years ago, Mr. Bobst wanted to sell this home and have an office building with multiple layers of parking and huge lights built. With that proposal at the time, the lights would have been very bright and concerning, but it would have been an office building that would only be open during the day. Now, the issue has escalated into a 'party house' being established that is open seven days a week. She shared that she has lived in this same home on Tanya for forty years, and she is one of many generations of her family who have lived in Rockwall. Families move here to Rockwall to put their children in our schools, and they desire it to be a safe environment. However, short-term rentals pose a problem, and she and others are very concerned about these rentals (in particular the one by her own home). She is especially concerned about the pickleball court at 1400 Ridge Road, however, it is not the main problem. She likes to go outside and look at the stars and the moon for spiritual reasons, and she knows and loves her neighbors. She expressed that she and her neighbors have 'rights,' and they

deserve to have safety and security. She went on to pose a series of questions to Council, encouraging them to think about the questions she has vocalized (specific to the short-term rental (that she called a "vacation home" and a "party barn") that has opened up at 1400 Ridge Road). She urged Council to 'vote against' this proposal (the short-term rental at 1400 Ridge) as well as its pickleball court. She urged Council to put ordinances in place to establish guidelines for vacation rental properties and protect the community. Doing so now, instead of delaying action, will put us in bad positions.

William Childs
1611 S. Alamo
Rockwall, TX 75087

Mr. Childs intended to ask what the City is doing to regulate short-term rentals. Apparently the city is doing nothing to regulate them. Just in his area (S. Alamo), he has two short-term rentals directly across from him, in addition to the one at 1400 Ridge Road ("the party house," he stated). The homes in this area range anywhere from $400k to $1 million + in value. The short-term rental industry is growing, so these issues are only going to get worse. There is a direct correlation between short-term rentals and crime due to renters being part of the 'transient community.' He believes properties like this bring crime, including drugs. He has studied this issue and knows that problems related to short-term rentals are not unique to Rockwall – they are happening all over the country. He briefly spoke about City of Plano banning short-term rentals for one year, pointing out that that city was 100% reactive. Peers around our city are taking action and doing things. He encouraged our city to lead these charges because now is the time to act. He implored the Council to act now and do something to regulate short-term rentals. Short-term rentals come with delinquent, criminal behavior, and not taking action now will be very costly to the City.

Mayor Johannesen shared that it is not fair to say the City of Rockwall has done 'nothing' thus far. He went on to share that the city has discussed these concerns in the past. At that time, however, the city attorney advised the Council to wait to see what the Texas State Legislature does pertaining to these sorts of properties. So, the city has been looking into and watching these matters.

Erica Lyle
1603 S. Alamo
Rockwall, TX

Mrs. Lyle shared that her home is in earshot of the 'amphitheater' that is located at 1400 Ridge Road (the short-term rental that was recently established). She has been before Council many times over the twenty-five years she has lived here. She believes we live in an amazing country, state and city, and she believes she and others would like to keep our city 'a great place.' She believes that having short-term rentals anywhere in Rockwall is a bad idea, but she is especially concerned about the "party barn" that looks down over her back yard. She thanked Council for thinking about these concerns and for looking for solutions.

Stephan Kelley
206 Tanya Drive
Rockwall, TX 75087

Mr. Kelley shared that a couple of his neighbors are here tonight (and have already spoken). He is a newcomer to this city, and he believes certain things – such as a high achieving school system – have attracted new residents to move into our city. He urged Council to think about what attracts (essentially) desirable residents and what might attract not-so-desirable residents. He urged Council to take steps to ensure our city remains a desirable community.

Paulette Weddle
1601 S Alamo Road
Rockwall, TX 75087

Mrs. Weddle shared that, during the week, the short-term rental is charging what equates to about $25/night for each of the 16 people who might rent/occupy the one located at 1400 Ridge Road. She went on to share the 'house rules' that are specified associated with renting 1400 Ridge Road, pointing out that they state renters should respect the home/the rental itself (but it says nothing about respecting neighbors). She shared that she and her other neighbors are not going to quit fighting the issue of 'short-term rentals.' She does not know if there is a way to stop this particular short-term rentals, but – if not – she at least urged the City to establish strict regulations on them. (i.e. no noise after 10 PM).

There being no one else wishing to come forth and speak at this time, Mayor Johannesen closed Open Forum.

Mayor Johannesen thanked the speakers this evening for sharing their input, indicating that Council will be considering their concerns.

VIII. Take Any Action as a Result of Executive Session

Mayor Pro Tem Campbell moved to appoint Ben Lewis and Brandon Litton to fill vacant seats on the city's Historic Preservation Advisory Board (HPAB) (each will have a term that runs through August of 2025). Councilmember Lewis seconded the motion, which passed by a vote of 7 ayes to 0 nays.

IX. Consent Agenda

1. Consider approval of the minutes from the September 18, 2023 city council meeting, and take any action necessary.

2. **Z2023-038** - Consider a request by the City of Rockwall for the approval of an **ordinance** for a Zoning Change amending Planned Development District 3 (PD-3) [Ordinance No.'s 72-02, 77-19A, 80-33, 84-59, 86-23, 86-39, 89-04, 96-35 & 96-23] for the purpose of consolidating the regulating ordinances for a 639.264-acre tract of land situated within the T. Dean Survey, Abstract No. 69; S. King Survey, Abstract No. 131; N. Butler Survey, Abstract No. 21; and, A. Hanna Survey, Abstract No. 98, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 3 (PD-3), generally located south of Dalton Road, west of SH-205 [S. Goliad Street], and north of Lake Forest Drive, and take any action necessary **(2nd Reading)**.

3. **Z2023-039** - Consider approval of an **ordinance** for a *Text Amendment* to Subsection 06.16, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] for the purpose of creating a process to allow Homeowner's Associations (HOA's) the ability to lease certain portions of the takeline, and take any action necessary **(2nd Reading)**.

4. **Z2023-040** - Consider a request by Kaylee and Taylor Henson for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Residential Infill Adjacent to an Established*

Subdivision on a ten (10) acre parcel of land identified as Lot 1, Block A, Breezy Hill Lane Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 1325 Breezy Hill Lane, and take any action necessary **(2nd Reading)**.

5. **Z2023-041** - Consider a request by Anthony Loeffel of Kimley-Horn on behalf of James Melino of Rockwall 549/I-30 Partners, LP and Conveyor I30 Partners, LP for the approval of an **ordinance** for a *Zoning Change* from an Agricultural (AG) District and Light Industrial (LI) District to a Commercial (C) District for a 66.057-acre tract of land identified as Lot 1, Block B; Lot 1R, Block C; and Lot 1, Block D, Rockwall Commercial Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, generally located at the northwest corner of Stodghill Road and the IH-30 Frontage Road, and take any action necessary **(2nd Reading)**.

6. **Z2023-042** - Consider a request by Juan J. Vasquez of Vasquez Engineering, LLC on behalf of Shane Shoulders of Kennor Rockwall Retail, LLC for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for a *Restaurant, with 2,000 SF or More, with Drive-Through or Drive-In* on a 1.93-acre parcel of land identified as Lots 8 & 9, Block A, Dalton-Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 3611 & 3775 N. Goliad Street [*SH-205*], and take any action necessary **(2nd Reading)**.

7. **Z2023-043** - Consider a request by Angelina Nguyen for the approval of an **ordinance** for a Specific Use Permit (SUP) for Residential Infill In an Established Subdivision on a 0.16-acre parcel of land identified as Lot 18, Block B, Harbor Landing, Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8), addressed as 303 Harborview Drive, and take any action necessary **(2nd Reading).**

8. Consider approval of an **ordinance** amending Chapter 28 of the city's Code of Ordinances to establish the Rockwall Municipal Court as a Court of Record, and take any action necessary **(2nd reading)**.

9. **P2023-030** - Consider a request by Ashley Egan for the approval of a *Final Plat* for Lot 1, Block A, Reborn Skin Addition being a 0.51-acre tract of land identified as Block 80B of the B.F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Residential-Office (RO) District, addressed as 108 St. Mary's Street, and take any action necessary.

10. Consider a request by Bowen Hendrix of DuWest Realty, LLC for the approval of an *Alternative Tree Mitigation Settlement Agreement* in conjunction with an approved site plan for two (2) *Restaurant/Retail Buildings* on an 8.63-acre tract of land identified as Tract 3-10 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 70 (PD-70) for limited General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, generally located at the northeast corner of the intersection of E. Quail Run Road and N. Goliad Street [SH-205], and take any action necessary.

11. Consider authorizing the City Manager to execute an interlocal cooperative agreement between the City of Rockwall and STAR Transit for transportation services for fiscal year 2024 in the amount of $121,000 to be funded by the Administration Department Operating Budget, and take any action necessary.

12. Consider authorizing the City Manager to execute an agreement with Meals on Wheels

Senior Services for certain nutritional and senior service programs for fiscal year 2024 in the amount of $50,000 to be funded from the Administration Department Operating Budget, and take any action necessary.

13. Consider authorizing the City Manager to execute an interlocal agreement between the City of Rockwall and Rockwall County for Animal Control Services, and take any action necessary.

14. Consider authorizing the City Manager to execute a purchase order with Facility Solutions Group/Green Frog System in the amount of $165,280.80 for installation of solar lighting at Kidzone playground and Harry Myers parking lots to be funded out of the Recreation Development Fund (this is an approved 2023-2024 budget request funded at $185,000.00), and take any action necessary.

15. Consider authorizing the City Manager to execute a purchase order with Master Systems Courts in the amount of $55,000.00 for the resurfacing of pickleball and basketball courts to be funded out of the Recreation Development Fund (this is an approved 2023-2024 budget request with approved funding of $55,000.00), and take any action necessary.

16. Consider authorizing the City Manager to execute a purchase order with Horizon Online Distributors in the amount of $48,081.90 for the purchase of Toro Dingo XT1000 Tractor to be funded out of Parks Budget (this is an approved 2023-2024 budget request funded at $55,000.00), and take any action necessary.

17. Consider authorizing the City Manager to execute an amendment with Rockwall Adoption Center related to funding for fiscal year 2024, and take any action necessary.

Regarding the Consent Agenda, Mayor Johannesen pulled item #1. Councilmember McCallum pulled item #10. Councilmember McCallum then moved to approve the remaining Consent Agenda items (#s 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, and 17). Councilmember Jorif seconded the motion. The ordinance captions were then read as follows:

CITY OF ROCKWALL

ORDINANCE NO. 23-53

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 3 (PD-3) AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CONSOLIDATE THE REGULATING ORDINANCES OF THE PLANNED DEVELOPMENT DISTRICT, BEING A 639.264-ACRE TRACT OF LAND SITUATED WITHIN THE T. DEAN SURVEY, ABSTRACT NO. 69; S. KING SURVEY, ABSTRACT NO. 131; N. BUTLER SURVEY, ABSTRACT NO. 21; AND, A. HANNA SURVEY, ABSTRACT NO. 98, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL

ORDINANCE NO. 23-54

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE 05, *DISTRICT DEVELOPMENT STANDARDS*, AS DEPCITED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL

ORDINANCE NO. 23-55

SPECIFIC USE PERMIT NO. S-315

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR RESIDENTIAL INFILL ADJACENT TO AN ESTABLISHED SUBDIVISION TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 10.00-ACRE TRACT OF LAND, IDENTIFIED AS LOT 1, BLOCK A, BREEZY HILL LANE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL

ORDINANCE NO. 23-56

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT AND A LIGHT INDUSTRIAL (LI) DISTRICT TO A COMMERCIAL (C) DISTRICT FOR A 66.057-ACRE TRACT OF LAND IDENTIFIED AS LOT 1, BLOCK B; LOT 1R, BLOCK C; AND LOT 1, BLOCK D, ROCKWALL COMMERCIAL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* AND FURTHER DEPICTED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL

ORDINANCE NO. 23-57

SPECIFIC USE PERMIT NO. S-316

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A *RESTAURANT, WITH 2,000 SF OR MORE WITH A DRIVE-THROUGH OR DRIVE-IN* ON A 1.93-ACRE PARCEL OF LAND IDENTIFIED AS LOTS 8 & 9, BLOCK A, DALTON-GOLIAD ADDITION, CITY

OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL

ORDINANCE NO. 23-58

SPECIFIC USE PERMIT NO. S-317

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 8 (PD-8) [*ORDINANCE NO. 23-40*] AND THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE N*O. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.1519-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 18, BLOCK B, OF THE HARBOR LANDING PHASE 2 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL

ORDINANCE NO. 23-59

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ("CITY") AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROCKWALL IN CHAPTER 28 TO ESTABLISH A MUNICIPAL COURT OF RECORD; AMENDING ARTICLE I IN GENERAL AND ARTICLE III FEES; DECLARING A PUBLIC PURPOSE; PROVIDING FOR RECITALS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Regarding Consent Agenda item #1, Mayor Johannesen explained that one minor error is in need of correction on the first page of the draft minutes. Mayor Johannesen then moved to approve the corrected minutes. Councilmember Lewis seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Regarding Consent Agenda item #10, Councilmember McCallum asked if developers are allowed to transplant trees to serve as a portion of their tree mitigation. Mr. Miller, Planning Director, shared that the city does have a "tree day" that is required by ordinance. Following additional, brief comments, Councilmember McCallum expressed a desire to keep 'tree mitigation' settlements to a minimum. He then moved to approve Consent Agenda item #10. Councilmember Lewis seconded the motion, which passed unanimously (7 ayes to 0 nays).

X. Action Items

1. Discuss and consider approval of a resolution providing for the submission of names to the Rockwall Central Appraisal District (CAD / RCAD) for nominations to the Board of Directors, and take any action necessary.

Councilmember McCallum made a motion to approve the resolution specifying John Hohenshelt as the city's nomination and submitting said resolution it to the Rockwall Central Appraisal District. Councilmember Thomas seconded the motion, which passed unanimously of Council (7 ayes to 0 nays).

2. Consider approval of a recommendation from the Hotel Occupancy Tax (HOT) Subcommittee appropriating funding for the Chamber of Commerce in the amount of $465,000, and take any action necessary.

Mrs. Smith, City Manager, shared that the Council subcommittee met with representatives of the Chamber last week, and an explanatory memo has been provided within tonight's informational meeting packet. Councilmember McCallum moved to approve this funding request. He went on to explain that, with this large funding request being approved, the Chamber will be coming before the Council – likely quarterly – to provide reports and updates on use of these funds. Mayor Pro Tem Campbell seconded the motion, which passed by a vote of 7 ayes to 0 nays.

3. Discuss and consider a recommendation by the Parks & Recreation Board, including approval of a resolution naming 50 acres of dedicated park land the "Ben A. Klutts, Sr. Park," and take any action necessary.

Planning Director, Travis Sales came forth and briefed the Council on background information related to this agenda item, explaining that this park land donation and associated 'naming' request is associated with the old Klutts farm. The Parks & Rec Board received a request form the Klutts Family that the city consider naming it after Mr. Klutts, and the Park Board has agreed with the family's request. Mayor Johannesen went on to provide brief comments related to planning for city parks, generally explaining that this park land is associated with the city's Parks Master Plan which aims to have one large park in the north end of the city and one large park in the south end (with Harry Myers Park being in the middle of the city). This park land helps accomplish part of that plan in the south area of the city. Following the mayor's comments, Councilmember Jorif moved to approve the 'naming' recommendation and associated resolution. Councilmember Moeller seconded the motion, which passed by a vote of 7 ayes to 0 nays.

4. Discuss and consider approval of the Rockwall Baseball Softball League's Zero Tolerance Umpire Policy, and take any action necessary.

Mr. Travis Sales, Parks Director, shared that the policy has been provided to Council for consideration. Its purpose is generally to support the umpires and ensure orderly conduct during games.

Councilmember Lewis moved to approve the policy. Mayor Pro Tem Campbell seconded the motion, thanking city staff for a well-written, good policy. Councilmember McCallum expressed that Mr. Sales is one of the very best Parks Directors in the state. Councilmember McCallum explained that he is personally not an umpire, but he is a basketball official, so he appreciates all that staff does to ensure things related to sporting games run smoothly. The motion to approve the policy then passed unanimously of council (7 ayes to 0 nays).

XI. City Manager's Report, Departmental Reports and Related Discussions Pertaining To Current City Activities, Upcoming Meetings, Future Legislative Activities, and Other Related Matters.

1. Building Inspections Department Monthly Report - August 2023
2. Fire Department Monthly Report - August 2023
3. Parks & Recreation Department Monthly Report - August 2023
4. Police Department Monthly Report - August 2023
5. Sales Tax Historical Comparison
6. Water Consumption Historical Statistics

Mrs. Smith shared that the city's annual Rib Rub, Run and Roll is happening this weekend. She urged everyone to show up and enjoy the various festivities.

Councilmember Thomas thanked the Klutts family members who were present in the audience this evening. He expressed gratitude for their generous land donation so that our city and its residents can enjoy this parkland in the future.

XII. Adjournment

Mayor Johannesen adjourned the meeting at 7:08 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS 16th DAY OF OCTOBER, 2023.

_____
TRACE JOHANNESEN, MAYOR

ATTEST:

_____
KRISTY TEAGUE, CITY SECRETARY

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	October 16, 2023
APPLICANT:	Dakota Brewer
CASE NUMBER:	P2023-029; *Final Plat for Lots 1-3, Block A, Brewer Bend Addition*

SUMMARY

Consider a request by Dakota Brewer for the approval of a *Final Plat* for Lots 1-3, Block A, Brewer Bend Addition being a 5.41-acre tract of land identified as *Tract 4-2 and a portion of Tract 4-06, of the W.W. Ford Survey, Abstract No. 80*, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 4.0 (SFE-4.0) District, addressed as 626 Cullins Street, and take any action necessary.

PLAT INFORMATION

☑ *Purpose*. The applicant is requesting the approval of a *Final Plat* for a 5.41-acre tract of land (*i.e. Tract 4-2 and a portion of Tract 4-06, of the W.W. Ford Survey, Abstract No. 80*) for the purpose of creating (3) parcels of land (*i.e. Lot 1-3, Block A, Brewer Bend Addition*) to facilitate the future construction of two (2) single-family homes. There is currently an existing single-family home on *Lot 1, Block A*.

☑ *Background*. The City Council approved *Ordinance No. 04-34* annexing the subject property into the City of Rockwall on May 17, 2004 [*i.e. Case No. A2004-001*]. At the time of annexation, the subject property was zoned Agricultural (AG) District. According to the Rockwall Central Appraisal District (RCAD), currently situated on the subject property is a ~1,849 SF single-family home that was constructed in 1994, a 462 SF detached garage also constructed in 1994, a 210 SF storage shed constructed in 1999, and a 378 SF attached carport that was constructed in 2006. On March 6, 2023, the City Council approved a zoning change [*Case No. Z2023-006*] from Agricultural (AG) District to Single-Family Estate 4.0 (SFE-4.0) District. On July 13, 2023, the Board of Adjustments (BOA) approved a variance [*BOA2023-002-V*] to allow a decrease in lot depth from 250-feet to 208-feet, 9-inches on the 2.66-acre tract of land addressed as 626 Cullins Road. On August 21, 2023, the City Council approved a zoning change [*Case No. Z2023-034*] from Single-Family Estate 4.0 (SFEE-4.0) District to Single-Family Estate 1.5 (SFE-1.5) District.

☑ On October 3, 2023, the Parks and Recreation Board reviewed the *Final Plat* and made the following recommendations concerning the proposed subdivision:

- The property owner shall pay pro-rata equipment fees of $1,794 (*i.e. $897.00 x 2 Lots*), which will be due prior to the issuance of a building permit.
- The property owner shall pay cash-in-lieu of land fees of $3,708 (*i.e. $1,854.00 x 2 Lots*), which will be due prior to the issuance of a building permit.

☑ *Conformance to the Subdivision Ordinance*. The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stipulated by the Chapter 38, Subdivisions, of the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ *Conditional Approval*. Conditional approval of this *Final Plat* by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the *Final Plat* for *Lots 1-3, Block A, Brewer's Bend Addition* staff would propose the following conditions of approval:

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

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

PLANNING AND ZONING COMMISSION

On October 10, 2023, the Planning and Zoning Commission approved a motion to recommend approval of the Final Plat by a vote of 7-0.

DEVELOPMENT APPLICATION

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

STAFF USE ONLY
PLANNING & ZONING CASE NO.

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:
- ☐ MASTER PLAT ($100.00 + $15.00 ACRE) [1]
- ☐ PRELIMINARY PLAT ($200.00 + $15.00 ACRE) [1]
- ☑ FINAL PLAT ($300.00 + $20.00 ACRE) [1] 420.00
- ☐ REPLAT ($300.00 + $20.00 ACRE) [1]
- ☐ AMENDING OR MINOR PLAT ($150.00)
- ☐ PLAT REINSTATEMENT REQUEST ($100.00)

SITE PLAN APPLICATION FEES:
- ☐ SITE PLAN ($250.00 + $20.00 ACRE) [1]
- ☐ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN ($100.00)

ZONING APPLICATION FEES:
- ☐ ZONING CHANGE ($200.00 + $15.00 ACRE) [1]
- ☐ SPECIFIC USE PERMIT ($200.00 + $15.00 ACRE) [1 & 2]
- ☐ PD DEVELOPMENT PLANS ($200.00 + $15.00 ACRE) [1]

OTHER APPLICATION FEES:
- ☐ TREE REMOVAL ($75.00)
- ☐ VARIANCE REQUEST/SPECIAL EXCEPTIONS ($100.00) [2]

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS	626 Cullins Rd.				
SUBDIVISION	W.W. Ford Survey A-80	LOT		BLOCK	
GENERAL LOCATION	Cullins Rd. & FM 549				

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING	SFE - 4		CURRENT USE	SFE - 2.0	
PROPOSED ZONING	SFE - 1.5		PROPOSED USE	SFE - 1.5	
ACREAGE	5.41	LOTS [CURRENT]	1	LOTS [PROPOSED]	3

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

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

☑ OWNER	Dakota & Claire Brewer Austen & Sara Brewer	☑ APPLICANT	Same as Owner
CONTACT PERSON	Dakota Brewer	CONTACT PERSON	
ADDRESS	626 Cullins Rd Rockwall, TX 75032	ADDRESS	
CITY, STATE & ZIP		CITY, STATE & ZIP	
PHONE	972 743 6684	PHONE	
E-MAIL	Dakota.Brewer@ntcxas.edu	E-MAIL	

NOTARY VERIFICATION [REQUIRED]

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

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 18 *DAY OF* AUGUST, 2023.

OWNER'S SIGNATURE Dakota Brewer / Austen Brewer

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS T. ESQUIVEL

NOTARY PUBLIC STATE OF TEXAS
T ESQUIVEL
Notary Public, State of Texas
Comm. Expires 02-11-2025
Notary ID 124933117

MY COMMISSION EXPIRES FEB 11 2025



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

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

SURVEYOR'S NOTES

1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0110 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

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

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

27.87 ACRES
WILKIE HUGH BOYD
V. 4804. PG. 254

3.00 ACRES
LESLIE HOPE
DARYL HOPE
DOC#20160000016212
O.P.R.R.C.T.

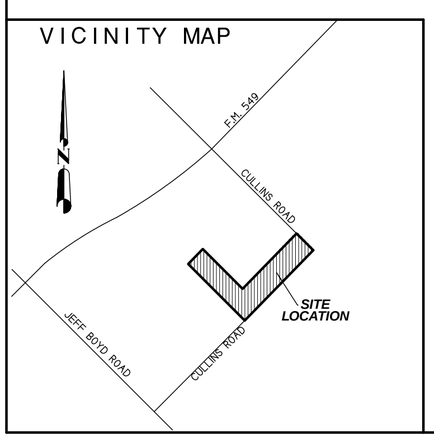
3.00 ACRES
JORGE ABREU
TAHSA ABREU
DOC#20210000014188
O.P.R.R.C.T.

N 44° 14' 20" E 162.29'
N 44°14'20"E 162.29'
1/2" IRF
1/2" IRS
S 44° 58' 59" E 437.15'
S 44°58'59"E 437.15'
N 44° 16' 14" E 313.18'
N 44°16'14"E 313.18'
N 44° 16' 14" E 626.21'
N 44°16'14"E 313.03'
N 45° 00' 00" W 647.33'
N 45°00'00"W 620.76'
S 44°56'30"E 208.71'
S 44°56'30"E 208.71'
S 45° 43' 03" W 161.97'
26.57'
SPC 709534.01
E= 1903501.60
MAG NAIL SET IN PVMT
25.00
1/2" IRF
S 44°16'14"W 161.97'
4,176 SQ. FT. DEDICATED TO RIGHT-OF-WAY
CITY LIMITS-CITY OF ROCKWALL
S 44°16'14"W 313.18'
7,829 SQ. FT. DEDICATED TO RIGHT-OF-WAY
CULLINS ROAD
S 44° 16' 14" W 626.49'
BASIS OF BEARINGS
CITY LIMITS-CITY OF ROCKWALL
S 44°16'14"W 267.08'
12,646 SQ. FT. DEDICATED TO RIGHT-OF-WAY
S 44°16'14"W 313.32'
CENTERLINE
CENTERLINE
S 45° 01' 11" E 208.71'
CULLINS ROAD
SPC 709524.21
E= 1903703.18
1/2" IRF
6.00'
10' UTIL. ESMT.
S 45°01'11"E 163.70'
50' BUILDING LINE
25' BUILDING LINE
10' UTIL. ESMT.
50' BUILDING LINE
10' UTIL. ESMT.
S 0°22'28"W 28.46'
POINT OF BEGINNING
3/4" IRF
LOT 1
1.50 ACRES
65,357 SQ. FT.
LOT 2
1.50 ACRES
65,356 SQ. FT.
LOT 3
2.41 ACRES
104,846 SQ. FT.
BLOCK A
REMAINDER OF
TONY POPE
KAREN POPE
V. 7050. PG. 91

N

0 50 100 150
GRAPHIC SCALE 1" = 50'

VICINITY MAP



FINAL PLAT

LOTS 1-3, BLOCK A
BREWER BEND ADDITION

5.41 ACRES OR 235,559 S.F.

SITUATED IN THE
W.W. FORD SURVEY, ABSTRACT NO. 80
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

OWNER:
DAKOTA BREWER
CLAIRE BREWER
AUSTEN BREWER
SARA BREWER
626 CULLINS ROAD
ROCKWALL, TEXAS 75087

SHEET 1 OF 2

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC BOX SUBSURFACE JUNCTION BOX	WM WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND I CORNER T	
EASEMENT LINE				
PROPERTY LINES				

SURVEY DATE NOVEMBER 29, 2022
SCALE 1" = 50' FILE # 20220159-FP
CLIENT BREWER

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

CITY CASE P2023-029

OWNER'S CERTIFICATE
(Public Dedication)

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS DAKOTA BREWER & CLAIRE BREWER and AUSTEN BREWER & SARA BREWER, BEING THE OWNERS OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, and being all of a tract of land as described in a Warranty deed from Erin Pope to Tony Pope and Karen Pope, dated June 14, 1994 and being recorded in Volume 915, Page 141 of the Real Property Records of Rockwall County, Texas, and being part of a 90 acre tract as recorded in Volume 67, Page 417, Deed Records, Rockwall County, Texas, and being a part of a 23.429 acres tract of land as described in a Warranty deed from Erin Pope to Tony Pope and Karen Pope, dated December 15, 2012 and being recorded in Volume 7050, Page 91 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 3/4" iron rod found for corner at the intersection of a turn in Cullins Road, said point being at the east most corner of said Pope tract and 90 acres tract of land;

THENCE S. 44 deg. 16 min. 14 sec. W. along the center of Cullins Road and southeast boundary of said Pope tract and 90 acres tract, a distance of 626.49 feet to a 1/2" iron rod found for corner;

THENCE S. 43 deg. 43 min. 03 sec. W. along the pavement of Cullins Road and southeast boundary of said Pope 23.429 acres tract, a distance of 161.97 feet to a Mag Nail set for corner;

THENCE N. 45 deg. 00 min. 00 sec. W., at 28.5 feet pass a 1/2" iron rod set for witness and continuing for a total distance of 647.33 feet to a 1/2" iron rod set for corner in the northwest boundary line of said Pope 23.429 acres tract of land;

THENCE N. 44 deg. 14 min. 20 sec. E. along the northwest boundary of Pope 23.429 acres tract, a distance of 162.29 feet to a 1/2" iron rod found for corner at the north most corner of Pope 23.429 acres tract of land;

THENCE S. 44 deg. 58 min. 59 sec. E. a distance of 437.15 feet to a 1/2" iron rod found for corner at the west corner of said 3.00 acres tract;

THENCE N. 44 deg. 16 min. 14 sec. E. at 600.0 feet pass a 1/2" iron rod found for witness and continuing for a total distance of 626.21 feet to a point for corner in Cullins Road;

THENCE S. 45 deg. 01 min. 11 sec. E. along the center of Cullins Road, a distance of 208.71 feet to the POINT OF BEGINNING and containing 235,559 square feet or 5.41 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

We the undersigned owners of the land shown on this plat, and designated herein as BREWER BEND ADDITION, LOTS 1-3, BLOCK A, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in BREWER BEND ADDITION, LOTS 1-3, BLOCK A, have been notified and signed this plat.

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

We also understand the following;

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

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

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

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

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

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

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

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

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

DAKOTA BREWER _____ CLAIRE BREWER _____

AUSTEN BREWER _____ SARA BREWER _____

STATE OF TEXAS
COUNTY OF ROCKWALL

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

Given upon my hand and seal of office this _____day of _____, _____.

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

STATE OF TEXAS
COUNTY OF ROCKWALL

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

Given upon my hand and seal of office this _____day of _____, _____.

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

STATE OF TEXAS
COUNTY OF ROCKWALL

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

Given upon my hand and seal of office this _____day of _____, _____.

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

STATE OF TEXAS
COUNTY OF ROCKWALL

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

Given upon my hand and seal of office this _____day of _____, _____.

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

GENERAL NOTES:

(1) Subdivider's Statement. Selling a portion of this addition by metes and bounds is unlawful and a violation of the Subdivision Ordinance of the City of Rockwall and Chapter 212, Municipal Regulation of Subdivisions and Property Development, of the Texas Local Government Code, and shall be subject to the City of Rockwall withholding utilities and building permits.

(2) Public Improvement Statement. It shall be the policy of the City of Rockwall to withhold issuing buildings permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a subdivision plat by the City of Rockwall does not constitute any representation, assurance or guarantee that; any building within such subdivision plat shall be approved, authorized, or permit issued, nor shall such approval constitute any representation, assurance or guarantee by the City of Rockwall of the adequacy and availability for water and sanitary sewer for personal use and fire protection within such subdivision plat, as required under the Subdivision Ordinance of the City of Rockwall.

(3) Drainage and Detention Easements. The property owner shall be responsible for maintaining, repairing, and replacing and shall bear sole liability of all systems within the drainage and detention easements.

(4) Fire Lanes. All Fire Lanes will be constructed, maintained, repaired and replaced by the property owner. Fire Lanes shall be constructed in accordance with the approved Civil Engineering Plans for both on-site and off-site Fire Lane improvements.

(5) Street Appurtenances. All decorative signage, posts, or lights installed in public right-of-way shall be installed, maintained, repaired, and replaced by the Homeowner's Association (HOA).

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

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

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

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

APPROVED

I hereby certify that the above and foregoing plat of BREWER BEND ADDITION, LOTS 1-3, BLOCK A, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ___ day of_____ , _____.

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

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

_____ _____
Mayor, City of Rockwall Planning and Zoning Commission Chairman

_____ _____
City Secretary City Engineer

FINAL PLAT

LOTS 1-3, BLOCK A BREWER BEND ADDITION

5.41 ACRES OR 235,559 S.F.

SITUATED IN THE
W.W. FORD SURVEY, ABSTRACT NO. 80
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

OWNER:
DAKOTA BREWER
CLAIRE BREWER
AUSTEN BREWER
SARA BREWER
626 CULLINS ROAD
ROCKWALL, TEXAS 75087

SYMBOL LEGEND

TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
ELEC ELECTRIC BOX SUBSURFACE JUNCTION BOX	WM WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND (CORNER)	

EASEMENT LINE
PROPERTY LINES

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

SURVEY DATE NOVEMBER 29, 2022
SCALE 1" = 50' FILE # 20220159-FP
CLIENT BREWER

CITY CASE P2023-029

City of Rockwall

MEMORANDUM

TO: **Mayor and City Council Members**

FROM: **Misty Farris, Purchasing Agent**

DATE: **October 16, 2023**

SUBJECT: **Contract Renewal for Pavement Repairs and Maintenance Contracts**

Approved in the General Fund, Streets and Drainage Operating Budget each year are funds to make asphalt pavement repairs and perform preventative maintenance work. The scope of work for this contract include materials, equipment and labor to make street repairs along with all the incidentals that go with this type of work.

The annual repair work for FY 2024 is an estimated $3,000,000 as budgeted. Contract renewals are as follows:

Intermountain Slurry	$200,000	Micro resurfacing
Nortex Concrete Lift	$175,000	Pavement & Sidewalk stabilization & lifting
Road Master Striping	$ 75,000	Pavement Marking
B & B Concrete	$725,000	Concrete Replacement
Medrano Construction	$725,000	Concrete Replacement
Texas Bit	$600,000	Asphalt Repair Projects
American Pavement	$250,000	Crack Sealing

For Council consideration are the contract renewals to the various contractors listed above and authorize the City Manager to execute purchase orders.

ATTACHMENTS:

None

City of Rockwall

MEMORANDUM

TO: **Mayor and City Council Members**

FROM: **Misty Farris, Purchasing Agent**

DATE: **October 16, 2023**

SUBJECT: **Purchase of Audio and Recording Capability, Rockwall Municipal Court**

The City Council approved an ordinance to make Rockwall Municipal Court a “Court of Record”. This project provides the audio recording capability required by law for a “Court of Record”. Microphones will be installed for the Judge, Defense Attorney, City Prosecutor, Gallery, and Witness stand. There will also be two wireless mics and two lapel mics. This solution also provides the capability to record proceedings, archive the recordings, and retrieve said recordings if needed. Transcription would be necessary if an appeal is filed, but that would be handled outside this technology.

Installation and Hardware
Total: **$37,692.40**

The City Council is asked to consider approval of the Purchase Order for the purchase and installation of the proposed audio and recording solution from Avsant. The pricing for this project is from the State of Texas Buyboard CO-OP Contract #644-21. This project was included in the 2023-2024 budget.

ATTACHMENTS:
None

City of Rockwall

MEMORANDUM

TO: **Mayor and City Council Members**

FROM: **Misty Farris, Purchasing Agent**

DATE: **October 16, 2023**

SUBJECT: **PURCHASE OF YEAR MODEL 2024-2025 VEHICLES**

As in the past, City vehicles will be ordered using the Texas Association of School Boards' Buy Board purchasing cooperative contract for vehicles. As a member and participant in this cooperative, the City has met all formal bidding requirements pertaining to the purchase of each vehicle. Any remaining budget dollars may be used to fit the vehicle with after-market equipment such as emergency lighting, wiring, and installation of computer hardware, radio, decals, and safety equipment.

FY 2024 Approved Vehicles

Department	Vehicle	Budget	Cost	Funding	Vendor
Police Patrol	Vehicle (10 ea.)	536,525	544,700		Rockdale/Caldwell
Police Patrol	Motorcycle	61,000	56,735		Longhorn/Maverick HD
Police CID	Vehicle	35,000	30,538		Cavender Nissan
Total		$ 632,525	$ 631,973	GF Reserves	
Wastewater	Utility Truck	48,300	48,140		Rockdale
Wastewater	Jet Truck	195,820	191,293		Rush Truck Center
Total		$ 244,120	$ 239,433	W & S Fund	

Council is asked to consider approving the new vehicle orders as listed above to Caldwell Country Chevrolet $276,600, Rockdale Country Ford $316,240, Longhorn & Maverick HD $56,735, Cavender Nissan $30,538, and Rush Truck Center $191,293 and authorize the City Manager to execute purchase orders for these new vehicles. Funding sources include: Police Patrol, Criminal Investigations Division and Sewer Operating Budgets

ATTACHMENTS:

None

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Mary Smith, City Manager**

FROM: **Amy Williams, Director of Public Works/City Engineer**

DATE: **October 12, 2023**

SUBJECT: **Proposed 2024 Sanitary Sewer Condition Assessment**

The strategic plan associated with the City's Capacity, Management, Operations, and Maintenance (CMOM) Plan presented to the EPA requires the City to complete a condition assessment of the sewer system within ten years. To develop this strategic initiative, staff and the firm that worked on the CMOM took the information from the flow monitoring study conducted in the spring of 2015. The study was divided into 37 basins that were ranked depending on how much inflow and infiltration was detected in rain events.

The strategic initiative consists of a condition assessment of evaluating the basins that scored the lowest score in the study first. In 2023 - 2024, the wastewater division proposes to complete a condition assessment of three basins with a total of 112,730 feet of pipe with 375 manholes. The Professional Services Contract for the sanitary sewer condition assessment cost $162,600.00. The funds are available in the water and sewer operating budget, sewer line repair and replacement. Assessments of these basins will include:

- Manhole inspections
- Smoke testing
- Dye flooding
- Cleaning (City)
- CCTV (City)
- Analysis of any defects
- Mapping
- Cost estimates for repair or rehab
- Data collecting
- Final report

Staff requests the City Council consider authorizing the City Manager to execute a contract with Pipeline Analysis LLC for the Sanitary Sewer Assessment in the amount of $162,600.00 to be paid from the Water and Sewer Fund.

Professional Services Contract

City of Rockwall

Year 7

Sanitary Sewer Condition Assessment

Flow Meter Basins

SC10, BC26A and BC30

City of Rockwall
The New Horizon

October 10, 2023

PIPELINE ANALYSIS LLC
WASTEWATER COLLECTION ENGINEERS

PIPELINE ANALYSIS LLC
1115 Main Street
Garland, Texas 75040
800-637-0164
TBPE Firm No. F-6538

CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES

THIS CONTRACT made and entered into on the date last stated below between the City of Rockwall, hereinafter called "City", and Pipeline Analysis, LLC hereinafter called "ENGINEER", acting by and through Mattie A. Engels, P.E. (Project Manager) duly authorized to so act on behalf of the ENGINEER.

WHEREAS, the CITY desires professional engineering services in connection with the Sanitary Sewer Condition Assessment of sewer on a specified portion of the City of Rockwall, Texas, hereinafter called "the PROJECT"; and

WHEREAS, the CITY has determined that the ENGINEER has experience in the area involved in the Project and is qualified to perform the work, and the ENGINEER is willing to enter into a contract with CITY to perform the engineering services desired by CITY in connection with the PROJECT.

THE CITY AND ENGINEER AGREE AS FOLLOWS:

The CITY hereby retains the ENGINEER to perform engineering services in connection with the PROJECT described above.

1. SCOPE OF SERVICES

The scope of Professional Engineering Services to be performed by the ENGINEER shall be as follows:

1.1 Approach to Project

This project will perform various field testing and inspection of the wastewater collection system within the Study Area as defined on the map included in Exhibit A and prepare a final report that recommend system repairs and estimated costs.

1.2 Detailed Scope of Services

See Exhibit A attached.

2. CITY'S RESPONSIBILITIES

So as not to delay the services of ENGINEER, the CITY shall do the following in a timely manner:

2.1 Provide Existing Data

CITY will provide to ENGINEER at no cost those sewer maps and any applicable previous reports. Existing data delivered to the ENGINEER by the CITY remains

the property of the CITY and must be returned to the CITY after completion of the PROJECT.

2.2 Provide Access

Arrange for access to, and make all provisions for, ENGINEER to perform services under this AGREEMENT.

2.3 CITY Representative

CITY designates the following person as the project representative to act as the contact person on behalf of the CITY.

Rick Sherer
Water/ Wastewater Manager
City of Rockwall
1600 Airport Road
Rockwall, TX 75087
972.772.6337

2.4 Cleaning and CCTV Inspection

CITY desires to perform the cleaning and CCTV inspection of sanitary sewers identified by Pipeline Analysis LLC. Pipeline Analysis LLC shall prepare a listing of line segments requiring internal cleaning and CCTV inspection based on field testing and inspection within the study areas. City will perform the cleaning and CCTV of the designated gravity sewers and provide Pipeline Analysis LLC the resulting database and digital video of the inspections. Pipeline Analysis LLC will incorporate these findings into the final report.

3. SCHEDULE

3.1 Schedule

The ENGINEER'S services shall be performed in a timely manner consistent with sound professional practices. The ENGINEER will complete the work according to the schedule presented in Exhibit A.

The time limits set forth in the schedule shall include allowances for reasonable and expected review time by the CITY and approval by authorities having jurisdiction over the PROJECT, and shall not be allowed as cause for delay or adjustments to the schedule. Delays in the project critical path caused by review times by the CITY or a permitting agency exceeding those anticipated by the ENGINEER'S schedule are cause for adjustments in the schedule. Any

adjustments made to the agreed upon schedule shall be made in writing and acceptable to both parties.

The ENGINEER shall begin work immediately upon receipt of the executed CONTRACT and/or written Notice to Proceed.

3.2 Completion of Services

ENGINEER'S services under each item of the finalized Scope of Work shall be considered complete on the date when the submissions for that item have been accepted by CITY.

3.3 Changes

If the CITY requests significant modifications or changes in the Scope of Services, general scope, extent or character of the PROJECT, the time of performance of ENGINEER'S services, the various rates of compensation and schedule shall be adjusted equitably.

3.4 Written Authorization for Additional Work

Any provision in this CONTRACT notwithstanding, it is specifically understood and agreed that the ENGINEER shall not authorize or undertake any work pursuant to this CONTRACT which would require the payment of any fee, expense or reimbursement in addition to the fees stipulated in Section 4 (Payment for Services) of this CONTRACT, without first having obtained the specific written authority to do so from CITY.

4. PAYMENT FOR SERVICES

4.1 Terms

Terms used in describing the applicable method of payment for services provided by the ENGINEER shall have the meaning indicated below:

Basic Engineering Fee:

Basic Engineering Fee shall mean those expenses incurred by the ENGINEER in prosecuting the PROJECT Scope of Services.

Reimbursable Expenses

Not applicable

Additional Services

Additional services **not** covered under the Scope of Services, will be provided to the CITY on a unit price or lump sum basis. A revised written detailed scope of services for additional services will be provided with the pricing summary. Additional services must be approved by City along with a written notice to proceed.

4.2 Basis and Amount of Compensation for Basic Services

Compensation for basic services will be as shown in Exhibit A. These services will be billed monthly based on a percentage completed and will not exceed the total presented.

4.3 Basis and Amount of Compensation for Additional Services

Not applicable. No additional services are anticipated.

4.4 Partial Payments for Services

Partial fee payments may be applied for at monthly intervals, based upon statements which reflect the percentage of work completed for the various items listed under Scope of Services. These statements shall be prepared by the ENGINEER and must be verified and approved by CITY.

4.5 Delay

If ENGINEER'S design services or service during construction of the PROJECT are delayed or suspended in whole or in part by the CITY for more than one year for reasons beyond ENGINEER'S control the various rates of compensation, including Additional Services, provided for elsewhere in this CONTRACT shall be subject to equitable adjustment.

5. TERMINATION, SUSPENSIONS OR ABANDONMENT

5.1 Termination

The CITY or the ENGINEER may terminate this CONTRACT for reasons identified elsewhere in this CONTRACT. In the event such termination becomes necessary, the party effecting termination shall so notify the other party, and termination will

become effective thirty (30) calendar days after receipt of the termination notice. Irrespective of which party shall effect termination or the cause therefore, CITY shall within thirty (30) calendar days of termination remunerate ENGINEER for services rendered and costs incurred, in accordance with the ENGINEER'S prevailing fee schedule (Exhibit A). Services shall include those rendered up to the time of termination. All plans, field survey, and other data related to the PROJECT shall become the property of CITY upon termination of the CONTRACT and shall be promptly delivered to CITY in a reasonably organized form. Should CITY subsequently contract with a new Engineer for continuation of services on the PROJECT, ENGINEER shall cooperate in providing information. No amount shall be due for lost or anticipated profits.

5.2 Suspension

If the Project is suspended by CITY for more than 30 consecutive days, the ENGINEER shall be compensated for services performed prior to notice of such suspension. When the Project is resumed, the ENGINEER'S compensation shall be equitably adjusted to provide for expenses incurred in the interruption and resumption of the ENGINEER'S services.

5.3 Abandonment

This CONTRACT may be terminated by CITY upon not less than seven (7) days written notice to the ENGINEER in the event that the Project is permanently abandoned. If the Project is abandoned by CITY for more than ninety (90) consecutive days, the ENGINEER or CITY may terminate this CONTRACT by giving written notice.

5.4 Failure to Pay

Failure of CITY to make payments to the ENGINEER in accordance with this CONTRACT shall be considered substantial nonperformance and cause for termination.

If CITY fails to make payment to ENGINEER within thirty (30) days of a statement for services properly performed, the ENGINEER may, upon fourteen (14) days written notice to CITY, suspend performance of services under this CONTRACT. Unless ENGINEER receives payment in full within fourteen (14) days of the date of the notice, the suspension shall take effect without further notice. In the event of a suspension of services under this section, the ENGINEER shall have no liability to CITY for delay or damage caused CITY because of such suspension of services.

6. GENERAL CONSIDERATIONS

6.1 Professional Standards

Services performed by the ENGINEER under this CONTRACT will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing in the same locality under similar conditions. The ENGINEER shall comply with the applicable laws and rules of the current "Texas Engineering Practice Act". CITY's approval, acceptance, use of or payment for all or any part of the ENGINEER'S services herein under or of the project itself shall in no way alter the ENGINEER'S obligations or CITY'S rights thereunder.

6.2 Progress and Performance

The provisions of this CONTRACT and the compensation to ENGINEER have been agreed to in anticipation of continuous and orderly progress through the completion of the ENGINEER'S services. Time for performance shall be extended to the extent necessary for delays due to circumstances over which the ENGINEER has no control. If the ENGINEER'S services are suspended or delayed the times of performance shall be extended to the extent of such delay or suspension. A delay or suspension shall not terminate this CONTRACT unless ENGINEER elects to terminate in accordance with the provisions of Section 5 of this CONTRACT. If a delay or suspension extends for a period of greater than one year for reasons beyond the control of the ENGINEER, the fees and rates of compensation set forth in Section 4 shall be subject to re-negotiating.

6.3 CITY Control

It is understood and agreed that CITY shall have complete control of the services to be rendered, and that no work shall be done under this CONTRACT until the ENGINEER is instructed to proceed with the work.

6.4 Independent Agent

ENGINEER and CITY agreed that ENGINEER and any officer, employee or agent of ENGINEER, in the performance of this CONTRACT shall act in an independent capacity and not as an officer, agent or employee of CITY.

6.5 Compliance with Laws

ENGINEER shall comply with all Federal, State, and local laws and ordinances in the execution of all work in connection with this PROJECT.

6.6 No Additional Work Without Authorization

Any provision in the CONTRACT notwithstanding, it is specifically understood and agreed that the ENGINEER shall not authorize or undertake any work pursuant to this CONTRACT, which would require the payment of any fee, expense or reimbursement in addition to the fee stipulated in Article 4 of this CONTRACT, without having first obtained specific written authority therefore from CITY.

6.7 Assignment & Subcontracting

This CONTRACT shall not be assigned or subcontracted in whole or part without the written consent of CITY.

6.8 Indemnification

ENGINEER, its officers, agents and employees agree to indemnify, hold harmless, and defend CITY, at ENGINEER'S cost, its officers, agents, and employees from and against any and all claims or suits for injuries, damages, loss, or liability of whatever kind of character, arising out of or in connection with the performance by the ENGINEER of those services contemplated by the CONTRACT, based upon negligent acts or omissions of ENGINEER, its officers, agents, employees, consultants and subcontractors, whether or not caused solely by the ENGINEER, its officers, agents, employees, consultants or subcontractors or jointly with any other party.

ENGINEER agrees that he is solely responsible for the safety of himself and his employees in the performance of this CONTRACT and agrees to indemnify and hold harmless CITY, its officers and agents from and against any liability arising from the personal injury or death of the ENGINEER or the employees of the ENGINEER arising out of or in connection with this CONTRACT.

6.9 Insurance

ENGINEER shall secure and maintain insurance that will protect him from claims under the Worker's Compensation Act (statutory amounts).

ENGINEER shall secure and maintain Commercial General Liability Insurance that will protect him from claims for bodily injury, death or property damage which may arise from the performance of his services under this CONTRACT, written on an occurrence basis, in the following amounts:

> For engineering design contracts for more than $10,000.00, insurance in an amount not less than $500,000 per occurrence and $1,000,000 annual aggregate for bodily injury or death and property damage. ENGINEER shall maintain Comprehensive Automobile Liability Insurance covering all owned, non-owned, and hired

vehicles with combined single limit coverage of $1,000,000 for bodily injury, death or property damage.

ENGINEER shall maintain, at no expense to CITY, a professional liability (errors and omissions) insurance policy placed with a company rated at least A-/VII by Best's Key Rating Guide, authorized to do business in Texas. This coverage must be maintained for at least two (2) years after the PROJECT is completed. Coverage must be written on an occurrence basis. However, at its sole discretion, the CITY may accept coverage written on a claims-made basis if the policy provides for a retroactive date equivalent to the inception date of the CONTRACT or earlier, maintained during the full term of the CONTRACT. The minimum limits of coverage shall be in the following amounts:

All policies, except Worker's Compensation and Professional Liability, shall name the CITY as additional insured. All policies shall contain a waiver of subrogation in favor of the CITY and shall require the giving of written notice to CITY at least thirty (30) days prior to cancellation, non-renewal or material modification of any policies, evidenced by return receipt of United States Certified Mail. ENGINEER shall furnish CITY with copies of said policies or certificates evidencing such coverage.

6.10 Property

All documents, including drawings, field notes, surveys, tracings, calculations, computer input and output, digital or computer files, etc., prepared by the ENGINEER pursuant to this contract shall become the property of CITY. The ENGINEER may retain copies of all documents. Any reuse of the documents shall conform to The Texas Engineering Practice Act.

6.11 Governing Law

This CONTRACT has been made under and shall be governed by the laws of the State of Texas. The parties agree that the performance and all matters related thereto shall be in Rockwall, Texas.

7. DOCUMENT EXECUTION

IN WITNESS WHEREOF, the parties have executed this CONTRACT the _____ day of _____, 2023.

City of Rockwall, Texas
Rockwall City Hall
385 South Goliad
Rockwall, Texas 75087

By: _____

Date: _____

ENGINEER
Pipeline Analysis, LLC
1115 Main Street
Garland, Texas 75040
(800) 637-0164

By: Mattie A. Engels
Mattie A. Engels, P.E. (Vice-President)

Date: October 10, 2023

Exhibit A
Detailed Scope of Services

The purpose of this project is to perform a condition assessment on a portion of the City of Rockwall wastewater collection system and identity system defects that contribute to wet weather infiltration/inflow. The following summarizes the project tasks and approach to the project:

TASK 100 MOBILIZATION

Mobilize project team and coordinate startup. Establish personnel assignments and responsibilities. Inventory equipment needs and order expendable supplies. Review all relevant existing materials, previous reports, etc. developed for or by the City of Rockwall.

Deliverable:

1. Delivery of equipment and personnel
2. Work maps with delineated boundaries

To Be Provided by City:

1. Previous studies for the service area to be investigated
2. Sewer maps
3. Previous inspection data, where available
4. Access for placement of equipment and personnel
5. Copies of all applicable reports, maps and historical data for the study area at no cost to ENGINEER
6. As-built drawings, sewer key maps, street plans, electronic aerial photographs if available and if requested at no cost to ENGINEER

TASK 200 MANHOLE/PIPE INSPECTION

Manholes can be a significant source of extraneous infiltration/inflow and thereby reduce system wet weather capacity. For this reason, each manhole within the study area is inspected. For the study area designated, field inspection crews will perform an inspection of manholes. The data gathered during this phase of the project will be used to prioritize manholes for rehabilitation and establish the base data necessary to accurately determine mainline sewer rehabilitation alternatives and costs. Other important deliverables resulting from this work task are the updating of the collection system map, determination of debris levels in pipes and verification of pipe sizes. This information is critical in preparing subsequent rehabilitation plans, cleaning requirements to restore capacity and updating of the system maps.

Inspection personnel will use digital cameras during the inspection of all manholes on this project. All photographs will be included in the field inspection computer database so that a permanent electronic record can be maintained. During inspection, each of the following types of information will be obtained to establish the condition and prioritize least cost repairs:

1. Study Area Designation
2. Manhole/Cleanout ID
3. Inspection Status (buried, could not locate, no access, etc.)
4. Address and Sub-meter GPS coordinate (x,y) of manhole
5. Surface cover, grade, type of cover (paved, yard, etc.)
6. Material of construction – brick, concrete, etc.
7. Area and Internal photo of manhole
8. All incoming and outgoing pipe depths from rim to invert
9. All incoming and outgoing pipe digital photographs
10. Outgoing pipe length
11. Defects – Active, Evidence or No Infiltration/Inflow with digital photographs
12. Field corrections to collection system map

Upon completion of the manhole inspection, a condition assessment will be prepared for inclusion in the final report that will include:

1. Documentation with summary of field observations
2. List of manholes/lines requiring repair/rehabilitation
3. Digital photos
4. Documentation for preparing manhole rehabilitation quantities
5. Field updated map(s)
6. Prioritized Manhole Repair Recommendations and Cost Estimates

To Be Provided by City:

1. Current collection system map
2. Access (if requested) to manholes that are buried or could not be opened.
3. Assistance in locating assets (if requested)

Measurement of Payment:

Payment for this work task shall be a unit price for each manhole documented. Those manholes that are located, but buried or could not be opened will be noted and a list provided to the City. Manholes that could not be located using metal detectors or probes will be listed as Could Not Located (CNL). CNL manholes will <u>not</u> be billed. The City will provide replacement covers at no cost should a cover be broken while attempting opening.

TASK 300 SMOKE TESTING/PUBLIC AWARENESS/DATA ENTRY & ANALYSIS

Smoke testing will provide detailed information on wet weather inflow sources for the study area. In order to identify defects in the lines, a non-toxic smoke will be forced into the sewer by high-capacity blowers. Data documentation includes measurements from two permanent points and will be sufficient to establish the location of each defect and determine the best repair method and priority. Color digital photographs will be taken to document each defect during the smoke test.

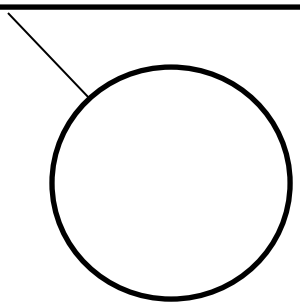
Forty-eight (48) hours prior to testing, door hangers will be used to notify residents. A local telephone number will be provided for those individuals with questions or for anyone requiring special assistance. Each day the fire department will be notified of the crew location since smoke may enter homes through defective plumbing.

To Be Provided by City:

1. Review and approval of Notice to Residents
2. Letter of introduction to be carried by field crews
3. Previous City smoke testing data, if any

Deliverables:

1. Defects listing and database
2. Defect location sketch
3. Digital photographs
4. Smoke Notification Flyers and Notification of Residents
5. Priority ranking of defects (both private and public sector)
6. Repair methods and estimated costs



Review Draft

City of Rockwall
The New Horizon

SMOKE TESTING
NOTICE TO RESIDENT

For the next few days, inspection crews will conduct a physical survey of the wastewater collection system. Pipeline Analysis will perform this study, which involves opening manholes in the streets and backyard utility easements. Information gained from this study will be used to repair and improve the wastewater collection system.

One important task of the survey will be **smoke testing** of sewer lines to locate breaks and defects in the system. During this testing, white smoke will exit through vent pipes on the roofs of homes and through sewer line breaks. **The smoke is non-toxic, leaves no residue, and creates no fire hazard.** The smoke should not enter your home unless defective plumbing exists or drain traps are dry.

If you have seldom-used drains, please pour a gallon of water in the drain to fill the drain trap. This procedure will help prevent the possibility of smoke entering your living areas through those drains.

