# AGENDA

# ROCKWALL CITY COUNCIL REGULAR MEETING

## Monday, November 6, 2023 - 5:00 PM

### City Hall Council Chambers - 385 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 (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 Jorif**

**VI. Proclamations / Awards / Recognitions**

**1.** Military Family Appreciation Month Proclamation

**VII. 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.**

**VIII. Take Any Action as a Result of Executive Session**

**IX. Consent Agenda**

**These agenda items are routine/administrative in nature, have previously been discussed at a prior City Council meeting, and/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 Oct. 16, 2023 city council meeting, and take any action necessary.

2. **Z2023-045** - 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 **(2nd Reading)**.

3. **Z2023-046** - 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 **(2nd Reading)**.

4. **Z2023-048** - 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 **(2nd Reading)**.

5. **P2023-031** - Consider a request by Michael Hunter for the approval of a *Final Plat* for Lot 1, Block A, Hunter Addition being a 0.631-acre tract of land identified as Lot 1, Block A, Barz Acre Addition and Lot 1, Block 1, Reeves Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 220 W. Quail Run Road, and take any action necessary.

6. **P2023-032** - Consider a request by Matthew Peterson of DB Constructors, Inc. on behalf of Jeff Fleming of Jeff Fleming Investments, LLC for the approval of a *Final Plat* for Lots 1 & 2, Block A, Interstate Classic Cars Addition being a 3.853-acre tract of land identified as Tract 2-09 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Planned Development 46 (PD-46) District for Commercial (C) District land uses, situated within the SH-276 Overlay (SH-276 OV) District, generally located on the southside of Springer Road east of the intersection of Springer Road and Corporate Crossing, and take any action necessary.

7. **P2023-033** - Consider a request by Aaron Davis of John King, LLC for the approval of a *Final Plat* for Lot 1, Block A, John King Office Park being a 2.361-acre tract of land identified as Tract 1-2 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Planned Development 10 (PD-10) for Commercial (C) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, addressed as 1940 S. John King Boulevard, and take any action necessary.

8. **P2023-035** - Consider a request by Drew Donosky of ClayMoore Engineering on behalf of Chase Cooley of 1540 East IH-30 Rockwall, LLC for the approval of a ***Replat*** for Lot 3, Block 1, Rockwall Recreational Addition being a 4.39-acre parcel of land identified as Lot 2, Block 1, Rockwall Recreational Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1540 E. IH-30, and take any action necessary.

9. **P2023-036** - Consider a request by Jeff Carroll of Carroll Architects, Inc. on behalf of Jon Bailey of Helping Hands Rockwall for the approval of a ***Final Plat*** for Lot 1, Block A, Helping Hands Addition being an 9.70-acre tract of land identified as Lot 1, Block A, Waggoner Gardens Inc. Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 950 Williams Street, and take any action necessary.

10. **P2023-037** - Consider a request by Cameron Slown, PE of Teague, Nall, and Perkins, Inc. on behalf of Randall Noe of Rockwall Rental Properties, LP for the approval of a ***Replat*** for Lots 17-24, Block 1, Alliance Addition, Phase 2 being a 3.06-acre tract of land identified as Lots 12-14, Block 1, Alliance Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses, generally located at the northeast corner of the intersection of Andrews Drive and Alliance Drive, and take any action necessary.

11. Consider awarding a bid to Siddons-Martin Pierce for a new (Fire Department) Aerial Ladder Truck in the amount of $2,066,658 to be funded by General Fund Reserves, including authorizing the City Manager to execute associated purchase order(s) for the truck and related loose equipment, and take any action necessary.

12. Consider authorizing the City Manager to execute a purchase order with Nema Electric in the amount of $85,134.00 for the installation of LED light in fountain and basins of The Harbor to be funded out of Harbor Operating Budget (this is an approved 2023-2024 budget request), and take any action necessary.

13. Consider authorizing the City Manager to execute a purchase order with Custard Construction Services in the amount not to exceed $32,200.00 for the installation of insulation in the Park Building at the Service Center to be funded out of Parks Operating Budget (this is an approved 2023-2024 budget request), and take any action necessary.