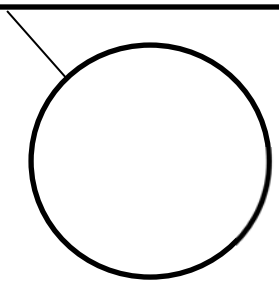
Field crews will perform testing of all sewers in the area. **At no time will field crews have to enter your business or residence.**

Your cooperation is appreciated. Should you have any additional questions concerning this study or if you desire special assistance, please phone:

800-637-0164

PIPELINE ANALYSIS LLC
WASTEWATER COLLECTION SYSTEM ENGINEERS

QR Code for frequently asked questions



Review Draft

City of Rockwall
The New Horizon

PRUEBAS DE HUMO
AVISO A LOS RESIDENTES

Para los próximos días, los equipos de inspección llevará a cabo una inspección física de la red de alcantarillado. El Análisis de Pipeline Company, LLC llevará a cabo este estudio bajo contrato con la ciudad de Rockwall. El proyecto consiste en la apertura de pozos en las calles y servidumbres domésticas de servicios públicos. La información obtenida de este estudio se utilizarán para reparar y mejorar el sistema de recolección de aguas residuales.

Una tarea importante de la encuesta serán las pruebas de humo de líneas de alcantarillado para localizar roturas y defectos en el sistema. Durante esta prueba, el humo blanco saldrá a través de tubos de ventilación en los techos de las casas y por medio de saltos de línea de alcantarillado. El humo no es tóxico, no deja ningún residuo, y no crea ningún peligro de incendio. El humo no debe entrar a su casa a menos que exista o plomería defectuosa sifones están secos.

Si ha utilizado muy pocas veces-piso, lavabo, bañera o ducha desagües, por favor, vierta un litro de agua en el desagüe para llenar el sifón. Este procedimiento le ayudará a prevenir la posibilidad de humo introducción de sus áreas vivas a través de los desagües.

El personal de campo se realizan pruebas de todos los desagües de la zona. En ningún momento desplegar los equipos tiene que introducir su negocio o residencia.

Su cooperación es apreciada. Si tiene alguna pregunta adicional sobre este estudio o si desea recibir asistencia especial, por favor llame al:

800-637-0164

PIPELINE ANALYSIS LLC
WASTEWATER COLLECTION SYSTEM ENGINEERS

QR Code for frequently asked questions

Task 400 Dye Flooding

Pipeline Analysis staff will provide a listing of recommended location(s) for dye water flooding. Dye water flooding can be anticipated to assist in the locating of specific defects during CCTV inspection of specific defects. Non-toxic dye may be introduced as a powder or liquid. Cross-connections, roof drains and area drains that are suspected of being connected to the sanitary sewer may be positively identified using the dye tracer procedure. Internal CCTV inspection, while the dye flooding is taking place, will determine the exact source of the 'cross-connection'.

To Be Provided by City:

1. Cleaning and CCTV crew
2. Water for dye flooding
3. Coordination with Pipeline Analysis

To Be Provided by Pipeline Analysis:

1. Locations for dye water flooding
2. Liquid or powder dye for use by the City
3. Field Forms to be used to document results
4. Documentation of results

TASK 500 & 600 PREPARATORY CLEANING AND CCTV INSPECTION

Task 500 and 600 will be performed by City crews. Pipeline Analysis staff will prepare a detailed listing of line segments recommended for cleaning and CCTV inspection. Preparatory cleaning shall consist of hydraulic jet cleaning to facilitate the internal CCTV inspection. The City of Rockwall staff will perform this phase of the work in coordination with Pipeline Analysis.

To Be Provided by City:

1. Preparatory cleaning of CCTV pipe segments
2. CCTV inspection of recommended pipe segments
3. Provide CCTV video including:
    a. Date inspected
    b. Line segment inspected
    c. Location (Address) and Asset ID
    d. Digital video of inspection and written logs of work performed

To Be Provided by Pipeline Analysis:

1. Review video and logs not to exceed 15% of study area linear footage
2. Summary of line segments cleaned and CCTV'd
3. Prepare prioritized mainline rehabilitation plan and estimated costs
4. Incorporate Cleaning and CCTV inspection results into final report

TASK 700 ADMINISTRATION AND PROJECT MANAGEMENT

This task includes internal project administration and oversight including scheduling, budget, quality assurance and control meetings and reporting. The project schedule will be reviewed and milestones for the completion of each task will be assigned. The project schedule will be reviewed and updated monthly to ensure that all tasks are completed in a timely and organized fashion.

Management work items include:

1. Field crew supervision and project planning
2. Obtain initial maps for field use and verification
3. Prepare cleaning, CCTV and dye flooding documentation for City
4. Prepare monthly billings
5. Schedule equipment and order supplies

Major system deficiencies that are identified during the field inspections that if corrected would result in significant reduction in I/I or is deemed to be of a safety concern will be recorded and forwarded as soon as possible to City's designated project manager. Likewise, should City undertake a major repair within the study area, they will immediately notify ENGINEER to determine the impact on data analysis.

Deliverables:

1. Monthly invoice
2. Status reports
3. Project schedule and updates

To Be Provided by City:

1. All reports or materials deemed necessary by ENGINEER and identified during the course of the project that is not specifically stated above will be provided at no additional cost to the ENGINEER

TASK 800 DEFECT ANALYSIS/ REHABILITATION PLAN/FINAL REPORT

This project will generate a considerable amount of data that will require proper entry and quality control. Data collection will include the following:

1. All collected defect data will be correlated between sources to address duplicate defects that were identified by different testing methods. Identify duplicate defects to ensure multiple rehabilitation methods are not recommended for the same defect.
2. Much of the baseline data required for rehabilitation decision is gathered during the normal course of field investigations. For example, "area photos" are taken of each manhole in the direction of the outgoing pipe. This photograph not only shows the location of the manhole but also provide data on the line cover and easement conditions.
3. Rehabilitation recommendations will consider the best repair for the particular asset (manhole, pipeline, etc.) being rehabilitated. A long-term least-cost solution may have an initial higher cost, but provide a higher level of service and lower operating and maintenance cost. The supporting data will be provided in electronic format.

To Be Provided by City:

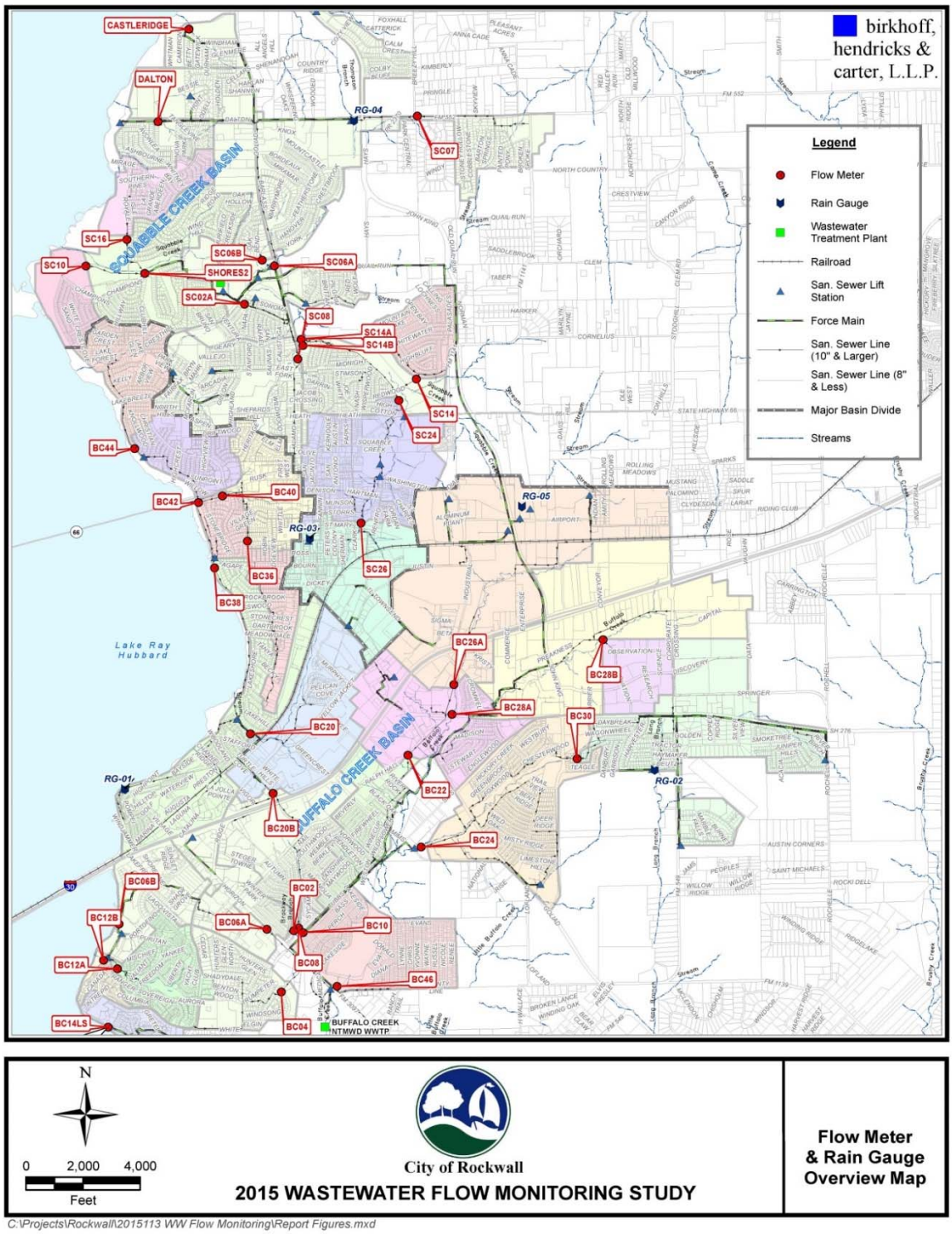
- Complaint records and SSO database
- Review and comments on rehabilitation methods, cost estimates, and alternatives
- Engineer will provide electronic files of the City corrected GIS maps in ArcGIS. The City will have the final authority to accept the changes and update their master GIS map files.

Prepare and submit a Final Report that includes the following:

- Executive Summary
- Description of all tasks
- Manhole and pipe inspection summary/inventory
- Manhole defect summary
- Pipeline defect summary
- Service lateral defect summary
- Smoke test data summary
- Dye Flooding and CCTV data summary
- Recommendations and Cost Estimates for Private and Public sector repairs

Prepare and submit three (3) Final Reports and electronic database.

Study Area Map
Flow Meter Basins
SC10, BC26A and BC30



C:\Projects\Rockwall\2015113 WW Flow Monitoring\Report Figures.mxd

Condition Assessment Priority Ranking

City of Rockwall

PIPELINE ANALYSIS LLC
WASTEWATER COLLECTION ENGINEERS

Completed
Proposed

10 Year Condition Assessment CMOM Program
Priority Ranking of Meter Basins
2015 Wastewater Flow Monitoring Study - Birkhoff, Hendricks & Carter, LLP

Meter Basin	RDII (mg)	Pipe (l.f.)	Manholes	RDII/Linear Foot	RDII Ranking	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
SC26	0.51	21,915	66	23.27	1	21,915										
BC20B	1.76	119,423	362	14.74	2			119,423								
BC06A	0.33	22,548	232	14.64	3		22,548									
SC06B	0.11	8,527	26	12.90	4		8,527									
BC10	0.49	42,097	128	11.64	5		42,097									
BC08	0.48	45,259	137	10.61	6				45,259							
BC46	0.50	48,992	148	10.21	7				48,992							
BC38	0.39	39,947	121	9.76	8				39,947							
BC42	0.25	26,060	79	9.59	9		26,060									
SC08	0.46	48,246	146	9.53	10					48,246						
SC14AB	0.31	33,192	101	9.34	11					33,192						
SC24	0.37	45,123	137	8.20	12					45,123						
BC28A	0.22	30,660	155	8.11	13						30,660					
BC28B	0.06	7,920	23	7.58	14						7,920					
SC14	0.11	23,095	80	7.47	15						23,095					
BC04	0.18	24,645	80	7.41	16						24,645					
BC40	0.22	28,400	110	7.14	17						28,400					
BC20	0.15	33,920	132	6.59	18							33,920				
BC44	0.21	31,705	108	6.40	19							31,705				
SC02A	0.31	33,820	135	6.33	20							33,820				
BC02	0.12	15,760	58	6.17	21							15,760				
SC10	0.06	10,535	33	5.37	22								10,535			
BC26A	0.29	49,005	156	4.87	23								49,005			
BC30	0.31	53,190	185	4.25	24								53,190			
SC16	0.08	19,700	71	3.94	25									19,700		
BC12B	0.05	8,690	46	3.76	26										8,690	
SHORES2	0.20	57,570	176	3.62	27									57,570		
BC12A	0.16	38,885	175	3.46	28									38,885		
BC24	0.16	51,315	157	3.06	29										51,315	
BC06B	0.06	19,900	100	2.98	30										19,900	
BC14	0.10	20,925	85	2.93	31										20,925	
DALTON	0.05	14,180	58	2.69	32										14,180	
BC22	0.11	39,755	159	2.44	33											39,755
SC06A	0.10	62,130	199	2.31	34											62,130
BC36	0.05	22,340	68	2.24	35											22,340
SC07	0.05	22,860	71	2.15	36											22,860
CASTLERIDGE	0.02	11,155	34	1.73	37										11,155	
Total		1,233,389	4,337			21,915	99,232	119,423	134,198	126,561	114,720	115,205	112,730	116,155	126,165	147,085

Study Area Quantities

375 Manholes
112,730 Linear Feet Mainline

Compensation
Sewer System Evaluation Survey

Sanitary Sewer Evaluation Survey
Year 7 Basins SC10, BC26A, BC30

Task	Description	Estimated Quantity	Unit Price	Total
100	Mobilization	L.S.	L.S.	$ 1,910
200	Manhole/Pipe Inspection -(100%)	375	$ 145.00	$ 54,375
300	Smoke Testing, Public Awareness, Data Entry & Analysis (100%)	112,730	$ 0.67	$ 75,529
400*	Dye Flooding	0	$ -	$ -
500*	Preparatory Cleaning	0	$ -	$ -
600*	CCTV Inspection	0	$ -	$ -
700	Admin.,Project Mgt.	L.S.	L.S.	$ 4,210
800	Defect Analysis/Rehab.	L.S.	L.S.	$ 4,858
900	Database, Cost Estimates, Mapping, Final Reports	L.S.	L.S.	$ 21,710
Total Not To Exceed (City performs Dye Testing, Cleaning & CCTV)				$ 162,592

Project Schedule
Sewer System Evaluation Survey

Task	Description	Month									
		1	2	3	4	5	6	7	8	9	10
100	Mobilization										
200	Manhole/Pipe Inspection -(100%)										
300	Smoke Testing, Public Awareness, Data Entry & Analysis (100%)										
400*	Dye Flooding										
500*	Preparatory Cleaning										
600*	CCTV Inspection										
700	Admin.,Project Mgt.										
800	Defect Analysis/Rehab.										
900	Database, Cost Estimates, Mapping, Final Reports										

**Note: By City of Rockwall*

CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	October 16, 2023
APPLICANT:	Cari Foote; *CFPC Investments, LLC*
SUBJECT:	Z2023-045; *Amendment to Planned Development District 50 (PD-50)*

On September 15, 2023, the applicant, Cari Foote of CFPC Investments, submit an application requesting that Planned Development District 50 (PD-50) be amended to allow the *General Personal Service* land use through a Specific Use Permit (SUP). According to the applicant's letter, the intent of the request is to allow for a greater variety of tenants within Planned Development District 50 (PD-50). According to Article 13, *Definitions*, of the Unified Development Code (UDC) the definition of the *General Personal Service* land use is an "(e)stablishment primarily engaged in providing services generally involving the care of the person and/or his/her apparel including but not limited to barber and beauty shops, dressmaking, shoe shining, dry-cleaning and laundry pick-up stations, tailor or seamstress, and salons/health clubs." Planned Development District 50 (PD-50) is a highly restrictive zoning district that was originally created to allow the residential properties along N. Goliad Street [*SH-205*] the flexibility to convert to a live/work or non-residential land use permitted within the Residential-Office (RO) District. Over the years, the zoning district has been amended to add land uses that are not typically permitted within the Residential-Office (RO) District (*e.g. Antique/Collectable Sales, Banquet Facility, and/or Animal Clinic for Small Animals*) on a *case-by-case* basis through a Specific Use Permit (SUP). In reviewing the applicant's request, staff acknowledges that not all of the potential land uses permitted under the *General Personal Services* land use may not be appropriate within the district, and -- *that by allowing this land use through a Specific Use Permit (SUP)* -- the Planning and Zoning Commission and City Council retain discretion to determine if a particular use is in character with the district.

As the proposed zoning case involves modifying the land uses permitted within Planned Development District 50 (PD-50), staff has notified all property owners and residents within the Planned Development District. In addition, staff mailed out notifications to all property owners and occupants within 500-feet of the boundary of Planned Development District 50 (PD-50), and to all Homeowner's Associations (HOAs) within 1,500-feet of the boundaries of the district (*i.e. Lakeview Summit, The Preserve, and Caruth Lakes Homeowner's Associations*). This was done in accordance with the requirements of Subsection 02.03(A), *Notice of Public Hearing*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC). Of the 378 notices mailed, staff has received three (3) notices in opposition and two (2) notices in favor of the applicant's request. On October 10, 2023, the Planning and Zoning Commission approved a motion to recommend approval of the Zoning Change by a vote of 6-0, with Commission Odom recusing himself. Should the City Council have any questions, staff will be available at the meeting on *October 10, 2023*.

DEVELOPMENT APPLICATION

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

STAFF USE ONLY
PLANNING & ZONING CASE NO.

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

DIRECTOR OF PLANNING:
CITY ENGINEER:

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

PLATTING APPLICATION FEES:
- ☐ MASTER PLAT ($100.00 + $15.00 ACRE) [1]
- ☐ PRELIMINARY PLAT ($200.00 + $15.00 ACRE) [1]
- ☐ FINAL PLAT ($300.00 + $20.00 ACRE) [1]
- ☐ REPLAT ($300.00 + $20.00 ACRE) [1]
- ☐ AMENDING OR MINOR PLAT ($150.00)
- ☐ PLAT REINSTATEMENT REQUEST ($100.00)

SITE PLAN APPLICATION FEES:
- ☐ SITE PLAN ($250.00 + $20.00 ACRE) [1]
- ☐ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN ($100.00)

ZONING APPLICATION FEES:
- ☒ ZONING CHANGE ($200.00 + $15.00 ACRE) [1]
- ☐ SPECIFIC USE PERMIT ($200.00 + $15.00 ACRE) [1 & 2]
- ☐ PD DEVELOPMENT PLANS ($200.00 + $15.00 ACRE) [1]

OTHER APPLICATION FEES:
- ☐ TREE REMOVAL ($75.00)
- ☐ VARIANCE REQUEST/SPECIAL EXCEPTIONS ($100.00) [2]

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS	925 N. GOLIAD STREET				
SUBDIVISION	ISAAC PENA ADDITION	LOT	1	BLOCK	A
GENERAL LOCATION					Prop. ID: 71940

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING	RO / PD-50	CURRENT USE	R/O		
PROPOSED ZONING	Amending PD-50	PROPOSED USE	General Personal Service - SUP		
ACREAGE	1.0	LOTS [CURRENT]	1.0	LOTS [PROPOSED]	—

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

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

☑ OWNER	CFPC INVESTMENTS, LLC	☐ APPLICANT	
CONTACT PERSON	CARI FOOTE	CONTACT PERSON	
ADDRESS	P.O. BOX 1731 MARBLE FALLS	ADDRESS	
CITY, STATE & ZIP	TX. 78654	CITY, STATE & ZIP	
PHONE	830. 798. 5884	PHONE	
E-MAIL	CFOOTE@PROFESSIONALCOUNSELING.US	E-MAIL	

NOTARY VERIFICATION [REQUIRED]

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

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF $ 215.00 *TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE* 15th *DAY OF* September, 20 23 *BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."*

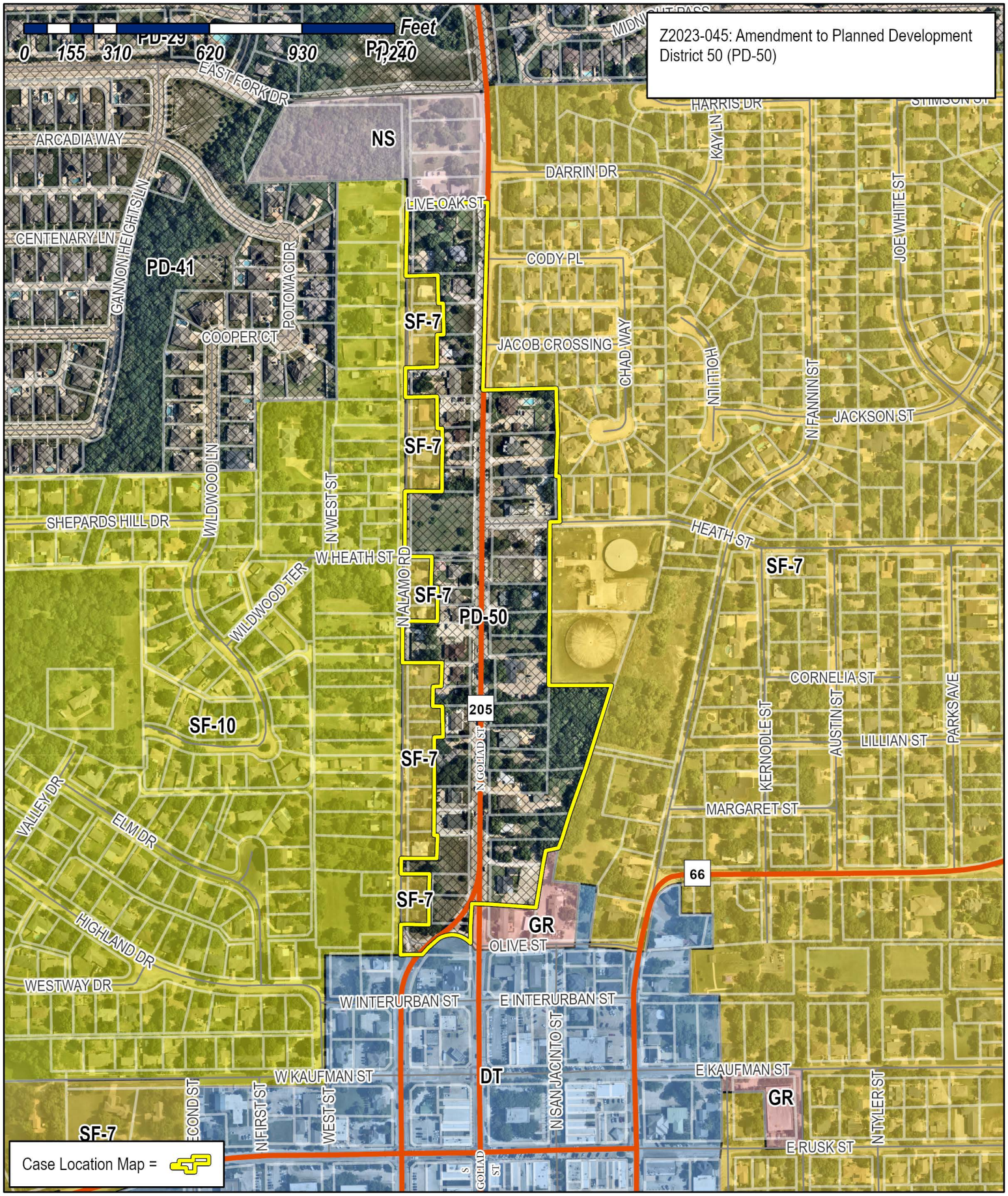
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 10 *DAY OF* September, 20 23

OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CHASE GARRISON
Notary Public, State of Texas
Comm. Expires 05-05-2026
Notary ID 133745107

MY COMMISSION EXPIRES 05-05-2026



City of Rockwall

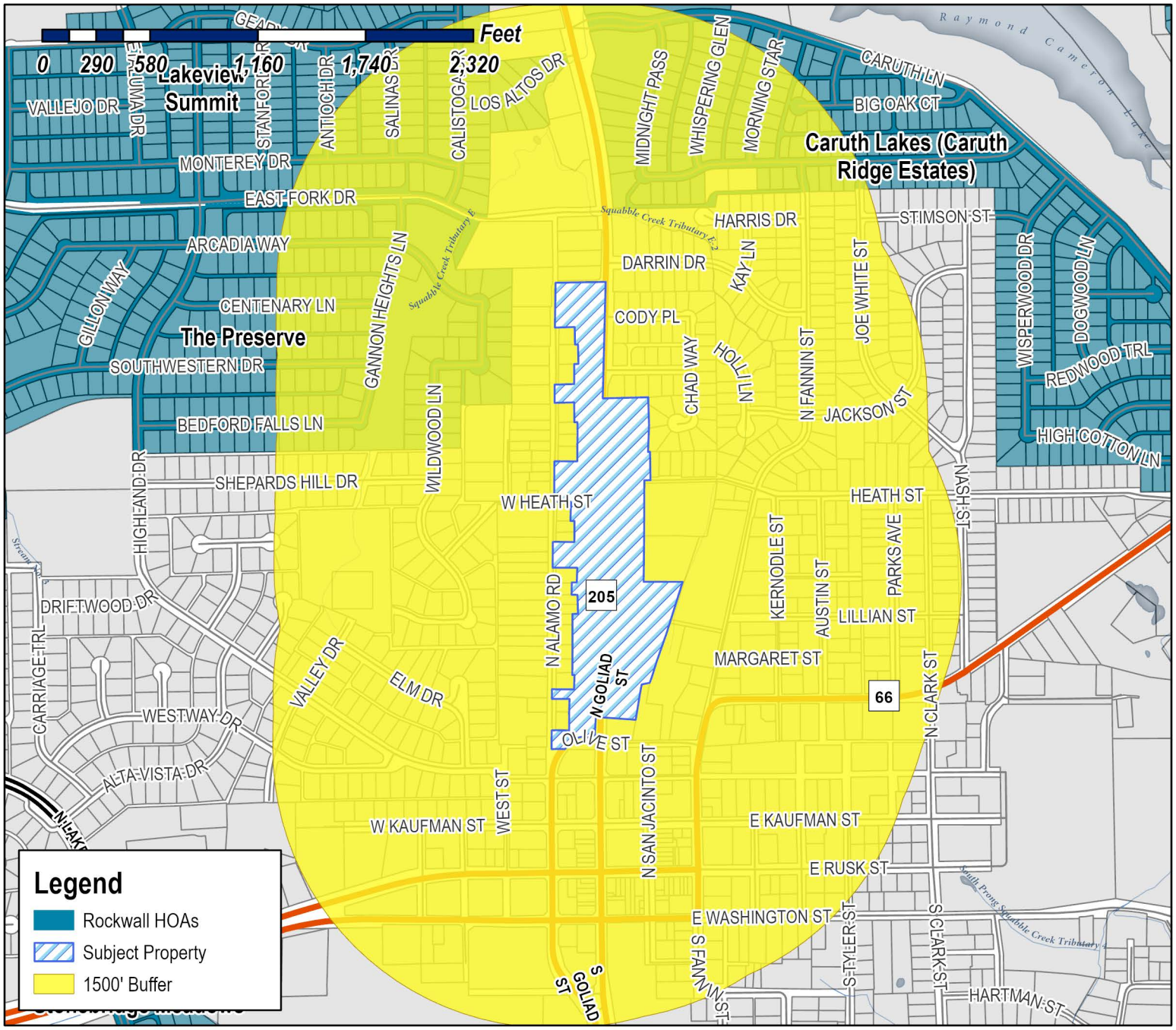
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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

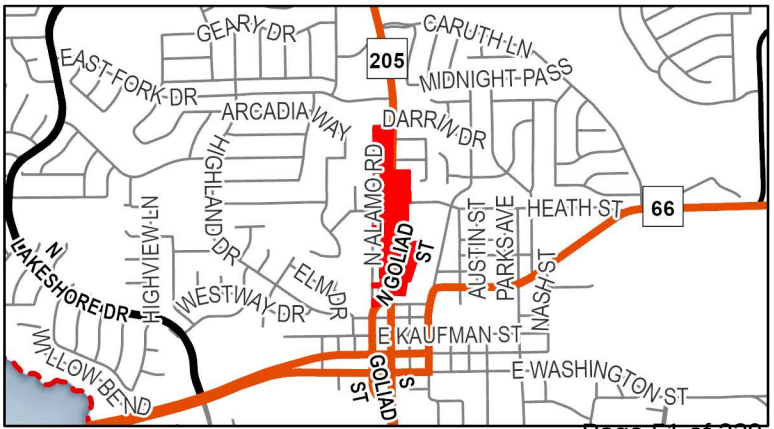
City of Rockwall

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Case Number: Z2023-045
Case Name: Amendment to PD-50
Case Type: Zoning
Zoning: Planned Development District 50 (PD-50)



Date Saved: 9/13/2023
For Questions on this Case Call (972) 771-7745

Lee, Henry

From: Zavala, Melanie
Sent: Friday, September 22, 2023 10:32 AM
Cc: Miller, Ryan; Ross, Bethany; Lee, Henry; Guevara, Angelica
Subject: Neighborhood Notification Program [Z2023-045]
Attachments: Public Notice (P&Z) (09.19.2023).pdf; HOA Map (09.13.2023).pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *September 22, 2023*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, October 10, 2023 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, October 16, 2023 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

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

Z2023-045: Amendment to PD-50
Hold a public hearing to discuss and consider a request by Cari Foote of CFPC Investments, LLC for the approval of a *Zoning Change* amending Planned Development District 50 (PD-50) [*Ordinance No. 17-19*] for the purpose of allowing the *General Personal Services* land use by Specific Use Permit (SUP) for all properties within the district, being a 21.266-acre tract of land situated within the S. S. McCurry Survey, Abstract No. 146 and B. F. Boydston Survey, Abstract No. 14, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, generally located along N. Goliad Street [*SH-205*] north of Olive Street and south of Live Oak Street, and take any action necessary.

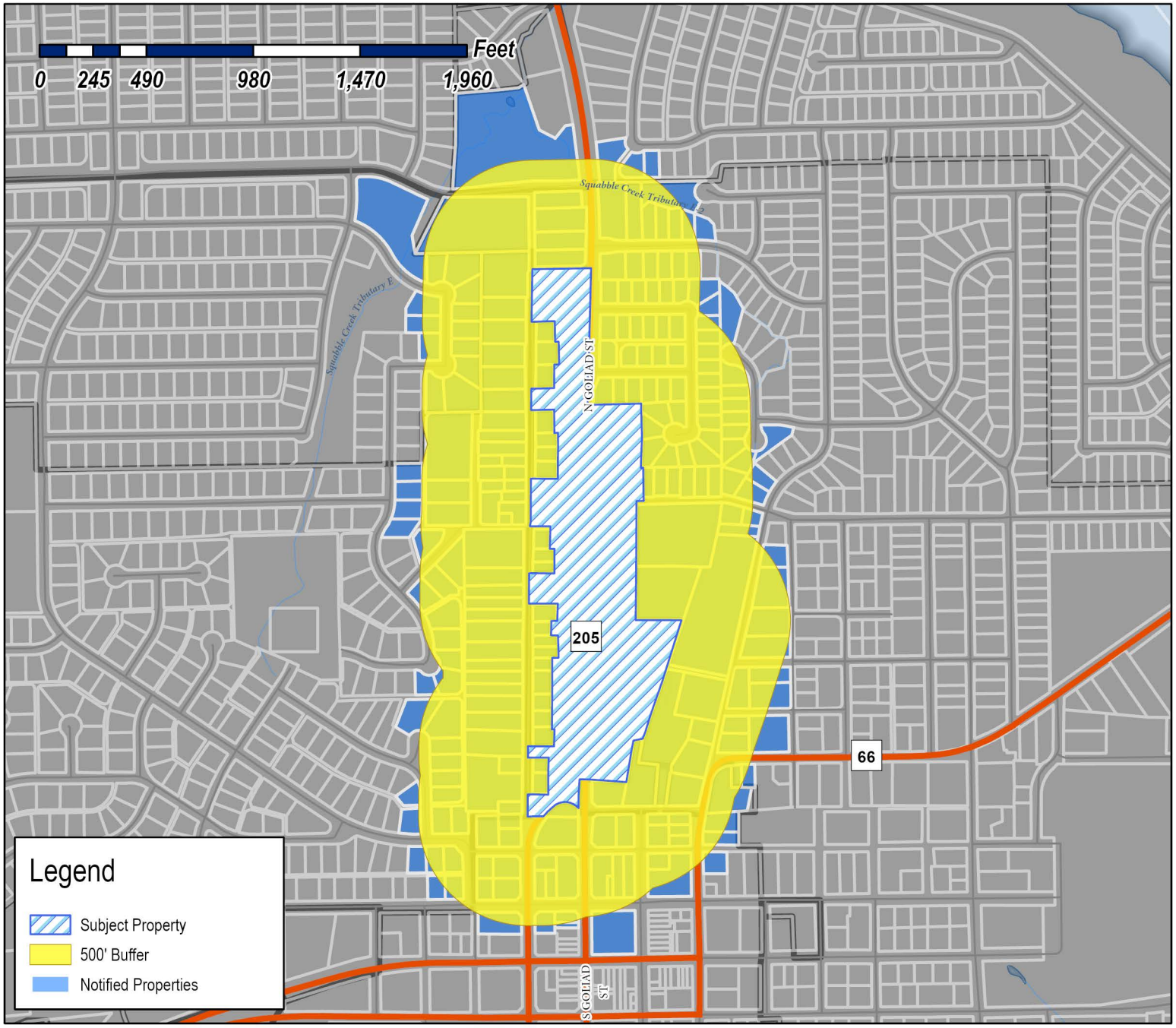
Thank You,

Melanie Zavala
Planning & Zoning Coordinator | Planning Dept. | City of Rockwall
385 S. Goliad Street | Rockwall, TX 75087
http://www.rockwall.com/
972-771-7745 Ext. 6568

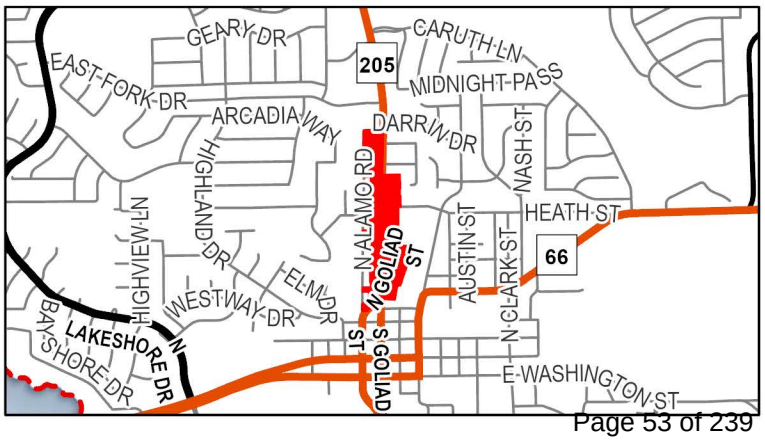
City of Rockwall

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

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Case Number: Z2023-045
Case Name: Amendment to PD-50
Case Type: Zoning
Zoning: Planned Development District 50 (PD-50)