14. Consider authorizing the City Manager to execute a contract for professional engineering services with Birkhoff, Hendricks and Carter LLP to perform the water/wastewater impact fee update and to update the Master Water/Wastewater Plans in an amount not to exceed $180,000 to be funded out of the Sewer Department Operation Budget, and take any action necessary.

15. Consider authorizing the City Manager to execute a contract with Birkhoff, Hendricks & Carter L.L.P. for engineering services for the Mims Elevated Water Storage Tank in the amount of $691,600.00 to be paid for out of the Water and Sewer Bond Funds, and take any action necessary.

16. Consider awarding a bid to Silsbee Ford for the purchase of model year 2024-25 vehicles for a total amount of $133,726 to be funded by Water and Sewer Operating Budgets, as well as authorizing the City Manager to execute associated purchase orders, and take any action necessary.

**17.** Consider authorizing the City Manager to execute a grant agreement with the Texas Department of Transportation Aviation Division for participation in the Routine Airport Maintenance Program (RAMP) at the Ralph M. Hall / Rockwall Municipal Airport, with matching funds for the grant to be provided by the Airport Operating Budget, and take any action necessary.

**18.** Consider authorizing the City Manager to execute a contract with UTA in the amount not to exceed $70,000.00 to provide a musician/artist for the 2024 Founders Day Festival at Harry Myers Park to be funded out of Hot Funds (this is an approved 2023-2024 Hot Fund request), and take any action necessary.

**19.** Consider authorizing the City Manager to execute a contract with Birkhoff, Hendricks & Carter L.L.P. for engineering services for the Southside Elevated Water Storage Tank Rehabilitation in an amount of $83,600.00 to be paid from Water Operation Budget, and take any action necessary.

**20.** Council consider authorizing the City Manager to execute a contract for the emergency repairs for the Squabble Creek Lift Station Pump with Pump Solutions, Inc., in an amount not to exceed $43,706.00, to be funded from Sewer Operations Budget, and take any action necessary.

**21.** Consider awarding a bid to Rockdale Country Ford for a new (Fire Marshal Department) vehicle in the amount of $50,330.00 to be funded by the Fire Marshal Operating Budget, including authorizing the City Manager to execute associated purchase order(s) for the vehicle, and take any action necessary.

**22.** Consider approval of Hotel Occupancy fund to Rushcreek Yacht Club in the amount of $3,000, and authorize the City Manager to execute the contract, and take any action necessary.

**23.** Consider approval of an ordinance updating purchasing policy limits, and take any action necessary.

## X. Action Items

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

**1.** Discuss and consider status of state law regarding the regulation of Short Term Rentals, and take any action necessary.

**2.** Discuss and consider a status update from the Rockwall Area Chamber of Commerce regarding Hotel/Motel Occupancy Tax ("HOT") funding received, and take any action necessary.

**3.** **MIS2023-014** - Discuss and consider a request by Alan M. Jacob of Car Wash Pro Designers on behalf of Jim Dunn for the approval of a *Miscellaneous Case* for a *Variance* to the underground utility requirements in conjunction with a proposed car wash on a 6.17-acre tract of land identified as Tract 3-09 of the J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 10 (PD-10), generally located at the northwest corner of the intersection of John King Boulevard and SH-276, and take any action necessary.

4. **MIS2023-016** - Discuss and consider a request by Ryan Joyce of Michael Joyce Properties for the approval of a *Miscellaneous Case* for an *Alternative Tree Mitigation Settlement Agreement* for the Peachtree Subdivision being a 140.50-acre tract of land identified as Tract 5 of the J. R. Johnson Survey, Abstract No. 128 and Tract 3 of the G. Wells Survey, Abstract No. 219, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located on the southside of Mims Road west of the intersection of Mims Road and National Drive, and take any action necessary.

5. Discuss and consider approval of a resolution providing for the casting of votes and submission of the official voting ballot to the Rockwall Central Appraisal District (CAD / RCAD) for the 2024 - 2025 Appraisal District Board of Directors, and take any action necessary.