Date Saved: 9/13/2023
For Questions on this Case Call: (972) 771-7746

RESIDENT
100 E HEATH
ROCKWALL, TX 75087

RESIDENT
1001 HOLLI LN
ROCKWALL, TX 75087

RESIDENT
1001 N GOLIAD
ROCKWALL, TX 75087

RHODES NANCY CLAYCOMB
1003 HOLLI LN
ROCKWALL, TX 75087

RESIDENT
1005 HOLLI LN
ROCKWALL, TX 75087

RESIDENT
101 E RUSK
ROCKWALL, TX 75087

MUMMEY MAURICE E ETUX
1010 HOLLI LANE
ROCKWALL, TX 75087

RESIDENT
102 W KAUFMAN
ROCKWALL, TX 75087

CALLIER JENNA AND LOGAN
104 RUSH CREEK
HEATH, TX 75032

RESIDENT
104 W KAUFMAN
ROCKWALL, TX 75087

RESIDENT
105 OLIVE ST
ROCKWALL, TX 75087

LOFLAND WILLIAM B
105 E KAUFMAN ST
ROCKWALL, TX 75087

105 N ALAMO LLC
105 N ALAMO
ROCKWALL, TX 75032

WIMPEE JOE
105 W KAUFMAN ST
ROCKWALL, TX 75087

RESIDENT
106 W KAUFMAN
ROCKWALL, TX 75087

MANLEY MICHAEL J AND MARY F
1065 MIDNIGHT PASS
ROCKWALL, TX 75087

RESIDENT
107 E KAUFMAN
ROCKWALL, TX 75087

MORGAN JEFFREY E
1071 MIDNIGHT PASS
ROCKWALL, TX 75087

ADDIS RUTH
1079 MIDNIGHT PASS
ROCKWALL, TX 75087

RESIDENT
108 INTERURBAN
ROCKWALL, TX 75087

RESIDENT
109 E KAUFMAN
ROCKWALL, TX 75087

CURANOVIC JOHN
109 ELM CREST DR
ROCKWALL, TX 75087

RESIDENT
109 N GOLIAD
ROCKWALL, TX 75087

RESIDENT
111 N GOLIAD ST
ROCKWALL, TX 75087

WAGNER GERALD P
112 LOS PECES
GUN BARRELL, TX 75156

HILL TOBY VERN H & ANGELA DAWN
113 E HEATH ST
ROCKWALL, TX 75087

RESIDENT
115 E HEATH ST
ROCKWALL, TX 75087

STORY CATHERINE C
117 E HEATH ST
ROCKWALL, TX 75087

GARRISON MONA AND RONALD
119 E HEATH STREET
ROCKWALL, TX 75087

SFR TEXAS ACQUISITIONS 3 LLC
120 S RIVERSIDE PLAZA #2000
CHICAGO, IL 60606

HPA TEXAS SUB 2017-1 LLC
120 S RIVERSIDE PLZ STE 2000
CHICAGO, IL 60606

FITE CENTRE LLC
1200 FRONTIER TRAIL
ROCKWALL, TX 75032

RAC OF ROCKWALL LLC
1220 CRESTCOVE
ROCKWALL, TX 75087

DAFFRON JAMES R AND DEBBIE A
12207 DARK HOLLOW RD
ROCKWALL, TX 75087

380 PROPERTY INC
12207 DARK HOLLOW RD
ROCKWALL, TX 75087

LEAL CAROL RHEA
1307 RIDGE ROAD #2317
ROCKWALL, TX 75087

SWIERCINSKY JOSHUA L
1355 CLUBHILL DR
ROCKWALL, TX 75087

LOZANO MANUEL A
1388 S FM 740
HEATH, TX 75126

VANDERSLICE R D AND LYNN
1408 S LAKESHORE DR
ROCKWALL, TX 75087

VANDERSLICE ROBERT
1408 S LAKESHORE DRIVE
ROCKWALL, TX 75087

DOUBLE T VENTURES LLC
1500 S KREYMER LN
WYLIE, TX 75098

MILNER JOHN R AND SHARON G
1521 COUNTY ROAD 3327
GREENVILLE, TX 75402

RAYWAY PROPERTIES LLC
1572 N MUNSON RD
ROYSE CITY, TX 75189

WRIGHT JOHN M & SUSAN L
1605 SEASCAPE CT
ROCKWALL, TX 75087

MEYERS STUART A & BRENDA S
1614 S LAKESHORE DR
ROCKWALL, TX 75087

MCKEE RICHARD AND KALASI
16713 MEADOWBROOK BV
FORNEY, TX 75126

CGC GROUP INC
1690 LAKE FOREST DR
ROCKWALL, TX 75087

CRAWFORD STEVE
1709 GASLIGHT CT
SEABROOK, TX 77586

ARISTA KAUFMAN LLC
1717 MAIN STREET SUITE 2950
DALLAS, TX 75201

BARNETT JOSEPH RODNEY & LADONNA
1855 HIDDEN HILLS
ROCKWALL, TX 75087

CARLON WILLIAM ANDREW
192 JACOB CROSSING
ROCKWALL, TX 75087

FRYER WILLIAM L III AND LAUREN S
193 JACOB CROSSING
ROCKWALL, TX 75087

BLACK SHIRLEY M
193 PORT SAINT CLAIRE
ARANSAS PASS, TX 78336

RESIDENT
194 CODY PLACE
ROCKWALL, TX 75087

CROY DANNY L
195 CODY PL
ROCKWALL, TX 75087

RESIDENT
196 JACOB CROSSING
ROCKWALL, TX 75087

STEWART DEBORAH LYNN
196 DARRIN DR
ROCKWALL, TX 75087

GALLEGOS JUAN ADOLFO
197 DARRIN DR
ROCKWALL, TX 75087

RESIDENT
198 CODY PLACE
ROCKWALL, TX 75087

KANSIER GAYLE
198 DARRIN DR
ROCKWALL, TX 75087

DOOLEY RHONDA N
19801 E 86TH ST N
OWASSO, OK 74055

RESIDENT
199 DARRIN DR
ROCKWALL, TX 75087

RESIDENT
199 JACOB CROSSING
ROCKWALL, TX 75087

YOUNG BARBARA NEUMANN
199 CODY PLACE
ROCKWALL, TX 75087

917 PROPERTIES LLC
2 MANOR COURT
HEATH, TX 75032

VANILLA BEAN PROPERTIES, SERIES 5 LLC
2 MANOR COURT
HEATH, TX 75032

RESIDENT
200 JACOB CROSSING
ROCKWALL, TX 75087

SELLERS ROBERT STEVEN
200 DARRIN DRIVE
ROCKWALL, TX 75087

RESIDENT
201 OLIVE ST
ROCKWALL, TX 75087

MCWHIRTER CRAIG L
201 DARRIN DR
ROCKWALL, TX 75087

COMMUNITY BANK
201 E KAUFMAN ST
ROCKWALL, TX 75087

CITY LIFT STATION
201 E WASHINGTON ST
ROCKWALL, TX 75087

RESIDENT
201 N ALAMO
ROCKWALL, TX 75087

RESIDENT
202 INTERURBAN ST
ROCKWALL, TX 75087

MILLER ROBERT AND KATY
202 CODY PL
ROCKWALL, TX 75087

GANDY GEORGIA KNEL
202 DARRIN DR
ROCKWALL, TX 75087

LOVELL CHRISTINE MARRE AND JOSHUA
202 E HEATH
ROCKWALL, TX 75087

RESIDENT
202 N WEST ST
ROCKWALL, TX 75087

LAZY DALE PARTNERS LP
202 NORTH SAN JACINTO
ROCKWALL, TX 75087

RESIDENT
203 JACOB CROSSING
ROCKWALL, TX 75087

CLAY KAREN L
203 CODY PL
ROCKWALL, TX 75087

DAVIS ROBERT C
203 DARRIN
ROCKWALL, TX 75087

BLANKENSHIP JAMES WISE & LISA
203 E HEATH ST
ROCKWALL, TX 75087

CANO OSCAR & NANCY
203 N. ALAMO RD
ROCKWALL, TX 75087

NELSON THERESE D
204 DARRIN DR
ROCKWALL, TX 75087

HATCHER MATTHEW S & IRENE
204 HARRIS DR
ROCKWALL, TX 75087

PHILLIPS TERESA
204 JACOB CROSSING
ROCKWALL, TX 75087

RESIDENT
204 N WEST ST
ROCKWALL, TX 75087

RESIDENT
204 W HEATH ST
ROCKWALL, TX 75087

NBN COMMERCIAL GROUP LLC
2040 N BELT LINE RD STE 400
MESQUITE, TX 75150

DRAKE EDWARD J II & JENNIFER R
205 DARRIN DRIVE
ROCKWALL, TX 75087

ESTATE OF ELAINE I PETERSON
2054 BRUCE RD
MARTIN, GA 30557

RESIDENT
206 CODY PLACE
ROCKWALL, TX 75087

RUDOLPH COLLIN J
206 DARRIN DRIVE
ROCKWALL, TX 75087

RESIDENT
206 N FANNIN ST
ROCKWALL, TX 75087

PRITCHETT JOHNETTA
206 W HEATH ST
ROCKWALL, TX 75087

RESIDENT
207 DARRIN DR
ROCKWALL, TX 75087

RESIDENT
207 JACOB CROSSING
ROCKWALL, TX 75087

MITCHELL KELLI A &
RYAN S WENZEL
207 CODY PL
ROCKWALL, TX 75087

RESIDENT
208 JACOB CROSSING
ROCKWALL, TX 75087

ADAMS FAITH INVESTMENT LLC
208 SUMMIT RIDGE
ROCKWALL, TX 75087

ESTATE OF DOSVILLE PEOPLES
208 W HEATH ST
ROCKWALL, TX 75087

HENSON ORA LOUISE
209 DARRIN DR
ROCKWALL, TX 75087

CONFIDENTIAL
210 CODY PL
ROCKWALL, TX 75087

RESIDENT
211 JACOB CROSSING
ROCKWALL, TX 75087

CALDWELL KARISSA A
211 CODY PLACE
ROCKWALL, TX 75087

SHIPLEY JASON P & ELIZABETH
212 JACOB XING
ROCKWALL, TX 75087

FOSTER EDWARD M & TERI L
214 CODY PL
ROCKWALL, TX 75087

WELLS LEE E & LYNDA S
2146 HARRELL STREET
GREENVILLE, TX 75402

MURRAY JOHN DAVID
215 CODY PLACE
ROCKWALL, TX 75087

DAVIS RICHARD S & LYNDELL R
2175 LAKE FOREST DR
ROCKWALL, TX 75087

DUZAN TIMOTHY AND ANGELA
219 CODY PL
ROCKWALL, TX 75087

KHATER CHARLES ETUX
2368 E FM 552
ROCKWALL, TX 75087

ROCKWALL RUSTIC RANCH LLC
240 WILLOWCREST
ROCKWALL, TX 75032

SEYMORE INVESTMENTS LLC
242 C NATIONAL DR
ROCKWALL, TX 75032

LAURENCE CROSSING LLC
2500 DISCOVERY BLVD SUITE 300
ROCKWALL, TX 75032

LAURENCE CROSSING LLC
2500 DISCOVERY BLVD SUITE 300
ROCKWALL, TX 75032

HOLLON GREGORY D
2778 S FM 549
ROCKWALL, TX 75032

WEST MICHAEL
299 SHENNENDOAH LANE
ROCKWALL, TX 75087

RESIDENT
301 HIGHLAND DR
ROCKWALL, TX 75087

AUSTIN MICHAEL CAIN 2005 TRUST
301 COOPER COURT
ROCKWALL, TX 75087

ORTAMOND DONALD J & JANA R
301 MARGARET ST
ROCKWALL, TX 75087

BEDFORD TERRI W
301 N ALAMO RD
ROCKWALL, TX 75087

ROCK N' ROLL REALTY LLC
301 N FANNIN ST
ROCKWALL, TX 75087

RESIDENT
301 N GOLIAD ST
ROCKWALL, TX 75087

RESIDENT
301 N SAN JACINTO
ROCKWALL, TX 75087

FERRIS BETH
301 WILDWOOD LN
ROCKWALL, TX 75087

MATTINGLY LESLIE G AND JENNIFER S
302 ARCADIA WAY
ROCKWALL, TX 75087

LOFTUS GERALDINE J
302 E MARGARET ST
ROCKWALL, TX 75087

JOHNSON AMANDA DAWN
302 ELM DRIVE
ROCKWALL, TX 75087

WARREN PEGGY E
302 HIGHLAND DR
ROCKWALL, TX 75087

RESIDENT
302 N FANNIN ST
ROCKWALL, TX 75087

JOY LUTHERAN CHURCH
302 N GOLIAD ST
ROCKWALL, TX 75087

BRUCE DANA G & JEANNE L
302 N SAN JACINTO ST
ROCKWALL, TX 75087

CRANE KATHERINE LYNN
302 W KAUFMAN ST
ROCKWALL, TX 75087

SOLIS JOHNNY & JULIE
3021 RIDGE RD SUITE A BOX 93
ROCKWALL, TX 75032

SMITH WENDY
303 DERICK DR
FATE, TX 75189

WILLIAMS RONALD DAVID AND PATRICIA
303 ELM DR
ROCKWALL, TX 75087

WHITE SANDRA JEAN
303 HIGHLAND DR
ROCKWALL, TX 75087

RESIDENT
303 N ALAMO
ROCKWALL, TX 75087

ANGLE GLENDA ANNE
303 WILDWOOD LN
ROCKWALL, TX 75087

ADAMS-ROMANO KEVIN PATRICK & JULLIAN ROSE
303 WILLIAMS ST
ROCKWALL, TX 75087

RESIDENT
304 HIGHLAND DR
ROCKWALL, TX 75087

RESIDENT
304 WILLIAMS ST
ROCKWALL, TX 75087

GLASS KATHLEEN J
304 ELM DR
ROCKWALL, TX 75087

RESIDENT
304 N SAN JACINTO
ROCKWALL, TX 75087

ODEN STORMIE E AND TAYLOR C
304 WEST KAUFMAN STREET
ROCKWALL, TX 75087

WHITE RUNELLE
305 HIGHLAND DR
ROCKWALL, TX 75087

RESIDENT
305 N FANNIN ST
ROCKWALL, TX 75087

KING BOBBY R ETUX
305 WILDWOOD LN
ROCKWALL, TX 75087

RESIDENT
306 WILLIAMS ST
ROCKWALL, TX 75087

BELL MARY NELL
306 ELM DR
ROCKWALL, TX 75087

STANLEY PAUL & SHERI
306 HIGHLAND DR
ROCKWALL, TX 75087

RESIDENT
306 N FANNIN ST
ROCKWALL, TX 75087

RESIDENT
307 N FANNIN ST
ROCKWALL, TX 75087

WATCHMEN REAL ESTATE LLC
3077 N GOLIAD
ROCKWALL, TX 75087

RESIDENT
308 FANNIN
ROCKWALL, TX 75087

SCHWEIKERT FERN ELLEN
308 ELM DR
ROCKWALL, TX 75087

NJK ENTERPRISES LLC
31 ORLEANS CIRCUIT
CECIL HILLS SYDNEY, NSW 2171 AUSTRALIA,

GATES CHARLES H & BRENDA F
310 ELM DR
ROCKWALL, TX 75087

RESIDENT
312 ELM DR
ROCKWALL, TX 75087

UNION BANK & TRUST CO
SUCCESSOR TRUSTEE EMILY SUE WHITEHEAD
REV TRUST
312 CENTRAL AVE SE, STE 508
MINNEAPOLIS, MN 55414

HARKLAU CAROLINE
312 DARTBROOK
ROCKWALL, TX 75087

SOUTHERN ROOTS LLC
312 DARTBROOK
ROCKWALL, TX 75087

METOYER GREGORY K AND FRANCES M
317 COOPER STREET
ROCKWALL, TX 75087

WEAST BRIAN J AND
CYNTHIA C BROWN
318 ARCADIA WAY
ROCKWALL, TX 75087

WEBER MARY JANE
318 COOPER CT
ROCKWALL, TX 75087

HEALDAN GROUP INC
3460 MARRON RD SUITE 103-144
OCEANSIDE, CA 92056

SNEAK PEAK HOMES LLC
3483 TIMBERVIEW RD
DALLAS, TX 75229

RB40 INVESTMENTS LLC
400 CHIPPENDALE DRIVE
HEATH, TX 75032

TURNER KYLE RADEY
4002 BROWNSTONE CT
DALLAS, TX 75204

KMA LLC
401 COUNTRY RIDGE RD
ROCKWALL, TX 75087

RESIDENT
401 N ALAMO
ROCKWALL, TX 75087

RESIDENT
401 N FANNIN ST
ROCKWALL, TX 75087

MORENO ANTONIO AND SUZANNE T
402 WILDWOOD LANE
ROCKWALL, TX 75087

RESIDENT
404 N GOLIAD
ROCKWALL, TX 75087

MONTGOMERY CAMERON K AND AMY E
404 WILDWOOD LANE
ROCKWALL, TX 75087

RESIDENT
405 N ALAMO
ROCKWALL, TX 75087

NICHOLSON JACQUELYN SUE AND PAUL
EDWARD
405 N FANNIN STREET
ROCKWALL, TX 75087

RESIDENT
405 N GOLIAD
ROCKWALL, TX 75087

JONES GERWYN AND JANE
406 N ALAMO ROAD
ROCKWALL, TX 75087

RESIDENT
406 N GOLIAD
ROCKWALL, TX 75087

DAVENPORT RENTAL PROPERTIES - SERIES 200
DARRIN DRIVE
407 CASTLE PINES DRIVE
HEATH, TX 75032

DAVENPORT RENTAL PROPERTIES LLC
407 CASTLE PINES DRIVE
HEATH, TX 75032

HOWELL RONALD & MICHELE
434 JORDAN FARM CIRCLE
ROCKWALL, TX 75087

MOFFATT DANA MICHELLE
4756 SECRET COVE LANE
HEATH, TX 75032

ADAT ESTATE LLC
482 ARCADIA WAY
ROCKWALL, TX 75087

ADAT ESTATE LLC
482 ARCADIA WAY
ROCKWALL, TX 75087

ADAT ESTATE LLC
482 ARCADIA WAY
ROCKWALL, TX 75087

ADAT ESTATE LLC
482 ARCADIA WAY
ROCKWALL, TX 75087

TREVINO BERTHA & LOUIS
4917 SAINT JAMES CT
MESQUITE, TX 75150

BAF 3 LLC
5001 PLAZA ON THE LAKE SUITE 200
AUSTIN, TX 78746

RESIDENT
501 KERNODLE
ROCKWALL, TX 75087

MILDER SCOTT & LESLIE
501 CAMP CREEK RD
ROCKWALL, TX 75087

RESIDENT
501 N ALAMO
ROCKWALL, TX 75087

RESIDENT
501 N GOLIAD
ROCKWALL, TX 75087

RESIDENT
502 N ALAMO
ROCKWALL, TX 75087

RESIDENT
502 N GOLIAD
ROCKWALL, TX 75087

SMITH MARY SUE
502 W RUSK ST
ROCKWALL, TX 75087

WOODARD CARL E ET UX
502 WILDWOOD TER
ROCKWALL, TX 75087

STRINGFELLOW HOLDINGS, LLC
5023 PARKVIEW PLACE
ADDISON, TX 75001

RESIDENT
503 N ALAMO
ROCKWALL, TX 75087

SEREGOW JAMES AND KATHLEEN
503 N FANNIN ST
ROCKWALL, TX 75087

RESIDENT
503 N GOLIAD ST
ROCKWALL, TX 75087

BYRUM RICKY CONN AND JO ANN
504 N ALAMO RD
ROCKWALL, TX 75087

RESIDENT
504 N GOLIAD
ROCKWALL, TX 75087

NASH M CALVIN ETUX
504 WILDWOOD TER
ROCKWALL, TX 75087

RESIDENT
505 WILDWOOD TERRACE
ROCKWALL, TX 75087

TUCKER PAMELA
505 N ALAMO RD
ROCKWALL, TX 75087

RESIDENT
505 N GOLIAD
ROCKWALL, TX 75087

SOUTHERN ROOTS LLC
505 N GOLIAD STREET
ROCKWALL, TX 75087

LAYTON ERIC A AND APRIL L
506 N ALAMO
ROCKWALL, TX 75087

RESIDENT
506 N GOLIAD
RESIDENT, TX 75087

HICKERSON JON D
506 WILDWOOD TER
HICKERSON JON D, TX 75087

FLEMING HALLIE B
507 N GOLIAD
ROCKWALL, TX 75087

RESIDENT
507 N GOLIAD
ROCKWALL, TX 75087

RESIDENT
508 N ALAMO
ROCKWALL, TX 75087

HAM JOSHUA L
512 HIGHVIEW LANE
ROCKWALL, TX 75087

RNDI COMPANIES INC
519 E INTERSATE 30 # 157
ROCKWALL, TX 75087

JENNIFER'S HOMES INC
519 E INTERSTATE 30 #442
ROCKWALL, TX 75087

FANG PROPERTIES LLC
536 LOMA VISTA
HEATH, TX 75032

SIDDALL RYAN AND
TAYLOR GILSTRAP
5469 JEFFERSON DR
SACHSE, TX 75048

FRENCH MELISSA AND JACOB AARON
5582 YARBOROUGH DR
FORNEY, TX 75126

WYLIE KIMBERLY
5904 COUNTY ROAD 2592
ROYSE CITY, TX 75189

STAR 2022 SFR3 BORROWER LP
591 WEST PUTNAM AVE
GREENWICH, CT 6830

GEN 39:2-6 LLC
599 BORDEAUX DRIVE
ROCKWALL, TX 75087

RESIDENT
601 KERNODLE ST
ROCKWALL, TX 75087

RESIDENT
601 N ALAMO
ROCKWALL, TX 75087

HALL DOUGLAS A & MARCI
601 N FANNIN ST
ROCKWALL, TX 75087

CARDENAS CECILIO & CARMEN
602 N ALAMO ROAD
ROCKWALL, TX 75087

RESIDENT
602 N GOLIAD
ROCKWALL, TX 75087

CANUP DAVID & PATRICIA
602 W RUSK ST
ROCKWALL, TX 75087

HANSARD STANLEY E ETUX DALE
602 WILDWOOD LN
ROCKWALL, TX 75087

HAMILTON JOANN
603 N ALAMO RD
ROCKWALL, TX 75087

RESIDENT
603 N GOLIAD
ROCKWALL, TX 75087

RESIDENT
604 GOLIAD
ROCKWALL, TX 75087

DOMINGUEZ, JOSE AND JOHANNA
604 N ALAMO RD
ROCKWALL, TX 75087

RESIDENT
604 N GOLIAD
ROCKWALL, TX 75087

KENDALL JESSICA
604 WILDWOOD LANE
ROCKWALL, TX 75087

RESIDENT
605 N ALAMO
ROCKWALL, TX 75087

POINTER PRICE
605 NAKOMA DR
ROCKWALL, TX 75087

MURRAY JAMES & VIRGINIA
606 WILDWOOD LN
ROCKWALL, TX 75087

MULLINS CHRISTOPHER CHARLES AND ARYN ELISE
<Null>
607 KERNODLE ST <Null>
ROCKWALL, TX 75087

BELL ZACHARY A AND ELIZABEH H
608 WILDWOOD LN
ROCKWALL, TX 75087

SIENTY RYAN FAIN
6182 COUNTY RD 4400
COMMERCE, TX 75428

ROY LAWRENCE HANCE JR TRUST
ROY LAWRENCE HANCE JR- TRUSTEE
6946 SPERRY STREET
DALLAS, TX 75214

CASTRO MICHAEL AND RENE
700 WINDSONG LN
ROCKWALL, TX 75087

CTC TEXAN PROPERTIES LLC
7005 CHASE OAKS BLVD SUITE 180
PLANO, TX 75025

SMITH G DAVID
702 N GOLIAD ST
ROCKWALL, TX 75087

TIBBETTS ELAINE
703 KERNODLE ST
ROCKWALL, TX 75087

RESIDENT
703 N ALAMO RD
ROCKWALL, TX 75087

IRBY DENNIS
703 N GOLIAD ST
ROCKWALL, TX 75087

J-PEG PROPERTIES LLC
704 N GOLIAD
ROCKWALL, TX 75087

ZIMMERMAN CAROLYN
705 KERNODLE ST
ROCKWALL, TX 75087

RESIDENT
705 N ALAMO RD
ROCKWALL, TX 75087

RESIDENT
705 N GOLIAD ST
ROCKWALL, TX 75087

RESIDENT
706 N ALAMO
ROCKWALL, TX 75087

CALABRESE CORINNA RAE
707 N ALAMO RD
ROCKWALL, TX 75087

RESIDENT
708 N ALAMO
ROCKWALL, TX 75087

RESIDENT
710 N ALAMO
ROCKWALL, TX 75087

CRISWELL BARBARA
7110 HUNT LANE
ROCKWALL, TX 75087

BROWN JONATHAN R & CHRISTY A
<Null>
7814 KILLARNEY LANE <Null>
ROWLETT, TX 75089

CHRISTENSEN VALERIE
801 N GOLIAD
ROCKWALL, TX 75087

GUEVARA CARLOS & MONICA A
802 N ALAMO RD
ROCKWALL, TX 75087

RESIDENT
802 N GOLIAD
ROCKWALL, TX 75087

MASON MARK S & TAMARA M
802 POTOMAC DRIVE
ROCKWALL, TX 75087

JOHNSON BRADLEY K AND GINGER M
803 KERNODLE ST
ROCKWALL, TX 75087

KUCERA TIMOTHY M
803 N ALAMO RD
ROCKWALL, TX 75087

RESIDENT
803 N GOLIAD ST
ROCKWALL, TX 75087

CONSELMAN EQUITIES LLC
804 N GOLIAD STREET
ROCKWALL, TX 75087

MBK3 PROPERTY HOLDING CO LLC
804 TRUMPETER WAY
ROCKWALL, TX 75032

BUSHNELL MICHAEL S & TIFFANIE C
805 KERNODLE ST
ROCKWALL, TX 75087

NAVARRO FRANCISCO OCHOA AND
MELISSA ANN REDD
805 N ALAMO RD
ROCKWALL, TX 75087

ORTIZ ENRIQUE AROZLA
805 N FANNIN ST
ROCKWALL, TX 75087

RESIDENT
806 N GOLIAD
ROCKWALL, TX 75087

RESIDENT
807 N ALAMO RD
ROCKWALL, TX 75087

MEJIA JULIO & MARIA R
807 N FANNIN ST
ROCKWALL, TX 75087

RESIDENT
807 N GOLIAD
ROCKWALL, TX 75087

RESIDENT
808 N ALAMO
ROCKWALL, TX 75087

RESIDENT
808 N GOLIAD
ROCKWALL, TX 75087

GARY DENNIS AND DIANNE
809 COUNTY CLUB DRIVE
HEATH, TX 75032

MARTINEZ RAQUEL P
809 N GOLIAD ST
ROCKWALL, TX 75087

SWIERCINSKY LEXUS M
810 N ALAMO RD
ROCKWALL, TX 75087

RESIDENT
810 N GOLIAD
ROCKWALL, TX 75087

AOUN PIERRE E
811 N GOLIAD ST
ROCKWALL, TX 75087

RESIDENT
812 N ALAMO
ROCKWALL, TX 75087

RESIDENT
812 N GOLIAD
ROCKWALL, TX 75087

CAIN JAMES O
815 N ALAMO RD
ROCKWALL, TX 75087

CAIN JAMES O
815 N ALAMO RD
ROCKWALL, TX 75087

STEPHEN PRAMELA AND STEPHEN JOHN
818 POTOMAC DR
ROCKWALL, TX 75087

AIBKHANOV ASHOT AND JOLI RASHID
834 POTOMAC DR
ROCKWALL, TX 75087

MCCULLEY DARREN WAYNE AND MICHELE
837 POTOMAC DRIVE
ROCKWALL, TX 75087

WAY FAMILY TRUST
8441 S FM ROAD 549
ROCKWALL, TX 75032

KUNJACHEN BLESSY AND SHIBU
852 POTOMAC DRIVE
ROCKWALL, TX 75087

MAYTAK LINA & MARK HILSTAD
853 POTOMAC DRIVE
ROCKWALL, TX 75087

PALMER WINDY E AND DONALD L
868 POTOMAC DRIVE
ROCKWALL, TX 75087

WARDELL JAKE P AND MEREDITH K
880 SHORES BLVD
ROCKWALL, TX 75087

INGLES CRISTINA LA SAIGNE
901 N ALAMO
ROCKWALL, TX 75087

CROWDER GERALDINE
901 N FANNIN ST
ROCKWALL, TX 75087

RESIDENT
902 N GOLIAD <Null>
ROCKWALL, TX 75087

EAGLE SEIKI SALES LTD
C/O ELIZABETH BURKS
902 PALO PINTO ST
WEATHERFORD, TX 76086

MOMSEN KIMBERLY
903 N ALAMO ROAD
ROCKWALL, TX 75087

HEMPHILL REBECCA AND TODD
903 NORTH FANNIN STREET
ROCKWALL, TX 75087

RESIDENT
904 N GOLIAD ST
ROCKWALL, TX 75087

RESIDENT
905 N ALAMO ST
ROCKWALL, TX 75087

RESIDENT
905 N GOLIAD
ROCKWALL, TX 75087

RESIDENT
905 N WEST ST
ROCKWALL, TX 75087

WILLIAMS RICKY AND ELIZABETH
906 N ALAMO RD
ROCKWALL, TX 75087

RESIDENT
906 N GOLIAD
ROCKWALL, TX 75087

BRIONES RONALD AND THERESA
906 N WEST
ROCKWALL, TX 75087

RESIDENT
907 N GOLIAD ST
ROCKWALL, TX 75087

JC GAERLAN LLC
907 NORTH ALAMO ROAD
ROCKWALL, TX 75087

PIERCE CAROLYN GREEN
908 N ALAMO RD
ROCKWALL, TX 75087

HEAVENLY HANDS BIRTHING CENTER PLLC
908 N GOLIAD ST
ROCKWALL, TX 75087

MARTINKUS NICOLE
908 N WEST ST
ROCKWALL, TX 75087

MOLINA JOE C II
909 N ALAMO
ROCKWALL, TX 75087

RESIDENT
909 N GOLIAD
ROCKWALL, TX 75087

MCFADIN SARA TERESA
909 N WEST STREET
ROCKWALL, TX 75087

ZAVALA VICTOR V
910 N ALAMO RD
ROCKWALL, TX 75087

PERRY RUBY DELL
910 N WEST ST
ROCKWALL, TX 75087

WHITE TIMOTHY E
9104 PRIVATE ROAD 2325
TERRELL, TX 75160

LEWIS BEN
911 N ALAMO
ROCKWALL, TX 75087

RECSA LLC
911 NORTH GOLIAD
ROCKWALL, TX 75087

JONES PAMELA J
912 N ALAMO RD
ROCKWALL, TX 75087

RESIDENT
912 N GOLIAD
ROCKWALL, TX 75087

RESIDENT
913 N ALAMO RD
ROCKWALL, TX 75087

BAXTER JAKE STEPHEN AND CATHERINE ELIZABETH
915 N ALAMO RD
ROCKWALL, TX 75087

RESIDENT
915 N GOLIAD
ROCKWALL, TX 75087

RESIDENT
917 N ALAMO
ROCKWALL, TX 75087

RESIDENT
917 N GOLIAD
ROCKWALL, TX 75087

RESIDENT
918 N ALAMO
ROCKWALL, TX 75087

RESIDENT
919 N ALAMO
ROCKWALL, TX 75087

RESIDENT
919 N GOLIAD
ROCKWALL, TX 75087

BELANGER CORKY
921 N ALAMO RD
ROCKWALL, TX 75087

BARRY BARBARA
922 N ALAMO RD
ROCKWALL, TX 75087

HUDSON SHELI O
923 N ALAMO
ROCKWALL, TX 75087

CHAVEZ ENRIQUE
923 N GOLIAD ST
ROCKWALL, TX 75087

RESIDENT
924 N ALAMO
ROCKWALL, TX 75087

CRAWFORD JUANITA LIFE ESTATE AND
MICHAEL CRAWFORD
925 N ALAMO
ROCKWALL, TX 75087

RESIDENT
925 N GOLIAD
ROCKWALL, TX 75087

PRECISION GLOBAL CORPORATION
9330 LBJ FREEWAY SUITE 900
DALLAS, TX 75243

TAILLAC JEAN ANTHONY
944 CHAD WAY
ROCKWALL, TX 75087

RICE JOSHUA M
947 CHAD WAY
ROCKWALL, TX 75087

RESIDENT
948 CHAD WAY
ROCKWALL, TX 75087

CORENO FRANCISCO R
951 CHAD WAY
ROCKWALL, TX 75087

BRUMIT COURTNEY M AND DARREN D
952 CHAD WAY
ROCKWALL, TX 75087

RESIDENT
955 CHAD WAY
ROCKWALL, TX 75087

ALLEN MARK C AND
DONNA K BOYD
956 CHAD WAY
ROCKWALL, TX 75087

LEFTEROV MARTIN AND
JESSICA LADD
960 CHAD WAY
ROCKWALL, TX 75087

TO TUAN QUOC
964 CHAD WAY
ROCKWALL, TX 75087

JENSEN MIKEL K & MICHELLE
968 CHAD WAY
ROCKWALL, TX 75087

WILCOX GORDON RICHARD AND GINGER R
974 CHAD WAY
ROCKWALL, TX 75087

CRAWFORD MICHAEL & MARY
975 N ALAMO RD
ROCKWALL, TX 75087

LOWRY BRENDA
978 CHAD WAY
ROCKWALL, TX 75087

CLARK RYAN W & AMY B
982 CHAD WAY
ROCKWALL, TX 75087

GIBSON MONTE ROY & BELINDA K
986 CHAD WAY
ROCKWALL, TX 75087

SCHMIDT STEVEN R AND CORINNA A
990 CHAD WAY
ROCKWALL, TX 75087

RESIDENT
993 HOLLI LN
ROCKWALL, TX 75087

GAFFNEY BRIAN & HOPE
994 CHAD WAY
ROCKWALL, TX 75087

RESIDENT
995 HOLLI LN
ROCKWALL, TX 75087

RAWLINS DAN AND MERRIANNE
997 HOLLI LN
ROCKWALL, TX 75087

GAFFNEY RICHARD BENNETT AND MARY ANNE
998 CHAD WAY
ROCKWALL, TX 75087

MESSENGER BARNARD A & BONNIE
998 HOLLI LN
ROCKWALL, TX 75087

NELSON MICHAEL D
999 HOLLI LN
ROCKWALL, TX 75087

CAIN REVOCABLE FAMILY TRUST AND
CREDIT SHELTER TRUST AND SURVIVORS TRUST
DEWAYNE CAIN TRUSTEE 305 STONEBRIDGE DR
ROCKWALL, TX 75087

BOWEN JAMES A
P.O. BOX 385
CADDO MILLS, TX 75135

ODOM JAY & ALISON
P.O. BOX 578
ROCKWALL, TX 75087

THE PRESERVE HOMEOWNERS ASSOCIATION
INC
P.O. BOX 702348
DALLAS, TX 75370

K'S ADVERTISING DALLAS INC THE
PO BOX 1238
ROCKWALL, TX 75087

BUTCHER MELVIN R
PO BOX 147
QUINLAN, TX 75474

CFPC INVESTMENTS LLC
PO BOX 1731
MARBLE FALLS, TX 78654

CONSELMAN EQUITIES LLC
PO BOX 2284
ROCKWALL, TX 75087

CONSELMAN EQUITIES LLC
PO BOX 2284
ROCKWALL, TX 75087

WOMEN IN NEED INC
PO BOX 349
GREENVILLE, TX 75403

MILE HIGH BORROW 1 LLC
PO BOX 4090
SCOTTSDALE, AZ 85261

PRINGLE PHYLLIS M
PO BOX 584
ROCKWALL, TX 75087

LAND HEADQUARTERS COMPANY INC
C/O FAIR ROAD PROPERTIES INC
PO BOX 69
KEY BISCAYNE, FL 33149

RUTH DOWER LIVING TRUST DATED JUNE 3,
2014
RUTH DOWER TRUSTEE
PO BOX 871239
MESQUITE, TX 75187

PUBLIC NOTICE

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

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

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

Z2023-045: Amendment to PD-50

Hold a public hearing to discuss and consider a request by Cari Foote of CFPC Investments, LLC for the approval of a Zoning Change amending Planned Development District 50 (PD-50) [Ordinance No. 17-19] for the purpose of allowing the General Personal Services land use by Specific Use Permit (SUP) for all properties within the district, being a 21.266-acre tract of land situated within the S. S. McCurry Survey, Abstract No. 146 and B. F. Boydston Survey, Abstract No. 14, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, generally located along N. Goliad Street [SH-205] north of Olive Street and south of Live Oak Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on *Tuesday, October 10, 2023 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, October 16, 2023 at 6:00 PM*. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by *Monday, October 16, 2023 at 4:00 PM* to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

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

PLEASE RETURN THE BELOW FORM

Case No. Z2023-045: Amendment to PD-50

Please place a check mark on the appropriate line below:

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

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

Name:

Address:

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

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

PUBLIC NOTICE

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

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

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

PLEASE RETURN THE BELOW FORM

Case No. Z2023-045: Amendment to PD-50

Please place a check mark on the appropriate line below:

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

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

Name: Ben Klutts - Recsa, LLC

Address: [redacted]

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

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

Zoning & Specific Use Permit Input Form

Case Number *

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

Z2023-045

Please place a check mark on the appropriate line below *

- [ ] I am in favor of the request.
- [x] I am in opposition to the request.

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

This brings, possible diseases if an animal shelter/veterinarian is allowed, increases traffic where children live and play, adds strangers around community property and family, decreases safety for residence.

Respondent Information

Please provide your information.

First Name *

Ben

Last Name *

Lewis

Address *

[redacted]

City *

ROCKWALL

State *

TX

Zip Code *

75087

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [x] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] Other: _____

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

- (●) I received a property owner notification in the mail.
- ( ) I read about the request on the City's website.
- ( ) I saw a zoning sign on the property.
- ( ) I read about the request in the Rockwall Herald Banner.
- ( ) My neighbors told me about the request.
- ( ) Other: _____

This content is neither created nor endorsed by Google.

Google Forms

Zoning & Specific Use Permit Input Form

Case Number *

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

Z2023-045

Please place a check mark on the appropriate line below *

- [x] I am in favor of the request.
- [ ] I am in opposition to the request.

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

Helps our community grow

Respondent Information

Please provide your information.

First Name *

Caprice

Last Name *

Michelle

Address *

[redacted]

City *

Rickwall

State *

TX

Zip Code *

75032

Please check all that apply: *

- [ ] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [x] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] Other: _____

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

- (●) I received a property owner notification in the mail.
- ( ) I read about the request on the City's website.
- ( ) I saw a zoning sign on the property.
- ( ) I read about the request in the Rockwall Herald Banner.
- ( ) My neighbors told me about the request.
- ( ) Other: _____

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Google Forms

PLEASE RETURN THE BELOW FORM

Case No. Z2023-045: Amendment to PD-50

Please place a check mark on the appropriate line below:

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

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

Construction would destroy the ecosystem of the area As well as ruin the hometown feeling & Suburban Beauty of the Existing Properties - Will only increase the incredible TRAFFIC Congestion in the area

Name: Jane & Charles Siebert

Address: [redacted]

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

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

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

Zoning & Specific Use Permit Input Form

Case Number *

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

Z2023-045

Please place a check mark on the appropriate line below *

- [ ] I am in favor of the request.
- [x] I am in opposition to the request.

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

What is the specific use permit for and why should the be approved for the residential area? Not enough information is provided regarding this rezoning proposal. Numerous times since moving here in 2002 the rules have changed mid game to the betterment of businesses and not home owners in my area.

Respondent Information

Please provide your information.

First Name *

Toby

Last Name *

Hill

Address *

[redacted]

City *

Rockwall

State *

TX

Zip Code *

75087

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [x] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] Other: _____

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

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

This content is neither created nor endorsed by Google.

Google Forms

Cari Foote MA, LPC-S, LMFT-S, EMDR Certified
925 N. Goliad Street
Rockwall, TX 75087
Cfoote@professionalcounseling.us

September 13, 2023

925 N. Goliad Street Rockwall, TX 75087

Ryan Miller
Director of Planning, City of Rockwall
Rmiller@rockwall.com
385 South Goliad Rockwall, TX 75087

Mr. Miller,

Please consider amending P-50 to include General Personal Service use by Special Use Permit.

I'm making this request in order to fully utilize each room at my building located at 925 N. Goliad Street. Amending PD-50 will allow more business opportunities that will complement my existing tenants.

Thank you for your consideration.

Cari Foote

Signature Date: 9-18-23

CITY OF ROCKWALL

ORDINANCE NO. 23-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING PLANNED DEVELOPMENT DISTRICT 50 (PD-50) [*ORDINANCE NO. 17-19*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF AMENDING PLANNED DEVELOPMENT DISTRICT 50 (PD-50) TO ALLOW AN *GENERAL PERSONAL SERVICE* LAND USE TO BE PERMITTED BY A SPECIFIC USE PERMIT (SUP) WITHIN THE SUBJECT PROPERTY, BEING A 21.266-ACRE TRACT OF LAND SITUATED WITHIN THE S. S. McCURRY SURVEY, ABSTRACT NO. 146 AND B. F. BOYDSTON SURVEY, ABSTRACT NO. 14, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (*$2,000.00*) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Cari Foote requesting the approval of an amendment to Planned Development District 50 (PD-50) [*Ordinance No. 17-19*] and the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall for the purpose of amending the permitted land uses to allow for the addition of an *General Personal Service* land use to be permitted by a Specific Use Permit (SUP) within a 21.266-acre tract of land situated within the S. S. McCurry Survey, Abstract No. 146 and B. F. Boydston Survey, Abstract No. 14, City of Rockwall, Rockwall County, Texas, identified as Planned Development District 50 (PD-50), and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 50 (PD-50) [*Ordinance No. 17-19*] and the Unified Development Code [*Ordinance No. 20-02*] should be amended as follows:

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

SECTION 1. That the approval of this ordinance shall supersede all requirements stipulated in *Ordinance No. 17-19*;

DRAFT ORDINANCE 10.16.2023

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this ordinance and the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

SECTION 3. That the *Subject Property* shall be developed and/or used only in the manner and for the purposes described in *Exhibit 'C'* of this ordinance, and unless specifically modified within this ordinance the *Subject Property* shall adhere to all development standards stipulated by the Residential Office (RO) District as specified in Subsection 04.02, *Residential-Office (RO) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] as heretofore amended, as amended herein by the granting of this zoning change, and as may be amended in the future;

SECTION 4. That the official zoning map of the City of Rockwall, Texas be corrected to reflect the change in zoning described here in.

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

SECTION 6. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code [*Ordinance No. 04-38*], and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 7. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code [*Ordinance No. 04-38*] of any provision of the *City Code*, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code [*Ordinance No. 04-38*] (*including references to the Unified Development Code*), and references to overlay districts, in this ordinance or any of the *Exhibits* hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6th DAY OF NOVEMBER, 2023.

_____

Trace Johannesen, *Mayor*

ATTEST:

DRAFT ORDINANCE 10.26.2023

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: October 16, 2023

2nd Reading: November 6, 2023

DRAFT ORDINANCE 10.16.2023

EXHIBIT 'A':
Legal Description

BEGINNING at a point in the northwest corner of Block 32 of the Garner Addition (*925 N. Goliad Street);*

THENCE easterly 211.13' along the south right of way of Live Oak Street for a corner;

THENCE southerly 598.12' along the west right of way of Goliad Street (*SH-205*);

THENCE east 54.44' across Goliad Street, to the northwest corner of Block 160, Lot 1 of the Austin Addition (*912 N. Goliad Street*);

THENCE east 220' following the north property line of Block 160, Lot 1 of the Austin Addition (912 N. Goliad Street);

THENCE southerly 441.42' following the east property lines of lots fronting Goliad Street to a point on the north right of way of Heath Street;

THENCE west 39.54' along the north right of way of Heath Street;

THENCE southerly following along the east property lines of lots fronting Goliad Street 562.59' to a point being the northwest corner of B.F. Boydston Survey, Block 123, Lot F (*604 N Goliad Street*);

THENCE east 210.09' along the north property line of said Block 123, Lot F for a corner;

THENCE southerly 289.31' along the eastern property line of said Block 123, Lot F for a corner;

THENCE southerly 519.9' following along the east property lines of lots fronting Goliad Street to a point being the southeast corner of B.F. Boydston Survey, Block 123, Lot B (*406 N. Goliad Street*);

THENCE west 215.11' along the south property line of said Block 123, Lot B (*406 N. Goliad Street*) and crossing to a point on the west right of way of Goliad Street;

THENCE southerly 170.59' following along the west right of way of Goliad Street to a point being the southeast corner of Block 17, Lot 15 of the Amick Addition (*401-403 N. Goliad Street*);

THENCE west 210' along the south property line of said Block B, Lot 15 of the Amick Addition for a corner;

THENCE northerly 101.05' along the west property line of said Block 17, Lot 15 of the Amick Addition;

THENCE easterly 70.83' along the north property line of Block 17, Lot 15 of the Amick Addition;

THENCE north 170' along the west property lines of Block 18B, Lot 17 and Block 19C, Lot 21 of the Amick Addition;

THENCE west 72.99' along the south property line of Block 19B, Lot 19 of the Amick Addition (*501½ N. Goliad Street*);

DRAFT ORDINANCE 10.16.2023

THENCE northerly 51.75' along the west property line of Block 19B, Lot 19 of the Amick Addition (*501½ N. Goliad Street*);

THENCE easterly 97.01' along the north property line of Block 19B, Lot 19 of the Amick Addition (*501½ N. Goliad Street*);

THENCE northerly 754.05' following along the west property lines of lots fronting Goliad Street to a point in the south property line of Block 23A, Lot 34 of the Amick Addition (*803 N. Goliad Street*);

THENCE west 115.03' along the south property line of said Block 23A, Lot 34 of the Amick Addition;

THENCE northerly 139.55' along the east right of way of N. Alamo Street;

THENCE east 99.47' following along the north property line of Block 24C, Lot 37 of the Amick Addition
(*805. N. Goliad Street*) to a point;

THENCE northerly 250.95' following along the west property lines of lots fronting N. Goliad Street and crossing to the north right of way of Heath Street for a corner;

THENCE west 70.51' along the north right of way of Heath Street for a corner;

THENCE northerly 205. 32' along the east right of way of N. Alamo Street;

THENCE easterly 103.92' along the south property line of Lot 1 of the Williams Addition;

THENCE northerly 334.45' following along the west property line of lots fronting Goliad Street to a point on the south property line of Block 29 of the Garner Addition (*915 N. Goliad Street*);

THENCE west 85.69' along the south property line of Block 29 of the Garner Addition (*915 N. Goliad Street*) to the east right of way of Alamo Street;

THENCE northerly 98.02' along the east right of way of Alamo Street for a point;

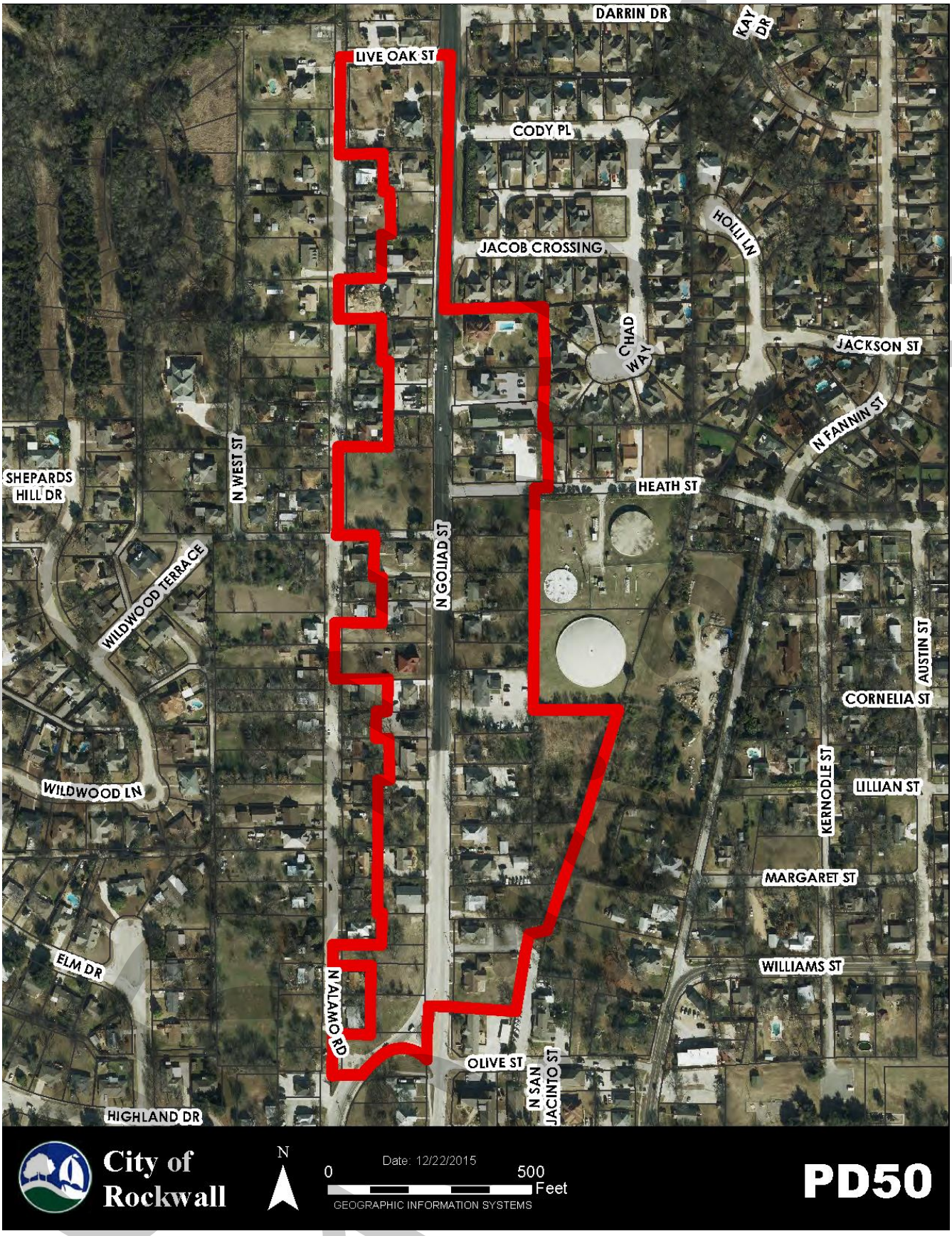
THENCE easterly 85.08' along the north property line of Block 29 of the Garner Addition (*915 N. Goliad Street*);

THENCE northerly 345.36' following along the west property line of lots fronting Goliad Street to a point in the south right-of-way of Block 32 of the Garner Addition (*925 N. Goliad Street*);

THENCE northerly 218.51' following along the east right of way of Alamo Street to the ***POINT OF BEGINNING*** containing approximately 21.266-acres of land.

DRAFT ORDINANCE 10.16.2023

EXHIBIT 'B':
Location Map



Development Standards.

1) *Permitted Uses.* Unless specifically provided by this Planned Development District ordinance, only those land uses permitted within the Residential Office (RO) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 20-02*], are allowed on the *Subject Property*; however, the following additions and conditions shall apply:

   (a) *Antique/Collectable Sales.* The retail sales of antiques and collectables shall be permitted through the approval of a Specific Use Permit (SUP) by the City Council; however, such use shall be subject to the following conditions:

      i. *Antique Sales* is defined as the sale of an object having value because of its age, especially a domestic item or piece of furniture or handicraft esteemed for its artistry, beauty, craftsmanship, or period of origin.

      ii. *Collectable Sales* is defined as the sale of an object that can be collected, or is suitable or desirable for collecting by hobbyist, or any of a class of old things (*but not antiques*) that people collect as a hobby.

      iii. The sale of new or used clothing and appliances shall be prohibited.

      iv. The maximum floor area permitted for *Antique/Collectable Sales* be limited to 2,000 square feet.

      v. That individual lease areas within the *Antique/Collectable Sales* use be prohibited.

   (b) *Banquet Facility (Event Venue)*. A banquet facility or event venue shall be permitted through the approval of a Specific Use Permit (SUP) by the City Council; however, such use shall be subject to the following conditions:

      i. *Banquet Facility* or *Event Venue* is defined as a commercial facility that can be rented out for the purpose of hosting private events (*e.g. birthday parties, wedding receptions, meetings, etc.*). These events shall not be open to the general public.

   (c) *Animal Clinic for Small Animals*. An animal clinic for small animals shall be permitted through the approval of a Specific Use Permit (SUP) by the City Council; however, such use shall be subject to the following conditions.

      i. An *Animal Clinic for Small Animals* is defined as a place where animals or pets are given medical or surgical treatments and care.

      ii. The accessory use as a kennel shall be limited to short-term boarding and shall be only incidental to the *Animal Clinic for Small Animals* use.

      iii. No outdoor pens or kennels shall be permitted.

DRAFT ORDINANCE 10.16.2023

(d) *General Personal Service*. A general personal service shall be as defined in Article 13, *Definitions*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] and be permitted through the approval of a Specific Use Permit (SUP) on a case-by-case basis by the City Council.

2) *Cross Access Easements.* Joint or shared access shall be required on all adjoining lots if any property is used for office development or any other non-residential use permitted by this ordinance.

3) *Parking.* That all non-residential land uses shall adhere to the following parking requirements:

(a) All parking shall be located behind the front façade of the primary structure and parking within the front yard of any property shall be prohibited.

(b) The parking requirements for all uses shall be subject to the requirements stipulated by Article VI, *Parking and Loading*, of the Unified Development Code [*Ordinance No. 04-38*] with the exception of *Professional Offices* (*excluding medical offices*) and *Banquet Facilities*. *Professional Offices* shall be subject to one (1) parking space per 500 SF of floor area and *Banquet Facilities* shall be subject to one (1) parking space per 100 SF of floor area.

(c) All drive aisles and parking areas required for the conversion and/or redevelopment of existing structures within the Planned Development District shall be paved in concrete. An exception for asphalt may be approved by the City Engineer.

4) *Site Plan.* All properties within the Planned Development District shall be subject to site plan review prior to changing the use from single-family residential.

5) *Variances.* In the event that unique or extraordinary conditions exist on the property such that the applicant cannot comply with the strict interpretation of this ordinance a variance can be requested from the City Council.

DRAFT ORDINANCE 10.16.2023

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	October 16, 2023
APPLICANT:	Javier Silva; *JMS Custom Homes, LLC.*
CASE NUMBER:	Z2023-046; *Specific Use Permit (SUP) for a Residential Infill for 715 Sherman Street*

SUMMARY

Hold a public hearing to discuss and consider a request by Javier Silva of JMS Custom Homes, LLC on behalf of Ruben Fragoso of RSR Capital, LLC for the approval of a *Specific Use Permit (SUP)* for *Residential Infill Adjacent to an Established Subdivision* for the purpose of constructing a single-family home on a 0.22-acre parcel of land identified as Lot C, Block 112, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 52 (PD-52) and Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 715 Sherman Street, and take any action necessary.

BACKGROUND

According to the City's annexation ordinances and the 1934 Sanborn Maps, the subject property was platted as part of the B.F. Boydston Addition prior to 1959 and after 1934. Per the City's historic zoning maps, the subject property was originally zoned Commercial (C) District as of January 3, 1972. Between this date and December 7, 1993, the subject property was rezoned from a Commercial (C) District to a Single-Family 7 (SF-7) District. The subject property has been situated within the Southside Residential Neighborhood Overlay (SRO) District since its inception on June 3, 1996 by *Ordinance No. 96-12*. The subject property is currently vacant.

PURPOSE

The applicant -- *Javier Silva* -- is requesting the approval of a *Specific Use Permit (SUP)* for the purpose of constructing a single-family home on the subject property in accordance with Subsection 02.03(B)(11), *Residential Infill in or Adjacent to an Established Subdivision*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC).

ADJACENT LAND USES AND ACCESS

The subject property is addressed as 715 Sherman Street. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are seven (7) single-family residential lots (*i.e. 614, 703, 705, 707, 709, 711 & 713 Sherman Street*) that are zoned Single-Family 7 (SF-7) District. Beyond this is E. Boydstun Avenue, which is classified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

South: Directly south of the subject property is a 1.1209-acre parcel of land (*i.e. Lot G, Block 112, B.F. Boydston Addition*) that is vacant and owned by Rockwall Habitat for Humanity. Beyond that is S. Clark Street, which is identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

East: Directly east of the subject property is a 7.00-acre tract of land owned by the Dallas-Garland & Northeastern Railroad. Beyond that is S. Clark Street, which is identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

West: Directly west of the subject property is a 1.1209-acre parcel of land (*i.e. Lot G, Block 112, B.F. Boydston Addition*) that is vacant and owned by Rockwall Habitat for Humanity. Beyond this is a vacant 0.11-acre parcel of land (*i.e. Lot 2, Block 1, Lamar Street Habitat No. 1 Addition*) also owned by Rockwall Habitat for Humanity. West of this is a 0.459-acre parcel of land (*i.e. Lot 2, Block G, Sanger Addition*) owned by the St. Paul African Methodist.

CHARACTERISTICS OF THE REQUEST AND CONFORMANCE TO THE CITY'S CODES

Article 13, *Definitions*, of the Unified Development Code (UDC) defines *Residential Infill in or Adjacent to an Established Subdivision* as "(t)he new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out." An *established subdivision* is further defined in Subsection 02.03(B) (11) of Article 04, *Permissible Uses*, of the UDC as "…a subdivision that consists of five (5) or more lots, that is 90% developed, and that has been in existence for more than ten (10) years." In this case, the subject property is located within the B. F. Boydston Subdivision, which has been in existence more than ten (10) years, consists of 137 residential lots, and is more than 90% developed. The *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the UDC, requires a Specific Use Permit (SUP) for *Residential Infill in or Adjacent to an Established Subdivision* in all single-family zoning districts, the Two-Family (2F) District, the Downtown (DT) District, and the Residential-Office (RO) District. This property, being within an established subdivision, requires a Specific Use Permit (SUP).

In addition, Subsection 02.03(B)(11) of Article 04, *Permissible Uses*, of the UDC states that, "…the Planning and Zoning Commission and City Council shall consider the proposed size, location, and architecture of the home compared to the existing housing … [*and*] (a)ll housing proposed under this section [*i.e. Residential Infill in or Adjacent to an Established Subdivision*] shall be constructed to be architecturally and visually similar or complimentary to the existing housing …" The following is a summary of observations concerning the housing within close proximity of Sherman Street compared to the house proposed by the applicant:

Housing Design and Characteristics	Existing Housing on Sherman Street in a Close Proximity to the Subject Property	Proposed Housing
Building Height	One (1) Story	One (1) Story
Building Orientation	All of the homes are oriented toward Sherman Street.	The front elevation of the home will face Sherman Street.
Year Built	1974-2020	*N/A*
Building SF on Property	980 SF – 2,942 SF	2,712 SF
Building Architecture	Single Family Homes	Comparable Architecture to the surrounding Single-Family Homes
Building Setbacks:		
Front	20-Feet	20-Feet
Side	6- feet	6- Feet
Rear	10-Feet	30-Feet
Building Materials	Brick and Siding	Siding
Paint and Color	Red, Yellow, White, Brown	N/A
Roofs	Composite Shingles	Composite Shingle
Driveways/Garages	Driveways all front the same street the single-family home faces. Homes consist of front-facing garages or no garages.	The garage will be attached and located approximately 11 ½ feet in front of the front façade.

According to Section 04, *Residential Parking*, of Article 06, *Parking and Loading*, of the Unified Development Code (UDC), "(i)n single-family or duplex districts, parking garages must be located at least 20-feet behind the front façade for front entry garages …" In this case, the applicant's proposed garage is oriented approximately 11½ feet in front of the front façade of the proposed single-family home; however, staff should point out that this is not atypical for this area or properties located within the Southside Neighborhood Residential Overlay (SRO) District. A waiver to the garage orientation is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. If this Specific Use Permit (SUP) request is approved by the Planning and Zoning Commission and City Council, the garage setback requirement will be waived. With the exception of the garage orientation, the proposed single-family home meets all of the density and dimensional requirements as stipulated by the Unified Development Code (UDC) for a property in a Single-Family 7 (SF-7) District and the Southside Residential Neighborhood Overlay (SRO) District.

For the purpose of comparing the proposed home to the existing single-family housing located adjacent to or in the vicinity of the subject property, staff has provided photos of the properties along Sherman Street and also provided the proposed building elevations in the attached packet. The approval of this request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission and a finding that the proposed house ***will not*** have a negative impact on the existing subdivision.

NOTIFICATIONS

On September 28, 2023, staff mailed 67 notices to property owners and occupants within 500-feet of the subject property. There were no Homeowners Associations (HOAs) within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had not received any notices back regarding the applicant's request.

CONDITIONS OF APPROVAL

If City Council chooses to approve of the applicant's request for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision*, then staff would propose the following conditions of approval:

(1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the *Specific Use Permit (SUP)* ordinance and which are detailed as follows:

   (a) Development of the *Subject Property* shall generally conform to the *Residential Plot Plan* as depicted in *Exhibit 'A'* of the draft ordinance.

   (b) Construction of a single-family home on the *Subject Property* shall generally conform to the *Building Elevations* depicted in *Exhibit 'B'* of the draft ordinance; and,

   (c) Once construction of the single-family home has been completed, inspected, and accepted by the City, the Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.

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

PLANNING AND ZONING COMMISSION

On October 10, 2023, the Planning and Zoning Commission approved a motion to recommend approval of the *Specific Use Permit (SUP)* by a vote of 7-0.

DEVELOPMENT APPLICATION

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

STAFF USE ONLY
PLANNING & ZONING CASE NO.

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:
- ☐ MASTER PLAT ($100.00 + $15.00 ACRE) [1]
- ☐ PRELIMINARY PLAT ($200.00 + $15.00 ACRE) [1]
- ☐ FINAL PLAT ($300.00 + $20.00 ACRE) [1]
- ☐ REPLAT ($300.00 + $20.00 ACRE) [1]
- ☐ AMENDING OR MINOR PLAT ($150.00)
- ☐ PLAT REINSTATEMENT REQUEST ($100.00)

SITE PLAN APPLICATION FEES:
- ☐ SITE PLAN ($250.00 + $20.00 ACRE) [1]
- ☐ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN ($100.00)

ZONING APPLICATION FEES:
- ☐ ZONING CHANGE ($200.00 + $15.00 ACRE) [1]
- ☒ SPECIFIC USE PERMIT ($200.00 + $15.00 ACRE) [1 & 2]
- ☐ PD DEVELOPMENT PLANS ($200.00 + $15.00 ACRE) [1]

OTHER APPLICATION FEES:
- ☐ TREE REMOVAL ($75.00)
- ☐ VARIANCE REQUEST/SPECIAL EXCEPTIONS ($100.00) [2]

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS: 715 Sherman ST Rockwall TX 75087
SUBDIVISION: B F BOYDSTON LOT: C BLOCK: 112
GENERAL LOCATION:

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING: SF-7 CURRENT USE:
PROPOSED ZONING: SF-7 PROPOSED USE: Residential Infill
ACREAGE: .22 LOTS [CURRENT]: LOTS [PROPOSED]:

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

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

☒ OWNER	MSA Capital LLC	☒ APPLICANT	JMS Custom Homes LLC
CONTACT PERSON	Ruben Fragoso	CONTACT PERSON	Javier Silva
ADDRESS	1321 Crescent Cove Dr.	ADDRESS	58 Windsor Dr.
CITY, STATE & ZIP	Rockwall, TX 75087	CITY, STATE & ZIP	Rockwall, TX 75032
PHONE	214-471-2302	PHONE	972-814-9462
E-MAIL	ruben.fragoso@gmail.com	E-MAIL	support@jmscustomhomes.net

NOTARY VERIFICATION [REQUIRED]

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

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 8 *DAY OF* September *20*23

OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

YVONNE HANKS
Notary ID #5746589
My Commission Expires
May 6, 2026

MY COMMISSION EXPIRES



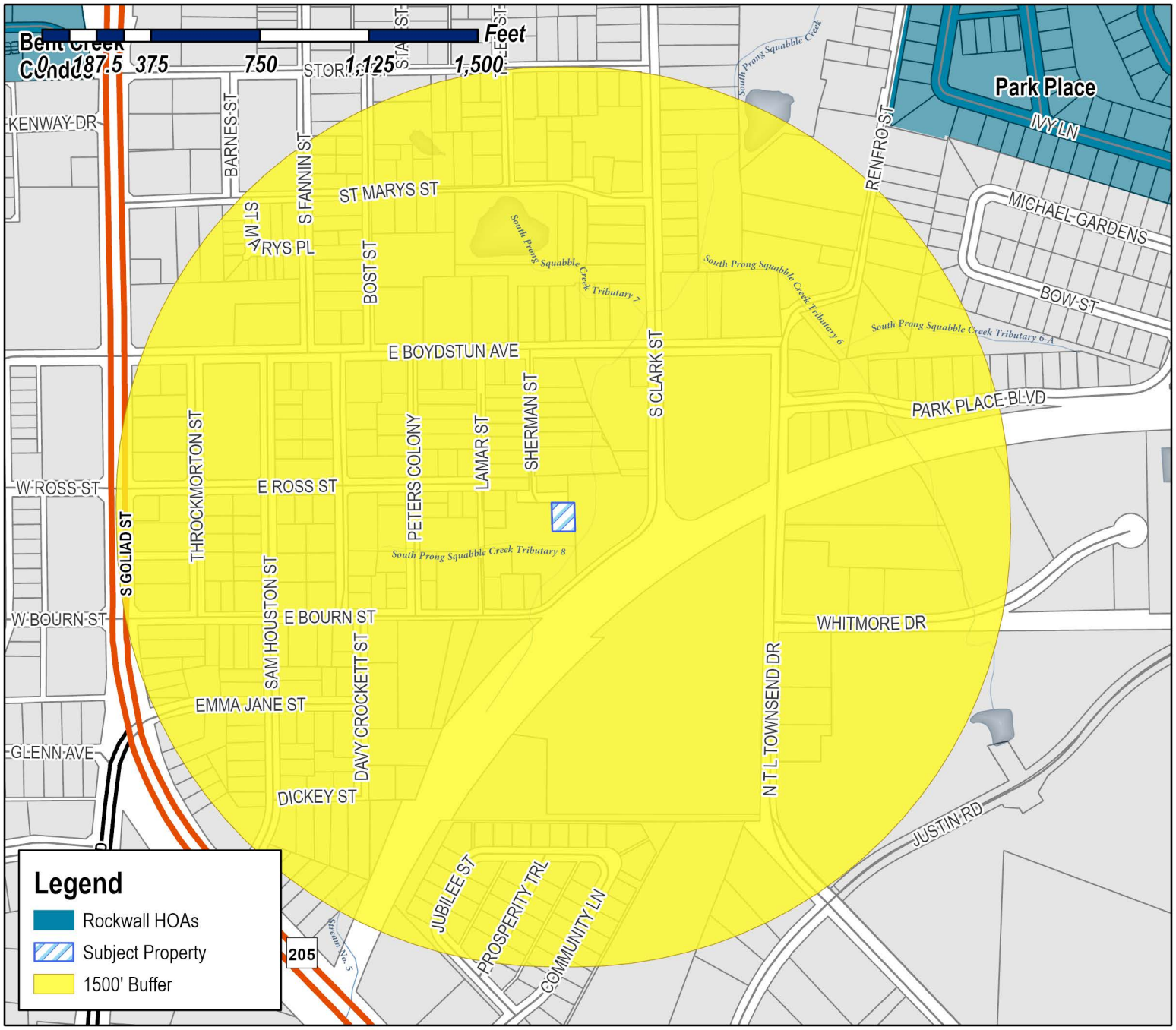
City of Rockwall
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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

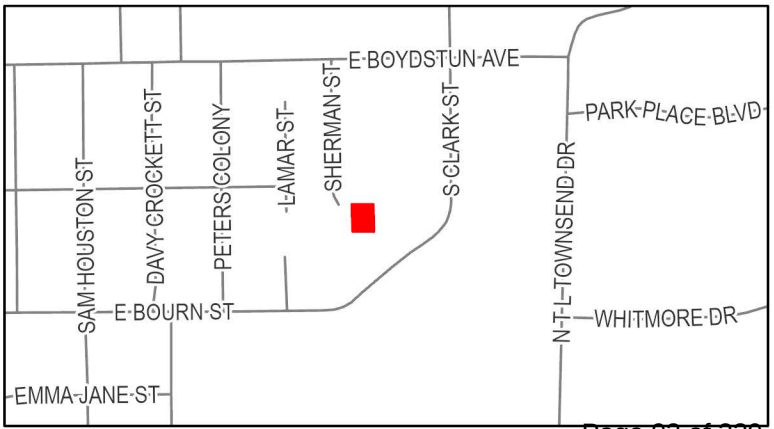
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Case Number: Z2023-046
Case Name: SUP for Residential Infill
Case Type: Zoning
Zoning: Single-Family 7 (SF-7) District
Case Address: 715 Sherman Street

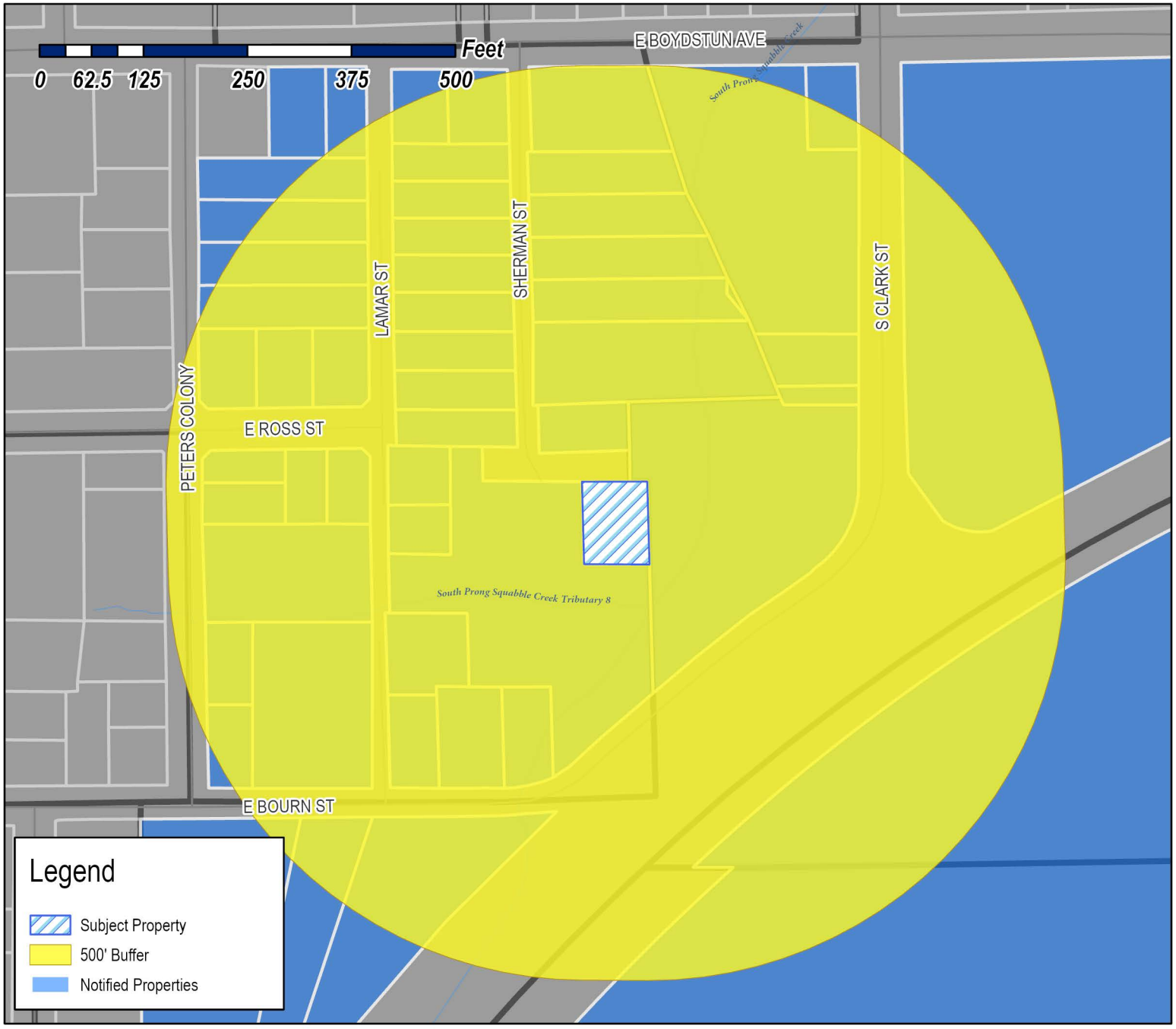


Date Saved: 9/15/2023
For Questions on this Case Call (972) 771-7745

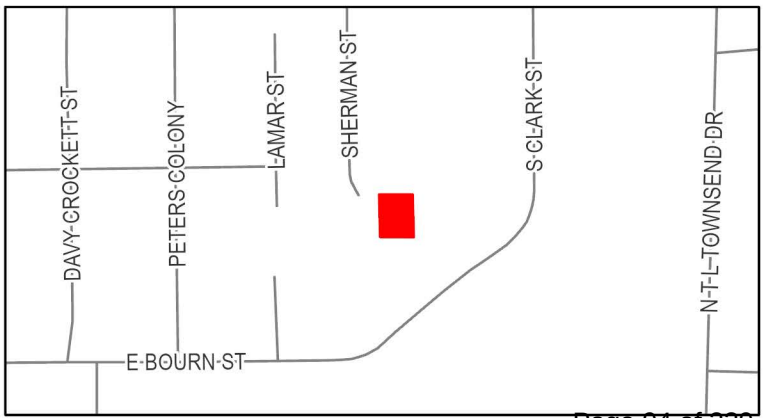
City of Rockwall

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385 S. Goliad Street
Rockwall, Texas 75087
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Case Number: Z2023-046
Case Name: SUP for Residential Infill
Case Type: Zoning
Zoning: Single-Family 7 (SF-7) District
Case Address: 715 Sherman Street



Date Saved: 9/15/2023
For Questions on this Case Call: (972) 771-7746

ROCKWALL COUNTY
C/O COUNTY TREASURER
101 E RUSK ST SUITE 101
ROCKWALL, TX 75087

JOHNSON PAMELA
1310 COLONY DR
GARLAND, TX 75040

HOGUE MIKE & VICKY
1498 HUBBARD DR
FORNEY, TX 75126

STRANGE EMERSON JR
1521 NOVEL CT
GARLAND, TX 75040

DALLAS-GARLAND & NORTHEASTERN RAILROAD
C/O GENESEE & WYOMING RAILROAD
1940 ENCHANTED WAY 201
GRAPEVINE, TX 76051

BALL JUSTIN
2155 CLUBVIEW DR
ROCKWALL, TX 75087

DENSON PATRICIA STRANGE
2521 LOUDON ST W
ROCKWALL, TX 75032

OFF MARKET LLC
DBA BIG STATE HOME BUYERS
2800 N LOOP WEST #925
HOUSTON, TX 77092

ANGULAR PIEDRA A/G
418 E BOURN ST
ROCKWALL, TX 75087

PIEDRA ANGULAR AG A CORP
418 E BOURN ST
ROCKWALL, TX 75087

UPPER ROOM TEMPLE HOLYNESS
CHURCH
423 WILLOW RIDGE CIRCLE
ROCKWALL, TX 75032

RESIDENT
501 E BOURN AVE
ROCKWALL, TX 75087

MARTIN HELEN
501 E BOURN ST
ROCKWALL, TX 75087

RESIDENT
505 E BOURN ST
ROCKWALL, TX 75087

SHERWIN CAROLYN MARIE
509 E BOURN STREET
ROCKWALL, TX 75087

SILVA JAVIER AND
BERNARDO LAWRENCE
58 WINDSOR DRIVE
FATE, TX 75474

ALLEN DONNA ANETTE AND
JACQUELINE YVETTE JACOBS AND JEFFREY
DWAYNE JACOBS
5961 CONNIE LANE
ROCKWALL, TX 75032

RESIDENT
604 E BOYDSTUN AVE
ROCKWALL, TX 75087

RESIDENT
604 S ROSS
ROCKWALL, TX 75087

KRONLAGE HOLLIE
605 E ROSS STREET
ROCKWALL, TX 75087

RESIDENT
606 ROSS
ROCKWALL, TX 75087

GAMEZ DAVID & PETRA
606 E BOYDSTUN AVE
ROCKWALL, TX 75087

RESIDENT
608 E BOYDSTUN AVE
ROCKWALL, TX 75087

HUBBARD ALPHINEEZES
609 E ROSS ST
ROCKWALL, TX 75087

SCHUMANN LAURIE A
610 E BOYDSTUN AVE
ROCKWALL, TX 75087

GAMEZ DAVID
614 E BOYDSTUN AVE
ROCKWALL, TX 75087

KAUFMANN PROPERTIES LLC
% DOUGLAS A KAUFMANN
627 SORITA CIR
HEATH, TX 75032

KAUFMANN DOUGLAS A
627 SORITA CIRCLE
HEATH, TX 75032

TALARICO CHRISTOPHER AND JUSTIN
633 STILLMEADOW DR
RICHARDSON, TX 75081

RESIDENT
702 S CLARK ST
ROCKWALL, TX 75087

EBY JENNIFER
703 PETERS COLONY
ROCKWALL, TX 75087

ROSS LESLIE
703 SHERMAN ST
ROCKWALL, TX 75087

SCROGGINS MURRAY
704 SHERMAN ST
ROCKWALL, TX 75087

STRANGE ANTHONY I SR & LISA D
705 N SHERMAN
ROCKWALL, TX 75087

ANDUJAR AMY ELIZABETH MAYER
705 PETERS COLONY
ROCKWALL, TX 75087

RESIDENT
706 SHERMAN ST
ROCKWALL, TX 75087

RESIDENT
706 S CLARK ST
ROCKWALL, TX 75087

RESIDENT
707 S CLARK
ROCKWALL, TX 75087

ABARCA JOANNE
707 SHERMAN ST
ROCKWALL, TX 75087

COCHRAN SANDRA AND JOE
708 SHERMAN ST
ROCKWALL, TX 75087

RESIDENT
709 N SHERMAN ST
ROCKWALL, TX 75087

HEJI PAUL M
709 PETERS COLONY
ROCKWALL, TX 75087

SMITH PAMELA K
709 SHERMAN STREET
ROCKWALL, TX 75087

SANCHEZ FATIMA L
710 SHERMAN ST
ROCKWALL, TX 75087

RESIDENT
711 LAMAR
ROCKWALL, TX 75087

ALLEN ETHEL JEAN
711 SHERMAN ST
ROCKWALL, TX 75087

RESIDENT
712 CLARK ST
ROCKWALL, TX 75087

RESIDENT
712 SHERMAN ST
ROCKWALL, TX 75087

RESIDENT
713 SHERMAN ST
ROCKWALL, TX 75087

RESIDENT
715 SHERMAN ST
ROCKWALL, TX 75087

CABERA JUAN R & NOEMI E
715 PETERS COLONY
ROCKWALL, TX 75087

RESIDENT
716 SHERMAN ST
ROCKWALL, TX 75087

RESIDENT
725 PETERS COLONY
ROCKWALL, TX 75087

ROCKWALL INDEPENDENT SCHOOL
DISTRICT PUBLIC FACILITY CORP
801 E WASHINGTON ST
ROCKWALL, TX 75087

MATHIS MALCOLM AND CHRISTIE
801 LAMAR ST
ROCKWALL, TX 75087

HASS DANIEL & AMBER
801 PETERS COLONY
ROCKWALL, TX 75087

SHAW JERRY GAIL
803 LAMAR ST
ROCKWALL, TX 75087

FISHER JESSICA
803 PETERS COLONY
ROCKWALL, TX 75087

ST PAUL AFRICAN METHODIST
EPISCOPAL CHURCH
805 PETERS COLONY
ROCKWALL, TX 75087

ST PAUL AFRICAN METHODIST
EPISCOPAL CHURCH
805 PETERS COLONY
ROCKWALL, TX 75087

RESIDENT
950 TOWNSEND RD
ROCKWALL, TX 75087

HILLMAN HOUSING LLC
9706 HEARTSTONE LANE
ROCKWALL, TX 75087

ROCKWALL HABITAT FOR HUMANITY
PO BOX 4
ROCKWALL, TX 75087

PUBLIC NOTICE

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

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

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

Z2023-046: SUP for Residential Infill

Hold a public hearing to discuss and consider a request by Javier Silva of JMS Custom Homes, LLC on behalf of Ruben Fragoso of RSR Capital, LLC for the approval of a Specific Use Permit (SUP) for Residential Infill Adjacent to an Established Subdivision for the purpose of constructing a single-family home on a 0.22-acre parcel of land identified as Lot C, Block 112, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 715 Sherman Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on *Tuesday, October 10, 2023 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, October 16, 2023 at 6:00 PM*. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Angelica Guevara
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by *Monday, October 16, 2023 at 4:00 PM* to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

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

PLEASE RETURN THE BELOW FORM

Case No. Z2023-046: SUP for Residential Infill

Please place a check mark on the appropriate line below:

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

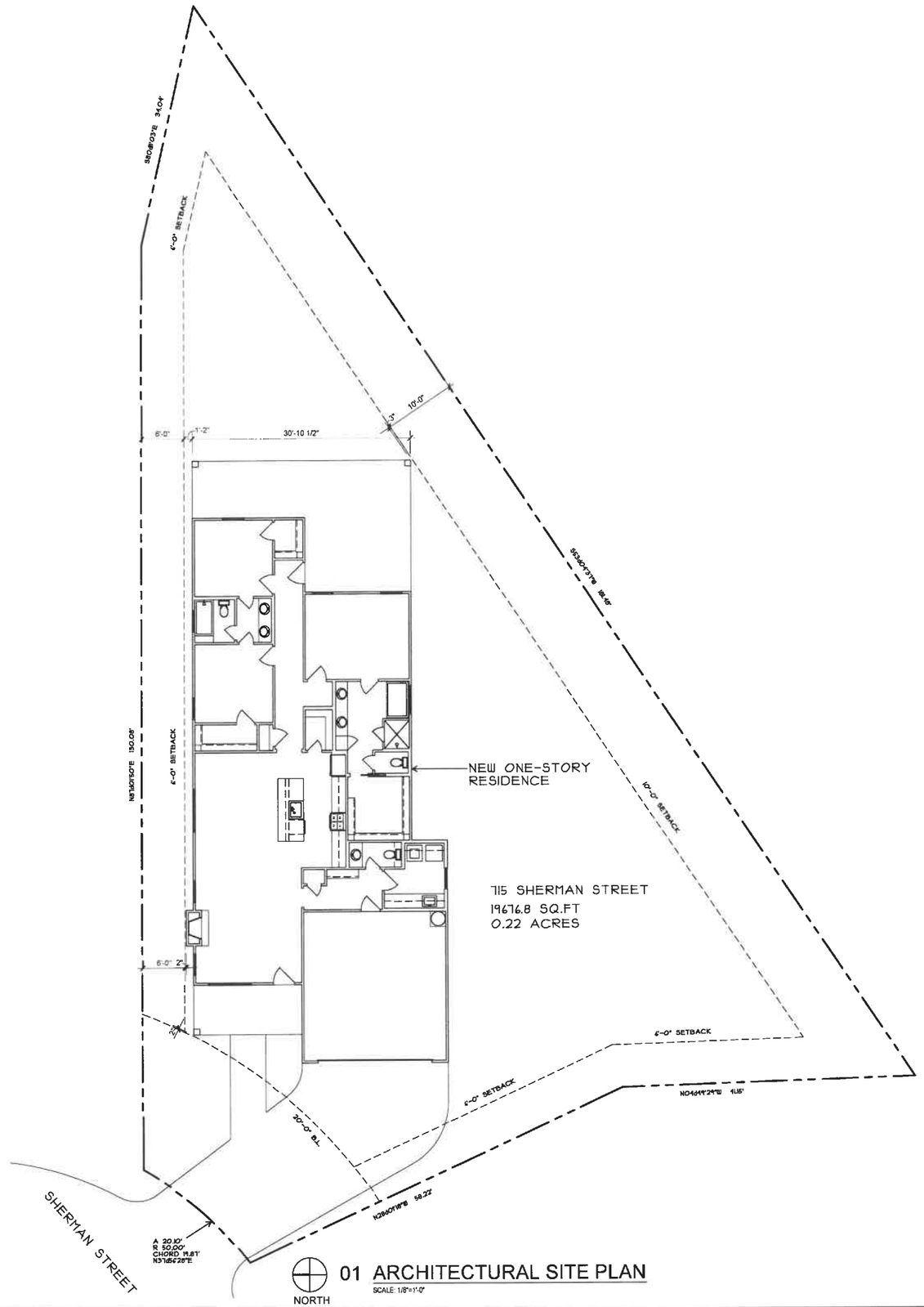
☐ I am opposed to the request for the reasons listed below.

Name:

Address:

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

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



01 ARCHITECTURAL SITE PLAN

SCALE: 1/8"=1'-0"

NEW ONE STORY RESIDENCE

715 SHERMAN ST.
ROCKWALL
TEXAS
75087

JMS CUSTOM HOMES

ISSUE LOG

DATE ISSUE	DESCRIPTION
09/08/23	FOR PERMIT

REVISION LOG

DATE ISSUE	DESCRIPTION	REV. NO.

ISSUED FOR:

- ☐ PRELIMINARY -
- ■ BIDDING / PERMIT
- ☐ REVISION
- ☐ FOR CONSTRUCTION

Fanning Philips

CONTRACTOR: JAVIER SILVA
support@jmscustomhomes.net
972-814-9462

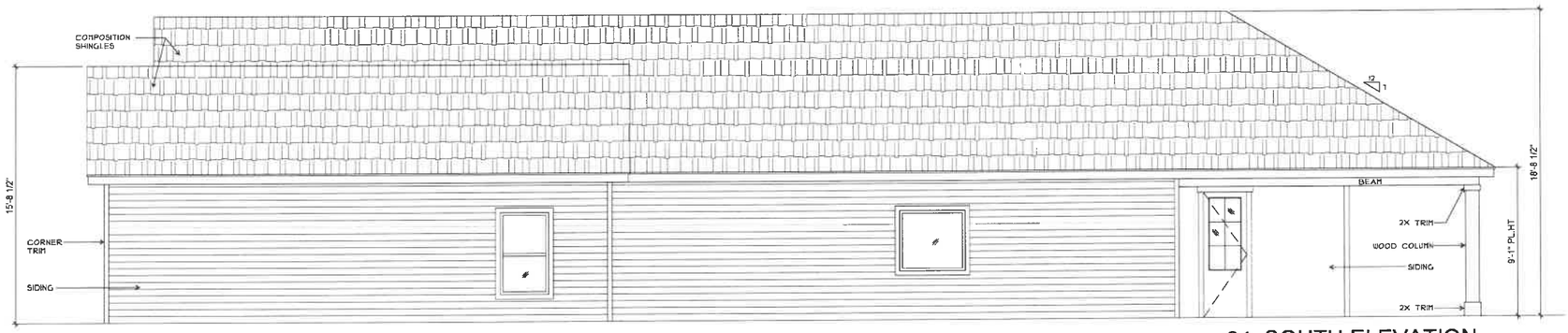
DESIGNER: PAIRA PHILIPS
paira@fanningphillips.com
214-284-8734

ARCH. PROJ. #:	SCALE:
23097	REF. DRAWING

SHEET NO.

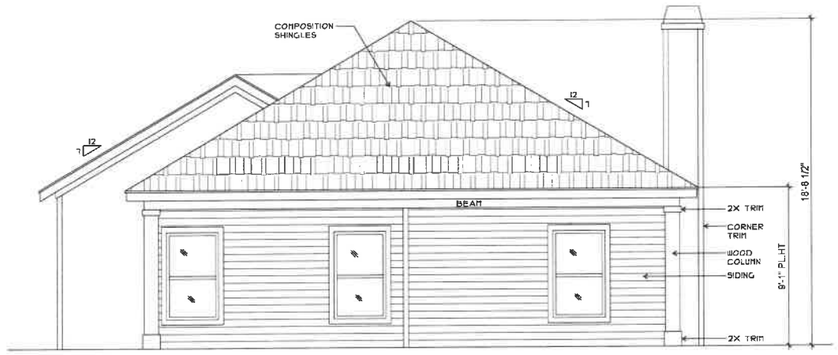
A2.1

ARCHITECTURAL SITE PLAN



04 SOUTH ELEVATION

SCALE: 1/4"=1'-0"



03 EAST ELEVATION

SCALE: 1/4"=1'-0"

02 NORTH ELEVATION

SCALE: 1/4"=1'-0"



01 WEST ELEVATION

SCALE: 1/4"=1'-0"

NEW ONE STORY RESIDENCE

715 SHERMAN ST.
ROCKWALL
TEXAS
75087

JMS CUSTOM HOMES

ISSUE LOG

DATE ISSUE	DESCRIPTION
09/08/23	FOR PERMIT

REVISION LOG

DATE ISSUE	DESCRIPTION	REV. NO.

ISSUED FOR:

- ☐ PRELIMINARY -
- ■ BIDDING / PERMIT
- ☐ REVISION
- ☐ FOR CONSTRUCTION

Fanning Philips

CONTRACTOR: JAVIER SILVA
support@jmscustomhomes.net
972-814-9462

DESIGNER: PATRA PHILIPS
patra@fanningphilips.com
214-264-8734

ARCH. PROJ. #:	SCALE:
23097	REF. DRAWING

SHEET NO.

A5.1

ELEVATIONS



FRONT ELEVATION

NEW RESIDENCE

715 SHERMAN ST.
ROCKWALL TX

SHEET INDEX		REV	DATE
A-1.0	COVER SHEET		
A-2.1	ARCHITECTURAL SITE PLAN		
A-3.1	NOTES, DETAILS, SCHEDULES		
A-3.2	FLOOR & ROOF PLANS		
A-5.1	ELEVATIONS		
A-6.1	POWER PLAN		

NEW ONE STORY RESIDENCE

715 SHERMAN ST.
ROCKWALL
TEXAS
75087

JMS CUSTOM HOMES

ISSUE LOG

DATE ISSUE	DESCRIPTION
09/08/23	FOR PERMIT

REVISION LOG

DATE ISSUE	DESCRIPTION	REV NO.

ISSUED FOR:

- ☐ PRELIMINARY -
- ■ BIDDING / PERMIT
- ☐ REVISION
- ☐ FOR CONSTRUCTION

Fanning Philips

CONTRACTOR: JAVIER SILVA
support@jmscustomhomes.net
972-814-9462

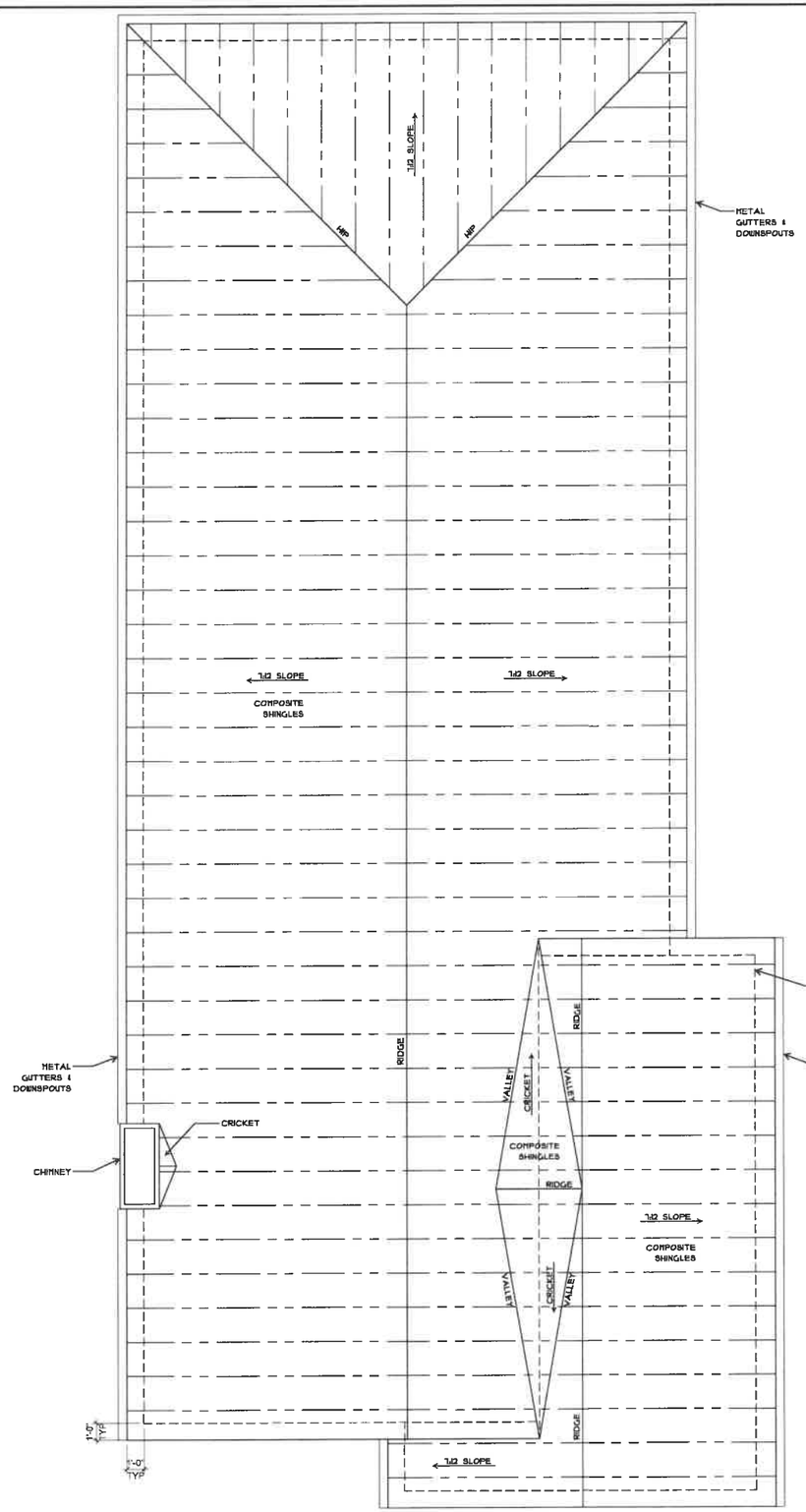
DESIGNER: PATRA PHILIPS
patra@fanningphilips.com
214-264-9734

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A1.0

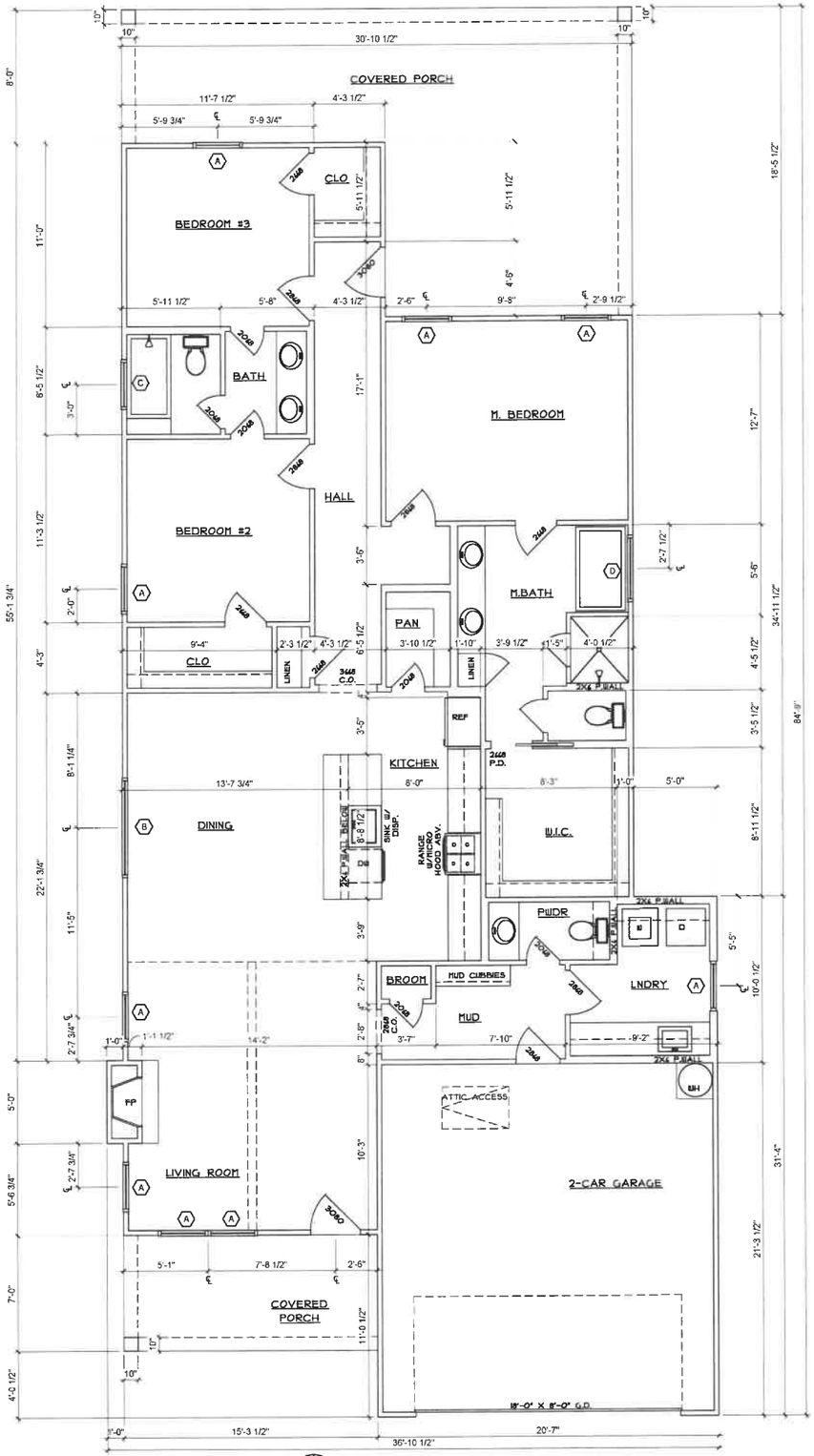
COVER SHEET



NORTH

02 ROOF PLAN

SCALE: 1/4"=1'-0"



NORTH

01 FLOOR PLAN

SCALE: 1/4"=1'-0"

NEW ONE STORY RESIDENCE

715 SHERMAN ST.
ROCKWALL
TEXAS
75087

JMS CUSTOM HOMES

ISSUE LOG

DATE ISSUE	DESCRIPTION
05/08/23	FOR PERMIT

REVISION LOG

DATE ISSUE	DESCRIPTION	REV NO.

ISSUED FOR:

- ☐ PRELIMINARY -
- ■ BIDDING / PERMIT
- ☐ REVISION
- ☐ FOR CONSTRUCTION

Fanning Philips DESIGN

CONTRACTOR: JAVIER SILVA
support@jmscustomhomes.net
972-814-8462

DESIGNER: PATRA PHILIPS
patra@fanningphilips.com
214-284-8734

ARCH. PROJ. #	SCALE
23097	REF. DRAWING

SHEET NO.

A3.2

FLOOR & ROOF PLAN

CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2023-046

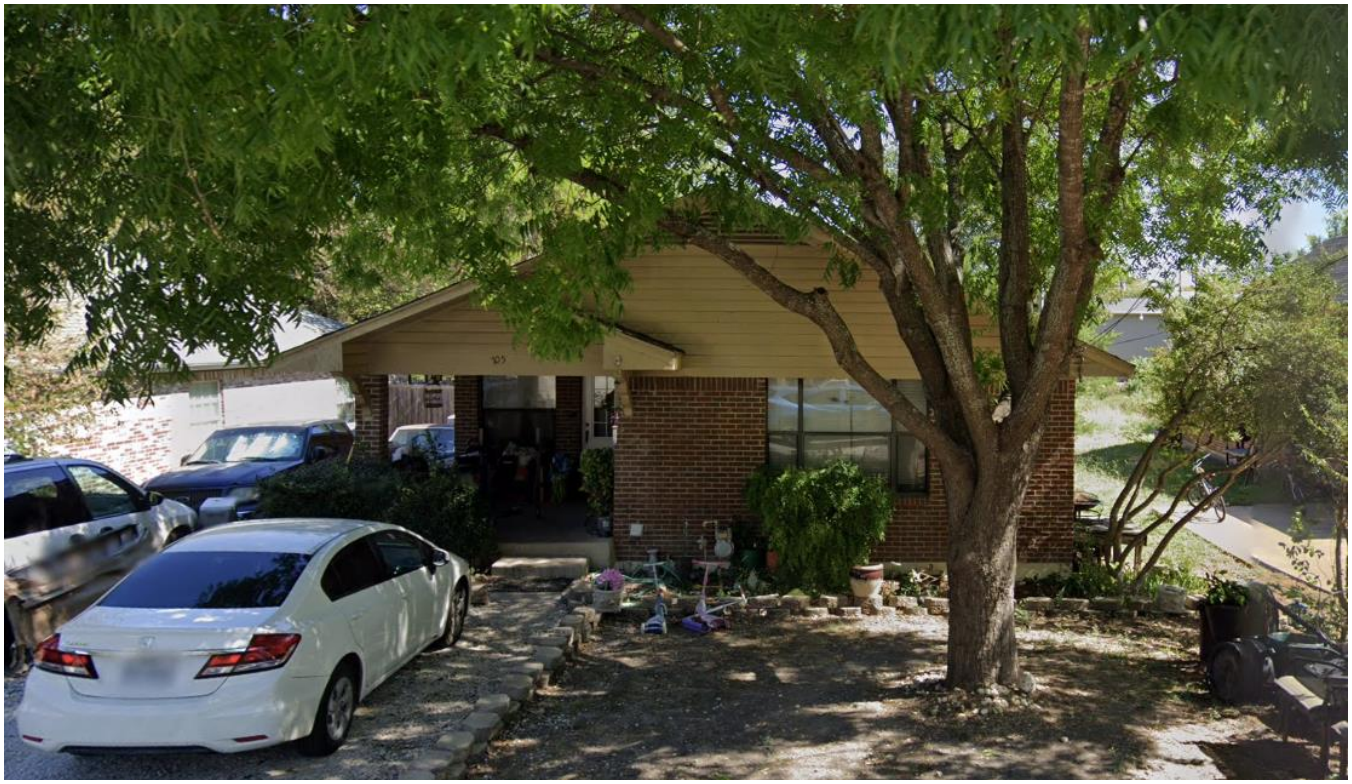
PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

ADJACENT HOUSING ATTRIBUTES

ADDRESS	HOUSING TYPE	YEAR BUILT	HOUSE SF	ACCESSORY BUILDING	EXTERIOR MATERIALS
704 Sherman Street	Single-Family Home	1980	980	*N/A*	Siding
705 Sherman Street	Single-Family Home	1994	1,350	*117*	Brick and Siding
706 Sherman Street	Single-Family Home	2020	2,538	*N/A*	Siding
707 Sherman Street	Single-Family Home	2007	1,494	*N/A*	Brick and Siding
708 Sherman Street	Single-Family Home	1974	1,400	*480*	Siding
709 Sherman Street	Single-Family Home	2007	1,494	*40*	Brick and Siding
710 Sherman Street	Single-Family Home	1994	1,200	*N/A*	Siding
711 Sherman Street	Single-Family Home	1982	2,942	*N/A*	Siding
712 Sherman Street	Vacant	N/A	N/A	*N/A*	N/A
713 Sherman Street	Single-Family Home	1990	1,896	*N/A*	Brick
715 Sherman Street	Vacant	N/A	N/A	*N/A*	N/A
716 Sherman Street	Vacant	N/A	N/A	*N/A*	N/A
	AVERAGES:	1994	1,699	212	



704 Sherman Street



705 Sherman Street



706 Sherman Street



707 Sherman Street

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM



708 Sherman Street



709 Sherman Street



710 Sherman Street



711 Sherman Street



712 Sherman Street



713 Sherman Street



715 Sherman Street



716 Sherman Street

CITY OF ROCKWALL

ORDINANCE NO. 23-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. *20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL ADJACENT TO AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.22-ACRE PARCEL OF LAND, IDENTIFIED AS LOT C, BLOCK 112, B.F. BOYDSTUN ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Javier Silva of JMS Custom Homes, LLC for the approval of a *Specific Use Permit (SUP)* for *Residential Infill Adjacent to an Established Subdivision* on a 0.22-acre parcel of land identified as Lot C, Block 112, B.F. Boydstun Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 715 Sherman Street, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for *Residential Infill Adjacent to an Established Subdivision* to allow for the construction of a single-family home adjacent to an established subdivision in accordance with Article 04, *Permissible Uses*, the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

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

DRAFT 10.19.2023

Subsection 03.01, *General Residential District Standards*, and Subsection 03.09, *Single-Family 7 (SF-7) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] -- *as heretofore amended and may be amended in the future* -- and with the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the construction of a single-family home and on the *Subject Property* and conformance to these operational conditions are required:

1) The development of the *Subject Property* shall generally conform to the *Residential Plot Plan* as depicted in *Exhibit 'B'* of this ordinance.

2) The construction of a single-family home on the *Subject Property* shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of this ordinance.

2.2 COMPLIANCE

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

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

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

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

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

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

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

DRAFT ORDINANCE 10.16.2023

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6th DAY OF NOVEMBER, 2023.

_____
Trace Johannesen, *Mayor*

ATTEST:

_____
Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *October 16, 2023*

2nd Reading: *November 6, 2023*

DRAFT ORDINANCE 10.16.2023

Exhibit 'A':
Location Map

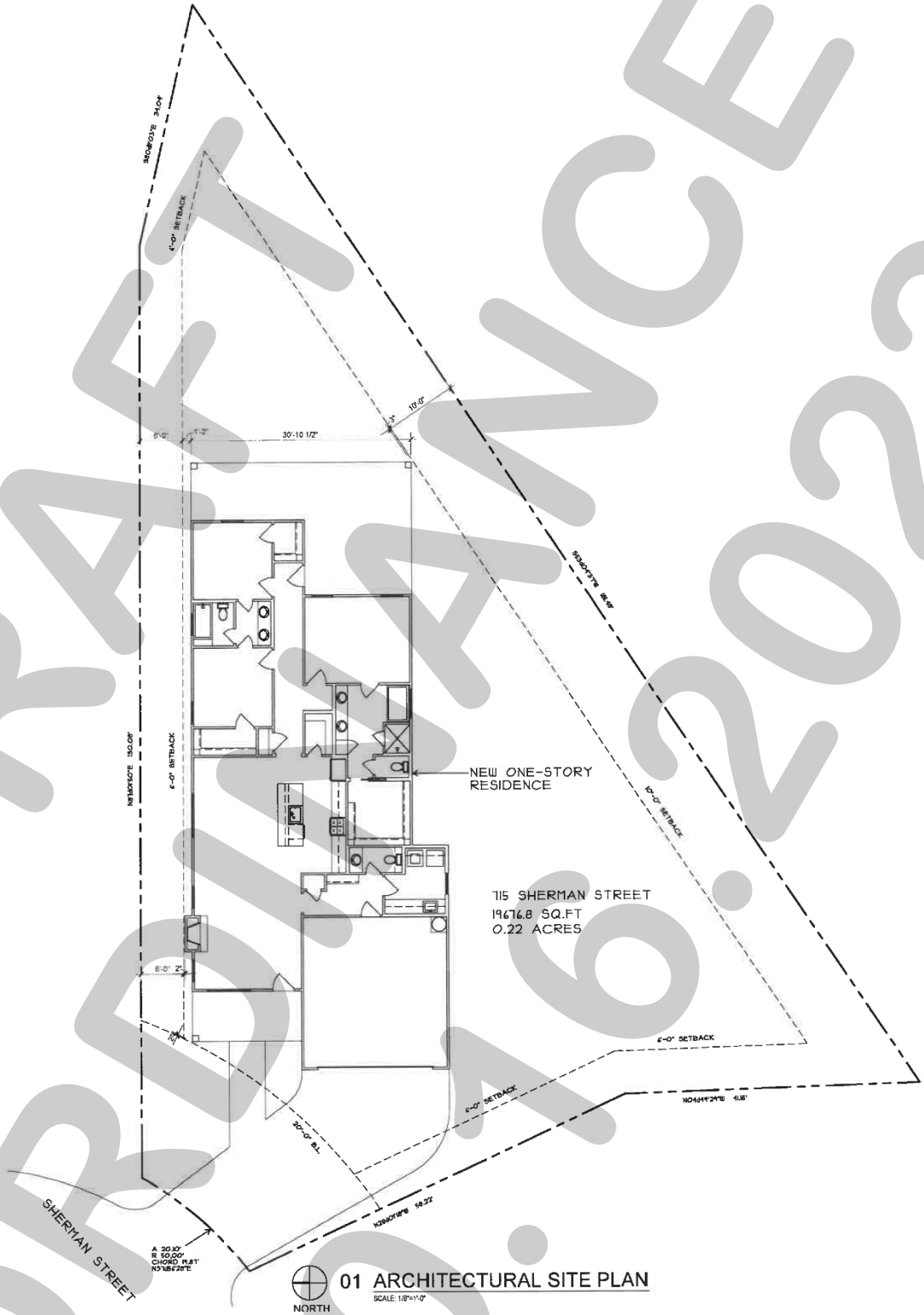
Address: *715 Sherman Street*

Legal Description: *Lot C, Block 112, B.F. Boydstun Addition*



DRAFT ORDINANCE 10.18.23

Exhibit 'B':
Residential Plot Plan



DRAFT ORDINANCE 10.16.2023

Exhibit 'C':
Building Elevations



DRAFT ORDINANCE 10.16.2023

Exhibit 'C':
Building Elevations



DRAFT ORDINANCE 10.16.2023

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	October 16, 2023
APPLICANT:	Jeff Wolf; Nexcourt, Inc
CASE NUMBER:	Z2023-047; *Specific Use Permit (SUP) for Tennis Court (Pickleball Court)*

SUMMARY

Hold a public hearing to discuss and consider a request by Jeff Wolf of Nexcourt, Inc. on behalf of Rafael Hidalgo for the approval of a *Specific Use Permit (SUP)* for *Tennis Courts* (*Pickleball Courts*) on a 0.7940-acre parcel of land identified as Lot 3, Block B, Eagle Point Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, situated within the Scenic Overlay (SOV) District, addressed as 1400 Ridge Road, and take any action necessary.

BACKGROUND

Based on the City's annexation ordinances the subject property was annexed on July 6, 1959 by *Ordinance No. 59-02* [*Case No. A1959-002*]. According to the to the City's *Historic Zoning Maps*, the subject property was zoned Single Family 2 (SF-2) District as of January 3, 1972. Between January 3, 1972 and May 16, 1983, this zoning designation was changed to a Single-Family 10 (SF-10) District. According to the Rockwall Central Appraisal District, currently situated on the subject property is a 3,927 SF single-family home built in 1986 and a 1,500 SF detached garage built in 1985.

PURPOSE

The applicant -- *Jeff Wolf of Nexcourt, Inc* -- is requesting the approval of a Specific Use Permit (SUP) to allow for the construction of a *Pickleball Court.*

ADJACENT LAND USES AND ACCESS

The subject property is addressed as 1400 Ridge Road. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are two (2) vacant lots (*i.e. lots 1 & 2, Block B, Eagle Point Estates*), which are zoned Single-Family 10 (SF-10) District. Beyond this is a 0.81-acre tract of land (*i.e. Tract 27 of the D. Atkins Survey, Abstract No. 1*) developed with a single-family home that is zoned Single-Family 10 (SF-10) District.

South: Directly south of the subject property are five (5) lots (*i.e. 1402, 1404, 1406A,1406B, 1408, 1410, and 1412 Ridge Road*), zoned Single-Family 10 (SF-10) District with single-family homes situated on them. Beyond this is Becky Lane, which is identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the *OURHometown Vision 2040 Comprehensive Plan*.

East: Directly east of the subject property is Ridge Road, which is classified as an A4D (*i.e. arterial, four [4] lane, divided roadway*) on the *OURHometown Vision 2040 Comprehensive Plan*. Beyond this is a 6.6458-acre parcel of land (*i.e. Lot 4, Block A, Rockwall Commons*), zoned Planned Development District 1 (PD-1) for Multi-Family 15 (MF-15) District and General Retail (GR) District land uses.

West: Directly west of the subject property is the Lake Ray Hubbard Estates Subdivision, which was established in 1973, consists of 65 single-family residential lots, and is zoned Single-Family 7 (SF-7) District. Beyond this is the corporate limits of the City of Rockwall followed by Lake Ray Hubbard.

CHARACTERISTICS OF THE REQUEST

The applicant has submitted an application and concept plan proposing to construct a 30-foot by 60-foot (*or 1,800 SF*) *Tennis Court (Pickleball Court)* on the subject property. The proposed structure will be situated on a concrete pad. The applicant has also indicated that there will be one (1) 17-foot pole with one (1) NextGen III LED Shoebox Lights mounted to it which will include shields and face towards the existing home on the subject property.

CONFORMANCE WITH THE CITY'S CODES

Article 13, *Definitions*, of the Unified Development Code (UDC) defines a *Tennis Court (Pickleball Court)* as "(a) surface designed and constructed for playing the game of tennis along with all fencing, nets and related appurtenances but excluding lighting for night play in residential areas except as may be otherwise permitted." According to the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC) a *Tennis Court (Pickleball Court)* requires a Specific Use Permit (SUP) in a Single-Family 10 (SF-10) District.

According to Section 10-491*, Exterior Grounds*, Article XII, *Property Maintenance Code*, of the Municipal Code of Ordinances, "(e)xterior lights placed or erected on private property shall be directed down and shall be of an indirect, diffused, or shielded type luminaries and so installed as not to produce harsh, bright light or direct illumination across the property line from a visible source of illumination so as not to create a traffic hazard or a public nuisance." The applicant has indicated that there will be lighting installed with the proposed *Tennis Court (Pickleball Court)* and has provided a photometric plan that shows general conformance to the property maintenance code.

STAFF ANALYSIS

In this case, the applicant has stated that the proposed *Private Tennis Court (Pickleball Court)* is primarily intended to be used as a basketball court; however, since this structure will incorporate a pickleball court and lighting, the SUP for a *Private Tennis Court* comes is required. Additionally, the SUP for a *Private Tennis Court (Pickleball Court)* allows for operational conditions including lighting standards. The applicant has indicated that there will be lighting installed with the proposed *Tennis Court (Pickleball Court)* and has provided a photometric plan that shows conformance to the property maintenance code, as mentioned earlier. Staff has provided an operational condition that requires the exterior lights to *not* exceed a maximum height of 17-feet and be placed or erected in a manner that is directed down and incorporate a *shielded* type of luminaire. In addition, the light shall be installed so as to not produce harsh, bright light or direct illumination across the property line from a visible source of illumination so as not to create a traffic hazard or public nuisance. With this being said, the Specific Use Permit (SUP) allows the Planning and Zoning Commission and City Council the ability review the full context of a request and grants them the discretion to approve or deny the request on a *case-by-case* basis.

When reviewing the location of the proposed structure, it does *not* appear to have a negative effect on the adjacent properties; however, when reviewing a *Private Tennis Court (Pickleball Court),* other aspects of the request need to be reviewed such as nuisances like noise and lighting. In this case, pickleball can be a loud sport and with the addition of lighting, it can spill over to adjacent properties creating a potential nuisance. With this being said, the approval of a Specific Use Permit (SUP) is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On September 22, 2023, staff mailed 70 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Waterstone Homeowner's Association (HOA), which was the only Homeowner's Association (HOA) or Neighborhood Organization within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received 20 responses from property owners and occupants *within* the 500-foot notification area indicating they were in opposition of the applicant's request.

NOTE: According to Subsection 02.03(G), *Protest of a Zoning Change*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "(p)roperty owners adjacent to and within a radius of 200-feet of a property for which a zoning change or Specific Use Permit (SUP) is being considered have the right to file a written protest against the

request. The land area of this 200-foot radius includes public right-of-way, open space and parkland. Whenever such written protest is signed by the owners of 20% or more of the area of the lots or land included in the request, or of the lots or land immediately adjoining the same and within the above mentioned 200-foot radius … such zoning change or Specific Use Permit (SUP) shall require a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval." In accordance with this section of the Unified Development Code (UDC), staff has prepared a *For/Against Map* for the property owner notifications received within 200-feet of the subject property. Currently, the opposition to the applicant's request equates to *27.1%* of the total land area within 200-feet of the subject property. This means that this case will require a supermajority vote of the City Council for approval.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request for a *Specific Use Permit (SUP)* for a *Pickleball Court*, then staff would propose the following conditions of approval:

(1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the *Specific Use Permit (SUP)* ordinance and which are detailed as follows:

   (a) The *Private Tennis Court (Pickleball Court)* shall maintain conformance to the approved site plan depicted in Exhibits 'A' of this ordinance.

   (b) Exterior lights placed or erected on the Private Tennis Court (Pickleball Court) shall not exceed a maximum height of 17-feet and be directed down. In addition, the lights shall be of the shielded type luminaries and installed so as to not to produce harsh, bright light or direct illumination across the property line from a visible source of illumination so as not to create a traffic hazard or public nuisance.

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

PLANNING AND ZONING COMMISSION

On October 10, 2023, the Planning and Zoning Commission approved a motion to recommend denial of the SUP by a vote of 7-0. According to Subsection 02.03(G), *Protest of a Zoning Change*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), if a zoning change "…is recommended for denial by the Planning and Zoning Commission, such zoning change or Specific Use Permit (SUP) shall require a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval."

DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

Platting Application Fees:
- [ ] Master Plat ($100.00 + $15.00 Acre) [1]
- [ ] Preliminary Plat ($200.00 + $15.00 Acre) [1]
- [ ] Final Plat ($300.00 + $20.00 Acre) [1]
- [ ] Replat ($300.00 + $20.00 Acre) [1]
- [ ] Amending or Minor Plat ($150.00)
- [ ] Plat Reinstatement Request ($100.00)

Site Plan Application Fees:
- [ ] Site Plan ($250.00 + $20.00 Acre) [1]
- [ ] Amended Site Plan/Elevations/Landscaping Plan ($100.00)

Zoning Application Fees:
- [ ] Zoning Change ($200.00 + $15.00 Acre) [1]
- [ ] Specific Use Permit ($200.00 + $15.00 Acre) [1]
- [ ] PD Development Plans ($200.00 + $15.00 Acre) [1]

Other Application Fees:
- [ ] Tree Removal ($75.00)
- [ ] Variance Request ($100.00)

Notes:
[1]: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

PROPERTY INFORMATION [PLEASE PRINT]

Address	1400 Ridge Rd, Rockwall TX, 75087		
Subdivision		Lot	Block
General Location			

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning		Current Use	
Proposed Zoning		Proposed Use	
Acreage	Lots [Current]		Lots [Proposed]

[ ] ***SITE PLANS AND PLATS:*** *By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.*

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

[X] Owner	Rafael Hidalgo	[ ] Applicant	NEXCOURT, INC
Contact Person		Contact Person	JEFF WOLF
Address	1400 Ridge Rd Rockwall TX 75087	Address	1127 S. AIRPORT CIRCLE
City, State & Zip		City, State & Zip	EULESS, TX 76040
Phone	469 966 9281	Phone	682-556-2187
E-Mail	aaweaver93@gmail.com	E-Mail	jeff.wolf@nexcourt.com

NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared RAFAEL BLEY HIDALGO [*Owner*] the undersigned, who stated the information on this application to be true and certified the following:

"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of $_____, to cover the cost of this application, has been paid to the City of Rockwall on this the 14th day of Sep, 2023. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

Given under my hand and seal of office on this the 14th day of Sep, 2023.

GULZAR MOHAMMED
Notary Public, State of Texas
Comm. Expires 06-04-2025
Notary ID 129445821

Owner's Signature [signature]

Notary Public in and for the State of Texas [signature] ***My Commission Expires*** 06/04/2025



City of Rockwall

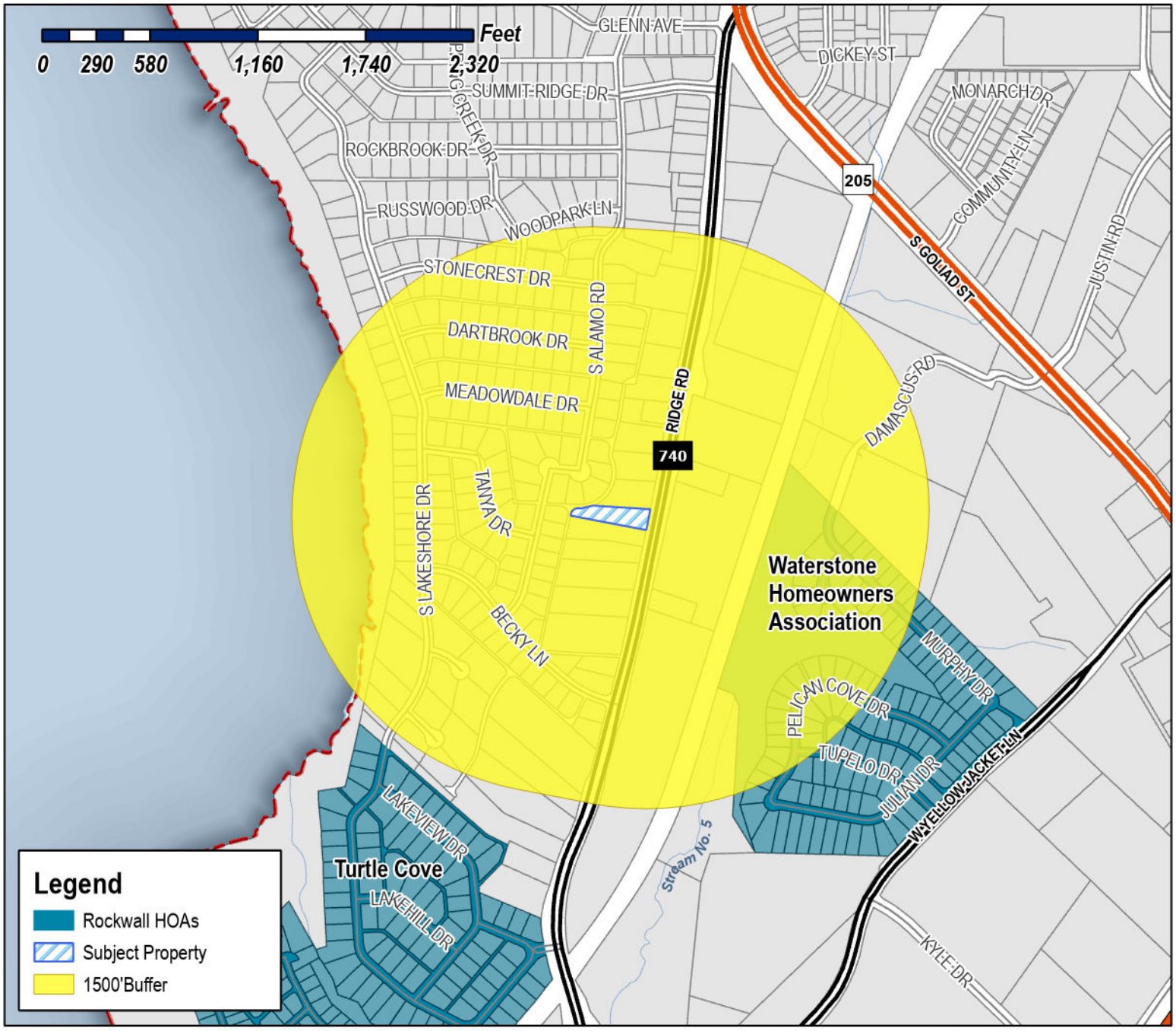
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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

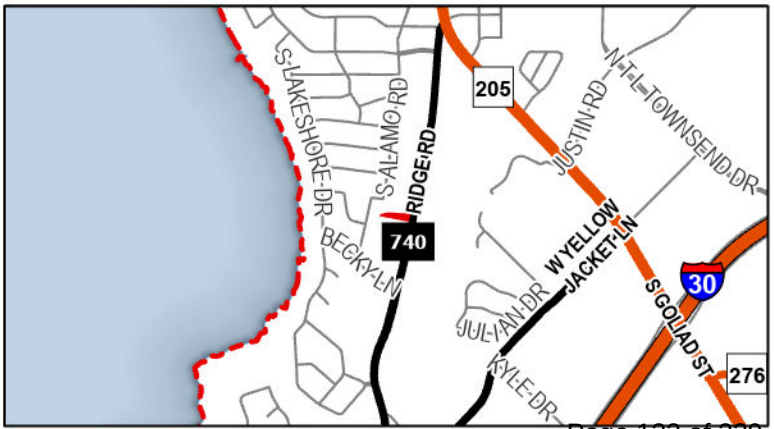
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Case Number: Z2023-047
Case Name: SUP for 1400 Ridge Road
Case Type: Zoning
Zoning: Single-Family 10 (SF-10)
Case Address: 1400 Ridge Road



Date Saved: 9/15/2023
For Questions on this Case Call (972) 771-7745

Ross, Bethany

From: Zavala, Melanie
Sent: Friday, September 22, 2023 10:32 AM
Cc: Miller, Ryan; Ross, Bethany; Guevara, Angelica; Lee, Henry
Subject: Neighborhood Notification Program [Z2023-047]
Attachments: Public Notice (P&Z) (09.18.2023).pdf; HOA Map (09.19.2023).pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *September 22, 2023*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, October 10, 2023 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, October 16, 2023 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

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

Z2023-047: SUP for Private Tennis Court
Hold a public hearing to discuss and consider a request by Jeff Wolf of Nexcourt, Inc. on behalf of Rafael Hidalgo for the approval of a *Specific Use Permit (SUP)* for *Tennis Courts* (*Pickleball Courts*) on a 0.7940-acre parcel of land identified as Lot 3, Block B, Eagle Point Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, situated within the Scenic Overlay (SOV) District, addressed as 1400 Ridge Road, and take any action necessary.