**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

2. Budget Report - Quarter End September 30, 2023

3. Fire Department Monthly Report

4. Parks & Recreation Department Monthly Report

5. Police Department Monthly Report

6. Sales Tax Historical Comparison

7. Water Consumption Historical Statistics

**XII. 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 3rd day of November, 2023, at 4:30 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*, Military Family Appreciation Month was established in 1993 by the Armed Services YMCA, with the U.S. Government recognizing it every year since that time; and

*Whereas*, this annual recognition celebrates military families, honoring them for the commitments they make in support of military service members and our country and for the countless sacrifices they make; and

*Whereas*, military life imposes unique demands on family members of military men and women, and military families exhibit exceptional resiliency and courage; and

*Whereas*, military families provide service members invaluable encouragement and love, selflessly managing the home front while their loved ones are in training or deployed; and

*Whereas*, this time of year can be challenging for military families, especially when experiencing long separations during the holiday season; and

*Whereas*, military families are deserving of honor and recognition this month and every month throughout the year.

*Now, Therefore*, I, Trace Johannesen, Mayor of the City of Rockwall, do hereby proclaim the month of **November 2023** as

## MILITARY FAMILY APPRECIATION MONTH

in the City of Rockwall and urge all residents to applaud military families for their dedication and sacrifice and to thank them for the love and support they provide to our military service men and women.

*In Witness Whereof*, I hereunto affix my hand and official seal this 3rd day of November, 2023.

Trace Johannesen, Mayor

# MINUTES

## 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

**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, Clarence Jorif, and Dennis Lewis. Also present were City Manager Mary Smith and Assistant City Manager Joey Boyd. The city's legal counsel, Lea Ream, participated in Executive Session virtually by video teleconference ("ZOOM"). Mayor Johannesen read the below-listed discussion items into the record before recessing the public meeting to go into Executive Session. Councilmember Tim McCallum arrived to the meeting and joined Executive Session at 5:05 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 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

**Council adjourned from Ex. Session at 5:38 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 Moeller

**Councilmember Moeller delivered the invocation and led the Pledge of Allegiance.**

## VI. Proclamations / Awards / Recognitions

1. Texas Chamber of Commerce Week

**Ms. Darby Burkey, Leslie Johnson, and one additional representatives from the Rockwall Area Chamber**

**of Commerce came forth and accepted this proclamation from Mayor Johannesen.**

## VII. Appointment Items

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

**Dereck Deckard, Chairman of the P&Z Commission, came forth and briefed the Council on recommendations of the Commission regarding planning-related items on tonight's meeting agenda. No action was taken following his briefing.**

## VIII. Open Forum

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

**Joy Bounds Murphy**
**209 Tanya Drive**
**Rockwall, TX**

**Mrs. Murphy shared her desire for the City Council to create some policies, boundaries and/or guidelines related to short-term rentals / 'vacation homes' within our city. She wants the City of Rockwall to set a precedence for regulations of these sorts of homes. She has concerns about who is renting these properties, including concern about increased crime. She wants to know what these sorts of properties are contributing to our community. She wonders who these properties attract. She believes a person can more easily turn their residential home into a 'vacation rental' than they can to get a permit approved to build a structure to protect their vehicles from hail. She wants to know how to request that the issue of short-term rentals be placed on a future Council agenda for discussion. She stated that Rockwall prides itself on 'taking the lead,' and she encouraged our city to take the lead on 'vacation homes.' She pointed out that cities all around us are trying to 'clamp down' on these properties. Mayor Johannesen shared that this topic will be on the November 6 Council meeting agenda, and the city attorney will be participating in said discussion.**

**Mrs. Paulette Weddle**
**1601 S. Alamo Road**
**Rockwall, TX**

**Mrs. Weddle came forth and expressed various concerns about short-term rentals, including the property at 1400 Ridge Road, which recently opened up as a short-term rental. She shared that she walks her dog daily, and she runs into neighbors who do not even realize that these short-term rentals are located in their neighborhood, and – when she lets them know this – they are appalled. She suggested that 'single-family home' designations should be utilized truly for families. She shared various photographs, and she pointed out that the garage is way back at the rear of the property, and it is being used as a 'party barn.' She pointed out that the 'party barn' in the backyard at this property does not have a restroom, so she wonders where they are going to use the restroom. She pointed out that she saw on the news where the City of Lewisville is having a public discussion about the topic of short-term rentals, as these have increased 84 or 89% with just as many problems. She indicated that she welcomes our city having these sorts of discussions as well.**