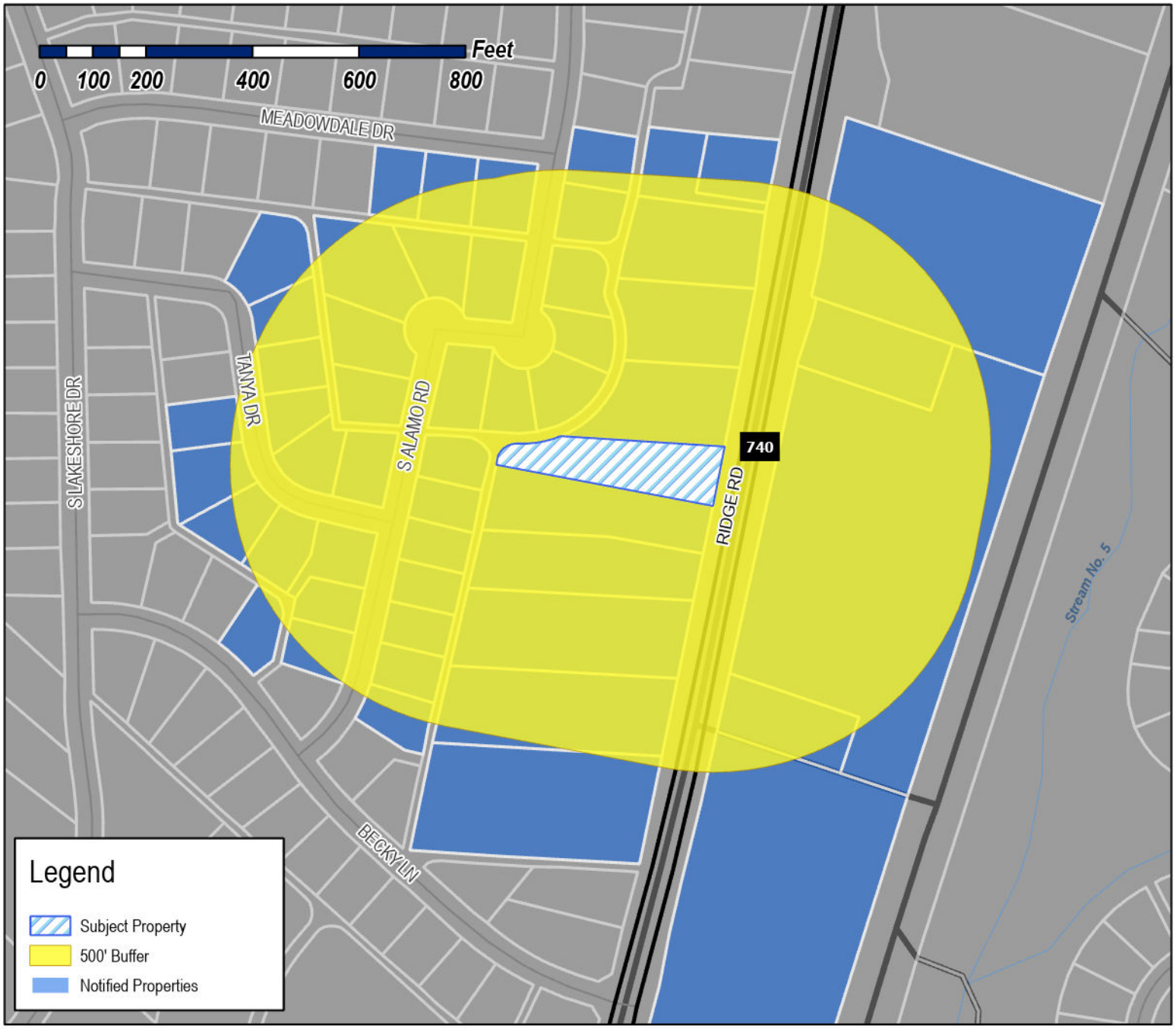
Thank You,

Melanie Zavala
Planning & Zoning Coordinator | Planning Dept. | City of Rockwall
385 S. Goliad Street | Rockwall, TX 75087
http://www.rockwall.com/
972-771-7745 Ext. 6568

City of Rockwall

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

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Case Number: Z2023-047
Case Name: SUP for Private Tennis Court
Case Type: Zoning
Zoning: Single-Family 10 (SF-10) District
Case Address: 1400 Ridge Road



Date Saved: 9/15/2023
For Questions on this Case Call: (972) 771-7746

HFS MANAGEMENT INC
C/O HANNA SAHLIYEH
122 W JOHN CARPENTER FWY STE 400
IRVING, TX 75039

RESIDENT
1301 RIDGE RD
ROCKWALL, TX 75087

RESIDENT
1306 RIDGE RD
ROCKWALL, TX 75087

RESIDENT
1308 RIDGE RD
ROCKWALL, TX 75087

RESIDENT
1309 RIDGE RD
ROCKWALL, TX 75087

RESIDENT
1309 RIDGE RD
ROCKWALL, TX 75087

RESIDENT
1312 RIDGE RD
ROCKWALL, TX 75087

RESIDENT
1316 RIDGE RD
ROCKWALL, TX 75087

RESIDENT
1400 RIDGE RD
ROCKWALL, TX 75087

MASON RONALD E & GLORIA M
1402 RIDGE RD
ROCKWALL, TX 75087

ROGERS FAMILY LIVING TRUST
MICHAEL WAYNE ROGERS AND RELLA
VILLASANA ROGERS, TRUSTEES
1404 RIDGE RD
ROCKWALL, TX 75087

RESIDENT
1405 RIDGE RD
ROCKWALL, TX 75087

RESIDENT
1406 RIDGE RD
ROCKWALL, TX 75087

NORMAN LINDA
1406-B RIDGE RD
ROCKWALL, TX 75087

PADILLA OSCAR GAMALIEL AND MELISSA
AZUSENA
1408 RIDGE ROAD
ROCKWALL, TX 75087

ARCINIEGA MARK K
1423 S ALAMO ROAD
ROCKWALL, TX 75087

PINNELL LIVING TRUST
CHARLES CRAIG PINNELL AND CATHY JENELL
PINNELL
1425 S ALAMO RD
ROCKWALL, TX 75087

HAIRE HELENA GAIL
1425 SAW RD
CHINA GROVE, NC 28023

RESIDENT
1505 S ALAMO RD
ROCKWALL, TX 75087

GREEN KRIS
1507 S ALAMO RD
ROCKWALL, TX 75087

HERBST LONNIE & AMY
1509 S ALAMO RD
ROCKWALL, TX 75087

RESIDENT
1510 S ALAMO RD
ROCKWALL, TX 75087

BARRETT HOWARD & MARVALEE
1511 S ALAMO RD
ROCKWALL, TX 75087

SCROGGS JUSTIN D
1512 S ALAMO RD
ROCKWALL, TX 75087

BALLI DAVID OMAR AND EMILY FARRIS
1514 S ALAMO RD
ROCKWALL, TX 75087

RESIDENT
1515 S ALAMO RD
ROCKWALL, TX 75087

RESIDENT
1516 S ALAMO RD
ROCKWALL, TX 75087

GREEN TARA D AND
JULIA R MCKINNEY
1518 SOUTH ALAMO ROAD
ROCKWALL, TX 75087

WEDDLE TRUST
JOHN C WEDDLE AND PAULETTE S WEDDLE
TRUSTEES
1601 S ALAMO RD
ROCKWALL, TX 75087

RESIDENT
1603 S ALAMO RD
ROCKWALL, TX 75087

RESIDENT
1605 ALAMO RD
ROCKWALL, TX 75087

BATTEN NANCY L
1606 S ALAMO RD
ROCKWALL, TX 75087

MASON PATRICK AND JANEL R
1607 ALAMO RD
ROCKWALL, TX 75087

PITTO OSHRI
1608 SOUTH ALAMO ROAD
ROCKWALL, TX 75087

WEBB BILLY AND PEGGY
1609 S ALAMO RD
ROCKWALL, TX 75087

RESIDENT
1610 ALAMO ST
ROCKWALL, TX 75087

CHILDS WILLIAM C & SHERYL L
1611 S ALAMO RD
ROCKWALL, TX 75087

MORGAN PAUL RICHARD
1613 S ALAMO ROAD
ROCKWALL, TX 75087

T ROCKWALL APARTMENTS TX LLC
16600 DALLAS PARKWAY SUITE 300
DALLAS, TX 75248

T ROCKWALL PHASE 2 LLC
16600 DALLAS PKWY SUITE 300
DALLAS, TX 75248

VANCE JASON L & DASHA
202 TANYA DR
ROCKWALL, TX 75087

RESIDENT
203 TANYA DR
ROCKWALL, TX 75087

HERRIN MARVIN ET UX
203 MEADOWDALE DR
ROCKWALL, TX 75087

RICHARDSON RANDAL & BARBARA
204 TANYA DR
ROCKWALL, TX 75087

DICKSON JUDITH TAYLOR & KENNETH D
205 MEADOWDALE DR
ROCKWALL, TX 75087

BARNETT DEYSI
205 TANYA DR
ROCKWALL, TX 75087

KELLEY STEPHAN BRANT & VIVIANA ELIZABETH
206 TANYA DRIVE
ROCKWALL, TX 75087

OEHLER GREGORY M & KATHRYN A
207 TANYA DR
ROCKWALL, TX 75087

PERRY RICHARD L
208 TANYA DR
ROCKWALL, TX 75087

BOUNDS JOY
209 TANYA DR
ROCKWALL, TX 75087

FLOYD DOROTHY RHEA
210 TANYA DR
ROCKWALL, TX 75087

BREWER GLENDA O
212 TANYA DR
ROCKWALL, TX 75087

BOBST DANIEL W AND JENNIFER L
2701 SUNSET RIDGE SUITE 610
ROCKWALL, TX 75032

KAPRANTZAS VICTORIA J
2748 MIRA VISTA LN
ROCKWALL, TX 75032

PHILIP ALWIN
279 ASHWOOD LN
SUNNYVALE, TX 75182

PHILIP ALWIN
279 ASHWOOD LN
SUNNYVALE, TX 75182

VILLA PEDRO E
302 BECKY LN
ROCKWALL, TX 75087

PEOPLES J P & B W JR
302 S GOLIAD SST
ROCKWALL, TX 75087

PEOPLES J PHILIP AND
BILLY W PEOPLES JR
311 HIGHLAND DRIVE
ROCKWALL, TX 75087

RPSC ROCKWALL PROPERTIES LLC
3201 E PRESIDENT GEORGE BUSH HIGHWAY
SUITE 101
RICHARDSON, TX 75082

ROCKWALL COMMONS LLC
341 VERACLIFF CT
OVIEDO, FL 32765

BURNS LORRAINE MARIETTI
403 W WASHINGTON ST
ROCKWALL, TX 75087

OPENDOOR PROPERTY TRUST I
410 N SCOTTSDALE RD STE 1600
TEMPE, AZ 85281

WADE KENNETH AND DEBBIE
4760 SECRET COVE
ROCKWALL, TX 75032

LONGRUN HOLDINGS LLC SERIES B
5941 GLENDOWER LANE
PLANO, TX 75093

TURCIOS MILTON NOE AND
JUAN RAMON TURCIOS
7227 HILLSHIRE LANE
SACHSE, TX 75048

LYLE WILLIAM M JR & ERICA
9605 ARDEN DR
ROCKWALL, TX 75087

CRUSE ROBERT B JR AND MARGARET A
P. O. BOX 2468
ROCKWALL, TX 75087

SLAUGHTER RICHARD E JR
PO BOX 1717
ROCKWALL, TX 75087

BURKE CASEY JOE AND ANDREA GAYDEN
PO BOX 2514
ROCKWALL, TX 75087

PUBLIC NOTICE

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

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

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

Z2023-047: SUP for Private Tennis Court

Hold a public hearing to discuss and consider a request by Jeff Wolf of Nexcourt, Inc. on behalf of Rafael Hidalgo for the approval of a Specific Use Permit (SUP) for Tennis Courts (Pickleball Courts) on a 0.7940-acre parcel of land identified as Lot 3, Block B, Eagle Point Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, situated within the Scenic Overlay (SOV) District, addressed as 1400 Ridge Road, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on *Tuesday, October 10, 2023 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, October 16, 2023 at 6:00 PM*. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Bethany Ross
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by *Monday, October 16, 2023 at 4:00 PM* to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

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

PLEASE RETURN THE BELOW FORM

Case No. Z2023-047: SUP for Private Tennis Court

Please place a check mark on the appropriate line below:

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

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

Name:

Address:

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

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

PUBLIC NOTICE

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

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Ryan Miller, AICP
Director of Planning & Zoning

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PLEASE RETURN THE BELOW FORM

Case No. Z2023-047: SUP for Private Tennis Court

Please place a check mark on the appropriate line below:

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

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

LIGHTS & NOISE
TOO CLOSE TO OTHER HOUSES
RENTAL PROPERTY - NO ONE TO SUPERVISE OR COMPLAIN TO.

Name: BILLY WEBB

Address: 1609 S. ALAMO RD. 75087

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

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PLEASE RETURN THE BELOW FORM

Case No. Z2023-047: SUP for Private Tennis Court

Please place a check mark on the appropriate line below:

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

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

The lights fom a private court will distrub the neighbors & cause excess noise. This property is being turned into a large Airbnb & the private court will be used by people who have nothing vested in the community.

Name: Carly S Farrelly

Address: 1505 S Lakeshore Dr Rockwall, TX

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

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Case No. Z2023-047: SUP for Private Tennis Court

Please place a check mark on the appropriate line below:

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

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

*Short term rental overlooks the neighborhood + nothing between this property + the houses below; * traffic; * alleyway as a thoroughfare; *NOISE; * close proximity of party barn to residential homes; * potential disruptive behavior; * pickle ball court - the game is loud; the property is able to hold more than the 16 guests as advertised - major parking issues.

Name: Charles + Cathy Pinnell cpinnell cjpinnell

Address: 1425 South Alamo Rd. Rockwall, TX 75087

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

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

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Z2023-047: SUP for Private Tennis Court

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For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on *Tuesday, October 10, 2023 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, October 16, 2023 at 6:00 PM*. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Bethany Ross
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by *Monday, October 16, 2023 at 4:00 PM* to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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Case No. Z2023-047: SUP for Private Tennis Court

Please place a check mark on the appropriate line below:

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

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

We don't want this — lights, noise, etc.

Name: Colby Purcell & Ron Purcell

Address: 211 Tanya Dr. Rockwall

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

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Zoning & Specific Use Permit Input Form

Case Number *

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

Z2023-047

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

- [ ] I am in favor of the request.
- [x] I am in opposition to the request.

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

The property in question is already being used primarily as a SHORT TERM RENTAL unit. For my wife and I, the frustration is for two reasons.

1) As homeowners we made a conscious decision to move to this specific area of Rockwall. The neighborhood is very established with beautiful homes, amazing trees and long time residents. The homeowners here have long maintained their properties for the betterment of the neighborhood. From the upkeep of the front yards, the various renovations of the interiors and the refreshing of the exterior of many of the homes, this area as a whole has always sought to be better. Many of the original residents have changed over the years but the pride of ownership has always been consistent.
In our specific instance, we wanted to be part of THAT. We wanted to contribute and continue to be part of what makes this neighborhood amazing. The city of Rockwall is filled with so many of these great micro-communities. It is what has made Rockwall such a sought after part of the metroplex.

The owner of this property did not move here and take possession of that home with the same sense of purpose. It is not trying to add tennis courts to make this neighborhood better. They do not want to add the "party barn" to make the neighborhood better. Everything that are trying to do is made from a business perspective.

I'm a local business owner, and that brings me to my second issue.

2) We chose Rockwall to begin and have since, continued to base our business here in Rockwall. We obviously started a business to build a life for ourselves. However, we recognize that owning a business in any community has additional obligations. We have sought in Rockwall (and other communities where we do trade) to become an active part of the community and to maintain as well as make the city a whole, better.
We've done so by supporting local churches and local schools. We actively participate in causes that make our city better by way of sponsorship for local events and fundraising activities for charitable organizations. We strive to help residents sometimes on a micro level, with causes that may only be important to them, specifically.
We're a for profit business. We also realize that the entire community of Rockwall is why we have had our success. With that perspective is the why. We will continue to do our part to always make Rockwall better.

This home is being used as a business with the proposed courts and the rumored future "party barn" acting as enhancements. There's no underlying desire to make this neighborhood better. There's no desire to make our community better. And I'm pretty certain no one there is asking "... how could we give back?....".
There's definitely a space in Rockwall for those activities. Allowing them to happen in the middle of ANY neighborhood benefits literally no one other than that single homeowner.

That doesn't feel right.

Respondent Information

Please provide your information.

First Name *

david

Last Name *

balli

Address *

1514 S. Alamo

City *

rockwall

State *

texas

Zip Code *

75087

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] Other: .....

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

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

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Google Forms

Zoning & Specific Use Permit Input Form

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Z2023-047

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1) P&Z Development document does not indicate if tall court lighting is to be installed; which woud interfere with neighboring properties at night. 2) SUP is marked '"Private" tennis court': P&Z needs to prove and publish that this is not a short term rental. Activities at Outdoor facilities at short-term rentals interfere at night with neighboring properties and degrade residential property values.

Respondent Information

Please provide your information.

First Name *

Greg

Last Name *

Oehler

Address *

207 Tanya Drive

City *

Rockwall

State *

Tx

Zip Code *

75087

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
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Google Forms

Ross, Bethany

From: Dosha Vance <[redacted]>
Sent: Wednesday, September 27, 2023 9:44 AM
To: Ross, Bethany
Subject: Z2023-047: SUP for Private Tennis Court

Hello Ms. Ross,

This email is to serve as our objection to the tennis/pickle ball court SUP application.

We oppose this permit due to noise and light pollution this would bring to the immediate neighbors, including ourselves.

Thank you for your time,

Jason & Dosha Vance
[redacted]

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EMAIL: PLANNING@ROCKWALL.COM

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Please place a check mark on the appropriate line below:

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

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

- NOISE POLLUTION TO IMMEDIATE NEIGHBORS, INCLUDING US
- LIGHT POLLUTION FROM OVERHEAD COURT LIGHTS
- LACK OF SUPERVISION OF TOURNAMENTS / PARTIES

Name: JASON + DOSHA VANCE

Address: 202 TANYA DR ROCKWALL TX 75087

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NOISE FROM COURT & SURROUNDING AREA
PROXIMITY TO OTHER HOMES, INCLUDING MINE
NO SUPERVISION (RENTAL PROPERTY)
PLEASE NO LIGHTS!

Name: JOHN + PAULETTE WEDDLE

Address: 1601 S. ALAMO RD.

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Primarily because of the potential noise factor in a residential, single-family neighborhood. It is my understanding that Rockwall has no noise restrictions other than the number of decibels. That means that with lights blaring (almost regulated, to my knowledge), tennis or pickleball could be played into the wee hours of the night as long as under decibel limit. There is not even a fence around the property in question to deflect some of the noise and/or bright lights.

Name: Judith Jackson

Address:

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It is my understanding that this is not a single family home, it is an air BnB. There is no information given about nighttime lighting. I am deeply concerned about disruption to the quality of life of my neighbors close to this property.

Name: Kathryn Oehler

Address: 207 Tanya Dr. Rockwall, Tx 75087

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

Our quiet family neighborhood does not need this "vacation home business." The lights, noise, 16+ guest house activity does not foster family living. The safety and security of our neighborhood will be compromised,

Name: Joy & WILSON D. MURPHY

Address: 209 TANYA DR., ROCKWALL, TX. 75087

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Please vote NO! Keep our neighborhood safe.

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

We are opposed to the Specific Use Permit, as Pickleball Courts create noise and unwanted activity in the area. We are aware that this is an amenity to the property being an Air B+B, which we also oppose, due to the fact that it invites traffic, noise, and other unwanted activity in our neighborhood.

Name: Kris & Cori Green

Address: 1507 S. Alamo Rd.

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1. Lighting of the court spilling over into the neighborhood -
2. Excessive sounds from the court -
3. Close proximity of the court to our houses -
4. No regulations for hours of use in a residential zone -

Name: Lonnie & Amy Herbst

Address: 1509 S. Alamo Rd., Rockwall, TX 75087.

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The proposed court is basically right in my backyard. Too close(!) so the noise will be a problem for us and our neighbors as well as the lighting. My hope is that you will consider if you would want it in your yard - You could be next. This has always been a family neighborhood and we would like to keep it that way. Thank you!

Name: Madison & Erica Lyle

Address: 1603 S. Alamo Rd, Rockwall, Tx. 75087

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

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

We do not need at Party house in Rockwall proper!

Name: Margaret Cruse

Address: 1510 S. Alamo

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

PUBLIC NOTICE

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

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

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

Z2023-047: SUP for Private Tennis Court

Hold a public hearing to discuss and consider a request by Jeff Wolf of Nexcourt, Inc. on behalf of Rafael Hidalgo for the approval of a Specific Use Permit (SUP) for Tennis Courts (Pickleball Courts) on a 0.7940-acre parcel of land identified as Lot 3, Block B, Eagle Point Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, situated within the Scenic Overlay (SOV) District, addressed as 1400 Ridge Road, and take any action necessary.

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

Bethany Ross
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

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Case No. Z2023-047: SUP for Private Tennis Court

Please place a check mark on the appropriate line below:

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

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

The proposed court is basically right in my backyard. Too close(!) so the noise will be a problem for us and our neighbors as well as the lighting. My hope is that you will consider if you would want it in your yard - You could be next. This has always been a family neighborhood and we would like to keep it that way. Thank you!

Name: Madison & Erica Lyle

Address: 1603 S. Alamo Rd, Rockwall, Tx. 75087

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

If the house in question is wanting to build a Pickle Ball court and turn the house in to a B+B or an AirB+B We are firmly against it. Our area has already voted against the adjoining property being Re-Zoned fa Business making a profit. It would bring in undesirable Party People. Dallas doesn't Like it.

Name: Marvin + Phyllis Herrin

Address: 203 Meadowdale Drive

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September 22,2023

Mr. Derek Deckard, Chairman and Members
Planning & Zoning Commission
c/o Mr. Ryan Miller, AICP, Director of Planning
385 South Goliad
Rockwall, Texas

RE: 1400 Ridge Road, Rockwall, Texas

Dear Mr. Deckard, Commission Members and Mr. Miller:

My husband and I will be out of town and unable to attend the Oct 10th meeting and the November 16th City Council meeting therefore we are sending this letter with our concerns. Our home is located at 1404 Ridge Rd., and we are one residential property away from **1400 Ridge Rd**. We were recently contacted by a neighbor concerning this property and two issues. The first issue is the construction of a pickle ball court at 1400 Ridge Rd. and the second issue (same property) becoming a short-term rental (similar to an Airbnb or Bed and Breakfast).

I realize the purpose of this meeting is to focus on the construction of the pickle ball court; however, we cannot fail to mention the potential future use in order to make a realistic judgement on the current issue before the commission. The short-term rental property will have a dramatic impact on how the pickle ball court will be operated. This court will not be used like a single family-owned residential property, it will be used commercially as a business asset. There will be an onslaught of strangers, people we know nothing about - basically tourists. Our concerns are as follows:

- The court will increase noise in our neighborhood as pickle ball is a much louder sport than tennis. This is going to destroy the serenity of our property and our neighbors.
- The footprint for the pickle ball court is adjacent to a large garage (barn type) building on the property. Both the garage and court could possibly be used for a live entertainment area. There are no guarantees once constructed that it will be used as a pickle ball court.
- The construction will be an eye sore.
- Lighting for the court will be invasive for a residential area.
- The value of our home and our neighbor's home will be at risk. No one wants to live next to a pickle ball court and possibly a party house.

Who is going to oversee its use once the construction is complete? The answer is no one. Once the structure is complete there will be no accountability. If the owner did not obtain the required permit prior to construction, then the track record for responsible ownership is not starting off well!

Per an earlier discussion with Mr. Ryan Miller, he stated that Rockwall does not have any ordinances or restrictions in place for short term rentals in Rockwall. But you do have the designation "Bed and Breakfast" which is either not permitted or limited by a Specific Use Permit in residential areas. In fact, the abbreviation for Airbnb stands for air mattress bed and breakfast. With all the bad publicity about short term rentals in Dallas, the real question is do we want this in Rockwall for our neighborhoods?

Our neighborhood has well maintained properties, we have paid property taxes and some of us have paid business taxes for decades. Please consider the detrimental effect this pickle ball court and the short-term rental is bringing to our homes in this neighborhood. The renters that rent this 5000 plus square foot home are going to have the finances to not be concerned about losing a huge deposit due to damages to this house or property and they certainly are not going to be concerned about how this impacts our neighborhood. I guarantee you this will turn into a party house and ruin our neighborhood.

Sincerely,

Mr. and Mrs. Michael and Rella Rogers

September 22,2023

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c/o Mr. Ryan Miller, AICP, Director of Planning
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Sincerely,

Mr. and Mrs. Michael and Rella Rogers
1404 RIDGE RD.
ROCKWALL, TX. 75087

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Director of Planning & Zoning

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Case No. Z2023-047: SUP for Private Tennis Court

Please place a check mark on the appropriate line below:

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

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

Loud noise, bright lights, neighborhood disruption, neighborhood safety, there will be absolutely no accountability from the city after this pickle ball court is built (SEE ATTACHED LETTER)

Name: Mike & Rella Rogers

Address: 1404 Ridge Rd., Rockwall TX 75087

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Planning & Zoning Commission
c/o Mr. Ryan Miller, AICP, Director of Planning
385 South Goliad
Rockwall, Texas

RE: 1400 Ridge Road, Rockwall, Texas

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Sincerely,

Mrs. Rella Rogers

Mr. and Mrs. Michael and Rella Rogers
1404 Ridge Road
Rockwall, Texas 75087

Case No. Z2023-047: SUP for Private Tennis Court

Please place a check mark on the appropriate line below:

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

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

The extremely bright lights the courts will require - the loud noises & voices that will accompany this venue, not to mention the music, etc. - This is a single family, quiet neighborhood & that's why we are here & not a commercial area.

Name: Richard & Karen Perry

Address: 208 Tonya Drive

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

Name: RICHARD SLAUGHTER

Address: 1515 S ALAMO RD

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

No Control & Monitoring of Property - No owner on site
Noise level
location to other uses in the neighborhood
Traffic

Name: Tara Green + Julia McKinney

Address: 1519 S. Alamo Rd Rockwall, TX 75087

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Vivi & Steve Kelley
206 Tanya Drive
Rockwall, Tx. 75087

1.) Lighting at the facility will disturb local residents during nighttime.
2.) Noise at late hours will disturb nearby residents and encourage unruly guests
3.) Low proposed per-unit/per-person rent will encourage unruly/disrespectful guests and potential drug and gang activity.
4.) Safety Issue: tennis balls hit out of the facility pose a personal and property hazard to nearby properties and persons.

Name:

Address:

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Bethany Ross
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by *Monday, October 16, 2023 at 4:00 PM* to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

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

PLEASE RETURN THE BELOW FORM

Case No. Z2023-047: SUP for Private Tennis Court

Please place a check mark on the appropriate line below:

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

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

NUISANCE CAUSED BY TALK, BRIGHT LIGHTS AT NIGHT
NOISE DISTORBANCE IN GENERAL BUT ESPECIALLY AT NIGHT
NO CONTROL / GOVERNANCE ON USE OF FACILITIES
INCREASED AUTO + FOOT TRAFFIC, UNKNOWNS

Name: WILLIAM C CHILDS

Address: 1611 S ALAMO, ROCKWALL, TX 75087

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

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

Rockwall, Texas

Z2023 – 047

Opposition to Special Use Permit (SUP) for Tennis and/or Pickle Ball Court

Resident Names:	
[signature]	1601 S. ALAMO RD.
Paulette Weddle	1601 S. ALAMO RD.
Mike Rogers	1404 RIDGE RD. (BY PROXY)
Rella Rogers	1404 RIDGE RD. (BY PROXY)
Madison Lyle	1603 S. ALAMO RD. (BY PROXY)
Erica Lyle	1603 S. ALAMO RD. (BY PROXY)
Carley Pinnell	1425 S. Alamo Rd
Charles Pinnell	1425 South Alamo Road
Dosha Vance	202 Tanya Dr
Jason Vance	202 Tanya Dr
Emily Slaughter	1515 S. Alamo Rd.
[signature]	1515 S ALAMO Rd
Billy Webb	1609 S ALAMO RD.
Dina Huntle	1609 S. ALAMO RD.
[signature]	1507 S. Alamo Rd.
Tara Green	1518 S. Alamo Rd
John McKinney	1518 S Alamo Rd.
Cori Green	1507 S. Alamo Rd.
[signature]	1509 So. Alamo Rd
[signature]	1509 S. Alamo Rd.

* SIGNATURES BY PROXY EITHER HAVE TEXTS OR EMAILS SENDING THEIR SIGNATURES. AVAILABLE UPON REQUEST.

Rockwall, Texas

Z2023 – 047

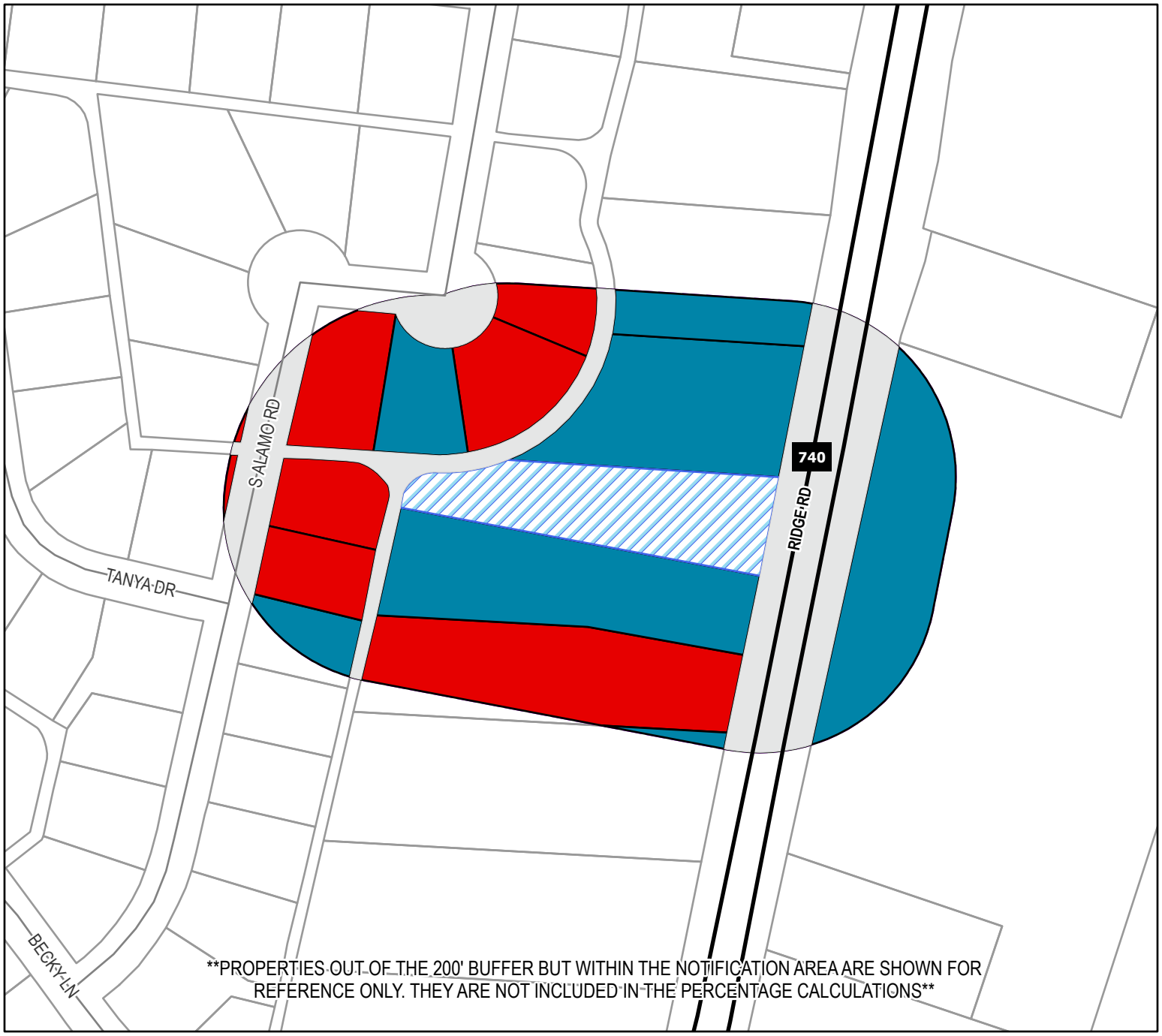
Opposition to Special Use Permit (SUP) for Tennis and/or Pickle Ball Court

Resident Names:	
Emily Balli	1514 S Alamo Rd.
David Balli	1514 S Alamo Rd
Isabella Balli	1914 S Alamo Rd
JUDY DICKSON	205 MEADOWDALE DR.
Marvin O. Herrin	203 Meadowdale Drive
Phyllis A. Herrin	203 Meadowdale Drive
Marvalee Barrett	1511 S. Alamo Rd
HOWARD BARRETT	1511 S. ALAMO ROAD
Mark Arciniega	1423. S. Alamo Rd.
Robert Cruz	1510 S Alamo
Margaret Cruz	1510 S Alamo
BILL CHILDS	1611 S ALAMO
Staci Arciniega	1423 S Alamo Rd

City of Rockwall

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

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

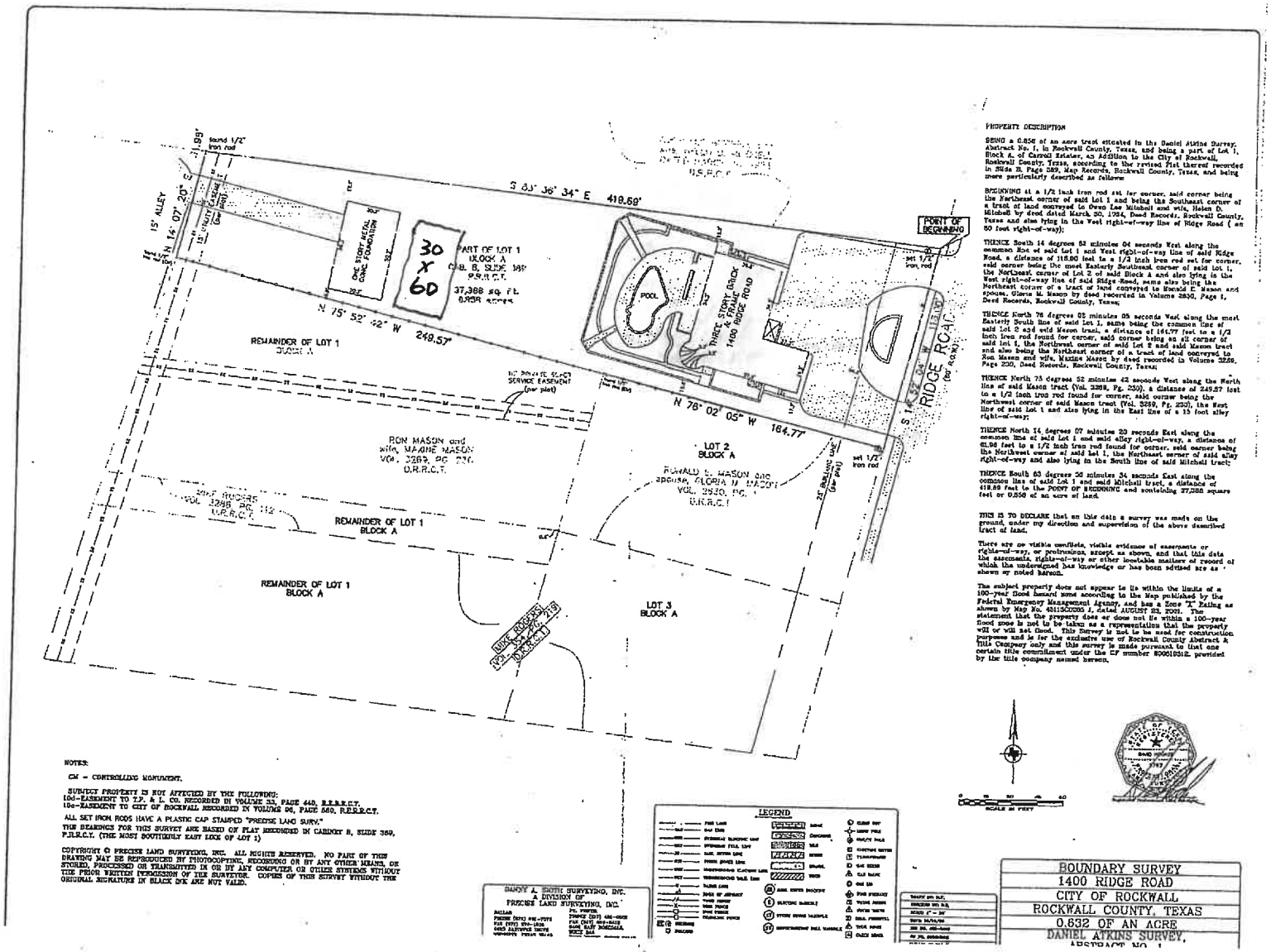


Z2023-047 SUP for Pickleball Courts at 1400 Ridge Road

- Subject Property
- AGAINST (2.21 Acres) 27.1%
- NO RESPONSE (4.12 Acres) 50.3 %
- ROW (1.85 Acres) 22.6%
- FOR (0 Acres) 0%



Date Created: 10/3/2023
For Questions on this Case Call (972) 771-7745



PROPERTY DESCRIPTION

BEING a 0.858 of an acre tract situated in the Daniel Atkins Survey, Abstract No. 1, in Rockwall County, Texas, and being a part of Lot 1, Block A, of Carroll Estates, an Addition to the City of Rockwall, Rockwall County, Texas, according to the revised Plat thereof recorded in Slide B, Page 369, Map Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod set for corner, said corner being the Northeast corner of said Lot 1 and being the Southeast corner of a tract of land conveyed to Owen Lee Mitchell and wife, Helen D. Mitchell by deed dated March 20, 1954, Deed Records, Rockwall County, Texas and also lying in the West right-of-way line of Ridge Road (an 80 foot right-of-way);

THENCE South 14 degrees 52 minutes 04 seconds West along the common line of said Lot 1 and West right-of-way line of said Ridge Road, a distance of 118.00 feet to a 1/2 inch iron rod set for corner, said corner being the most Easterly Southeast corner of said Lot 1, the Northeast corner of Lot 2 of said Block A and also lying in the West right-of-way line of said Ridge Road, same also being the Northeast corner of a tract of land conveyed to Ronald L. Mason and spouse, Gloria M. Mason by deed recorded in Volume 2820, Page 1, Deed Records, Rockwall County, Texas;

THENCE North 78 degrees 02 minutes 05 seconds West along the most Easterly South line of said Lot 1, same being the common line of said Lot 2 and said Mason tract, a distance of 164.77 feet to a 1/2 inch iron rod found for corner, said corner being an ell corner of said lot 1, the Northwest corner of said Lot 2 and said Mason tract and also being the Northeast corner of a tract of land conveyed to Ron Mason and wife, Maxine Mason by deed recorded in Volume 3229, Page 230, Deed Records, Rockwall County, Texas;

THENCE North 75 degrees 52 minutes 42 seconds West along the North line of said Mason tract (Vol. 3288, Pg. 230), a distance of 249.57 feet to a 1/2 inch iron rod found for corner, said corner being the Northwest corner of said Mason tract (Vol. 3288, Pg. 230), the West line of said Lot 1 and also lying in the East line of a 15 foot alley right-of-way;

THENCE North 14 degrees 07 minutes 20 seconds East along the common line of said Lot 1 and said alley right-of-way, a distance of 41.98 feet to a 1/2 inch iron rod found for corner, said corner being the Northwest corner of said Lot 1, the Northeast corner of said alley right-of-way and also lying in the South line of said Mitchell tract;

THENCE South 83 degrees 36 minutes 34 seconds East along the common line of said Lot 1 and said Mitchell tract, a distance of 419.69 feet to the POINT OF BEGINNING and containing 37,368 square feet or 0.858 of an acre of land.

THIS IS TO DECLARE that on this date a survey was made on the ground, under my direction and supervision of the above described tract of land.

There are no visible conflicts, visible evidence of easements or rights-of-way, or protrusions, except as shown, and that this date the easements, rights-of-way or other locatable matters of record of which the undersigned has knowledge or has been advised are as shown or noted hereon.

The subject property does not appear to lie within the limits of a 100-year flood hazard zone according to the Map published by the Federal Emergency Management Agency, and has a Zone "X" Rating as shown by Map No. 48119C0035 J, dated AUGUST 23, 2001. The statement that the property does or does not lie within a 100-year flood zone is not to be taken as a representation that the property will or will not flood. This Survey is not to be used for construction purposes and is for the exclusive use of Rockwall County Abstract & Title Company only and this survey is made pursuant to that one certain title commitment under the GF number #00010312, provided by the title company named hereon.

NOTES:

CM = CONTROLLING MONUMENT.

SUBJECT PROPERTY IS NOT AFFECTED BY THE FOLLOWING:
10d-EASEMENT TO T.P. & L. CO. RECORDED IN VOLUME 33, PAGE 440, R.R.R.C.T.
10e-EASEMENT TO CITY OF ROCKWALL RECORDED IN VOLUME 96, PAGE 540, R.R.R.C.T.

ALL SET IRON RODS HAVE A PLASTIC CAP STAMPED "PRECISE LAND SURV."

THE BEARINGS FOR THIS SURVEY ARE BASED ON PLAT RECORDED IN CABINET B, SLIDE 369, P.R.R.C.T. (THE MOST SOUTHERLY EAST LOCK OF LOT 1)

COPYRIGHT © PRECISE LAND SURVEYING, INC. ALL RIGHTS RESERVED. NO PART OF THIS DRAWING MAY BE REPRODUCED BY PHOTOCOPYING, RECORDING OR BY ANY OTHER MEANS, OR STORED, PROCESSED OR TRANSMITTED IN OR BY ANY COMPUTER OR OTHER SYSTEMS WITHOUT THE PRIOR WRITTEN PERMISSION OF THE SURVEYOR. COPIES OF THIS SURVEY WITHOUT THE ORIGINAL SIGNATURE IN BLACK INK ARE NOT VALID.

LEGEND

SCALE IN FEET

DANNY A. SMITH, SURVEYING, INC.
A DIVISION OF
PRECISE LAND SURVEYING, INC.

BOUNDARY SURVEY
1400 RIDGE ROAD
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
0.632 OF AN ACRE
DANIEL ATKINS SURVEY,
ABSTRACT NO. 1

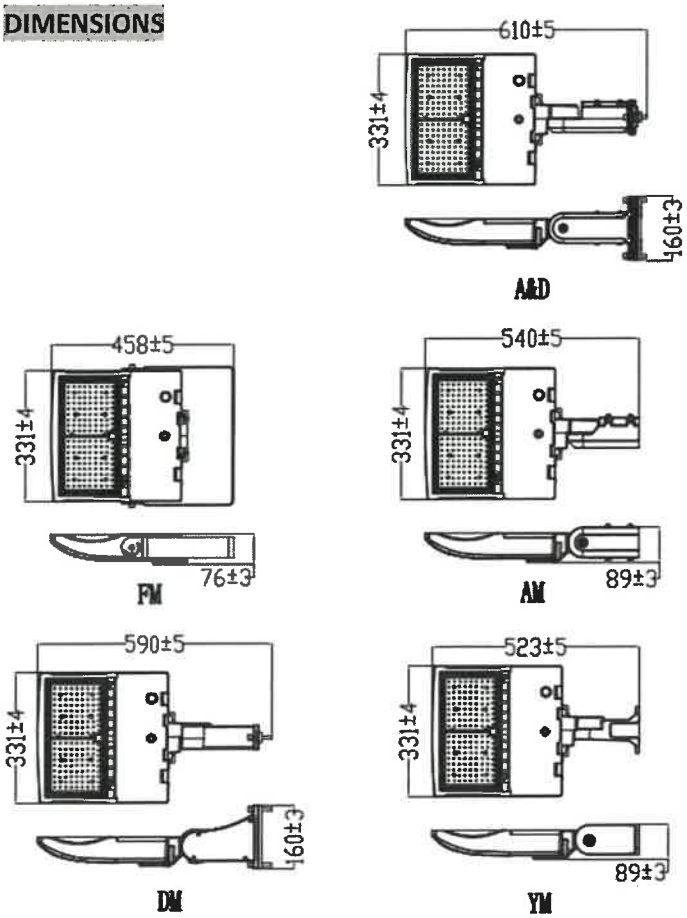
The Top Rated NextGen Series Gets Better! The NextGen III Series has 140+ Lumens per Watt, bigger VP driver and is DLC 5.1 Premium Rated! New pop open Compartment for fast access and optional easy twist in Motion Sensor that can be programmed by a remote.



P/N: RGL-NEXTGEN3-150JT3A1-abcdef

Note:
AST= Rugged Grade Lighting
NEXTGEN 3= Product series, LED Shoebox Light
150= Rating Power
J= LED manufacturer, Bridgelux
T3= Diffuser light angle type, TYPE III
A1= Version number
"a" can be any two letters to represent lamp colors;
"b" can be "AM", "DM", "YM","A&D"or "FM" to represent Mounting Means;
"c" can be "DMS1", "DMS2", "DPS1", "DPS2, "DP" for DC Sensor type or blank for no sensor provided;
"d" can be "10SP" or "20SP" for Surge-Protective Device type provided or blank for no Surge-Protective Device provided;
"e" can be any numbers to represent CCT;
"f" can be "3RP", "3NP", "5RP", "5NP", "7RP" or "7NP" for Photocontrol type provided or blank for no Photocontrol provided.

DIMENSIONS



ADVANTAGE

- UL cUL DLC-V5.1(Premium) certificate.
- Bridgelux Chip, high CRI.
- Input voltage 120-277VAC.
- Output constant current level can be adjusted through output cable with 0-10V.
- No UV or IR in the beam.
- Easy to install and operate.
- Energy saving, long lifespan.
- Light is soft and uniform, safe to eyes.
- Instant start, NO flickering, NO humming.
- Green and eco-friendly without mercury.

APPLICATION

- Outdoor basketball court, tennis court.
- Badminton court, the football field.
- The school playground, stadium.
- Community leisure entertainment plaza, road lamp etc.

SPECIFICATIONS

OPTICAL	Input Power (Tolerance : ±10%)	150W					
	Color Temperature	3000K	3500K	4000K	4500K	5000K	5700K
	Lumen (Tolerance : -10%)	19500L	20250LM	21000L	21000LM	21000LM	20250LM
	Efficacy (Tolerance : -3%)	130LM/	135LM/W	140LM/	140LM/	140LM/	135LM/
	CRI	>70					
	Color Consistency	＜6 Steps (or ＜6 SDCM)					
	BUG	B3-U0-G4					
	Distribution Pattern	Type Ⅲ					
	Beam Angle (50%) (Tolerance :	155*120 Degree					
ELECTRICAL	Input Voltage and Frequency	120-277Vac,50/60Hz					
	PF (Tolerance : -3%)	≥0.9					
	THD (Tolerance : +5%)	≤20%					
	Flicker Percent	＜5%					
	Driver Brand	Rugged Grade Lighting					
	Driver Model	Sosen VP Driver with controls and 10KV surge					
	Driver Surge protection	L/N-PE: 10kV, L-N:6kV					
	Dimming	0-10V dimming standard					
	Optional Accessory	Photocontrol, Surge-protective Device, Motion Sensor					
MATERIALS	LED Brand	Bridgelux					
	LED Type	SMD3030 – 100,000+ hour LEDs					
	LED QTY	189PCS					
	Housing	Die-cast aluminum					
	Housing Color	Brown, Black, or Customized					
	EPA	1.32ft²					
	Waterproof Rating	WET（IP65）					
OTHERS	Operating Temperature	Without Motion Sensor: -40°C TO 50°C; With Motion Sensor: -35°C TO					
	Storage Temperature	-40°C TO 80°C					
	Operating Humidity	20% - 90% RH					
	Storage Humidity	10% - 95% RH					
	Warranty	7 years warranty with unlimited operating hours					



Product ID: PLLKEJALNR33

RGL-NEXTGEN3-150JT3A1-abc[10SP;20SP]50f

Manufacturer: RuggedGrade

PRODUCT OVERVIEW	
Model Number	RGL-NEXTGEN3-150JT3A1-abc[10SP;20SP]50f
Product ID	PLLKEJALNR33
QPL	Solid State Lighting
Manufacturer	RuggedGrade
Brand Name	RuggedGrade
Primary Use	Outdoor Pole/Arm-Mounted Area and Roadway Luminaires
DLC Family Code	EMWAFL
Listing Status	Listed
Date Qualified	2021-08-17

PRODUCT INFORMATION	
Qualified Product List	Solid State Lighting
Technical Requirements Version	5.1
Product ID	PLLKEJALNR33
Manufacturer	RuggedGrade
Brand	RuggedGrade
Model Number	RGL-NEXTGEN3-150JT3A1-abc[10SP;20SP]50f
Parent	No
Classification	Premium

PRODUCT CATEGORIZATION VIEW DETAILS

PRODUCT CAPABILITIES VIEW DETAILS

REPORTED PHOTOMETRIC PERFORMANCE	
Reported Backlight (TM-15 BUG)	3
Reported Uplight (TM-15 BUG)	0
Reported Glare (TM-15 BUG)	4
Reported Light Output	20707.4 lm
Reported Efficacy (AC)	138.39 lm/W
Reported CCT	5000 K
Reported CRI (Ra)	70

LIGHT DISTRIBUTION TESTING PARAMETERS

Luminaire Property

Luminaire Manufacturer:
Luminaire Category:
Lamp Catalog:
Number of Lamps:
Luminous Length (mm):
Luminous Height (mm):
Current: 1.245 A
Power Factor: 0.998

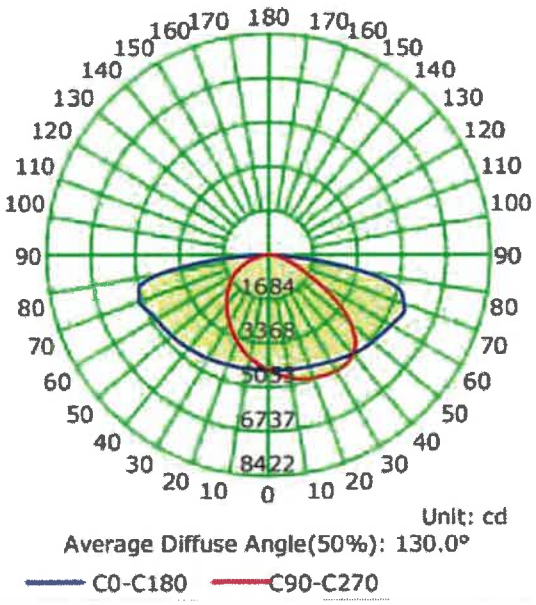
Luminaire Description:
Lamp Description:
Lumens per Lamp:
Luminous Width (mm):
Voltage: 120.0 V
Power: 149.28 W

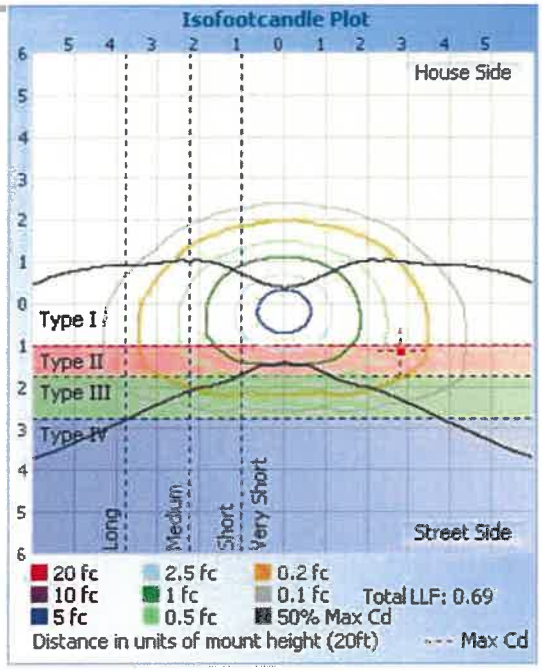
Photometric Results

IES Classification: Type IV
Total Rated Lamp Lumens: 19746.7 lm
Efficiency: 100%
Upward Ratio: 0%
C0r0 Intensity: 4393.15 cd
Pos of Max. Intensity: H22.5 V69

Longitudinal Classification: Medium
Measurement Flux: 19746.7 lm
Downward Ratio: 100%
Luminaire Efficacy Rating (LER): 132.33
Max. Intensity: 6737.67 cd

Luminous Intensity Distribution Curve

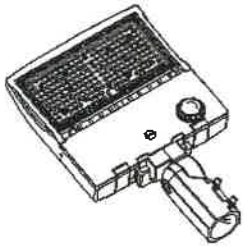


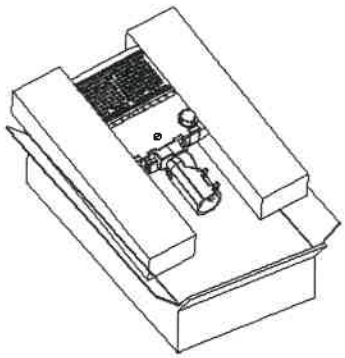


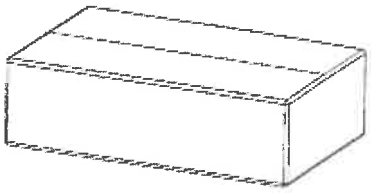
PACKAGE

Bracket Type	Carton Size	Qty / Carton	Net Weight / Carton	Gross Weight / Carton
AM	690*380*155MM	1 PC	5.97 KG	6.72KG
DM	690*380*155MM	1 PC	6.43KG	7.18KG
YM	690*380*155MM	1 PC	5.87KG	6.62KG
A&D	690*380*155MM	1 PC	6.83KG	7.58KG
FM	645*405*155MM	1 PC	5.49 KG	6.19KG

Tolerance of Carton Size: ±15 MM, Tolerance of Weight: ±10%.









NOTICE FOR USER

- Please turn off power before install or change assembly parts.
- The input voltage and lamps should be matched, after connecting the power line, Please make sure the wiring section is insulated.
- Non-professionals, must not install and disassemble the lamps.

TROUBLE SHOOTINGS

Issue	Check points
Light Flickers	Check all wiring for disconnections, shorts and burnt wiring and connections. Confirm steady input voltage to the light fixture, fluctuating input voltage will harm the LED driver and can lead to premature failure. Lights with photocells can have photocell tag from ambient light or light reflecting back at the sensor. Simply cover the photocell completely and see if flickering continues while the photocell is covered. Call Tech Support for help if none of the above solves the issue.
Light does not work at all.	Check all wiring for disconnections, shorts and burnt wiring and connections. Confirm steady input voltage to the light fixture, fluctuating input voltage will harm the LED driver and can lead to premature failure. If input voltage is not in the voltage range of the fixture, you will need to find the source of your input voltage issue. Call Tech Support for help if none of the above solves the issue.

For more technical information, install questions, troubleshooting help or warranty claims, we have a dedicated US Tech and Customer Support Team to help solve any issues you have and can be reached by email or phone. If you need help with any of our products, we are here for you so that you are never in the dark!



CITY OF ROCKWALL

ORDINANCE NO. 23-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A *PRIVATE TENNIS COURT* ON A 0.7940-ACRE PARCEL OF LAND IDENTIFIED AS LOT 3, BLOCK B, EAGLE POINT ESTATES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Jeff Wolf of Nexcourt, Inc. on behalf of Rafael Hidalgo for the approval of a *Specific Use Permit (SUP)* for *Tennis Courts* (*Pickleball Courts*) on a 0.7940-acre parcel of land identified as Lot 3, Block B, Eagle Point Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, situated within the Scenic Overlay (SOV) District, addressed as 1400 Ridge Road, and more fully described and depicted in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended so as to grant a Specific Use Permit allowing for the establishment of a *Private Tennis Court* in a Single Family 10 (SF-10) District as stipulated by, *Article 04, Permissible Uses,* and *Article V, District Development Standards,* of the Unified Development Code [*Ordinance No. 04-38*] on the *Subject Property*; and

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 03.01, *General Residential District Standards*, and Subsection 03.07, *Single-Family 10 (SF-10) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] -- *as heretofore amended and may be amended in the futur*e -- and with the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Private Tennis* court on the *Subject Property* and conformance to these requirements is necessary for continued operations:

(1) The *Private Tennis Court* (*Pickleball Court*) shall maintain conformance to the approved site plan depicted in *Exhibits 'A'* of this ordinance.

(2) Exterior lights placed or erected on the *Private Tennis Court* (*Pickleball Court*) shall *not* exceed a maximum height of 17-feet and be directed down. In addition, the lights shall be of the shielded type luminaries and installed so as to not to produce harsh, bright light or direct illumination across the property line from a visible source of illumination so as not to create a traffic hazard or public nuisance.

2.2. COMPLIANCE

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

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

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

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

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

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

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

DRAFT
10.18.2023

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6th DAY OF NOVEMBER, 2023.

_____

Trace Johannessen, *Mayor*

ATTEST:

_____

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

_____

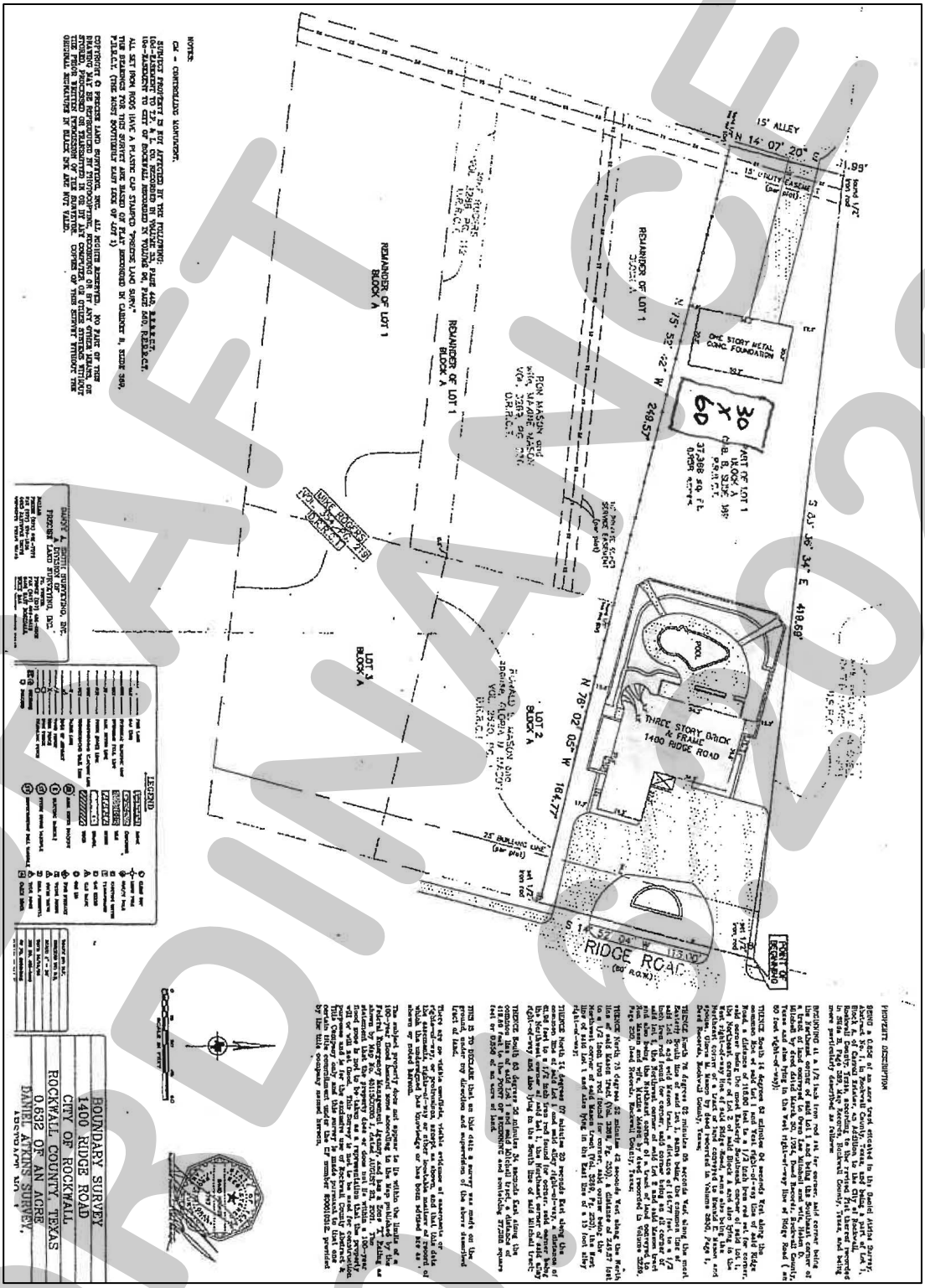
Frank J. Garza, *City Attorney*

1st Reading: *October 16, 2023*

2nd Reading: *November 6, 2023*

DRAFT ORDINANCE 10.16.2023

Exhibit 'A'
Concept Plan



DRAFT ORDINANCE 10-16-2023

CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
DATE:	October 16, 2023
APPLICANT:	Clay Cristy; *ClayMoore Engineering*
CASE NUMBER:	Z2023-048; *Specific Use Permit for a Restaurant with less than 2,000 SF with Drive-Through or Drive-In*

SUMMARY

Hold a public hearing to discuss and consider a request by Clay Cristy of ClayMoore Engineering on behalf of Staci Bowen of Metroplex Acquisitions for the approval of a *Specific Use Permit (SUP)* for a *Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In* for the purpose of constructing a restaurant (*i.e. HTeaO*) on a 0.93-acre portion of a larger 5.16-acre parcel of land identified as Lot 13, Block A, Stone Creek Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD70) for General Retail (GR) District land uses, situated within North SH-205 Overlay (N. SH-205 OV) District, generally located at the northeast corner of the intersection of N. Goliad Street [*SH-205*] and Bordeaux Drive, and take any action necessary.