**Erica Lyle**
**1603 S. Alamo Road**
**Rockwall, TX**

**Mrs. Lyle came forth and read a poem, sharing that she hopes her reading it will help the Council think similarly to how many people in the audience are thinking.**

**Greg Oehler**
**207 Tanya Drive**
**Rockwall, TX**

**Mr. Oehler indicated that he looks forward to the City having a discussion on November 6 about short-term rentals. He has concerns about what the property at 1400 Ridge Road is doing to his neighborhood. He shared that he will be coming forth later tonight during the public hearing regarding the SUP request at that particular location. He stressed that the City really needs to address short-term rentals, especially since transients don't really care about what happens to the neighborhoods or our city.**

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

## IX. Take Any Action as a Result of Executive Session

**No action was taken as a result of Executive Session.**

## X. Consent Agenda

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.

**Councilmember Lewis moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5 and 6). Councilmember Thomas seconded the motion, which passed by a vote of 7 ayes to 0 ayes. Councilmember Jorif pointed out that several of these items have been previously discussed and were already approved in the budget.**

**Mayor Johannesen then reordered the agenda to address Public Hearing item #3 next.**

## XI. Public Hearing Items

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)**.

**Planning Director, Ryan Miller provided background information regarding this agenda item. 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.**

**Mr. Miller shared that 378 notices were mailed out to adjacent land / property owners within 500' of the subject property. Also, adjacent homeowners associations were also sent notice. Three notices were received back in opposition of the request, and two were received back in favor. In addition, the City's P&Z Commission approved a motion by 7-0 to recommend approval of this request.**

**Mayor Johannesen opened the public hearing, but no one indicated a desire to speak. So he closed the**

**public hearing.**

**Councilmember Lewis then made a motion to approve Z2023-045. Mayor Pro Tem Campbell seconded the motion. Following brief, additional clarification regarding this request and the city's existing code(s), the ordinance caption was read as follows:**

**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.**

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

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)**.

**Planning Director, Ryan Miller provided background information regarding this agenda item. Mr. Miller shared that the applicant would like approval of an SUP to allow construction of a 2,700 square foot single-family home. With this request, Council is being asked to consider the size, location and architecture of the proposed home when compared to existing, nearby housing in the area. He shared that staff has provided Council with a housing analysis for comparison, and this home does appear to be similar to other, existing homes. Also, it does meet all of the city's requirements with the exception of the proposed orientation of the garage. The front entry garage is required to sit back 20' from the front façade; however, this proposed home will have a garage that only sits back 11'; however, this is not abnormal for the area. The City's P&Z Commission did recently reviewed and unanimously recommend approval of this request. Also, after 67 notices were mailed out to adjacent property and land owners; however, none were received back by staff.**

**Mayor Johannesen opened the public hearing, but no one indicated a desire to speak. So he closed the public hearing.**

**Mayor Pro Tem Campbell moved to approve Z2023-046. Councilmember Jorif seconded the motion. The**

**ordinance caption was read as follows:**

**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 52 (PD-52) [*ORDINANCE NO. 02-14*] 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 *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.**

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

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)**.

**Planning Director, Ryan Miller provided background information regarding this agenda item. He generally shared that the applicant is coming forth to request this SUP after the owner of the property already had a contractor who had begun constructing a 'tennis court' at this location without having first applied for and received a permit / approval from the City. So, the city instructed the property owner to cease construction on the court and let them know they would need to obtain the city's approval before proceeding. Mr. Miller went on to share that the city's P&Z Commission reviewed this case on October 10, and they recommended (by a vote of 7 ayes to 0 nays) that this request be denied. Seventy notices were mailed out to property owners located within 500' of the subject property, and 22 responses were received back in opposition. Because so many notices of opposition were submitted, any possible approval of this request will require a ¾ majority approval of Council in order for it to be approved / to pass.**

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

**Bob Wacker**
**309 Featherstone**
**Rockwall, TX**

**Mr. Wacker shared that, although they initially ceased construction, they have since resumed construction despite having not yet received approval from the city. He went on to share that in 2013 the developer established deed restrictions on properties, including the one at this location. This property is not governed by a Homeowners Association (HOA), so members of the public are relying on the City Council to help enforce the deed restrictions. He hopes the City Council will do the right thing concerning this request.**