BACKGROUND

The subject property was annexed into the City of Rockwall on May 19, 1986 by *Ordinance No. 86-37*. On December 7, 1993, the City's historic zoning map indicates the subject property was zoned Agricultural (AG) District. On April 2, 2007, the City Council approved a zoning change for the subject property changing the zoning designation from an Agricultural (AG) District to Planned Development District 70 (PD-70) [*i.e. Ordinance No. 07-13*] for limited General Retail (GR) District land uses. On October 5, 2020, the City Council approved a replat [*i.e. Case No. P2020-038*] that replatted the subject property as Lot 11, Block A, Stone Creek Retail Addition. On May 2, 2022, the City Council approved a replat [*i.e. Case No. P2022-013*] that established the subject property as a portion of Lot 13, Block A, Stone Creek Retail Addition. The subject property is currently vacant.

PURPOSE

The applicant -- *Clay Cristy of ClayMoore Engineering* -- is requesting the approval of a Specific Use Permit (SUP) to allow for a *Restaurant with less than 2,000 SF with Drive-Through or Drive-In* on the subject property.

ADJACENT LAND USES AND ACCESS

The subject property is generally located northeast of the intersection of N. Goliad Street [*SH-205*] and Bordeaux Drive. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject is a *Restaurant with less than 2,000 SF with a Drive-Through* (*i.e. Salad-n-Go*). North of this is a *Restaurant with more than 2,000 SF with a Drive-Through* (*i.e. McDonald's).* Beyond this is a *Retail Store with Gasoline Sales* (*i.e. Tom Thumb Gas Station*). All of these properties are zoned Planned Development District 70 (PD-70) for limited General Retail (GR) District land uses

South: Directly south of the subject property is Bordeaux Drive, which is identified as a A4D (*i.e. major arterial, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is Phase 1 of the Stone Creek Subdivision, which is an 83.57-acre residential subdivision, zoned Planned Development District 70 (PD-70) for Single-Family 10 (SF-10) District land uses.

East: Directly east of the subject property is the remainder of a 5.16-acre parcel of land (*i.e. Lot 13, Block A, Stone Creek Retail Addition*) -- *that includes the subject property* --, which is currently vacant. East of this is Stone Creek Drive, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is Phases 2B & 6 of the Stone Creek Subdivision, which are zoned Planned Development District 70 (PD-70) for Single-Family 10 (SF-10) District land uses.

West: Directly west of the subject property is N. Goliad Street [*SH-205*], which is identified as a A4D (*i.e. major arterial, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are two (2) parcels of land (*i.e. 3069 and 3073 N. Goliad Street*), zoned Single-Family 16 (SF-16) District. Beyond this is Phase 6 of the Shores Subdivision, which consists of 70 lots and is zoned Planned Development District 3 (PD-3) for single-family land uses.

CHARACTERISTICS OF THE REQUEST

The applicant has submitted an application and a concept plan requesting a Specific Use Permit (SUP) for a *Restaurant with less than 2,000 SF with Drive-Through or Drive-In* for the purpose of establishing an restaurant (*i.e. HTeaO*). The concept plan indicates that the proposed restaurant will be approximately 1,800 SF with a drive-through lane beginning on the south side of the building leading to a pick-up window. The request appears to meet all of the *Residential Adjacency Standards*, but will require to provide increased landscaping along N. Goliad Street [*SH-205*] to provide headlight screening.

CONFORMANCE WITH THE CITY'S CODES

Article 13, *Definitions*, of the Unified Development Code (UDC), defines a *Restaurant with Drive Through or Drive-In* as "(a) place of business whose primary source of revenue is derived from the sale of prepared food to the general public for consumption on-premise or off-premises and/or in a personal vehicle or where facilities are provided on the premises that encourages the serving and consumption of food in a personal vehicle on or near the restaurant premises." In this case, the applicant's proposed business -- *HTeaO* -- falls under this classification. According to Planned Development District 70 (PD-70) the subject property is required to meet the General Retail (GR) District land uses -- *with some exceptions* --, and according to the *Permissible Use Charts* contained in Article 04, *Permitted Uses*, of the Unified Development Code (UDC), a *Restaurant with Drive Through or Drive-In* requires a Specific Use Permit (SUP) in a General Retail (GR) District. The purpose of this requirement is to acknowledge that not all *Restaurant* operations are appropriate within the City's General Retail (GR) Districts, and that the City Council should have discretionary oversite with regard to the types of *Restaurant* operations and their impacts within these types of districts. In addition, Subsection 02.03(f)(9) places the following additional conditions on this land use:

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

The applicant's request does appear to conform to the requirements stipulated by the Unified Development Code (UDC); however, staff has incorporated an additional condition that will require increased landscaping be planted along N. Goliad Street [*SH-205*] to provide headlight screening from N. Goliad Street [*SH-205*] and the adjacent properties. The Unified Development Code (UDC) requires headlight screening to be a minimum of three (3) feet in height. Staff requested this of the applicant, but the applicant has failed to provide the necessary changes on the submitted concept plan. Based on this, staff has added this as a condition of approval for this case.

STAFF ANALYSIS

The intent of the General Retail (GR) District is to provide limited retail and service uses for nearby residential neighborhoods. Development in these areas should not include intensive commercial land uses that carry large volumes of retail traffic. Developments should also be adequately buffered and screened from residential land uses. Since the General Retail (GR) District is located close to residential areas, the development standards are typically more stringent and similar to the Residential-Office (RO) and Neighborhood Services (NS) Districts. All of these districts are intended to create a transition from

the adjacent residential neighborhoods to less intense non-residential land uses. When reviewing this case, the proposed land use does appear to be appropriate for this location due to the separation of the subject property from the nearby residential development and its proximity to N. Goliad Street [*SH-205*] (*which is identified as a M4D [major collector, four [4] lane, divided roadway] on the City's Master Thoroughfare Plan*). With this being said, approval of a Specific Use Permit (SUP) is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On September 22, 2023, staff mailed 35 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Stone Creek Homeowner's Association (HOA), which is the only HOA/Neighborhood Organization within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted staff had received one (1) notice in favor and two (2) notices in opposition, and one (1) notice both in favor and opposition to the applicant's request.

CONDITIONS OF APPROVAL

If City Council chooses to approve of the applicant's request for a *Specific Use Permit (SUP)* for a *Restaurant with less than 2,000 SF with Drive-Through or Drive-In*, then staff would propose the following conditions of approval:

(1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:

  (a) The development of the *Subject Property* shall generally conform to the *Concept Plan* as depicted in *Exhibit 'B'* of the SUP is ordinance.

  (b) The development of the *Subject Property* shall generally conform to the *Landscape Plan* as depicted in *Exhibit 'C'* of this ordinance; however, additional landscaping shall be required around the dumpster enclosure, adjacent to N. Goliad Street [*SH-205*] -- *especially in the areas where headlights will be visible from the drive-through lane* --, and along the northern property line adjacent to the drive-through lane.

(2) The applicant shall provide an updated landscape plan showing additional landscaping shall be required around the dumpster enclosure, adjacent to N. Goliad Street [*SH-205*] -- *especially in the areas where headlights will be visible from the drive-through lane* --, and along the northern property line adjacent to the drive-through lane. The applicant shall provide this landscape plan prior to the second reading of this case.

(3) The applicant shall provide an updated landscape plan removing the crape myrtles and replacing it with a variety of accent tree that conforms to Appendix C, *Landscape Guidelines and Requirements*, of the Unified Development Code (UDC). The applicant shall provide this landscape plan prior to the second reading of this case.

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

PLANNING AND ZONING COMMISSION

On October 10, 2023, the Planning and Zoning Commission approved a motion to recommend approval of the *Specific Use Permit (SUP)* by a vote of 7-0.

DEVELOPMENT APPLICATION

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

STAFF USE ONLY
PLANNING & ZONING CASE NO.

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

Platting Application Fees:
[ ] Master Plat ($100.00 + $15.00 Acre) [1]
[ ] Preliminary Plat ($200.00 + $15.00 Acre) [1]
[ ] Final Plat ($300.00 + $20.00 Acre) [1]
[ ] Replat ($300.00 + $20.00 Acre) [1]
[ ] Amending or Minor Plat ($150.00)
[ ] Plat Reinstatement Request ($100.00)

Site Plan Application Fees:
[✓] Site Plan ($250.00 + $20.00 Acre) [1]
[ ] Amended Site Plan/Elevations/Landscaping Plan ($100.00)

Zoning Application Fees:
[ ] Zoning Change ($200.00 + $15.00 Acre) [1]
[✓] Specific Use Permit ($200.00 + $15.00 Acre) [1]
[ ] PD Development Plans ($200.00 + $15.00 Acre) [1]

Other Application Fees:
[ ] Tree Removal ($75.00)
[ ] Variance Request ($100.00)

Notes:
[1]: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

PROPERTY INFORMATION [PLEASE PRINT]

Address					
Subdivision	Stone Creek Retail Addition	Lot	12	Block	A
General Location	North East Corner of N. Goliad St and Bordeaux Dr.				

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning	PD-070	Current Use	Undeveloped
Proposed Zoning	PD-070	Proposed Use	Retail
Acreage	0.93	Lots [Current]	1
		Lots [Proposed]	2

[✓] ***SITE PLANS AND PLATS:*** *By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.*

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

[ ] Owner	Metroplex Acquisition Fund, LP	[✓] Applicant	ClayMoore Engineering
Contact Person	Staci Bowen	Contact Person	Clay Cristy
Address	1717 Woodstead Ct.	Address	1903 Central Dr.
	Ste. 207		Ste. 406
City, State & Zip	The Woodlands, TX 77380	City, State & Zip	Bedford, Texas 76021
Phone	214.343.4477	Phone	817.281.0572
E-Mail	sbowen@crestviewcompanies.com	E-Mail	Clay@claymooreeng.com

NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared Billy J. Brice III, President of Metroplex Acquisition Fund, LP [*Owner*] the undersigned, who stated the information on this application to be true and certified the following:

"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of $ 482.57 *, to cover the cost of this application, has been paid to the City of Rockwall on this the* 14 *day of* September *, 20* 23*. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."*

Given under my hand and seal of office on this the 14th *day of* September*, 20* 23

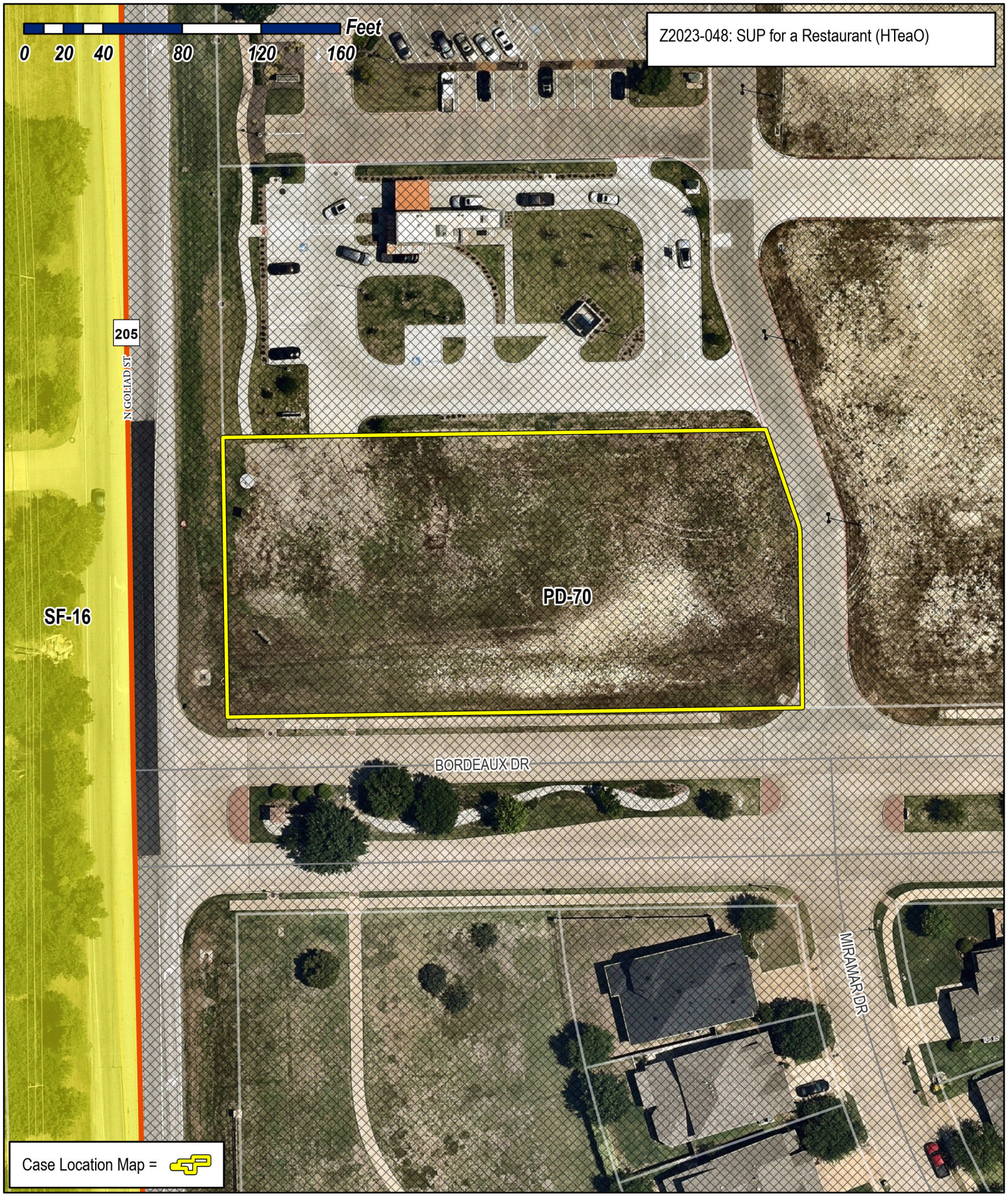
JANICE JOHNS NOTARY PUBLIC STATE OF TEXAS ID# 5753035 EXPIRES 1-27-2025

Owner's Signature

Notary Public in and for the State of Texas

Janice Johns

My Commission Expires 1-27-2025



City of Rockwall

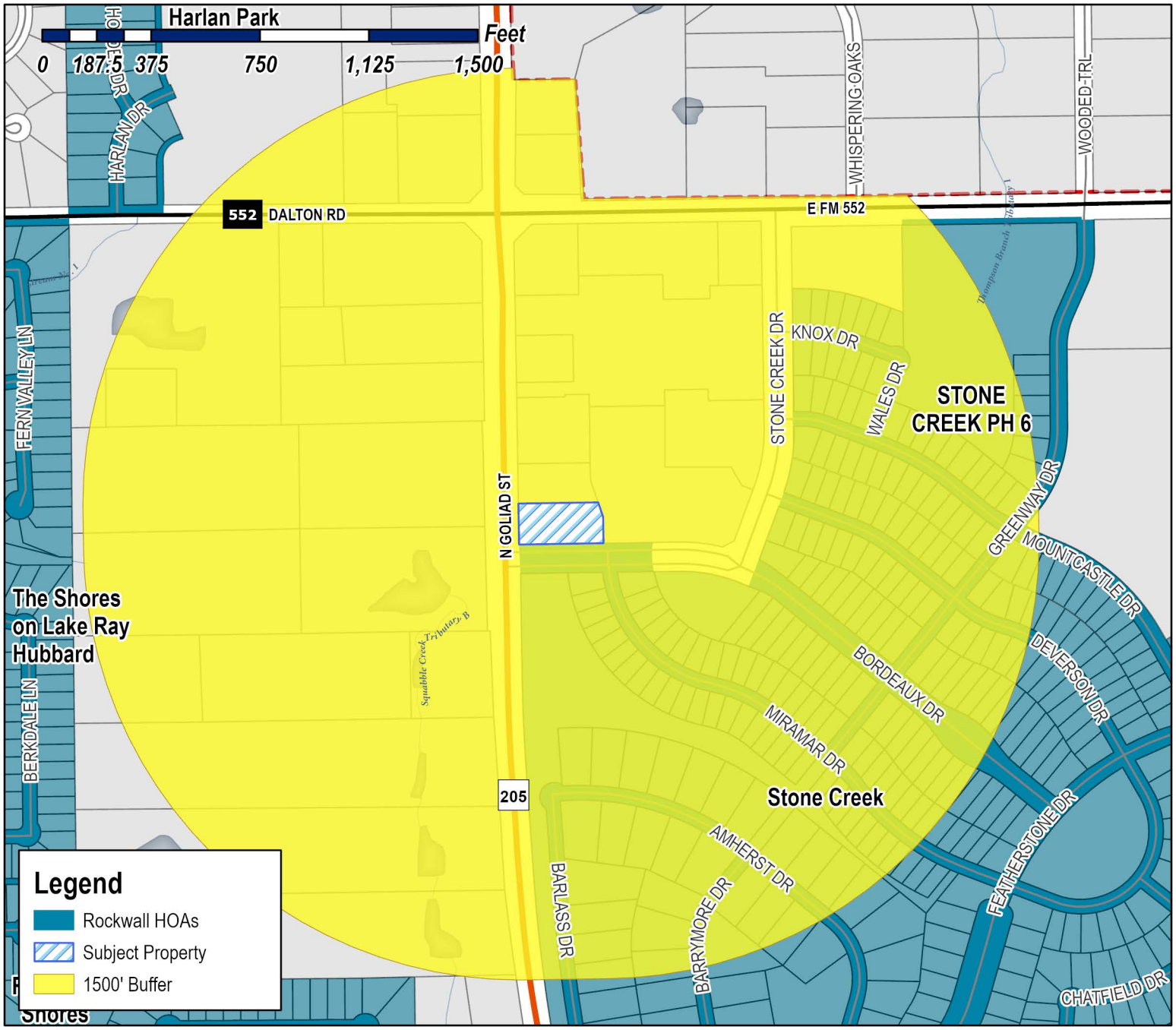
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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

City of Rockwall

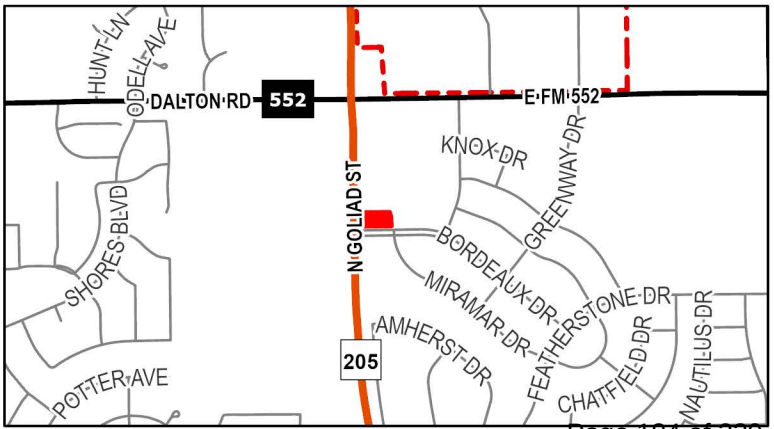
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Case Number: Z2023-048
Case Name: SUP for a Restaurant Less Than 2,000 SF w/Drive-Through
Case Type: Zoning
Zoning: Planned Development District 70 (PD-70)
Case Address: NEC of N. Goliad Street & Bordeaux Street
Date Saved: 9/15/2023

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



From:	Zavala, Melanie
Cc:	Miller, Ryan; Ross, Bethany; Guevara, Angelica; Lee, Henry
Subject:	Neighborhood Notification Program [Z2023-048]
Date:	Friday, September 22, 2023 10:30:04 AM
Attachments:	Public Notice (P&Z) (09.18.2023).pdf HOA Map (09.18.2023).pdf

HOA/Neighborhood Association Representative:

Per your participation in the Neighborhood Notification Program, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on September 22, 2023. The Planning and Zoning Commission will hold a public hearing on Tuesday, October 10, 2023 at 6:00 PM, and the City Council will hold a public hearing on Monday, October 16, 2023 at 6:00 PM. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

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

Z2023-048: SUP for a Restaurant w/ Less Than 2,000 SF
Hold a public hearing to discuss and consider a request by Clay Cristy of ClayMoore Engineering on behalf of Staci Bowen of Metroplex Acquisitions for the approval of a Specific Use Permit (SUP) for a Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In for the purpose of constructing a restaurant (i.e. HTeaO) on a 0.93-acre portion of a larger 5.16-acre parcel of land identified as Lot 13, Block A, Stone Creek Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD70) for General Retail (GR) District land uses, situated within North SH-205 Overlay (N. SH-205 OV) District, generally located at the northeast corner of the intersection of N. Goliad Street [SH-205] and Bordeaux Drive, and take any action necessary.

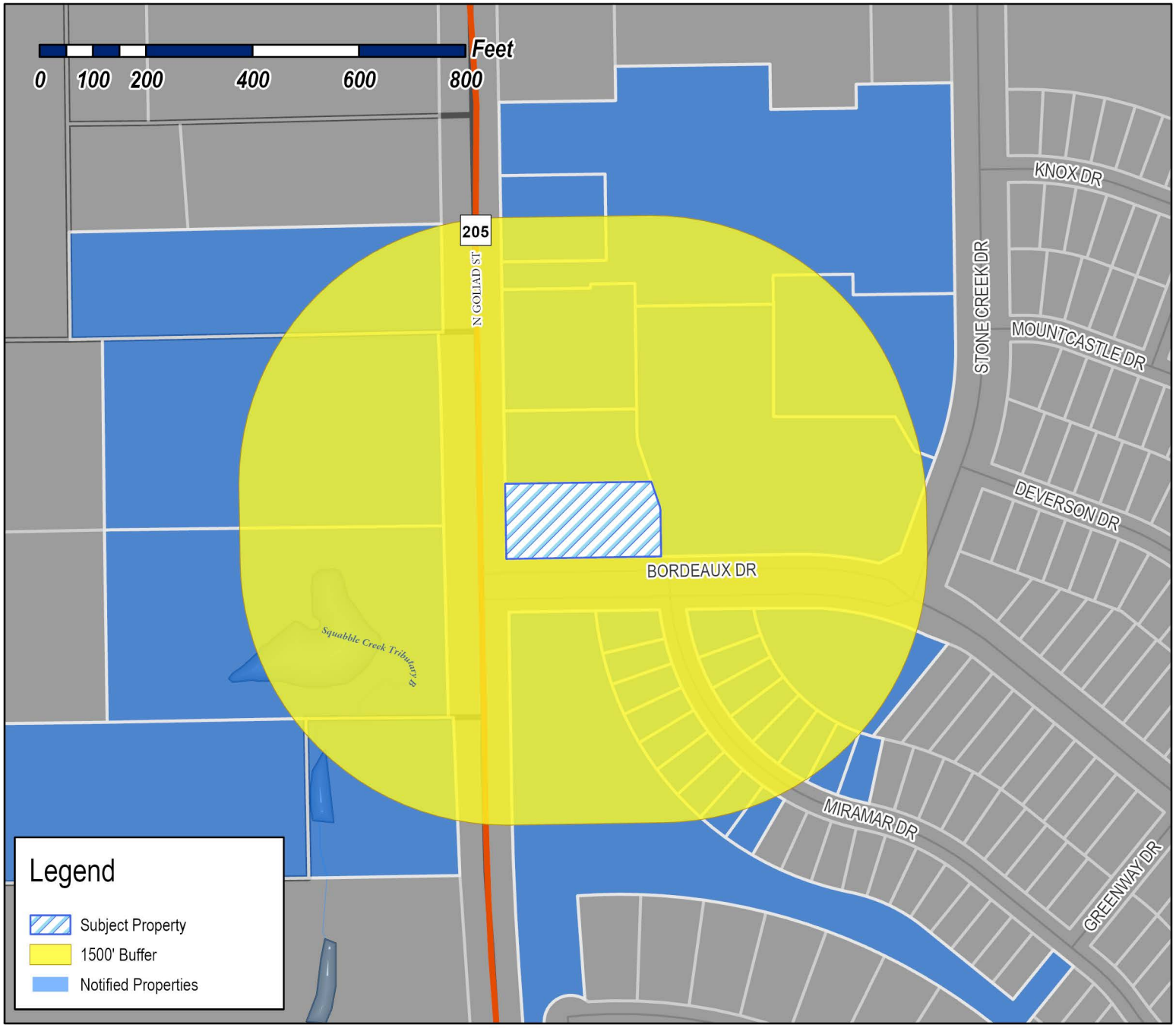
Thank You,

Melanie Zavala
Planning & Zoning Coordinator | Planning Dept. | City of Rockwall
385 S. Goliad Street | Rockwall, TX 75087
http://www.rockwall.com/
972-771-7745 Ext. 6568

City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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Case Number: Z2023-048
Case Name: SUP for a Restaurant Less Than 2,000 SF w/Drive-Through
Case Type: Zoning
Zoning: Planned Development District 70 (PD-70)
Case Address: NEC of N. Goliad Street & Bordeaux Drive

Date Saved: 9/15/2023
For Questions on this Case Call: (972) 771-7746



ROCKWALL STONE CREEK ESTATES
HOMEOWNERS ASSOCIATION INC
C/O NEIGHBORHOOD MANAGEMENT INC
1024 S GREENVILLE AVE SUITE 230
ALLEN, TX 75002

METROPLEX ACQUISITION FUND, LP
1717 WOODSTEAD CT STE 207
THE WOODLANDS, TX 77380

WEST JEFFREY A & CHANTEL M
3059 N GOLIAD STREET
ROCKWALL, TX 75087

RESIDENT
3061 N GOLIAD ST
ROCKWALL, TX 75087

STEED JASON & NATALIE MARIE
3065 N GOLIAD STREET
ROCKWALL, TX 75087

RESIDENT
3066 N GOLIAD
ROCKWALL, TX 75087

RESIDENT
3068 N GOLIAD ST
ROCKWALL, TX 75087

LIU JOHN AND CONNIE Q
3069 N GOLIAD
ROCKWALL, TX 75087

LIU JOHN & CONNIE
3069 N GOLIAD
ROCKWALL, TX 75087

RESIDENT
3070 N GOLIAD ST
ROCKWALL, TX 75087

RESIDENT
3073 N GOLIAD ST
ROCKWALL, TX 75087

RESIDENT
3074 N GOLIAD
ROCKWALL, TX 75087

RESIDENT
3077 N GOLIAD ST
ROCKWALL, TX 75087

METROPLEX ACQUISITION FUND LP
C/O RONALD DRIBBEN
357 MARIAH BAY DRIVE
HEATH, TX 75032

GEISENDORFF ALBERT G AND ANN M
3O57 N GOLIAD ST
ROCKWALL, TX 75087

NORTH ROCKWALL REAL-ESTATE LLC
6245 RYEWORTH DRIVE
FRISCO, TX 75035

VALK CATHLEEN A
794 MIRAMAR DRIVE
ROCKWALL, TX 75087

VOLL ANDREW W AND JOANNA
796 MIRAMAR DR
ROCKWALL, TX 75087

MARTIN VICTORIA C
798 MIRAMAR DR
ROCKWALL, TX 75087

MCCORMICK KEVIN & JULIA
799 MIRAMAR DRIVE
ROCKWALL, TX 75087

RESIDENT
801 BORDEAUX DR
ROCKWALL, TX 75087

FRITCHIE FAMILY REVOCABLE TRUST
RANDALL S FRITCHIE AND SANDRA L FRITCHIE-
COTRUSTEES
801 MIRAMAR DR
ROCKWALL, TX 75087

CRAWFORD KATHY
802 MIRAMAR DRIVE
ROCKWALL, TX 75087

EMBRY DAVID M AND ASHLEY
803 MIRAMAR DRIVE
ROCKWALL, TX 75087

KIM YUN HYUN & JIN HEE JUNG
804 MIRAMAR DRIVE
ROCKWALL, TX 75087

GODINEZ KAREN W
805 MIRAMAR DRIVE
ROCKWALL, TX 75087

CYPERT LYNDOL & JERE
806 MIRAMAR DRIVE
ROCKWALL, TX 75087

RESIDENT
807 MIRAMAR DR
ROCKWALL, TX 75087

BAILEY JERRY SCOTT & KAREN RENEE
808 MIRAMAR DRIVE
ROCKWALL, TX 75087

GREER KRISTEN N
809 MIRAMAR DR
ROCKWALL, TX 75087

SHING RICHARD L & IVEY D
810 MIRAMAR DR
ROCKWALL, TX 75087

HASSAN ALAA E & PATRICIA ANN HASSAN IBRAHIM
811 MIRAMAR DRIVE
ROCKWALL, TX 75087

CONFIDENTIAL
813 MIRAMAR DRIVE
ROCKWALL, TX 75087

RAJBHANDARI SANJAY KUMAR
815 MIRAMAR DRIVE
ROCKWALL, TX 75087

SN DFW LLC
8390 E VIA DE VENTURA F-110 #303
SCOTTSDALE, AZ 85258

PUBLIC NOTICE

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

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

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

Z2023-048: SUP for Restaurant w/ Less Than 2,000 SF

Hold a public hearing to discuss and consider a request by Clay Cristy of ClayMoore Engineering on behalf of Staci Bowen of Metroplex Acquisitions for the approval of a Specific Use Permit (SUP) for a Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In for the purpose of constructing a restaurant (i.e. HTeaO) on a 0.93-acre portion of a larger 5.16-acre parcel of land identified as Lot 13, Block A, Stone Creek Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD70) for General Retail (GR) District land uses, situated within North SH-205 Overlay (N. SH-205 OV) District, generally located at the northeast corner of the intersection of N. Goliad Street [SH-205] and Bordeaux Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on *Tuesday, October 10, 2023 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, October 16, 2023 at 6:00 PM*. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Angelica Guevara
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by *Monday, October 16, 2023 at 4:00 PM* to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

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

PLEASE RETURN THE BELOW FORM

Case No. Z2023-048: SUP for Restaurant w/ Less Than 2,000 SF

Please place a check mark on the appropriate line below:

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

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

Name:

Address:

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

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

Zoning & Specific Use Permit Input Form

Case Number *

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

Z2023-048

Please place a check mark on the appropriate line below *

- [x] I am in favor of the request.
- [ ] I am in opposition to the request.

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

This type of business, HTeaO, is more desirable than other businesses I have seen in such a small SQF area, i.e. Vap shops, Nail Salons, Donut shops and etc.

Respondent Information

Please provide your information.

First Name *

Richard

Last Name *

Shing

Address *

[redacted]

City *

[redacted]

State *

[redacted]

Zip Code *

[redacted]

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] Other: _____

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

- (●) I received a property owner notification in the mail.
- ( ) I read about the request on the City's website.
- ( ) I saw a zoning sign on the property.
- ( ) I read about the request in the Rockwall Herald Banner.
- ( ) My neighbors told me about the request.
- ( ) Other: _____

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Google Forms

Ross, Bethany

From: Robin Mullins [redacted]
Sent: Monday, September 25, 2023 10:06 AM
To: Planning
Subject: Opposed to Z2023-048

Robin Mullins
[redacted]

I am very much opposed to this. In our neighborhood the children have been kept at a safe distance from the retail shops and drive thrus made possible by the buffer roads keeping them on their internal tract. Stone Creek does not get the cars coming directly out of the drive thrus- the people undoubtedly digging in their laps looking for straws, unwrapping their first bites, wrestling with straw wrappers. Salad N Go's lanes have to maneuver out of the parking lot and around the establishment before reaching any actual street. McDonald's exit is out to Goliad or again through a mini maze before landing on a residential street belonging to Stone Creek.

By putting this drive thru establishment on the corner of Bordeaux, it will directly NEGATIVELY affect the safety of our children who ride bikes, walk dogs, drive golf carts, and walk to friends houses and to the swimming pool together.

Also, the turn there out of the neighborhood of Stone Creek out onto Goliad is hard enough as it is. I don't even let my new driver attempt it. Now we're going to add in those looking for a quick beverage- not the most patient group.

There is NOT that much of a need for tea. Salad N Go (LITERALLY right next door) offers specialty teas at affordable prices.
Seems redundant and the last thing we need is a failed business in a community that has just changed hands from it's developer into our own Neighborhood governing board. The visual appeal of our neighborhood has been a bone of contention recently and the homeowners are now working to regain control over retention ponds, etc.

Thank you for your attention,
Robin Mullins- resident of Stone Creek with 3 children since 2014

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

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Zoning & Specific Use Permit Input Form

Case Number *

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

Z2023-048 SUP restaurant less than 2,000 SF

Please place a check mark on the appropriate line below *

- [ ] I am in favor of the request.
- [x] I am in opposition to the request.

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

I have witnessed several near accidents cars coming out from Salad to Go & McDonalds the traffic is congested. I foresee the traffic is create a major problem. This location is not conducive for a restaurant. Cars zoom speeding out of the fast-food businesses. The side road near Bordeaux behind the businesses doesn't have any speed limit signs posted.

Respondent Information

Please provide your information.

First Name *

Victoria

Last Name *

Martin

Address *

[redacted]

City *

[redacted]

State *

[redacted]

Zip Code *

[redacted]

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] Other: _____

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

- (●) I received a property owner notification in the mail.
- ( ) I read about the request on the City's website.
- ( ) I saw a zoning sign on the property.
- ( ) I read about the request in the Rockwall Herald Banner.
- ( ) My neighbors told me about the request.
- ( ) Other: _____

This content is neither created nor endorsed by Google.

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Zoning & Specific Use Permit Input Form

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Z2023-048

Please place a check mark on the appropriate line below *

- [x] I am in favor of the request.
- [x] I am in opposition to the request.

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

Favor - if TXDOT lowers the speed limit to 40 mph from at least Dalton Rd to the south
where it becomes 35 MPH
Opposed - if the speed limit stays at 50 mph from Dalton Road to the south

Respondent Information

Please provide your information.

First Name *

Bob

Last Name *

Wacker

Address *

[redacted]

City *

[redacted]

State *

[redacted]

Zip Code *

[redacted]

Please check all that apply: *

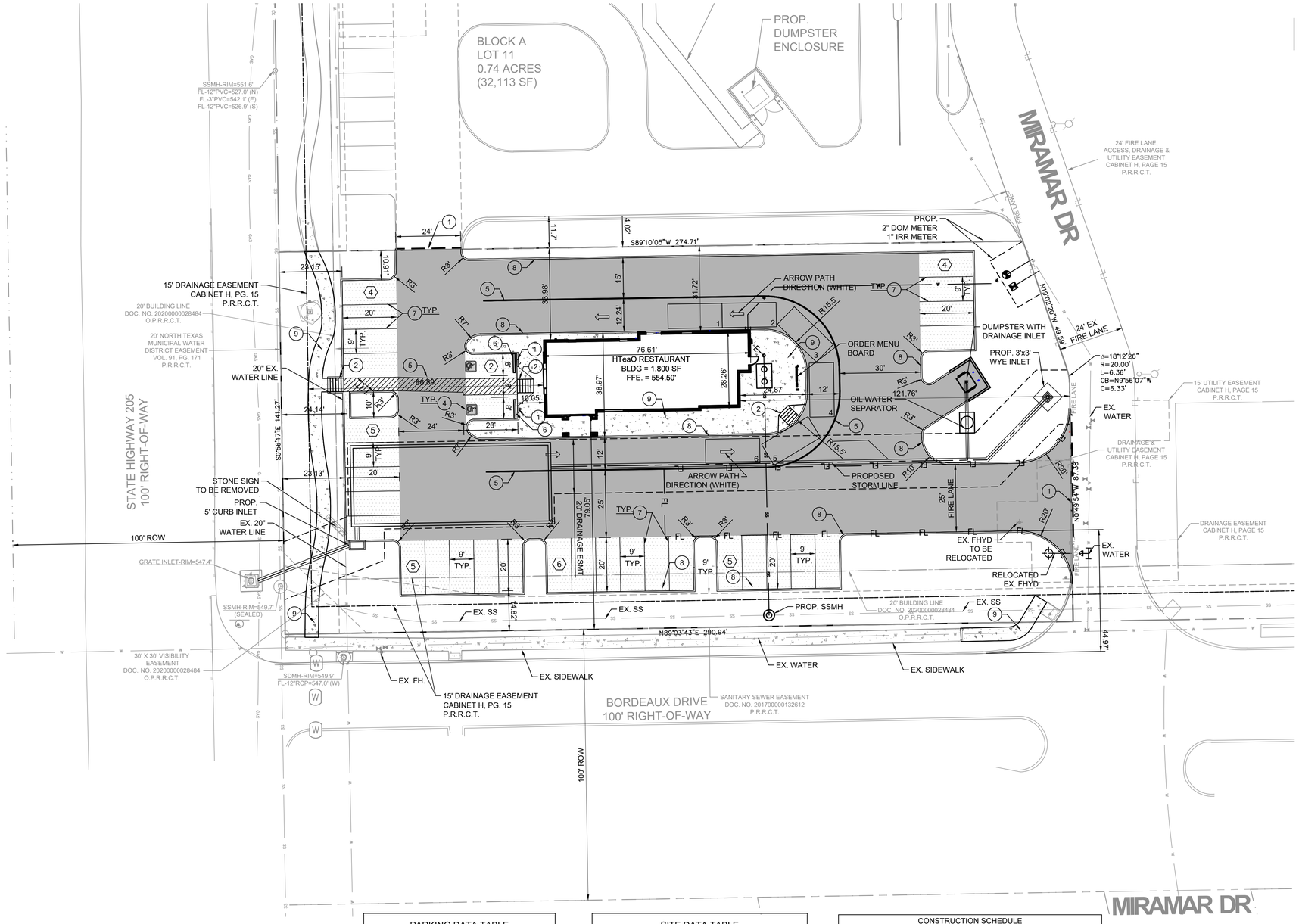
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- ○ My neighbors told me about the request.
- ◉ Other: Email notification to Stone Creek Estates HOA

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Google Forms



PARKING DATA TABLE	
PARKING REQ.	
DRIVE-THRU RESTAURANT (1,800 SF) 1/ 100 SF	18 SPACES
PARKING PROVIDED	
STANDARD PARKING	29 SPACES
ADA PARKING	2 SPACES
TOTAL	31 SPACES (2 ADA)

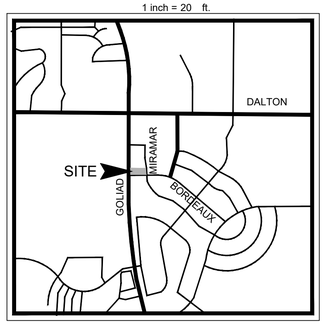
SITE DATA TABLE	
SITE AREA	0.933 AC (40,627 SF)
ZONING	PD-70
PROPOSED USE	DRIVE-THRU RESTAURANT
BUILDING SIZE	1,800 SF
BUILDING STORIES	1 STORY
TOTAL IMPERVIOUS	28,117 SF (69)

CONSTRUCTION SCHEDULE	
1	HANDICAP SIGN
2	ADA RAMP, 12:1 MAX. SLOPE
3	SAWCUT FULL DEPTH EXISTING PAVEMENT
4	HANDICAP SYMBOL
5	PAVEMENT STRIPING
6	CURB STOP
7	4" PARKING STALL STRIPING COLOR: WHITE
8	CURB & GUTTER
9	PROPOSED SIDEWALK

ALL RESPONSIBILITY FOR ADEQUACY OF DESIGN REMAINS WITH THE DESIGN ENGINEER. THE CITY OF ROCKWALL, IN REVIEWING AND RELEASING PLANS FOR CONSTRUCTION, ASSUMES NO RESPONSIBILITY FOR ADEQUACY OR ACCURACY OF DESIGN.

OWNER:
METROPLEX ACQUISITIONS FUND, LP
1717 WOODSTEAD CT. SUITE 207
THE WOODLANDS, TX 77380
CONTACT: STACI BOWEN
PH: 214.343.447

GRAPHIC SCALE
20 0 10 20 40
1 inch = 20 ft.



VICINITY MAP
N.T.S.

CONSTRUCTION SCHEDULE	
	PROPOSED 5" LIME STABLIZED STANDARD DUTY CONCRETE PAVEMENT
	PROPOSED 6" LIME STABLIZED HEAVY DUTY CONCRETE PAVEMENT
	PROPOSED 5" LIME STABLIZED SIDEWALK CONCRETE PAVEMENT
	PROPERTY LINE
	PROPOSED CONCRETE CURB AND GUTTER
FL	PROPOSED FIRE LANE, PUBLIC ACCESS AND UTILITY EASEMENT
	PROPOSED SAWCUT
31	PARKING COUNT

NOTES:
1. A SEPARATE SIGNAGE PERMIT IS REQUIRED BY THE CITY OF ROCKWALL.
2. ALL WALLS 3' IN HEIGHT OR GREATER SHALL BE DESIGNED BY AN ENGINEER, LICENSED IN THE STATE OF TEXAS.
3. ALL WALLS MUST BE ROCK OR STONE FACE. NO WALLS SHALL BE SMOOTH CONCRETE.
4. NO TREES SHALL BE PLANTED WITHIN 10' OF NON-STEEL ENCASED PUBLIC UTILITIES.
5. SOD MUST BE LAID WITHIN ALL DISTURBED R.O.W. BEFORE ACCEPTANCE OF PROJECT.
6. PROPERTY OWNER WILL BE RESPONSIBLE FOR MAINTAINING, REPAIR, AND REPLACEMENT OF THE DETENTION/DRAINAGE SYSTEMS

APPPJ MANAGEMENT

LEGAL DESCRIPTION AND OR ADDRESS:

HWY 205 & BORDEAUX DRIVE
ROCKWALL, TX 75087
0.933 AC (40,627 SF)

DEVELOPER:
APPPJ MANAGEMENT
740 AVALON DR
HEATH, TX 75032
CONTACT: JEFF IVY
PH: 214-272-4350

APPLICANT:
CLAYMOORE ENGINEERING, INC.
1903 CENTRAL DRIVE, SUITE #406
BEDFORD, TX 76021
CONTACT: CLAY CRISTY
PH: 817.281.0572

CASE NUMBER
Z2023-046

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING SITE PLAN FOR A DEVELOPMENT IN THE CITY OF ROCKWALL, TEXAS, WAS APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF ROCKWALL ON THE _____ DAY OF _____.

WITNESS OUR HANDS THIS ____ DAY OF _____.

_____
PLANNING AND ZONING COMMISSION, CHAIRMAN

_____
DIRECTOR OF PLANNING AND ZONING

TEXAS REGISTRATION #14199
CLAYMOORE ENGINEERING
PHONE: 817.281.0572
WWW.CLAYMOORENG.COM
1903 CENTRAL DR, SUITE #406
BEDFORD, TX 76021

PRELIMINARY
FOR REVIEW ONLY
Not for construction purposes.
CLAYMOORE ENGINEERING
ENGINEERING AND PLANNING CONSULTANTS
Engineer: CLAY CRISTY
P.E. No. 109804 Date 10/4/2023

HTEAO RESTAURANT
HWY 205 & BORDEAUX DR
ROCKWALL, TX 75087

No.	DATE	REVISION	BY
2	09/13/2021	STORM REVISION	LRR
1	12/07/2020	STORM REVISION	LRR

SITE PLAN

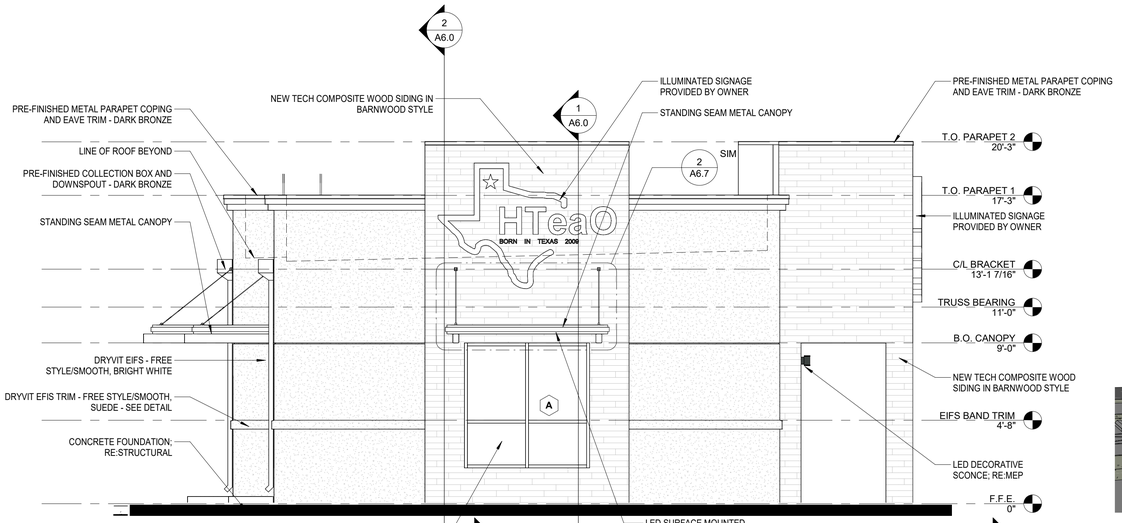
DESIGN: LRR
DRAWN: LRR
CHECKED: CLC
DATE: 10/4/2023
SHEET
SP-1
File No. 2020-021

CASE # SP2023-000

PLOTTED BY: CLAY CRISTY
PLOT DATE: 10/4/2023 12:57 AM
LOCATION: Z:\PROJECTS\PROJECTS\2023-110 APPPJ MGMT - HTEAO ROCKWALL\CADD\SHEETS\SP-1 SITE PLAN.DWG
LAST SAVED: 10/4/2023 12:55 AM

GENERAL NOTES

1. CONTRACTOR TO VERIFY ALL FINISHES WITH OWNER BEFORE ORDERING.
2. CONTRACTOR TO VERIFY ALL OPENINGS FOR DOORS AND WINDOWS BEFORE ORDERING
3. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR PROPER PREPARATION OF ALL SURFACES IN SATISFACTORY MANOR. TOUCH-UP AND/OR REFINISH OF SURFACES DAMAGED BY SUBSEQUENT WORK SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR. ALL WORK SHALL BE PERFORMED IN CONFORMANCE WITH THE MANUFACTURER'S RECOMMENDED INSTALLATION METHODS.
4. ALL GLASS SUBJECT TO HUMAN IMPACT SHALL CONFORM TO THE STANDARDS SET FORTH BY CHAPTER 24 OF THE I.B.C.



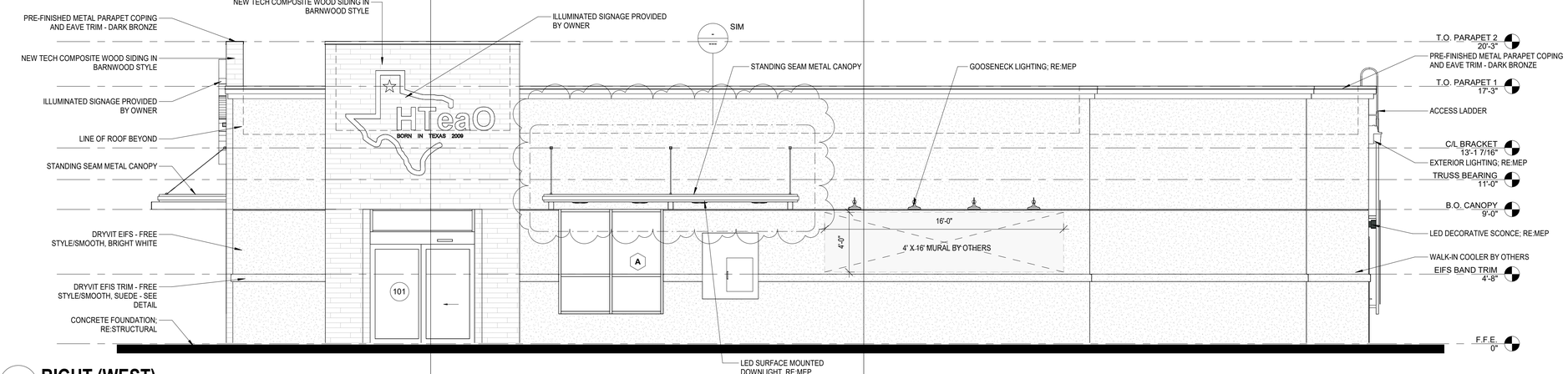
2 FRONT (NORTH)

SCALE: 1/4" = 1'-0"



3 3D View 2

SCALE:



1 RIGHT (WEST)

SCALE: 1/4" = 1'-0"

Stephen J. Kramer ARCHITECTURE DESIGN

HTEAO ROCKWALL
ADDRESS
LOCATION

NOT FOR REGULATORY APPROVAL, PERMITTING OR CONSTRUCTION

Date: **7-24-2023**
Dwn: **BRZ** Chk: **SJK**
Project No.: **2348**
Issue:

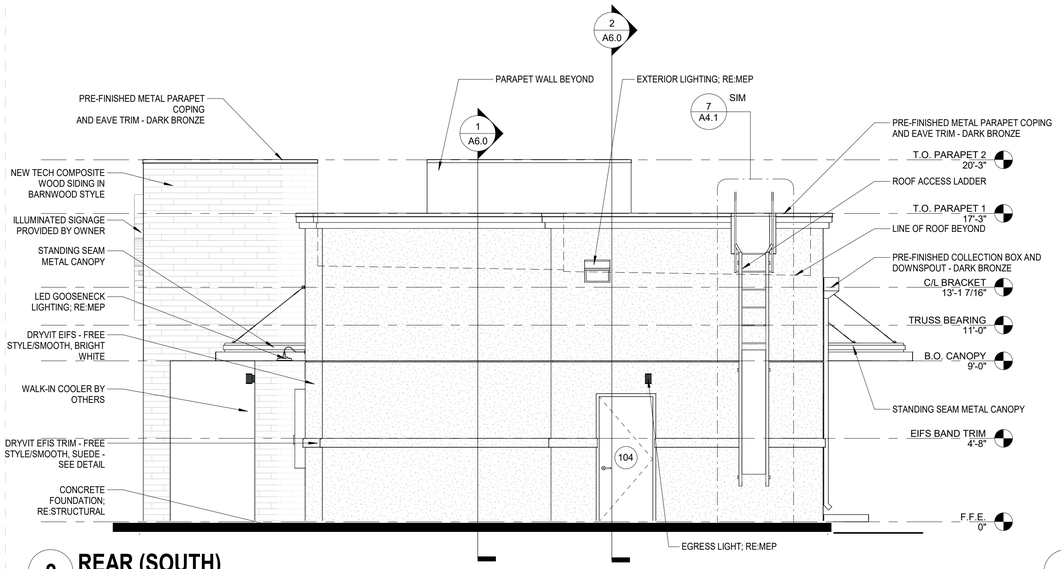
1	Revision 1	Date 1

Sheet Name:
EXTERIOR ELEVATIONS

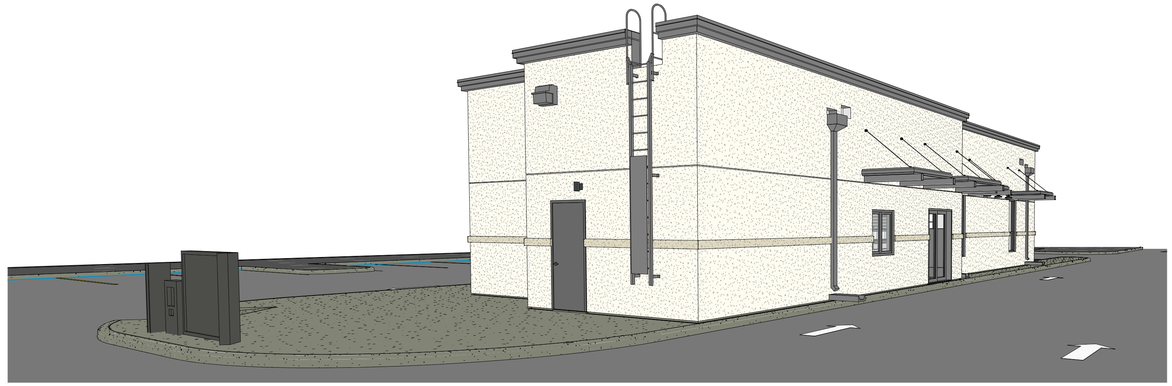
A5.0

GENERAL NOTES

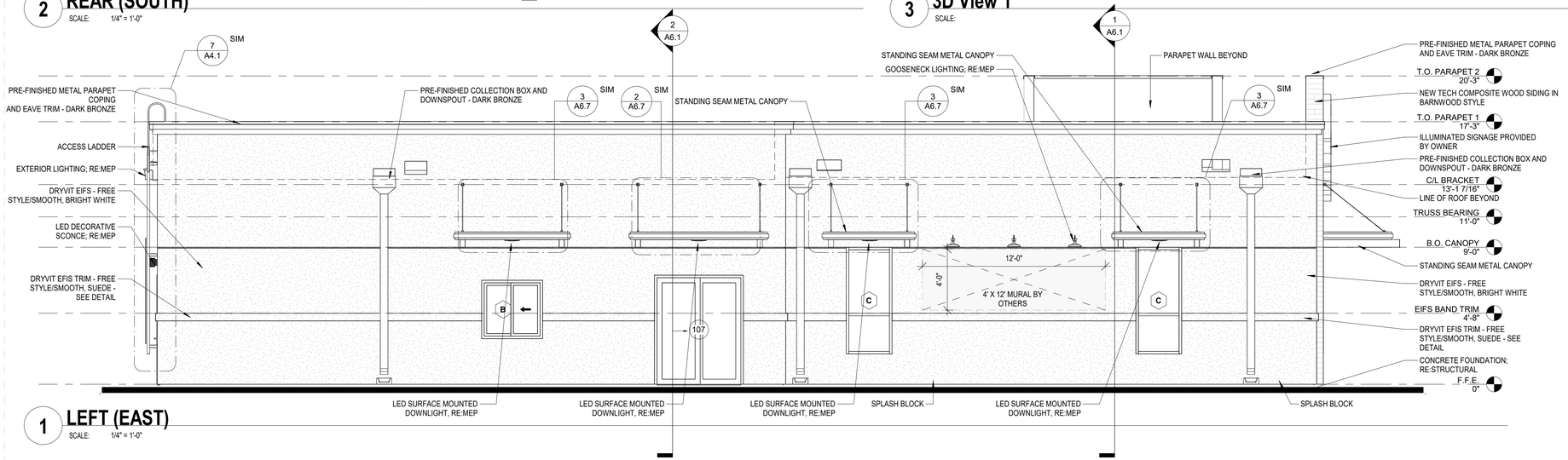
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2 REAR (SOUTH)
SCALE: 1/4" = 1'-0"



3 3D View 1
SCALE:



1 LEFT (EAST)
SCALE: 1/4" = 1'-0"

Stephen J. Kramer ARCHITECTURE DESIGN

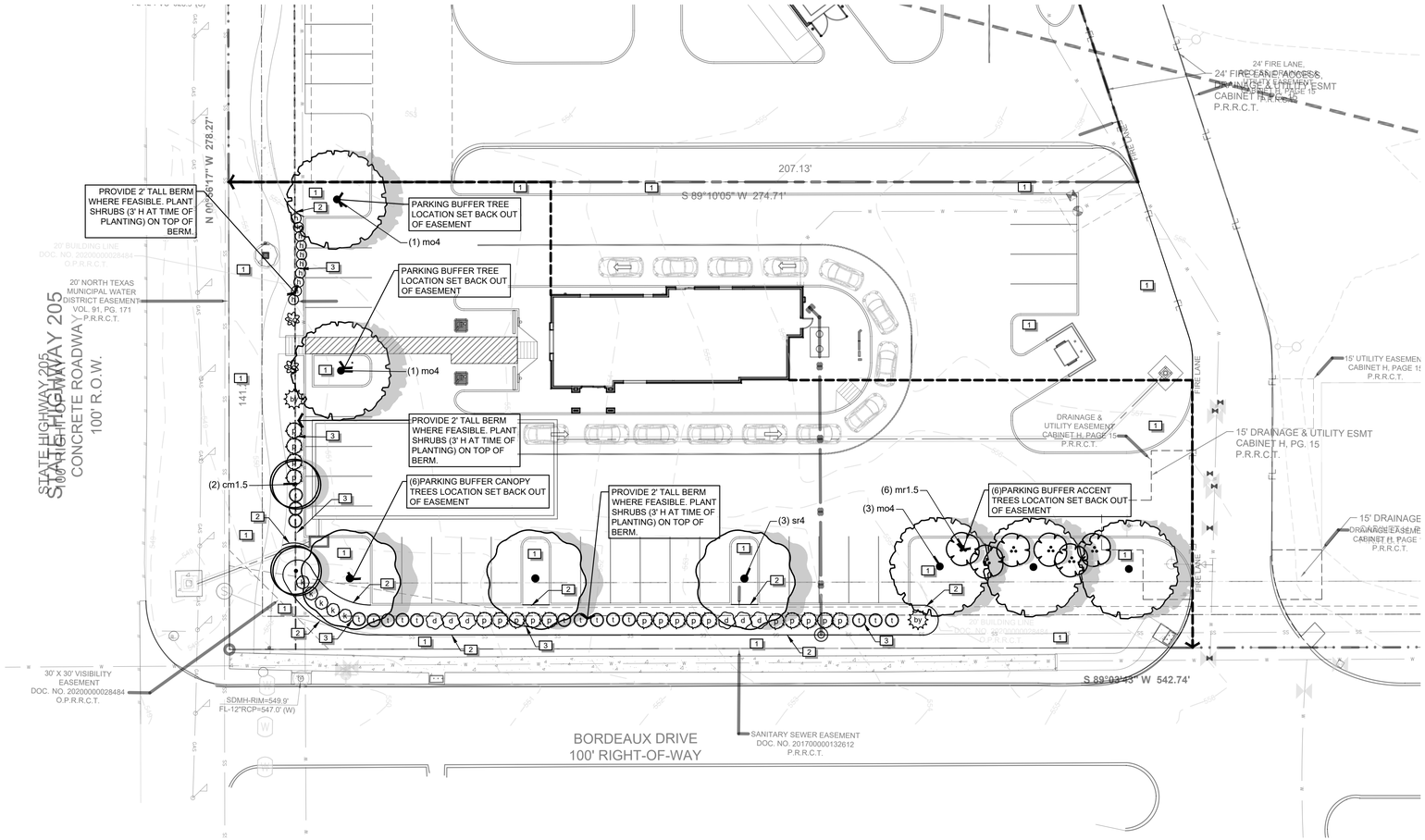
HTEAO ROCKWALL
ADDRESS
LOCATION

NOT FOR REGULATORY APPROVAL, PERMITTING OR CONSTRUCTION

Date: **7-24-2023**
Dwn: **BRZ** Chk: **SJK**
Project No.: **2348**
Issue:

Sheet Name:
EXTERIOR ELEVATIONS

A5.1



LANDSCAPE CALCULATIONS

LANDSCAPE BUFFER	REQUIRED	PROVIDED
• N Goliad Dr. (110 lf)		
•• Shade trees (1 per 50 lf)	2	2
•• Accent trees (1 per 50 lf)	2	2
• Bordeaux Dr. (291 lf)		
•• Shade trees (1 per 50 lf)	6	6
•• Accent trees (1 per 50 lf)	6	6

LANDSCAPE SCREENING	REQUIRED	PROVIDED
• Headlight Screening (shrubs and 2' tall berm)		
•• N Goliad Dr.	73 lf	75 lf
•• Bordeaux Dr.	182 lf	184 lf

LANDSCAPE REQUIREMENTS	REQUIRED	PROVIDED
• Total Site Area		42,619sf
• Amount of Landscaping (20% Total Site)	8,524sf	12,702sf
•• Location of Landscaping (50% in Streetyard)	4,262sf	9,163sf

REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION
1	Lawn, Sod
2	Steel Edge
3	Mulch

PLANT SCHEDULE

TREES	CODE	COMMON NAME	BOTANICAL NAME	CONT	CAL	SIZE	QTY
	mo4	Monterey Oak	Quercus polymorpha `Monterey`	-	4"Cal	6` H min	5
	sr4	Shumard Red Oak	Quercus shumardii	-	4"Cal	6` H min	3
ORNAMENTAL TREES	**CODE**	**COMMON NAME**	**BOTANICAL NAME**	**CONT**	**CAL**	**SIZE**	**QTY**
	cm1.5	Crape Myrtle, Muskogee	Lagerstroemia indica `Muskogee`	-	1.5"Cal	6` H min	2
	mr1.5	Mexican Redbud	Cercis canadensis mexicana	-	1.5"Cal	6` H min	6
SHRUBS	**CODE**	**COMMON NAME**	**BOTANICAL NAME**	**CONT**	**SIZE**		
by	by	Beaked Yucca, `Blue Velvet`	Yucca rostrata `Blue Velvet`	5 gal			1
d	d	Dwarf Palmetto	Sabal minor	5 gal			6
h	h	Dwarf Burford Holly	Ilex cornuta `Burfordii Nana`	5 gal			10
k	k	Knock Out Rose	Rosa acicularis `Knock Out`	5 gal			5
p	p	Pineapple Guava	Feijoa sellowiana	5 gal			19
so	so	Sotol	Dasylirion texanum	5 gal			2
t	t	Texas Sage 'Silverado'	Leucophyllum frutescens `Silverado`	5 gal			18

NORTH

0 20 40 60 feet

SCALE: 1" = 20'

Know what's below. Call before you dig.

Contractors:
email info@blairla.com with RFIs, submittals, & inspection scheduling
Schedule inspections at least 2 weeks in advance

Rev	Description	Date

Consultant Seal

Company Name and Address

William S. Blair
(512) 522-8979
info@BlairLA.com
www.BlairLA.com
100 Congress Ave.
Ste 2000
Austin, TX 78701

BLAIR LANDSCAPE ARCHITECTURE, LLC
QUALITY. INTEGRITY. RELIABILITY.

REGISTERED LANDSCAPE ARCHITECT IN THE STATE OF TEXAS
WILLIAM SCOTT BLAIR
2507

William S. Blair
September 15, 2023

Project Name and Address

HteaO | Rockwall
N Goliad Dr. and Bordeaux Dr.
Rockwall, Texas

Sheet Title

Landscape Plan

Design By: Will Blair
Checked By: xxxx
Issue Date: 09/15/2023
Project Number: 23062-LP

L1
OF 2

will blair 9/15/2023 10:42 AM d:\bla dropbox\projects\hteao, rockwall_ sj kramer, bryan zygulski, scott scarborough, sandlin\hteao, rockwall\hteao, rockwall.dwg

LANDSCAPE PLANTING SPECIFICATIONS

1) Guarantee - All labor, materials and plants will be guaranteed for a period of twelve (12) months after the final acceptance of work by Owner. All plants that have died or are unhealthy shall be replaced no later than 30 days from the anniversary date of the final acceptance. This guarantee does not apply to plant material that dies due to abnormal freezes, hail, abnormal high winds, or other acts of God, vandalism or lack of normal maintenance and watering. This guarantee does not apply to annual plantings.
2) Contractor is to verify all site dimensions and layout prior to the commencement of landscape construction. Any discrepancies between the drawings and the actual site conditions shall be brought to the attention of the owner's representative immediately.
3) Contractor is responsible for verification of the location of all underground utilities, repair to said utilities as a result of the work of the contractor shall be the responsibility of the contractor. Refer to the drawing for any additional information.
4) Contractor is responsible for maintaining positive drainage in all shrub and turf planting areas.
5) Tree pits are to be the same depth as the root ball and 24" wider. Prior to planting the tree pit should be filled with water to check for good drainage. If water does not drain the Contractor should check with the Landscape Architect to relocate the tree.
6) Trees should be positioned in the center of the tree pits, back filled with soil that was excavated from the pit until the surface is level with the surrounding area and the crown of the plant is at the finished grade. Build a water basin around the tree (36" dia.). Water until planting pit is soaked and soil has settled. Add soil necessary to bring soil level flush with surrounding ground. Fill the basin with three (3) inches of compost.
7) All plant material shall conform to the standards of the latest edition of "American Standard for Nursery Stock" by The American Association of Nurserymen and "Grades and Standards" by The Texas Association of Nurserymen. A plant shall be dimensioned as it stands in its natural position. All plants shall be at least the minimum size indicated. Larger stock is acceptable at no additional cost, and providing that the larger plants will not be cut back to size indicated.
8) It is the landscape contractor's responsibility to provide plants free of disease or pests.
9) Space specified quantity of plant materials to evenly fill designated areas, adjusting spacing indicated on the drawings as required. Landscape architect or owner to have final approval of locations of all trees, shrubs and groundcover beds.
10) Contractor is responsible for removing all clods, rocks, concrete, trash and any other debris from beds prior to adding soil ix or plant material.
11) All planting beds should have three (3) inches of compost tilled into them to a depth of six (6) inches. A three (3) inch layer of shredded hardwood bark mulch should be applied to all beds after planting is completed. Four (4) inch pots and ground cover may be planted through the mulch.
12) Contractor is responsible for removal of trash and repair of hazardous conditions (tools, open holes, et.) on a daily basis by the end of the work day.
13) Water all plantings in bed areas thoroughly on a daily basis until final acceptance.
14) To prepare turf areas treat them with a selective herbicide two weeks prior to sodding or seeding. Then rake area to remove stones, sticks and other debris. Add two (2) inches of topsoil to the turf area. Rake area to a finish grade (1" below walks and curbs).
15) If sodding is to take place the sod should be gathered and planted within a 48 hour period. Lay the sod to form a solid mass with tight fitting joints. Butt ends and sides of sod and offset joints in adjacent courses. Roll sod to ensure good contact with soil. If planting on a slope be sure to lay courses parallel to the contours and secure sod with pins if necessary. Site preparation and maintenance will be the same for hydromulching.
16) Water sod daily so as to not allow turf blades to wilt. If necessary water twice per day.
17) Apply slow release fertilizer 15-15-15 or equal at a rate of 2 lbs. per 100 s.f. to all turf or planted areas.

REFERENCE NOTE SPECIFICATIONS

LAWN AREAS - SOD / HYDROMULCH / SEED MIX

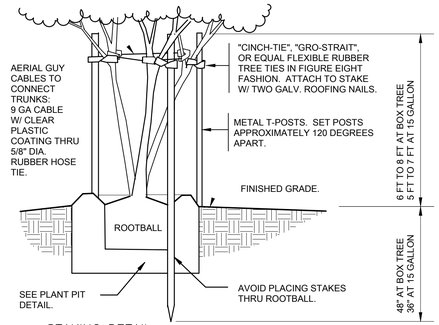
1. Lawn, Bermuda "Tif 419" Sod. Provide spray irrigation. Temporary irrigation only within septic fields or Right of Way (R.O.W.). Pre emergent weed treatment recommended.

STEEL EDGE

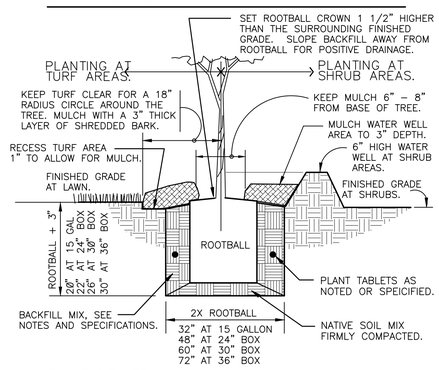
2. Steel edge, 3/16" x 4" landscape edging as manufactured by Ryerson, or equal, dark green and furnished with steel stakes. Install edging in smooth curves free of kinks. Final height of edging to be 1" above height of soil mat of sod.

MULCHES / GRAVELS / RIVER ROCK / BOULDERS

3. Mulch, Native Hardwood. 3" deep with drip irrigation. Ensure that drip line is placed above rootballs.



STAKING DETAIL



PLANT PIT DETAIL

1 TREE PLANTING MULTI–STAKE

1" = 1'-0"

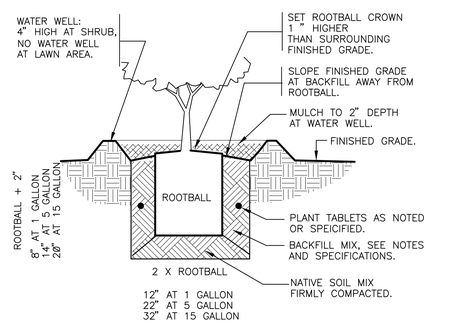
IRRIGATION SPECIFICATIONS

1) Irrigation contractor will provide pipes for sleeves and specify locations for placement of sleeves by general contractor prior to pouring concrete or laying asphalt.
2) Irrigation contractor will install all backflow prevention devices and all piping between the point of connection and the backflow preventer as per local governing authorities.
3) Find location of backflow preventer, and automatic controller location shall be approved by the owner's authorized representative.
4) 120 VAC electrical power source at controller location shall be provided by others. The irrigation contractor shall make the final connection from the electrical source to the controller.
5) All sprinkler heads shall be set perpendicular to finish grade unless otherwise specified.
6) The irrigation contractor shall flush and adjust all sprinkler heads and valves for optimum coverage with minimal overspray onto walks, streets, walls, etc.
7) Head location is the responsibility of the irrigation contractor, with the understanding that all landscape areas will receive adequate water to provide for vigorous growth of vegetation.
8) Irrigation contractor will replace or repair all items damaged by his work.
9) All work shall be installed in accordance with applicable codes and ordinances for the City of Rockwall, Texas and the National Electrical Code and all governing authorities.
10) The irrigation contractor is responsible for reporting any deficiency in water pressure that would affect the operation of the irrigation system.
11) The irrigation contractor shall be a Registered Licensed Irrigator in the State of Texas. Contractor must conform to all codes as stated in section 34 of the Texas Water Code and TNRCC.
12) All remote control valves, gate valves, quick couplers and control wire and computer cable pull pints shall be installed in approved valve boxes.
13) Irrigation Contractor shall procure all permits, licenses, and pay all charges and fees and give all necessary notices for the completion of work.
14) Contractor shall not disturb roots of existing trees. There shall be no machine trenching below the dripline of existing trees.
15) Extreme care shall be exercised in excavating and working near utilities. Contractor shall verify the location and condition of all utilities and be responsible for damage to any utilities.
16) Contractor shall clearly mark all exposed excavations, materials, and equipment. Cover or barricade trenches when the contractor is not on the site. Take all necessary precautions to protect and prevent injury to any persons on the site.
17) All automatic irrigation systems shall be equipped with a controller of dual or multiple programming. Controllers shall have multiple cycle start capacity and a flexible calendar program, including the capacity of being set to water every five days. All automatic irrigation systems shall be equipped with a rain sensor shutoff device.
18) Irrigation in Texas is regulated by the Texas Commission on Environmental Quality, www.tceq.texas.gov, (512) 239-1000

19) Contractor shall keep all construction areas and public streets free from accumulation of waste material. Upon completion of construction and prior to final approval contractor shall thoroughly clean the site of all trash, spilled soil, and litter, etc. that has resulted from landscape construction operations. Repair all damage to finish grade including tailings from excavations, wheel ruts, etc. caused from construction. All debris, trash and excess materials and equipment shall be removed from the site prior to final acceptance.
20) Remove all tags, ribbons and wires from all newly installed plant material.

LANDSCAPE MAINTENANCE REQUIREMENTS

The owner shall be responsible for:
1) Regular maintenance of all required landscape areas and plant materials in a vigorous and healthy condition, free from diseases, pests, weeds, and litter. This maintenance shall include weeding, watering, fertilization, pruning, mowing, edging, mulching or other needed maintenance, in accordance with generally accepted horticultural practice.
2) The repair or replacement of required landscape structures (walls, fences, etc.) to a structurally sound condition.
3) The regular maintenance, repair, or replacement, where necessary, of any required screening or buffering.
4) All open space areas that are to be preserved as natural plant communities shall be trimmed, at least once a year, of all exotic vegetation, lawn grasses, trash, or other debris. Natural area should be mulched, pruned and otherwise maintained so that plants are vigorous.



2 SHRUB PLANTING

1" = 1'-0"

Contractors:
email info@blairla.com with RFIs, submittals, & inspection scheduling
Schedule inspections at least 2 weeks in advance

Date | Description | Rev

Consultant Seal

Company Name and Address
William S. Blair
(512) 522-8979
info@BlairLA.com
www.BlairLA.com
100 Congress Ave.
Ste 2000
Austin, TX 78701

BLAIR LANDSCAPE ARCHITECTURE, LLC
QUALITY. INTEGRITY. RELIABILITY.

REGISTERED LANDSCAPE ARCHITECT * WILLIAM S. BLAIR * 2472 * STATE OF TEXAS

William S. Blair
September 15, 2023

Project Name and Address
HteaO | Rockwall
N Goliad Dr. and Bordeaux Dr.
Rockwall, Texas

Sheet Title
Landscape Details & Specifications

Design By: Will Blair
Checked By: xxxx
Issue Date: 09/15/2023
Project Number: 23062-LP

L2
OF 2

will blair 9/15/2023 10:45 AM d:\bla dropbox\projects\hteao, rockwall_ sj kramer, bryan zygulski, scott scarborough, sandlin\hteao, rockwall\hteao, rockwall.dwg

CITY OF ROCKWALL

ORDINANCE NO. 23-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 70 (PD-70) [*ORDINANCE NO. 19-41*] AND THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A *RESTAURANT WITH LESS THAN 2,000 SF WITH DRIVE-THROUGH OR DRIVE-IN* ON A 0.93-ACRE PORTION OF A LARGER 5.16-ACRE PARCEL OF LAND IDENTIFIED AS LOT 13, BLOCK A, STONE CREEK RETAIL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DESCRIBED IN *EXHIBIT 'A'* AND DEPICTED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS *($2,000.00)* FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Clay Cristy of ClayMoore Engineering for the approval of a Specific Use Permit (SUP) for a *Restaurant with Less Than 2,000 SF with Drive-Through or Drive-In* for the purpose of constructing a restaurant with drive-through on a 0.93-acre portion of a larger 5.16-acre parcel of land identified as Lot 13, Block A, Stone Creek Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, generally located at the northeast corner of the intersection of N. Goliad Street [*SH-205*] and Bordeaux Drive, and being more specifically described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that Planned Development District 70 (PD-70) [*Ordinance No. 19-41*] and the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall should be amended as follows:

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

SECTION 1. Planned Development District 70 (PD-70) [*Ordinance No. 19-41*] and the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for a *Restaurant*

DRAFT ORDINANCE 10.16.2023

with Less Than 2,000 SF with Drive-Through or Drive-In in accordance with Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 04.04, *General Retail (GR) District*, and Subsection 06.11, North *SH-205 Overlay (N. SH-205 OV) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] and to the requirements set forth in Planned Development District 70 (PD-70) [*Ordinance No. 19-41*] -- *as heretofore amended and may be amended in the futur*e -- and with the following conditions:

2.1 OPERATIONAL CONDITIONS

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

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

2) The development of the *Subject Property* shall generally conform to the *Landscape Plan* as depicted in *Exhibit 'C'* of this ordinance; however, additional landscaping shall be required around the dumpster enclosure, adjacent to N. Goliad Street [*SH-205*] -- *especially in the areas where headlights will be visible from the drive-through lane* --, and along the northern property line adjacent to the drive-through lane.

2.2 COMPLIANCE

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

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

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

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

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

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

DRAFT ORDINANCE No. 2023

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6th DAY OF NOVEMBER, 2023.

_____
Trace Johannessen, *Mayor*

ATTEST:

_____
Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *October 18, 2023*

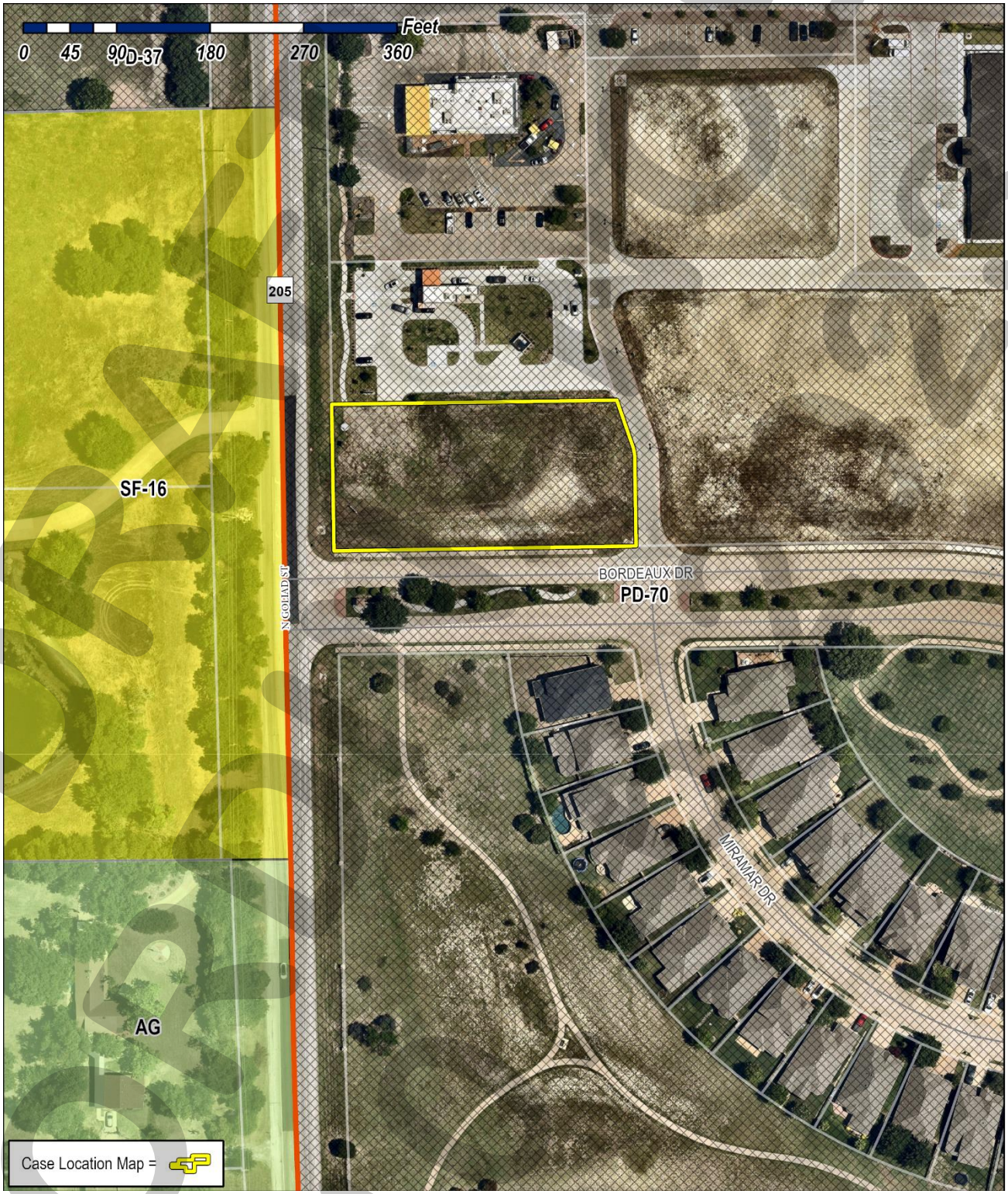
2nd Reading: *November 6, 2023*

DRAFT ORDINANCE 10.16.2023

Exhibit 'A'
Location Map

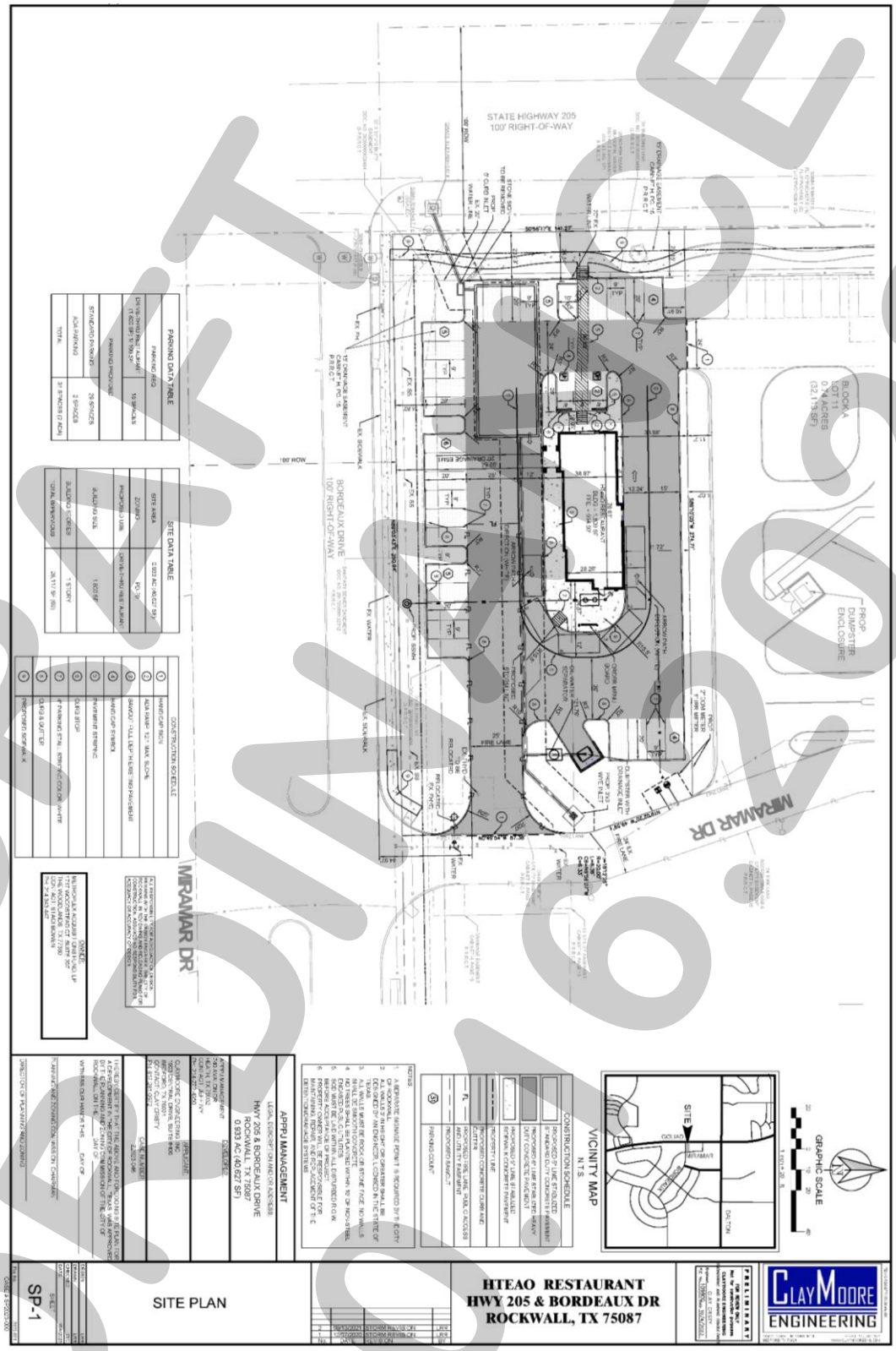
Address: *NEC of N. Goliad Street [SH-205] and Bordeaux Drive*

Legal Description: *Lot 13, Block A, Stone Creek Retail Addition*



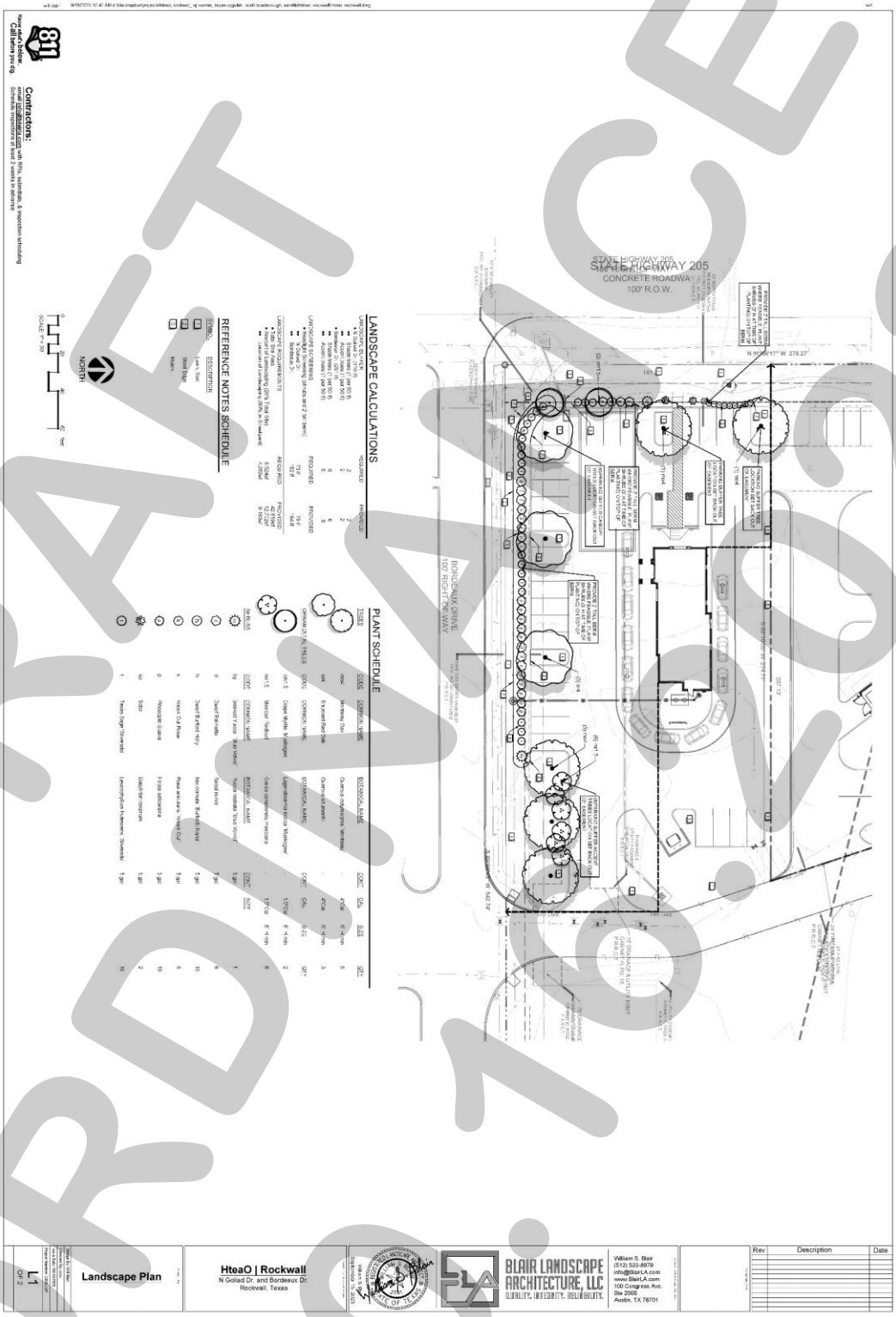
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Exhibit 'B':
Concept Plan



DRAFT
ORDINANCE
10.16.2023

Exhibit 'C':
Landscape Plan



DRAFT
ORDINANCE
10.16.2023

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Honorable Mayor and Council**

FROM: **Jeffrey Widmer, Director / Building Official**

DATE: **October 16, 2023**

SUBJECT: **Monument Sign Height and Size Variance Request**

Rockwall Independent School District Executive Director William Salee has requested to appear before the City Council to seek a variance for the height and size of two new ninth grade center monument signs.

The City of Rockwall Sign Ordinance allows monument signs to be a maximum height of seven (7) feet and a maximum size of ninety-eight (98) square feet. Mr., Salee is requesting approval to allow their proposed signs to be eleven (11) feet high and one hundred and fifty-four (154) square feet in size to allow sufficient visibility of the proposed signs.

October 5th, 2023

Ryan Miller, AICP
Director of Planning
385 S. Goliad
Rockwall, TX 75087

Rockwall ISD – Ninth Grade Campuses – Monument Sign Variance Request

Mr. Miller,

The district is in need of submitting for a sign permit for the monument signs that will be located at the district's two future ninth grade campus locations along FM1141 (North) and John King Blvd (South). In review of the site conditions for each location and the city's sign ordinance there are two variances that the district would request city staff and the city council review and consider. Due to the site setbacks, construction of the landscape berms and associated landscape elements on the berms, the district wants to ensure the signs are visible as these will be the main entry markers for the site and also contain electronic message boards for general campus and district communications.

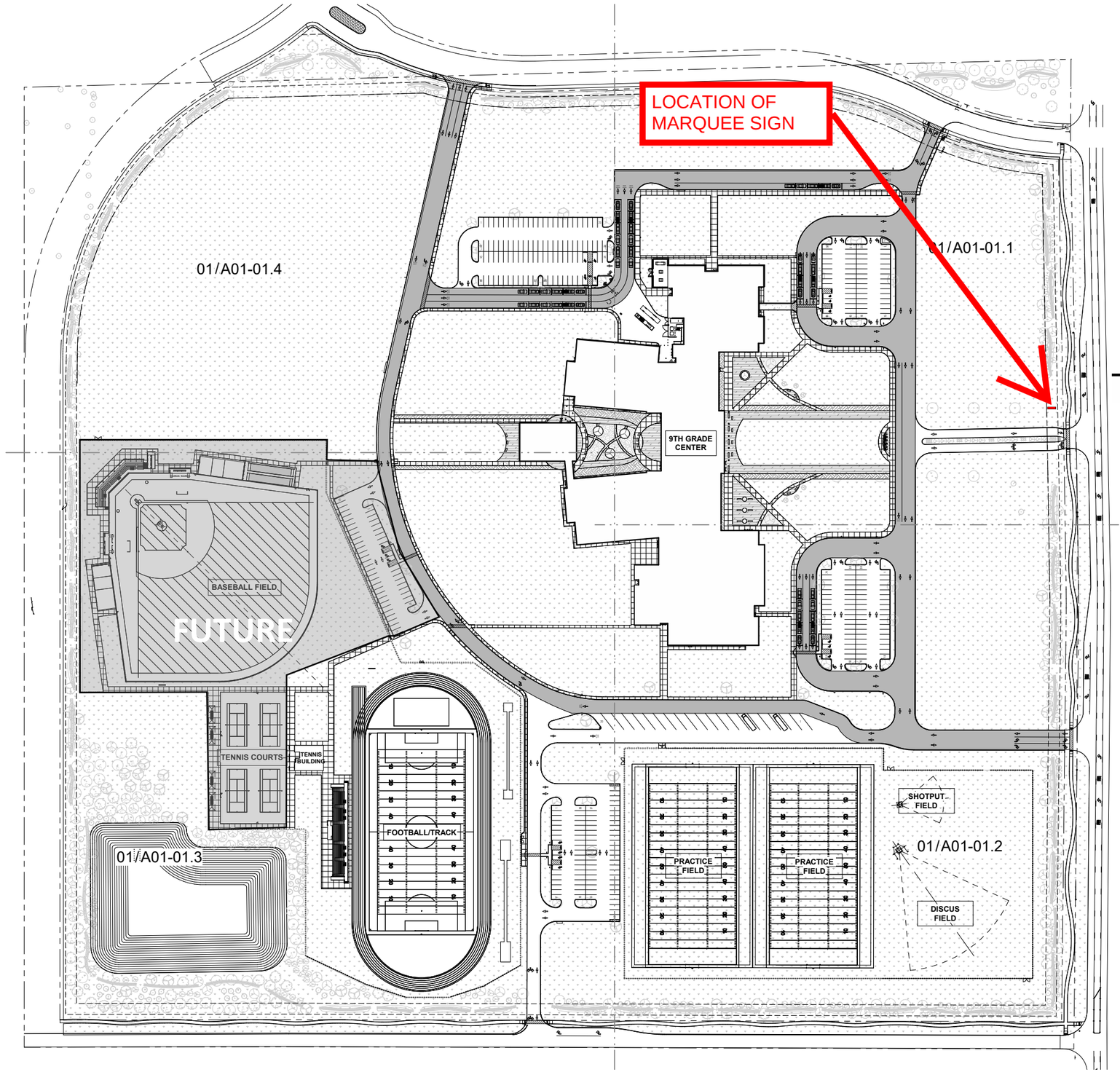
The variances the district is requesting for consideration are the following:

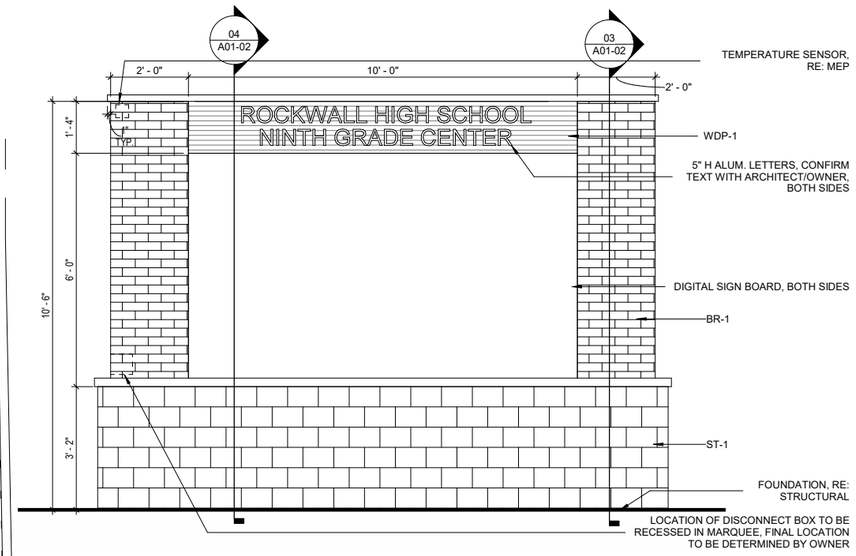
1. Sign structure square footage – The district requests that the sign structure allowable surface square footage be 154 sf per sign face. This would allow for the sign to have a base that provides adequate height so the sign is not blocked by berms or landscape. This will also help ensure the sign structure will have a proportional masonry surround to the size of the sign panel.

2. Monument sign height – The district requests that the overall sign structure allowable height be up to a maximum of 11'-0". This is in conjunction with the above request due to setbacks and berms. This would allow for the sign to contain an aluminum building lettering panel above the electronic sign for campus identification and have a base tall enough to allow sign visibility above the landscape berms.

The monument sign will comply with the required maximum size for the elctronic message board and will be below the maximum 60 sf allowed. The sign structure will be constructed of the same stone, brick, phenolic wood panels, and cast stone materials used and approved for the building.

William C. Salee
Executive Director of Operations
Rockwall Independent School District

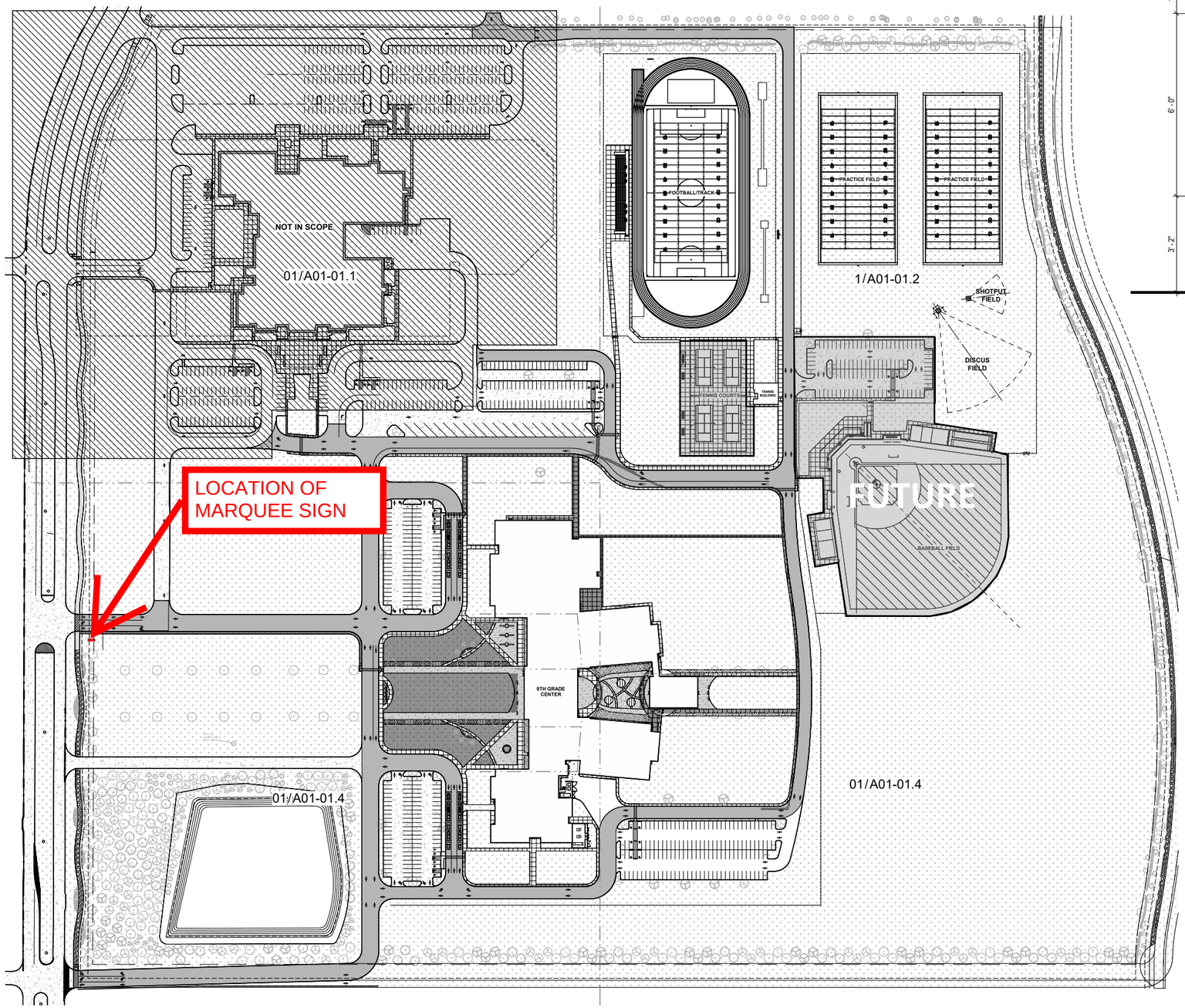


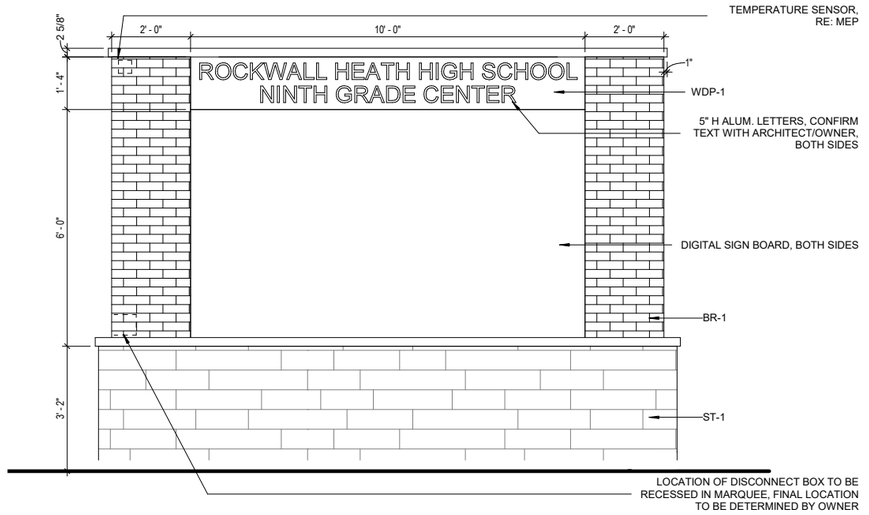


Marquee Elevation

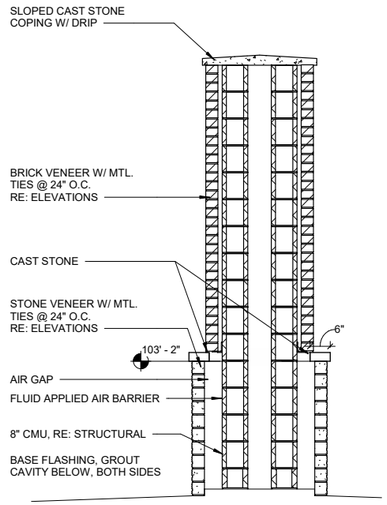
Marquee Section

Rockwall High School Ninth Grade Campus - Marquee Sign Location / Details



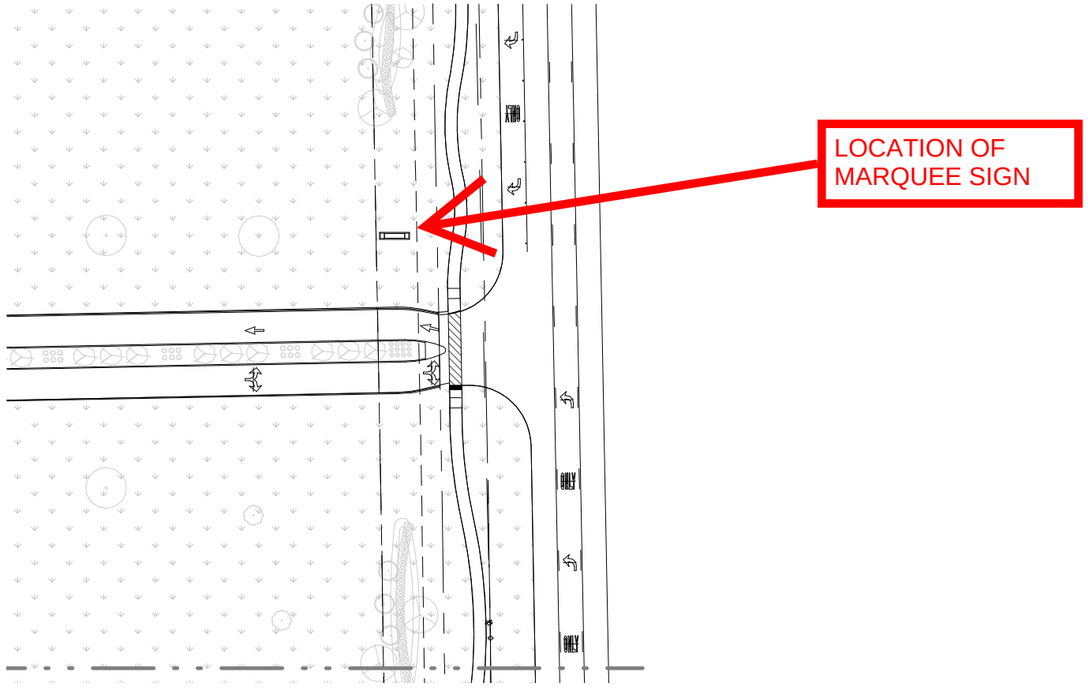


Marquee Elevation

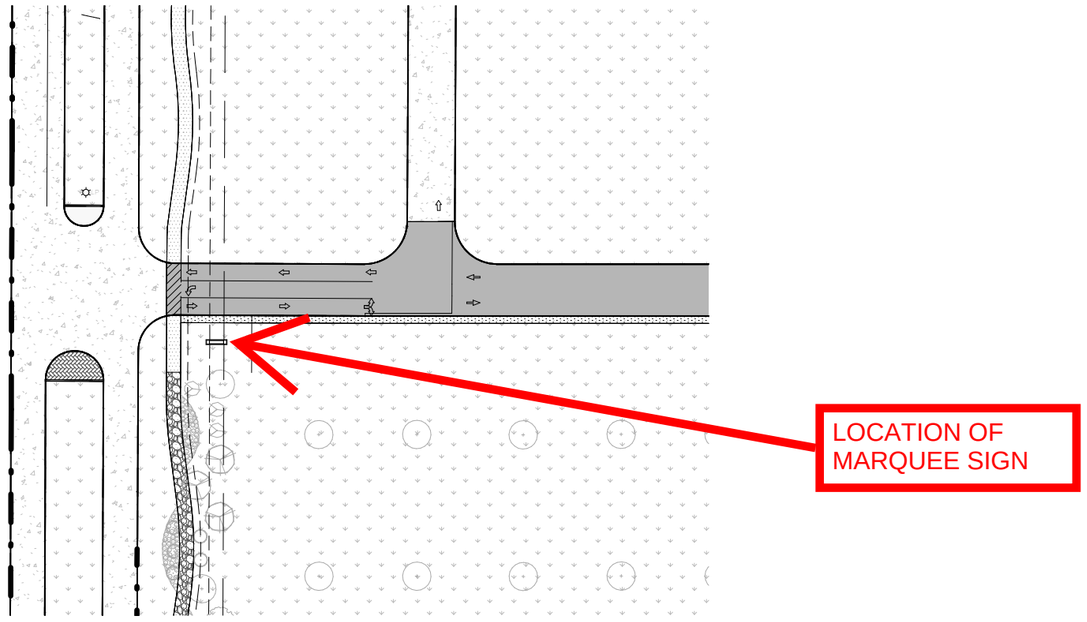


Marquee Section

Rockwall-Heath High School Ninth Grade Campus - Marquee Sign Location / Details



Rockwall High School Ninth Grade Campus - Marquee Sign Location



Rockwall-Heath High School Ninth Grade Campus - Marquee Sign Location

City of Rockwall

MEMORANDUM

TO: Mayor and City Council Members

FROM: Mary Smith, City Manager

DATE: October 16, 2023

SUBJECT: SAFER Grant Award and Associated Local Costs

The City was recently notified that we are the recipients of a second Staffing for Adequate Fire and Emergency Resources (SAFER) grant from FEMA. The grant will provide funding for 12 new Firefighters including their salary and most of their benefits for 36 months. The grant will reimburse expenses up to $3,474,847 for those 3 years with no local match for the grant. This is the same grant we received in 2020. We have until October 20th to accept the grant and must have all 12 new firefighters on the payroll by no later than March 13th.

The grant will cover the salary of each firefighter along with payroll taxes, retirement, and health insurance. It will also cover FLSA Overtime and Certification pay plus the associated payroll taxes and retirement on that income. It also does not cover the up-front costs including uniforms, PPE, annual training costs, recruiting and the small amount of modification that will be needed to Station One to accommodate a bedroom there.

Chief Cullins believes that he can recruit and onboard the 12 new firefighters by the deadline and would plan to hire all 12 at the same time.

The FY2024 budget was adopted just days before we got notice of the grant award so the budget will need to be amended to include both the full cost of the new firefighters as well as the offsetting grant revenue. With the Chief's goal to hire by the funding date we would propose to amend 6.5 months of the revenues and expenses.

With the addition of these firefighters we need to revamp the command structure a bit and are proposing to add three Batallion Chief positions which would then cause openings at the Captain level with those filled by Drivers and the Driver openings filled by firefighters. These advancement opportunites are exciting and will benefit the City for the future. Those promotional increases will need to be amended into the FY2024 budget as well. This will necessitate a $108,851 amendment to salaries and benefits.

Because the grant only covers certain expenses we've broken the total into expenses the Grant will include and those which will not be reimbursed. The annual costs are then broken down further for the 6.5 month FY2024 budget **(see following pages (2)).**

		Per FF	Cost for 12	Grant Includes	Not Included	FY2024 First Year Prorated - Grant	FY2024 First Year - Local
0107	Salaries	69,680	836,160	777,629	58,531	419,920	31,607
0109	Overtime	3,236	38,832	38,832	-	20,969	-
0113	Certifications	638	7,650	7,650	-	4,131	-
0120	FICA/Medicare	5,627	67,522	67,522	-	36,462	-
0122	TMRS	11,673	140,075	140,075	-	75,641	-
0831	Health Benefits	12,0000	144,000	14,976	129,024	8,087	69,673
0231	Health Assessment	400	4,800	-	4,800	-	4,800
0231	Active 911 App	12	144	-	144	-	144
0321	Uniforms	2,174	26,088	-	26,088	-	26,088
0379	PPE	4,754	57,048	-	57,048	-	57,048
0415	Recruiting/ Testing	729	8,745		8,745		8,745
0430	Training	125	1,500	-	1,500	-	1,500
0244	Remodel, Bed, Locker	13,000	13,000	-	13,000	-	13,000
			$1,340,564	$1,046,684	$293,880	$565,209	$207,605

ACTION:
Council is requested to consider approval of the Grant acceptance and the necessary amendments to the FY2024 Fire Operations budget for the 6.5 months at $881,665 (including promotions) and grant proceeds revenue of $565,209. The potential impact was considered when writing the budget so these costs will not come out of reserves but are rather budgeted from current revenues.

ATTACHMENTS:

None

City of Rockwall
The New Horizon

MEMORANDUM

TO: **Rockwall City Council**

FROM: **Joey Boyd, Assistant City Manager**

DATE: **October 12, 2023**

SUBJECT: **Office Space Lease Agreement / Renovation Budget**

The City of Rockwall has leased 7,150 SF of space in the Rockwall Technology Park since September 2021 where we moved the Rockwall Police Department Community Services office, Citizens on Patrol, the Traffic Unit, and other divisions of the police department. This space has provided the following benefits:

- Provides a Police Department location on the southern portion of the City now that the Interstate 30 reconstruction in underway, which is estimated to take up to 6 years to complete.
- Provides a Police Department presence in the Tech Park, providing further deterrence for criminal activity in this area.
- This site also serves as a backup IT network data center to the primary at the PD, and acts as a redundant site to run the city IT network, including finance, utilities and other important daily functions of the city in the event a natural disaster compromised or destroyed the main site on Rusk Street.
- The City Council approved purchase of a backup generator in July 2023 that will power the entire building upon loss of line power. Installation will take place in summer 2024.

The building owner, JBC Land & Cattle LLC, informed the City this spring that additional space is coming available when the current tenant vacates in November 2023. This space was studied and it was determined that it could benefit both the Rockwall Police and Fire Departments. It is proposed to move Fire Administration from Fire Station 1 and the Fire Marshal's Office from Fire Station 3 into a portion of this space, allowing for the existing space they use at the respective stations to be used for sleeping quarters for firefighters

recently approved in the SAFER Grant. And, being in the same building will allow these two functions to operate more smoothly.

The Police Department would be able to move other divisions and departmental functions to this location, including the Criminal Investigations Division, computer forensics, two Lieutenants, and the PD's training coordinator. This space would provide two interview rooms, and a more functional juvenile interview and holding room. The conference areas will provide greater space to manage criminal investigations in a more structured manner. Moving these functions from the existing police station allows for more space to be used by uniformed personnel.

Additionally, this space will provide an opportunity for the departments to grow into naturally over time as additional personnel is added while the City studies its current and future space requirements and develops a long-term comprehensive plan for city facilities. A comprehensive space plan is likely to take up to a year to complete. If a decision to call a bond election for new facilities were to be a result of a study, it is conceivable that planning, holding the election on a uniform election date, designing, bidding, and construction could take 6 to 7 years to occupy a new building if approved by voters. This assumes current inflationary economic conditions and supply chain issues become favorable in the near future.

Attached for City Council review and consideration is the office lease agreement for the Rockwall Police Department south location. The main points of the lease agreement are:

- The term is for 10 years, beginning on December 1, 2023 and ends on November 30, 2033.
- The City has a 180 day termination clause as well as the right to sublet or assign the space to a new tenant if we were to leave before the end of the term.
- The City will lease the entire 25,692 SF building, of which 23,080 SF will be used for multiple divisions of the Rockwall Police Department, Fire Department Administration, and the Fire Marshal's office.
- The City will sublease 2,612 SF of office space to the Rockwall Economic Development Corporation that they currently occupy. The REDC will pay their rent, pro-rated share of all taxes, insurance, and utilities and other related operating and common area maintenance costs to the City.
- Associated costs for rent, utilities, grounds maintenance were approved in the FY 2024 operating budget in September.
- The Landlord proposes to provide $75,000 in tenant finish out allowance.
- The monthly base rent will be frozen in year eight of the agreement, and the City will pay the same monthly base rent amount for years 8-10

Modifications of the New Space

If approved, there will need to be some modifications to the new space in order to separate the fire and police departments and secure areas shared among the departments. Security and technology upgrades will need to be made as well. Custard Construction has been selected to perform the necessary changes, which include the addition of walls, new paint, electrical, data cabling, fire protection, carpet repairs, moving / installation of doors and frames, and parking lot striping. The City has used Custard for other projects in recent years and they performed well with renovations to City Hall, The Center, and the Municipal Service Center. A contract for Custard Construction will be presented to the City Council at the next meeting for consideration upon approval of the contract with JBC and the project budget.

The City will use its existing vendors to complete access control and security measures along with IT network installation. The proposed project budget is:

Custard Construction -	$213,725
Contingency -	$25,000
Security Measures / Cameras / Access Control –	$219,925
Technology (Data / Phone / Voice) -	$50,000
Moving Furniture / Bldg. Supplies -	$20,000
Miscellaneous Cleaning and Appliances	$12,000
Total:	**$540,650**

Funding sources are Landlord Tenant Finish Allowance, General Fund Reserves, and Seized Funds.

The City Council is asked to consider:

1. Approving the contract with JBC Land & Cattle LLC for lease of office space located at 2610 Observation Trail in Rockwall, authorizing the City Manager to execute the agreement on behalf of the City.
2. Approve a project budget in the amount of $540,650 for building modifications, information technology, and security measures.

AMENDED AND RESTATED LEASE AGREEMENT

THIS AMENDED AND RESTATED LEASE AGREEMENT (the "Lease") is entered into effective as of October _____, 2023 and to commence as of December 1, 2023, by JBC Land and Cattle Company, LLC, a Texas limited liability company ("Landlord"), and the City of Rockwall, a Texas home rule city and political subdivision of the State of Texas ("Tenant").

RECITALS

A. Landlord and Tenant are parties to an existing lease for a 7,150 sq. ft. portion of the Building (as defined below) dated September 15, 2021 (the "Current City Lease").

B. Landlord and the Rockwall Economic Development Corporation are parties to an existing lease for a 2,612sq. ft. portion of the Building dated effective as of [January 1, 2019] (the "Current EDC Lease").

C. Landlord currently leases a portion of the Building to L3 Technologies, Inc. through an existing lease for a portion of the Building dated effective as of July 12, 2018 (the "Current L3 Lease"). The L3 Lease is scheduled to expire on November 30, 2023 and L3 no longer occupies the premises under such Lease but has left certain furniture, fixtures and equipment (the "L3 FF&E") in such space.

D. Tenant and Landlord now wish to amend and restate the Current City Lease so that, as of the Commencement Date, Tenant will lease the entire Building.

NOW, THEREFORE, in consideration for the mutual covenants granted herein, Landlord and Tenant agree that the Current City Lease is hereby amended and restated as follows:

1. Premises. The premises includes the 25,692 square feet of office space comprising all of the building and parking lot containing approximate 200 spaces (the "Building") located at 2610 Observation Trail, Rockwall Texas 75032. The Building is located on the land described in Exhibit "A" attached hereto (the "Land"). The Building, the Common Areas (hereafter defined) and the Land are collectively referred to herein as the "Premises" or the "Project").

a. On or before the Commencement Date, Landlord agrees to enter into a lease termination agreement with Rockwall EDC to terminate the Current EDC Lease. Such termination agreement will provide that Rockwall EDC will continue payment of rent, CAM expenses, and the reconciliation of taxes, insurance, utilities, and other lease-related expenses. Tenant does not assume or take on the liability any rent, fees, utilities costs, CAM expenses, etc. owed and due to Landlord under the Current EDC Lease.
b. Landlord further agrees and consents to Tenant entering into a sublease agreement with Rockwall EDC for the portion of the Premises previously included in the Current EDC Lease.

2. Grant of Lease. In consideration of the mutual obligations of Landlord and Tenant set forth in this Lease, Landlord leases to Tenant, and Tenant takes from Landlord, the Premises to have and to hold, subject to the terms, covenants and conditions in this Lease. During the Term (hereafter defined), Tenant shall have the exclusive right to the Premises in accordance with the terms of this Lease.

3. Term. The term of this Lease (the "Term") will begin on December 1, 2023 (the "Commencement Date") and will end at 11:59 p.m. on November 30, 2033, unless sooner terminated, renewed or extended as provided below (the "Term"). Notwithstanding the foregoing or anything else herein to this Lease, Tenant shall have the right to terminate this lease throughout the Term by providing Landlord 180 days written notice. Upon such termination, the parties will be mutually released of their obligations under this Lease, except that Tenant will be responsible for the payment of Rent up to the date of termination.

4. Landlord Improvements. Landlord agrees to make the leasehold improvements described in Exhibit "C" to the space previously included in the L3 Lease. Landlord agrees to bear the cost for such improvements up to $75,000.

SECTION 1
BASIC LEASE INFORMATION

This Lease is made on and subject to all of the provisions, terms, covenants and conditions set out by below.

A.	Base Rent:	See Exhibit "B" attached to this Lease.
B.	Security Deposit:	$NA
C.	Permitted Use:	General office use and indoor police training purposes, all in accordance with
		applicable laws, and for no other use.
D.	Address of Landlord:	JBC Land and Cattle Company
		2905 Dublin Road
		Parker, Texas 75002
		johnchisolm@verizon.net
E.	Address of Tenant:	City of Rockwall
		385 S. Goliad Street Rockwall Texas 75087 Attn: City Manager
F.	Base Year	N/A
G.	Common Areas:	All areas, improvements, facilities and equipment from time to time designated by Landlord for the general and non-exclusive common use or benefit of Tenant, Landlord and their respective agents and employees, including but not limited to roadways, entrances and exits, parking lots, hallways, stairs, loading areas, landscaped areas, open areas, park areas, exterior lighting, service drives, walkways, sidewalks, ramps, maintenance and utility rooms and closets, exterior utility lines, lobbies, common walls, common ceilings, common trash areas, vending or mail areas, common pipes, conduits, ducts and wires, and on-site parking areas.
H.	TENANT'S PRO RATA SHARE	shall mean the percentage computed from the fraction equal to the Rentable Square Feet within the Premises, divided by the total Rentable Square Feet in the Project. As of the Effective Date, Tenant's Pro Rata share is 100%.

SECTION 2
SUPPLEMENTAL TERMS, COVENANTS AND CONDITIONS

Landlord leases the Premises to Tenant and Tenant accepts and agrees to use and possess the Premises on the following Supplemental Terms, Covenants and Conditions. References below to the "Basic Lease Information" are references to the information set out above. If a conflict exists between the Basic Lease Information and the provisions below, the provisions below will control.

1. Rent. Tenant will pay Landlord, without demand, setoff or deduction except as otherwise expressly provided herein, a base monthly rental (the "Base Rent") as specified on Exhibit "B" of this Lease, attached hereto

and incorporated herein by this reference. The Base Rent will be due on the first (1st) day of each calendar month during the Term. Tenant will pay all amounts due to Landlord under this Lease at the address specified in the Basic Lease Information or elsewhere as designated from time to time in written notice from Landlord to Tenant; and all amounts payable by Tenant under this Lease in addition to Base Rent are additional rentals, excluding only any amounts expressly designated as not being rent.

2. Renewal Terms. Intentionally deleted.

3. Use of the Leased Premises. Tenant will use and occupy the Premises continuously throughout the Term for the Permitted Use specified in the Basic Lease Information and for no other purpose. Tenant must use and maintain the Premises in a clean, careful, safe and proper manner and in compliance with all applicable laws (including environmental protection laws), ordinances, orders, rules and regulations of all governmental bodies pertaining to Tenant's use thereof. Tenant will not in any manner deface or injure the Premises or overload the floors of the Building; and Tenant must pay Landlord on demand, within 5 days of written notice therefor, for any damage occurring to the Premises during the Term for which Tenant is responsible hereunder and which Tenant fails to repair in accordance with the provisions of this Lease. Tenant will conduct its business and occupy the Premises and will control its agents, employees, licensees and invitees in a manner that will not create any nuisance or unreasonably interfere with, annoy or disturb any of the owners or occupants of surrounding properties. Notwithstanding anything to the contrary contained in this Lease, Tenant shall not be responsible for (a) the repair of any damage caused by Landlord or any other occupant of the Project not claiming through Tenant or any of their respective agents, employees, licensees, contractors and invitees, (b) the remediation of any environmental hazard or condition that is not caused by Tenant or its agents, employees, licensees, contractors or invitees, or (c) making any alterations to the Premises or any other part of the Project to comply with any applicable laws, ordinances, orders, rules and regulations of any governmental body that is not necessitated by Tenant's specific use of the Premises.

4. Condition and Acceptance of the Leased Premises. The occupancy of the Premises by Tenant shall constitute the acknowledgment and agreement of Tenant that Tenant has inspected the Premises, that Tenant is fully familiar with the physical condition of the Premises, that Tenant has received the same in good order and condition and that the Premises comply in all respects with the requirements of this Lease and are specifically suitable to Tenant's purpose. LANDLORD AND TENANT AGREE THAT LANDLORD MAKES NO WARRANTIES WHATSOEVER, WHETHER EXPRESS OR IMPLIED, CONCERNING THE REPAIR OR CONDITION OF THE PREMISES OR THE FITNESS OR SUITABILITY OF THE PREMISES FOR TENANT'S INTENDED USE, OTHER THAN AS EXPRESSLY SET FORTH IN THIS LEASE. TENANT HEREBY EXPRESSLY AND SPECIFICALLY WAIVES ALL SUCH WARRANTIES THAT ARE NOT EXPRESSLY SET FORTH HEREIN. TENANT HEREBY ACCEPTS THE PREMISES "AS IS, WHERE IS" WITH ALL FAULTS, SUBJECT TO THE EXPRESS REPRESENTATIONS AND WARRANTIES OF LANDLORD SET FORTH HEREIN AND THE MAINTENANCE OBLIGATIONS OF LANDLORD IN THIS LEASE.

5. Payment of Taxes and Insurance. Tenant will pay to Landlord, as additional rent in addition to the Base Rent, Tenant's Proportionate Share (hereafter defined) of all "Taxes" and "Insurance Costs" (both as defined below). For purposes hereof, "Tenant's Proportionate Share" means the percentage calculated by dividing the total square footage of the Premises by the total leasable square footage of the Building. During the Term of this Lease, Tenant shall pay monthly to Landlord, simultaneously with the delivery of Base Rent, an amount equal to $1/12^{th}$ of Landlord's good faith estimate of (i) Tenant's Proportionate Share of the annual Taxes due for the applicable tax year, and (ii) the annual Insurance Costs for the applicable calendar year. The amount being paid hereunder shall be recalculated on the anniversary of the Commencement Date during the Term of this Lease based upon Landlord's good faith estimate of the actual or estimated Taxes or Insurance Costs expected to be incurred during the ensuing 12 months, but any such recalculation shall not be effective until 30 days after Tenant's receipt of written notice thereof. For any partial calendar year during which this Lease is effective, Tenant's Proportionate Share of Taxes and Insurance Costs will be prorated accordingly. As used herein, "Taxes" shall mean all taxes and assessments, special or ordinary, and all other impositions of every kind and nature whatsoever (including, without limitation, any transit tax, sewer rents, impact fee, and school district assessments), which may be levied, assessed, charged or imposed upon the Project or any personal property owned or leased by Landlord and used therewith, together with all fees and costs incurred by Landlord for the purpose of contesting or protesting the amounts or rates of Taxes. Taxes shall not include any income,

excess profit, franchise, capital stock, estate or inheritance tax payable by Landlord except as specifically provided in the next sentence. If at any time during the Lease Term the method of taxation prevailing at the Commencement Date shall be altered so that any new or additional tax assessment, levy, imposition, or charge, or any part thereof, shall be imposed in place or partly in place of any Taxes or contemplated increase therein, including without limitation any tax, assessment, levy, imposition or charge on Rent, then all such taxes, assessments, levies, impositions or charges shall be deemed to be Taxes for the purpose hereof, to the extent that such Taxes would be payable if the Project was the only property of Landlord subject to such tax. If any assessments constituting Taxes are or may be payable to the applicable taxing authority in installments over more than one calendar year then, to the extent permitted by its lender, Landlord shall cause such Taxes to be paid in installments, and only those installments (plus any interest thereon) payable during a calendar year in which the Lease Term falls shall be included in Taxes for such calendar year in which payment is due. Otherwise, Taxes "for" a calendar year shall be deemed to refer, at Landlord's option, either to Taxes payable in such calendar year or to Taxes levied, assessed or otherwise accrued or imposed for such calendar year without regard to when such Taxes are payable. Taxes shall not include interest and penalties for late payment, except to the extent that such penalty or interest is attributable to Tenant's failure to remit on a timely basis Tenant's Pro Rata Share of Taxes. If such interest or penalty is attributable solely to Tenant's failure to remit Tenant's Pro Rata Share of Taxes, then Tenant shall be solely responsible for payment of such interest and/or penalty. If such interest or penalty is attributable to such failure by Tenant and to other tenants' failure to pay their pro rata share of Taxes, Tenant shall pay its proportionate share of the amount of such interest and/or penalty. As used herein, "Insurance Costs" means all costs and expenses incurred by Landlord for insurance covering the Premises, in such amounts and with such companies as it shall deem advisable in its commercially reasonable discretion, considering the nature, size and location of the Project, including, without limitation, all premiums due under insurance covering the Project in an amount not less than ninety percent (90%) (or such greater percentage as may be necessary to comply with the provisions of any co-insurance clauses of the policy) of the "replacement cost" thereof as such term is defined in the Replacement Cost Endorsement to be attached thereto, insuring against perils of Fire, Lightning, Extended Coverage, Vandalism and Malicious Mischief, extended by Special Extended Coverage Endorsement to insure against all other Risks of Direct Physical Loss. All such coverages and endorsements shall be as defined, provided and limited in the standard bureau forms prescribed by the insurance regulatory authority for the State of Texas for use by insurance companies admitted in such state for the writing of insurance on risks located within such state. All amounts paid by Tenant based on Landlord's estimate shall be subject to adjustment as provided in Paragraph 7 of this Lease when actual Taxes and Insurance Costs are available for each calendar year.

6. Maintenance and Repairs.

(a) **Landlord's Maintenance.** Landlord shall, at its cost and expense (i) maintain the foundation and exterior walls (excluding windows, glass or plate glass and entry doors), (ii) the roof (including skylights); (iii) all structural and load bearing elements of the Building and (iv) fire suppression systems located within and/or serving the Building or any part thereof in good condition and repair. Tenant shall give Landlord written notice of the need for repairs within the Premises promptly after Tenant becomes aware of such condition.

(b) **Tenant's Maintenance.** Except as provided in Paragraph 6(a), Tenant will, at its own expense, keep the Premises in good and safe order, condition and repair and in compliance with all applicable laws (including environmental laws), ordinances, orders, rules and regulations of all governmental bodies and in a clean and sanitary condition, including (i) windows, plate, glass or plate glass and entry doors, (ii) gutters and downspouts, (iii) all water lines, sewage lines and plumbing, mechanical, electrical, heating and air conditioning systems and equipment, (iv) the interior surfaces of the ceilings, walls and floors, all interior doors, and all furnishings and special items and equipment installed by or at the expense of Tenant and (v) the Common Areas. Tenant shall be responsible for its own janitorial service and for the maintenance, repair and replacement of any supplemental HVAC equipment separate from the main HVAC system for the Building installed by Tenant and solely serving the Premises. Landlord acknowledges and agrees that Tenant may use its own employees for Tenant's janitorial and maintenance of the Premises.

7. Intentionally Deleted.

8. Utilities.

(a) Landlord will at all times during the Term furnish to Tenant at the Premises (i) normal water, wastewater and electricity service sufficient for general office use at the Premises, and (ii) HVAC at such temperatures and in such amounts as are standard for comparable buildings in the vicinity of the Building.

(b) Landlord shall use reasonably diligent efforts to restore any service required of it that becomes unavailable; however, no interruption or malfunction of any utility service caused by factors beyond Landlord's control shall constitute an eviction or disturbance of Tenant's use or possession of the Premises or a breach by Landlord of any of Landlord's obligations hereunder or render Landlord liable or responsible to Tenant for any damage which Tenant may sustain or incur or entitle Tenant to be relieved from any of Tenant's obligations hereunder, including, without limitation, the obligation to pay rent, or grant Tenant any right to set-off, abatement, or recoupment. The failure by Landlord to furnish, or any slowdown, stoppage or interruption of, any utility service resulting from causes beyond the control of Landlord, including without limitation, Landlord's compliance with any voluntary or similar governmental or business guidelines now or hereafter published or any requirements now or hereafter established by any governmental agency, board or bureau having jurisdiction over the operation of the Building, shall not render Landlord liable in any respect for damages to either persons, property, or business, or be construed as an eviction of Tenant or work an abatement of rent, nor relieve Tenant of Tenant's obligations for fulfillment of any covenant or agreement hereof. Notwithstanding the foregoing, if Tenant is prevented from using the Premises because of the unavailability of any such service for a period of five (5) consecutive days following Landlord's receipt from Tenant of a written notice regarding such unavailability, the restoration of which is within Landlord's reasonable control, and such unavailability was not caused by Tenant or a governmental directive, then Tenant shall be entitled to a reasonable abatement of rent for each consecutive day (after such 5-day period) that Tenant is so prevented from using the Premises. If such interruption continues for a period of 30 consecutive days or more, then Tenant may terminate this Lease with no penalty by written notice to Landlord delivered at any time prior to the restoration of the interrupted services, whereupon neither party shall have any further obligations hereunder (except for any obligations expressly surviving such termination hereunder).

(c) Tenant will directly establish accounts with utility providers and pay all costs and expenses incurred for water, wastewater and electricity used at the Project (collectively, the "Utility Costs"). For any partial calendar year during which this Lease is effective, Tenant's obligation for Utility Costs will be prorated accordingly.

9. Alterations and Additions. Tenant shall not make any alterations, additions or improvements to the Premises without the prior written consent of Landlord. Tenant, at its own cost and expense, may erect such shelves, bins, machinery and trade fixtures as it desires provided that: (a) such items do not alter the basic character of the Premises or the Building and/or improvements of which the Premises are a part; (b) such items do not overload or damage the same; (c) such items may be removed without injury to the Premises; and (d) the construction, erection or installation thereof complies with all applicable governmental laws, ordinances, regulations and with Landlord's specifications and requirements. All alterations, installations, removals and restoration shall be performed in a good and workmanlike manner so as not to damage or alter the primary structure or structural qualities of the Building and other improvements situated on the Premises. All alterations, additions and improvements made to or fixtures placed in the Premises (other than movable office furniture and equipment not attached to the Building and Tenant's trade fixtures) will be deemed a part of the Building and the property of Landlord when placed in the Premises

10. Signs. Any signage Tenant desires for the Premises shall be subject to Landlord's written approval and shall be submitted to Landlord prior to the commencement date of this Lease; provided, however, that Landlord hereby approves Tenant's current exterior monument sign at the Project and agrees that Tenant shall be permitted to maintain such sign, at no additional cost to Tenant, for the duration of this Lease. Tenant shall not (i) make any changes to the exterior of the Premises, (ii) install any exterior lights, decorations, balloons, flags pennants, banners or painting, or (iii) erect or install any signs, windows or door lettering, placards, decorations or advertising media of any type which can be viewed from the exterior of the Premises, without Landlord's prior written consent, which consent shall not be unreasonably withheld. All signs, decorations, advertising media, blinds, draperies and other window treatment or bars or other security installations visible from the outside of the Premises shall conform in all respects to the criteria established by the Landlord.

11. Mechanic's Liens. Nothing in this Lease constitutes the consent or request of Landlord, express or implied, to any contractor, subcontractor, laborer or materialman for the performance of any labor or the furnishing of any materials for any specific improvement, alteration or repair to the Premises. Nor does anything herein contained or in any other agreement made by Landlord and Tenant in connection with this Lease give Tenant any right, power or authority to contract for or permit the rendering of any services or the furnishing of any materials that would give rise to the filing of any mechanic's or other liens against the interest of Landlord in the Premises. If any lien is filed against the Premises because of work performed, materials supplied or an obligation incurred by or at the request of (or alleged request of) Tenant, then Tenant will within 45 days after filing cause the same to be discharged of record or bond around the same in accordance with Section 53.171 et. seq. of the Texas Property Code, or any successor provision. If Tenant fails to discharge or bond around the lien within such period, then, in addition to any other right or remedy of Landlord, Landlord may (but will not be obligated to) discharge the same either by paying the amount claimed to be due or by procuring the discharge by deposit in court or bonding. Any amount paid by Landlord to discharge the lien, and all reasonable legal and other expenses of Landlord, including reasonable attorneys' fees, in defending any such action or in or about procuring the discharge of the lien will be repaid by Tenant on demand.

12. Project Property and Liability Insurance. (a) Tenant, at its own expense, will procure and maintain throughout the Term and any extensions or renewals of the Term, (i) property insurance for the Project for full replacement cost insuring against perils of Fire, Lightning, Extended Coverage, Vandalism and Malicious Mischief, extended by Special Extended Coverage Endorsement to insure against all other Risks of Direct Physical Loss, (ii) worker's compensation and comprehensive general liability insurance, including contractual liability endorsement, against claims for bodily injury, death and/or property damage occurring in or resulting from the Premises, including injury, death and/or damage caused by the condition of or any defect in the Premises. The policies evidencing such insurance must be in broad form reasonably satisfactory to Landlord, must name Landlord as (and any mortgagee designated by Landlord) as loss payee under the property insurance and as an additional insured under all liability insurance, must be issued by insurance companies reasonably acceptable to Landlord, and in the case of liability insurance must afford immediate protection to the limit of not less than $1,000,000 inclusive for each occurrence. With respect to each policy evidencing such insurance, Tenant will deliver a certificate evidencing the same to Landlord upon written request. In addition, Tenant will obtain and deliver to Landlord a written obligation on the part of each of its insurance companies to notify Landlord at least fifteen (15) days prior to any cancellation of or material change to such insurance. If Tenant fails to comply with these requirements relating to insurance beyond any applicable notice and cure period, then, in addition to any other right or remedy of Landlord, Landlord may (but will not be obligated to) obtain such insurance and charge Tenant the premium cost thereof.

(b) Notwithstanding the foregoing, Landlord acknowledges that Tenant is a political subdivision of the State of Texas and therefore holds sovereign immunity and statutory limitations of liability under Texas law. Accordingly, the Tenant shall have the right to use the Texas Municipal League Intergovernmental Risk Pool ("***TMLIRP***") as the insurance carrier for Tenant's insurance obligations under Section 12 of this Lease, provided Tenant is able to obtain insurance coverage from TCRMF satisfying all of the requirements set forth herein. In the event that TMLIRP, at any time during the Lease Term: (i) has become insolvent, (ii) is likely to become insolvent, (iii) is no longer able to provide the applicable insurance coverage prescribed in this Lease, Tenant shall have thirty (30) days to obtain insurance coverage from a new insurance carrier for Tenant's insurance obligations under this Lease.

13. Indemnification. Landlord will indemnify and hold Tenant harmless from all fines, suits, costs and liability of every kind arising because of: (a) any violation or nonperformance by Landlord of any representation or covenant contained in this Lease; and (b) any bodily injury, death and/or property damage occurring on the Project to the extent caused by the negligence or willful misconduct of Landlord or any of its agents, employees, contractors, licensees or invitees; provided, however, that the foregoing indemnity by Landlord shall not be applicable to the extent that any fines, suits, costs and/or liabilities are caused by the negligence or willful misconduct of Tenant or any of its agents, employees, contractors, licensees or invitees.

14. Insurance of Tenant Personal Property. Tenant accepts responsibility for keeping all personal property and equipment in the Premises adequately insured.

15. Casualty Damage.

(a) Tenant will give Landlord prompt written notice of any damage to the Premises. If during the Term the Premises is so damaged by fire or other casualty that it substantially interferes with Tenant's use of or access to the Premises, to an extent repairable within 90 days ("Repair Period") from the date of such casualty, in the reasonable estimation of Landlord's contractor, and neither Landlord or Tenant elects to terminate this Lease as hereinafter provided, then Landlord shall forthwith proceed with reasonable diligence to repair all damage to the Premises but not damage to Tenant's alterations or personal property. During the Repair Period, this Lease shall continue in full force and effect, provided that Tenant's rent shall abate in whole or in part depending upon the extent to which such damage and/or such repair shall deprive Tenant access to or the use of the Premises. If such casualty causes damage to the Project so that repairs costing in excess of $1,500,000 are required, in the reasonable estimation of Landlord's contractor, or if any mortgagee of Landlord's should require that the insurance proceeds payable as a result of fire or other casualty be applied to the payment of debt secured by a lien on the Project, then Landlord shall notify Tenant in writing thereof within thirty (30) days after Landlord receives written notice of such damage to the Premises and either Landlord or Tenant may terminate this Lease by notifying the other thereof within thirty (30) days after Landlord's delivery of such notice. Subject only to the holdover provisions in Paragraph 18 below, Tenant shall have no obligation for rents or other charges accruing after any termination of this Lease pursuant to this Paragraph. If neither party elects or has the right to terminate this Lease pursuant to this Paragraph, Landlord will commence and proceed with due diligence to restore the Building (but not Tenant's alterations, trade fixtures and personal property located on the Premises) during the Repair Period to the extent that such restoration is reasonably possible. If Landlord is unable or unwilling to fully restore the Building (but not Tenant's alterations, trade fixtures and personal property located on the Premises) during the Repair Period, then Tenant shall have the right to terminate this Lease by written notice to Landlord at any time after the expiration of the Repair Period and prior to Landlord's completion of such restorations.

(b) Notwithstanding anything in the other Paragraphs of this Lease (including, without limitation, Paragraph 4 above) to the contrary, Landlord and Tenant each waive any right of recovery against the other, and the other's agents, officers, or employees, for any damage or loss to the Building or its contents resulting from fire or other "casualty" (as defined in subparagraph (a) above). However, without limiting any waivers in other Paragraphs of this Lease, the waiver set out in this paragraph shall be effective insofar, but only insofar, as compensation for such damage or loss is actually recoverable by the waiving party (net of the costs of collection) under a valid and collectible insurance policy; provided, that if no such compensation is available to the waiving party because it has failed to maintain an insurance policy covering such damage or loss with an insurance company qualified to do business in Texas and with a replacement cost endorsement (if such endorsement is available), then the waiver set out in this paragraph shall not be limited to available insurance proceeds.

16. Eminent Domain.

(a) If the whole or any portion of the Premises materially necessary to Tenant's use thereof is taken for any public or quasi-public use, by right of eminent domain or otherwise, or should be sold in lieu of such taking, then this Lease will terminate as of the date when title to the Premises or the applicable portion vests in the condemning authority, and any Base Rent or additional rent paid for the period after such termination shall be refunded to Tenant. Following any such taking or sale of any portion of the Premises, if this Lease is not terminated pursuant to the immediately preceding sentence, the Base Rent payable by Tenant will be reduced in proportion to the square footage of the Building taken (if any) and Landlord will restore the Premises to the extent feasible; provided, however, Landlord will not be required to spend more for such restoration than the net proceeds of the taking or sale available to Landlord.

(b) All damages awarded for any taking of all or any part of the Premises under the power of eminent domain and all proceeds from any sale in lieu of such taking will be paid to Landlord, whether designated as compensation for the diminution in value of Tenant's leasehold or for the fee of the Premises. However, Landlord will not be entitled to any separate award made to Tenant for loss or damage to Tenant's removable personal property and trade fixtures and/or the relocation thereof. Nor will Landlord be entitled to any award made to Tenant because of the interruption of Tenant's business, unless the award is combined with or reduces an award for the diminution in value of Tenant's leasehold.

17. Surrender Upon Termination.

(a) Subject only to Tenant's express rights set forth in Paragraph 19, upon the expiration or termination of this Lease, whether caused by lapse of time or otherwise, Tenant will immediately surrender possession of the Premises to Landlord in as good a condition as existed on the date hereof, reasonable wear and tear excepted and excepting damage due to casualty or condemnation or for which Tenant is not otherwise liable hereunder. Tenant will also deliver to Landlord all keys to the Premises. If possession is not immediately surrendered, Landlord may enter and take control of the Premises and remove Tenant and any other person who may be occupying them.

(b) All alterations, additions or improvements made to the Premises by or on behalf of Tenant (except trade fixtures and as otherwise expressly provided herein) will remain on the Premises without compensation to Tenant. Upon the termination of this Lease for any reason, Landlord may require Tenant to remove any alterations made to the Premises after the Commencement Date without the prior written consent of Landlord at Tenant's sole cost and expense. Landlord acknowledges that Tenant has the option during the term of the agreement to install a police evidence processing room that will include various building modifications and specialized ventilation equipment. Landlord acknowledges and agrees that Tenant will not be required to remove such improvements made with Landlord's consent upon the expiration or termination of this Lease.

(c) Tenant may remove any furniture, trade fixtures and any movable equipment installed by it upon the termination of this Lease. Such removal must be accomplished in a good and workmanlike manner so as not to damage the Premises. All furniture, trade fixtures and equipment not promptly removed when this Lease is terminated will be presumed abandoned by Tenant and Landlord may, at its option, take possession of such property and either declare it to be abandoned by notifying Tenant thereof, or remove it and store it or dispose of it at Tenant's expense, by written notice delivered to Tenant within 30 days after such termination.

18. Holding Over. Subject to the limitations herein and so long as Tenant has not committed a default under this Lease, Tenant shall have the right, for a period not to exceed 30 days after the expiration of the term of this Lease, to hold the Premises after the expiration of this Lease without the written consent of Landlord, provided Tenant must, throughout the entire holdover period pay Base Rent at a rate of 150% of the rate applicable immediately prior to the holdover period. Nonetheless, holding over by Tenant after the expiration or other termination of the Term will not be construed to extend the Term. Tenant agrees to indemnify Landlord against all claims for damages resulting from any delay by Landlord in delivering possession of the Premises to another tenant or prospective tenant caused by Tenant's holding over if Landlord has advised Tenant thereof by delivery of written notice to Tenant at least 30 days prior to the end of the Term. Any holding over with the written consent of Landlord will convert this Lease to a lease from month-to-month, subject to all the terms and conditions contained herein.

19. Assignment and Subletting. (a) Tenant shall have right to assign or sublet the Premises; provided however, that such assignment or subletting will be limited to the permitted uses. Tenant may not pledge or encumber the Lease without Landlord's approval.

(b) An assignment or subletting shall not relieve Tenant from any covenant, liability or obligation hereunder (whether past, present or future) and Tenant shall remain liable under this Lease as a principal and not as a surety.

(c) Tenant shall provide Landlord with at least fifteen (15) days prior written notice of any assignment or subletting.

20. Transfers by Landlord. Landlord retains the right to transfer, in whole or in part, the Project and all of Landlord's rights and obligations under this Lease. Upon the transfer of all of Landlord's rights and obligations under this Lease, Landlord's obligations hereunder shall cease for all obligations accruing from and after the date thereof, provided any successor landlord agrees in writing to be bound by all of the terms and conditions of this Lease.

21. Estoppel Certificate. Tenant will, at any time and from time to time during the Term, within fifteen (15) days after requested by Landlord, execute, acknowledge, and deliver a statement in form satisfactory to Landlord

certifying, to the extent accurate: (i) that Tenant is in possession of the Premises under the terms of this Lease; (ii) that this Lease is unmodified and in full force (or, if there have been modifications, that this Lease is in full force as modified and setting forth the modifications); (iii) the dates to which the rent has been paid; (iv) that to the knowledge of Tenant no default exists under this Lease (or specifying all defaults of which Tenant has knowledge); and (v) other matters as may be reasonably requested by Landlord. Any such statement by Tenant may be relied upon by any prospective purchaser or mortgagee of the Project or any interest therein, and as between Tenant and such prospective purchaser or mortgagee, the statement will be binding upon Tenant for all purposes.

22. Quiet Enjoyment. Subject to the other provisions in this Lease and, specifically, to the condition that Tenant pay all rent when due and keep and fulfill all of the terms, covenants, agreements and conditions to be performed by Tenant, Tenant will peaceably and quietly enjoy the Premises during the Term without any disturbance from Landlord or from any other person lawfully claiming by, through or under Landlord, but not otherwise.

23. Subordination. This Lease is subject and subordinate to any mortgage or deed of trust which now or may in the future affect the Land or any interest of Landlord in the Building, and to all increases, renewals, modifications, consolidations, replacements, and extensions thereof. This Paragraph is self operative. No further instrument is required to effect the subordination of this Lease to any such mortgage or deed of trust. In confirmation of the subordination, however, Tenant agrees to execute, acknowledge, and deliver promptly any certificate or instrument reasonably requested by Landlord that evidences the subordination. Tenant agrees that if proceedings are brought for the foreclosure of any such mortgage or deed of trust or if the Project is sold in lieu of foreclosure, Tenant will attorn to the purchaser at the foreclosure or sale in lieu thereof upon the purchaser's request, so long as the purchaser agrees in writing to be bound by all of the terms and conditions of this Lease and not to disturb Tenant's possession of the Premises so long as Tenant is not in default hereunder beyond any applicable notice and cure period. Tenant will recognize such purchaser as the landlord under this Lease if the purchaser elects to keep this Lease in effect, provided that such purchaser has provided Tenant with the executed written agreement described in the immediately preceding sentence. This Lease and all rights of Tenant are further subject and subordinate to all other existing title matters that affect the Premises, including all utility easements and agreements; provided, however, that Landlord represents and warrants to Tenant that no such title matters shall impair Tenant's occupancy and use of the Premises as contemplated by this Lease.

24. Certain Rights Reserved by Landlord. Landlord has the following rights, exercisable without causing an eviction (constructive or actual) or disturbance of Tenant's possession of the Premises and without giving rise to any claim for setoff or abatement of rent:

(a) after giving Tenant twenty-four (24) hours' advance written notice (except in the event of an emergency presenting an immediate danger to persons and/or property, when no notice shall be required), to enter upon the Premises at reasonable hours to inspect, clean or make repairs or alterations (without implying any obligation to do so except as otherwise provided by this Lease) and to show the Premises to prospective lenders or purchasers or, during the last four (4) months of the Term, prospective tenants, provided that any such entry by Landlord shall not unreasonably interfere with Tenant's operations in the Premises; and

(b) to reasonably approve the weight, size and location of safes and other heavy equipment and articles in the Premises and to require that all such items and all furniture be moved into and out of the Building in the manner reasonably directed by Landlord (movements of Tenant's property into or out of the Building and within the Building are entirely at the risk and responsibility of Tenant).

25. Default by Tenant. The occurrence of any one of the following events will be an event of default by Tenant under this Lease:

(a) Tenant shall fail to pay Landlord, within ten (10) days after receiving written notice of delinquency from Landlord, any rental or other sum of money required under this Lease; provided, however, Landlord shall only be obligated to provide two such written notices of delinquency in any one calendar year (and thereafter, failure to pay any rental or other sum of money required under the Lease shall be an event of default without notice to Tenant).

(b) Tenant shall fail to perform or observe any term, covenant or condition of this Lease or any other agreement with Landlord which affects the Premises (other than a failure to timely pay rent or other charges) and Tenant shall not cure the failure within thirty (30) days after notice thereof is given by Landlord, provided, however, that if any such default cannot be cured within thirty (30) days, then Tenant shall have sixty (60) additional days to cure such default under the circumstances, provided Tenant diligently pursues same to completion.

(c) Tenant shall become insolvent, or shall admit in writing its inability to pay its debts when due, shall make a transfer in fraud of its creditors, or shall make a general assignment or arrangement for the benefit of creditors, or all or substantially all of Tenant's assets or Tenant's interest in this Lease are levied on by execution or other legal process.

(d) A petition shall be filed by Tenant to have Tenant adjudged a bankrupt, or a petition for reorganization or arrangement under any law relating to bankruptcy shall be filed by Tenant, or any such petitions shall be filed against Tenant and shall not be removed within sixty (60) days.

(e) A receiver or trustee shall be appointed for all or substantially all the assets of Tenant or for Tenant's interest in this Lease.

26. Remedies of Landlord.

(a) The various rights, elections and remedies of Landlord contained in this Lease are cumulative. Upon the occurrence of any event of default by Tenant, Landlord shall have the option, without any notice to Tenant (except as expressly provided below) and with or without judicial process (but subject to all applicable legal requirements), to pursue any one or more of the following remedies:

(i) Landlord may terminate this Lease, in which event Tenant shall immediately surrender the Premises to Landlord.

(ii) Landlord may enter upon and take custodial possession of the Premises by picking the locks if necessary, lock out or remove Tenant and any other person occupying the Premises and alter the locks and other security devices at the Premises, all without Landlord being deemed guilty of trespass or becoming liable for any resulting loss or damage and without causing a termination or forfeiture of this Lease or of the Tenant's obligation to pay rent.

(iii) Landlord may enter the Premises and take possession of and remove any and all personal property situated in the Premises, without liability for trespass or conversion. If Landlord takes possession of and removes Tenant's personal property from the Premises, then until Tenant reclaims the property, Landlord may (but shall not be required to) store such personal property in a public warehouse or elsewhere at the cost of and for the account of Tenant without the resort to legal process and without becoming liable for any resulting loss or damage.

(iv) Landlord may perform on behalf of Tenant any obligation of Tenant under this Lease which Tenant has failed to perform, and the cost of the performance will be deemed additional rental and will be payable by Tenant to Landlord upon demand.

Landlord's pursuit of any remedy specified in this Lease will not constitute an election to pursue that remedy only, nor preclude Landlord from pursuing any other remedy available at law or in equity, nor constitute a forfeiture or waiver of any rent or other amount due to Landlord as described below.

(b) In the event Landlord enters and takes possession of the Premises without causing a termination of this Lease, Landlord may relet the Premises on such terms as Landlord deems advisable. Landlord will not be required to incur any expense to relet the Premises and the failure of Landlord to relet the Premises shall not reduce Tenant's liability for monthly rentals and other charges due under this Lease or for damages. Landlord will not be obligated to relet for less than the then market value of the Premises or to relet the Premises when other comparable rental space

offered by Landlord is available. Without causing a termination or forfeiture of this Lease after an event of default by Tenant, Landlord may: (i) relet the Premises for a term or terms to expire at the same time as, earlier than, or subsequent to, the expiration of the Term; (ii) remodel or change the use and character of the Premises; (iii) grant rent concessions in reletting the Premises if necessary in Landlord's judgment, without reducing Tenant's obligation for rentals specified in this Lease; and (iv) relet all or any portion of the Premises as a part of a larger area. Subject to the next subparagraph (c), Landlord may retain the excess, if any, of the rent earned from reletting the Premises over the rentals specified in this Lease.

(c) No re-entry or reletting of the Premises or any filing or service of an unlawful detainer action or similar action will be construed as an election by Landlord to terminate or accept a forfeiture of this Lease or to accept a surrender of the Premises after an event of default by Tenant, unless a written notice of such intention is given by Landlord to Tenant; but notwithstanding any such action without such notice, Landlord may at any time thereafter elect to terminate this Lease by notifying Tenant.

(d) Upon the termination of this Lease because of an event of default by Tenant, Landlord will be entitled to recover all unpaid rentals that have accrued through the date of termination plus the costs of performing any of Tenant's obligations (other than the payment of rent) that should have been but were not satisfied as of the date of such termination. In addition, Landlord will be entitled to recover, not as rent or a penalty but as compensation for Landlord's loss of the benefit of its bargain with Tenant, the difference between (i) an amount equal to the present value of the rent and any other sums that this Lease provides Tenant will pay for the remainder of the Term and for the balance of any then effective extension of the Term, and (ii) the present value of the net future rentals for such period that will be or with reasonable efforts could be collected by Landlord by reletting the Premises.

(e) After an event of default by Tenant, Landlord may recover from Tenant from time to time and Tenant shall pay to Landlord upon demand, whether or not Landlord has relet the Premises or terminated this Lease, (i) such expenses as Landlord may incur in recovering possession of the Premises, terminating this Lease, placing the Premises in good order and condition and altering or repairing the same for reletting; and (ii) all other expenses, commissions and charges incurred by Landlord in exercising any remedy or as a result of the event of default by Tenant.

(f) In the event that any future amount owing to Landlord or offsetting an amount owing to Landlord is to be discounted to present value under this Lease, the present value shall be determined by discounting at the rate of six percent (6%) per annum.

(g) This Paragraph 27 shall be enforceable to the maximum extent not prohibited by applicable law, and the unenforceability of any provision in this Paragraph shall not render any other provision unenforceable.

(h) Notwithstanding anything in this Lease to the contrary all amounts payable by Tenant to or on behalf of Landlord under the Lease, whether or not expressly denominated as rent, shall constitute rent for the purposes of Section 502(b)(7) of the Bankruptcy Code, or any successor or substitute statutes.

27. Late Payment Charge. In the event Tenant fails to pay any rent specified in this Lease within five (5) days after it is due, Tenant agrees to pay to Landlord as a late payment charge an amount equal to five percent (5%) of the rent in arrears.

28. No Waivers. No waiver by Landlord or Tenant of any provision of this Lease will be deemed a waiver of any other provision or of any subsequent breach by the other party. Landlord's consent to or approval of any act will not be deemed to render unnecessary the obtaining of Landlord's consent to or approval of any subsequent act by Tenant. Landlord's acceptance of rent will not constitute a waiver of any preceding breach by Tenant of this Lease, regardless of Landlord's knowledge of the preceding breach at the time Landlord accepts the rent. Any payment by Tenant or receipt by Landlord of a lesser amount than the Base Rent and additional rental stipulated in this Lease will be deemed to be on account of the earliest stipulated rental. Notwithstanding any endorsement or statement on any check or any letter accompanying any check or payment of Base Rent or additional rental, Landlord may accept such check or payment without prejudice to Landlord's right to hold the Tenant in default and recover the balance of

any Base Rent or additional rental due and pursue any other remedy provided in this Lease. Landlord's failure to take any action in regard to Tenant's default, regardless of how long, will not constitute a waiver of such default. Any waiver of Tenant's default must be in writing and signed by Landlord. Any written waiver by Landlord will constitute a waiver only in the specific circumstances described in the waiver.

29. Default by Landlord.

(a) All covenants of Tenant in this Lease are independent covenants, not conditioned upon Landlord's satisfaction of its obligations hereunder, except to the extent otherwise specifically provided herein.

(b) If Landlord defaults in the performance of any of its obligations under this Lease, it will have thirty (30) days to cure after Tenant notifies Landlord in writing of the default; or if the default is of a nature to require more than thirty (30) days to remedy, Landlord will have the time reasonably necessary to cure it, provided Landlord commences the cure within such thirty (30) day period and thereafter diligently pursues the cure to completion.

(c) Tenant agrees to serve a notice of claimed default or breach by Landlord upon the lender (if any) holding a first mortgage or deed of trust against the Premises (herein called "Landlord's Mortgagee") if Tenant has been advised in writing of the name and address of such lender. Notwithstanding anything to the contrary contained herein, Tenant will not exercise any right to terminate this Lease because of a default by Landlord before allowing Landlord's Mortgagee the same period following such notice to cure the default or breach as is allowed Landlord. But this subparagraph (c) will not be interpreted as creating or broadening any right of Tenant to terminate this Lease because of a default by Landlord.

(d) The liability of Landlord to Tenant for any default by Landlord under the terms of this Lease is limited to the interest of Landlord in the Project, including rent and other proceeds derived therefrom, it being intended that Landlord not be personally liable for any judgment or deficiency.

30. Attorneys' Fees. If, because either party fails to cure a breach of this Lease within any permitted cure period, the other party incurs attorneys' fees, then the breaching party will reimburse the other party for such reasonable fees upon demand.

31. Notices. Any notice or document required or permitted to be delivered under this Lease must be in writing and will be deemed to be delivered, whether actually received or not, (a) three business days after being postmarked by the U. S. Postal Service, postage prepaid, registered or certified mail, return receipt requested, (b) upon first attempted delivery if sent by FedEx, UPS or other national overnight courier, all charges prepaid, or (c) upon delivery by electronic mail if also sent by national overnight courier in accordance with subitem (b) (provided that any e-mail sent after 5:00 p.m. Central time shall be deemed to have been delivered on the next business day), in all cases addressed to the parties at their respective addresses as set out in the Basic Lease Information, or at such other address as they specify by written notice delivered in accordance with this Paragraph.

32. Time of Essence. Time is of the essence with respect to the performance of every provision of this Lease in which time of performance is specified.

33. Severability. A determination that any term or provision of this Lease, or the application thereof to any person or circumstance, is invalid or unenforceable, will not affect the remainder of this Lease or the application of such term or provision to persons or circumstances other than those as to which it is invalid or unenforceable.

34. Authority. Tenant will deliver to Landlord, upon written request, reasonable evidence that the execution and delivery of this Lease has been duly authorized and properly executed by Tenant.

35. Recordation. Tenant hereby agrees that it will not file this Lease in the real property records.

36. Successors and Assigns. The conditions, covenants and agreements contained in this Lease will be binding upon and, subject to the provisions as to assignment and subletting, inure to the benefit of the parties, their respective heirs, executors, administrators, successors and assigns.

37. Paragraph Headings. The paragraph headings contained in this Lease are for convenience only and will in no way enlarge or limit the scope or meaning of the various and several provisions.

38. No Merger. There shall be no merger of this Lease or of Tenant's leasehold estate with the fee estate in the Premises by reason of the fact that the same person may acquire or hold, directly or indirectly, both all or any interest in this Lease or the leasehold estate and all or any interest in the fee estate.

39. Construction. Tenant acknowledges that it has read and negotiated this Lease in its entirety and is familiar with and understands all its terms and provisions. Accordingly, Tenant agrees that if a dispute arises, this Lease will not be construed in favor of either party, nor shall the authorship of this Lease be a factor in any such construction.

40. Survival. All obligations of Tenant hereunder not fully performed as of the expiration or earlier termination of the Term shall survive the expiration or earlier termination of the Term, including without limitation, all payment obligations with respect to Taxes and Insurance and all obligations concerning the condition and repair of the Premises.

41. Environmental Liability.

(a) As used herein, "Environmental Laws" shall mean all statutes, rules and regulations and orders of all applicable state, federal and county governmental authorities relating to health or the environment, including without limitation Section 311 of the Federal Water Pollution Control Act, 33 U.S.C. Section 1317, Section 1004 of the Federal Resource Conservation and Recovery Act, 42 U.S.C. Section 6901, et seq., and the Comprehensive Environmental Response Compensation and Liability Act, 42 U.S.C. Section 9601, et seq., or any successor or substitute statutes.

(b) The term "Hazardous Substances", as used in this Lease, shall mean pollutants, contaminants, toxic or hazardous wastes, or any other substances, the removal of which is required or the use of which is restricted, prohibited or penalized by any "Environmental Laws".

(c) Tenant agrees that (i) no activity will be conducted on the Premises that will produce any Hazardous Substances, (ii) the Premises will not be used in any manner for the storage of any Hazardous Substances except for the storage of ordinary cleaning products commonly used in office environments (the "Permitted Materials"), provided such Permitted Materials are properly stored in a manner and location meeting all Environmental Laws; (iii) no portion of the Premises will be used as a landfill or a dump, (iv) Tenant will not install any underground tanks of any type, and (v) Tenant will not permit any Hazardous Substances to be brought onto the Premises except for the Permitted Materials, and if so brought or found located thereon, the same shall be immediately removed, with proper disposal, and all required cleanup procedures shall be diligently undertaken pursuant to all Environmental Laws.

42. Waiver of Landlord's Lien. Landlord hereby waives any contractual or statutory lien on or security interest in the property, chattels, or merchandise of Tenant which may be placed in the Premises.

43. Exhibits. The following numbered exhibits are attached hereto and incorporated herein and made a part of this Lease for all purposes:

Exhibit "A" - Description of Land

Exhibit "B" - Base Rental

44. Entire Agreement; Amendments. This Lease supersedes any and all prior agreements with respect to the Premises between the parties and no oral statements, representations or prior written matter will be binding. Nothing contained in this Lease will give rise to duties or covenants on the part of the Landlord, express or implied, other than the express duties and covenants set forth herein. This Lease shall not be amended or added to in any way except by written instruments executed by both parties or their respective successors in interest.

45. Tenant Reserved Parking. For so long as this Lease remains in effect, notwithstanding anything to the contrary contained in this Lease, (a) Tenant and its agents, employees and invitees shall have the exclusive right to use the parking spaces in the Common Areas, and (b) Tenant shall have the right to mark any or all of such spaces as reserved for use by Tenant with a sign (and any replacements thereof in the event any such signs are damaged or destroyed). The rights granted to Tenant hereunder will be at no additional cost to Tenant.

46. Intentionally deleted.

47. Property Tax Valuation Protests. Landlord shall have the exclusive right, but not the obligation, to protest the annual tax valuation placed upon the Project by the Rockwall County Appraisal District and shall have the exclusive right to settle any disputes over such valuation.

48. Supplemental HVAC and Emergency Generator. Tenant will be installing certain supplemental air conditioning equipment and an emergency generator at the Project as Tenant deems necessary with Landlord's consent. Upon the termination of this Lease, Tenant will not be required to remove these improvements upon the expiration or termination of the Lease.

[The remainder of this page intentionally left blank; signature page immediately follows.]

IN WITNESS WHEREOF, this Lease is executed by the parties on the day and year first written above.

LANDLORD:

JBC LAND AND CATTLE COMPANY, LLC,
a Texas limited liability company

By: _____
Name (print): John Chisolm
Title: Manager

TENANT:

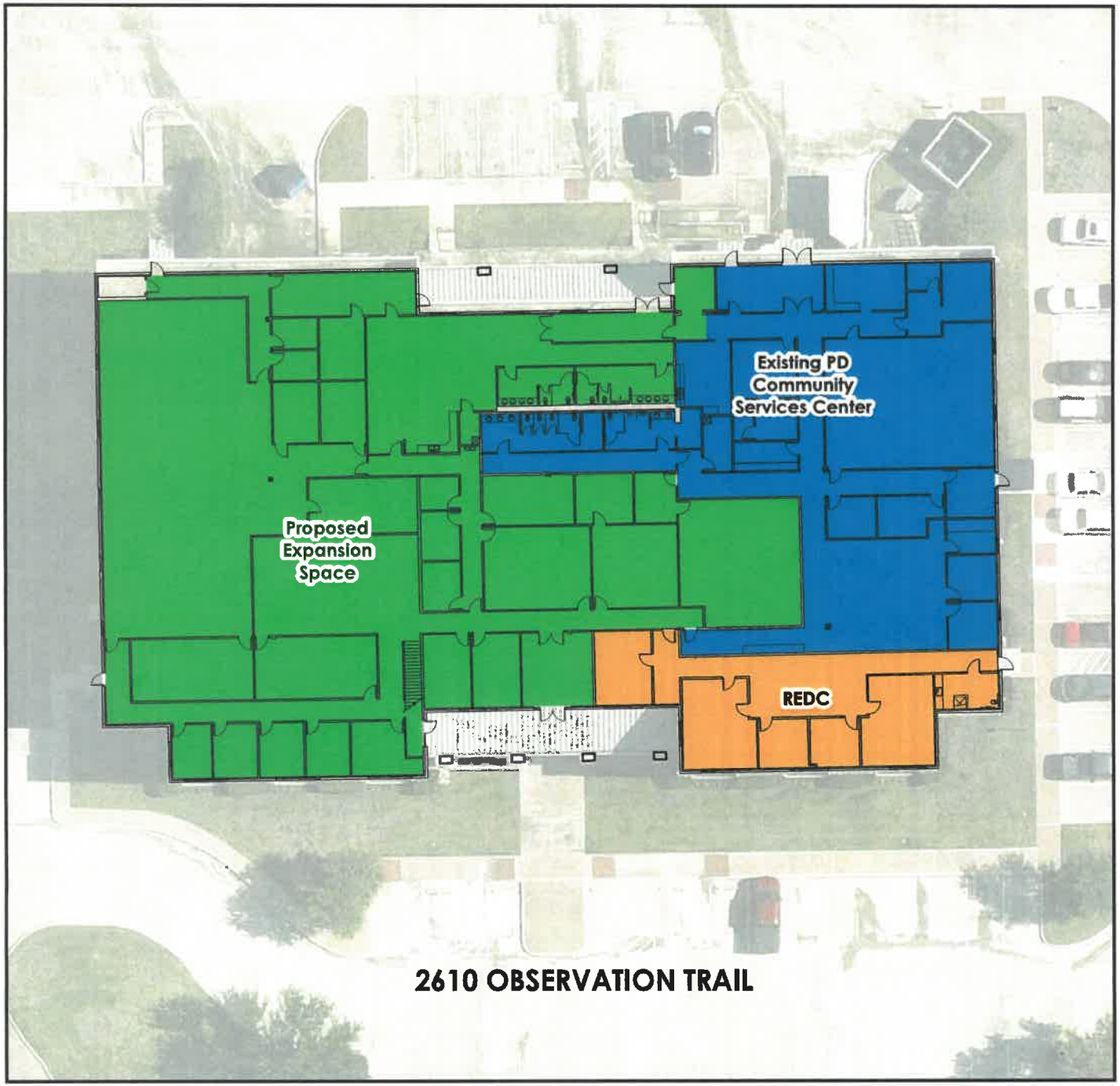
CITY OF ROCKWALL, a Texas municipal corporation

By: _____
Mary Smith, City Manager

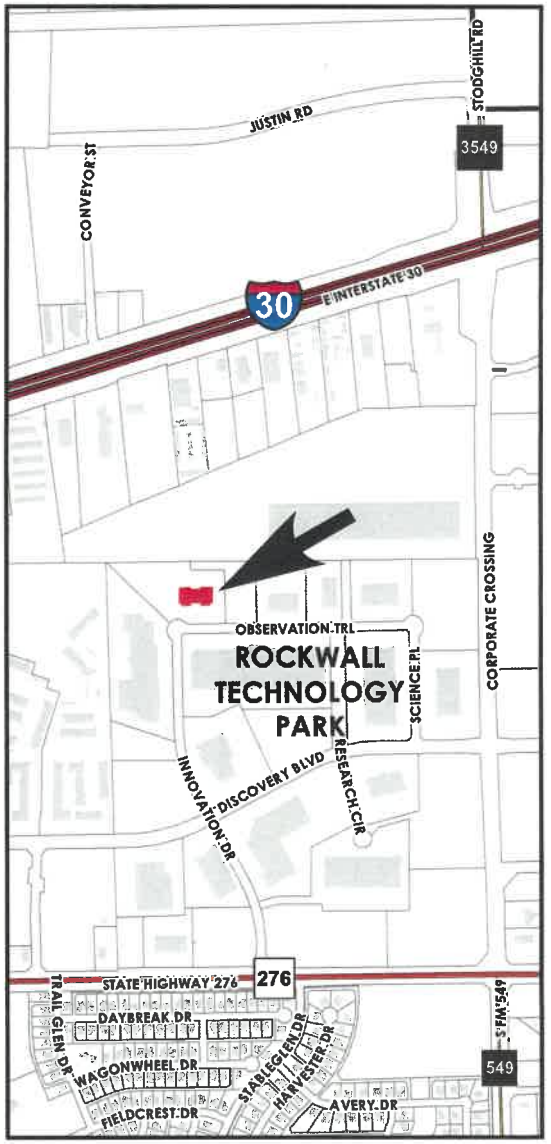
EXHIBIT "A"

DESCRIPTION OF LAND

Lot 4, Block C, Rockwall Technology Park (4.895 acres).



2610 OBSERVATION TRAIL



Legend

- Existing PD Community Services Center
- Proposed Expansion Space
- Existing Rockwall EDC Space

City of Rockwall

0 10 20 30 40 50 Feet

Date: 10/12/2023

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

POLICE COMM. SERV. CTR / FIRE ADMIN.

EXHIBIT "B"

BASE RENTAL

(Does not include Taxes, Insurance, Utility Costs or CAM Costs)

Lease Months	Monthly Rental	
1 - 12	$ 35,326.50	$16.50 sq. ft.
13 - 24	$ 36,375.59	$16.99 sq. ft.
25 - 36	$ 37,467.50	$17.50 sq. ft.
37 - 48	$ 38,580.82	$18.02 sq. ft.
49 - 60	$ 39,758.37	$18.57 sq. ft.
61 - 72	$ 40,935.92	$19.12 sq. ft.
73 - 84	$ 42,177.70	$19.70 sq. ft.
85 - 96	$ 43,440.89	$20.29 sq. ft.
97 - 108	$ 43,440.89	$20.29 sq. ft.
109 - 120	$ 43,440.89	$20.29 sq. ft.