**Greg Oehler**
**207 Tanya Drive**
**Rockwall, TX**

**Mr. Oehler shared that when the city's notice went out, it was initially described as the applicant requesting approval for a pickleball court. He went on to share that he has done a lot of research to find out what a person can and cannot do on a property that is zoned as "single-family" within the city's Code(s). He shared the Air B&B listing for the property at 1400 Ridge Road that is already advertising "a forthcoming pickleball court" even though it has not been approved by the City. He shared that the website / app listing essentially "sells" this rental as an entertainment, game, and party house. He urged the Council to not approve this request, as it will further violate the city's existing Code. He pointed out that it can be a pickleball court, a tennis court or even potentially a basketball court. The variance the applicant is asking for has been mislabeled in the applicant's request. He asked the Council to reject and deny this request with prejudice. He is tired of people trying to make 'commercial runs' at the houses along Ridge Road.**

**Joy Bounds Murphy**
**209 Tanya Drive**
**Rockwall, TX**

**Mrs. Murphy stated she echoes many concerns expressed by Mr. Oehler, the previous speaker. She went on to read a description of how this short-term rental is being advertised / described on the rental website / app. Mayor Johannesen shared that he would like Mrs. Murphy to please be respectful and abide by the Council's request to keep her comments limited to 3 minutes. She went on to share some photos (aerial) that show the existing home from an 'air view' as well as some photos of the metal building that is being used as a party barn. She also generally expressed that she is feeling disrespected, and she believes this is a very important issue. So, she will continue to finish her comments, and she will be back in the future because she is very concerned about this and related issues. Mrs. Murphy thanked the Council for its consideration and for making some decisions to protect existing property owners.**

**Bill Childs**
**1611 S. Alamo Road**
**Rockwall, TX**

**Mr. Childs came forth and expressed concern about the sound and lighting that will emit from a potential pickleball court. He went on to share research he has conducted concerning the amount (in decibels) of noise that will emit from things such as tennis and/or pickleball courts. He also shared statistics on how many lumens is required to light a pickleball court. With no governance of the noise and light, the level of annoyance that will result if this is approved is quite substantial. He strongly spoke against this request.**

**Erica Lyle**
**1603 S. Alamo Road**
**Rockwall, TX**

**Mrs. Lyle came forth and shared that her own, personal home is behind and diagonally adjacent to this short-term rental. She shared information about the 'grade' that her home sits beneath this property (which is on a hill above her home). She wants Council to deny this request with prejudice.**

**Terry Nevitt**
**201 Becky Lane**

**Mrs. Nevitt shared that she will soon be a twenty-five year resident of our city. She moved to this neighborhood for many reasons. She went on to explain where her street is located and how close the pickleball court is located to the adjacent homes. She shared that this is a commercial property and is not a residential home. It transferred ownership last June, and the city is not collecting hotel / motel taxes on the property. Furthermore, she believes there should be heavy restrictions on this commercial property. She pointed out that a family has not lived in the home or occupied it since the time its ownership changed hands. She has concerns about all kinds of different thing the pickleball court could be used for (i.e. a dance floor in conjunction with the party barn). She does have concerns about more and more properties being turned into short-term rentals, which are 'commercial' uses. This should not be allowed. She thanked Council for the work it does. She loves our city and would like to keep our city and her neighborhood like it has always been. She pointed out that residents in her neighborhood are voters.**

**Barrett Howard**
**1511 S. Alamo Road**
**Rockwall, TX**

**Mr. Howard shared that he and his wife are working individuals, and they bought their home in 2005. They bought it for the beautiful views and the attractive neighborhood. He went on to express (generally) the closeness between his family members and their neighbors nearby. He shared that his wife is a teacher and he is a physical therapist. He enjoys yoga on his back patio, and sometimes he has conversations with neighbors behind him while doing so because the home are so close that this sort of thing is possible. He went on to explain specifically where his home is located. The pickleball court is something he can stand in his backyard and see a person at 1400 Ridge Road and have a discussion about it and the party barn. He has concerns about things at this home being very disruptive (renters laughing, playing music, having bright lights shining, etc.). He generally expressed he has concerns about short-term rentals having very negative impacts on his neighborhood to the extent he is questioning if he may need to sell his home and move elsewhere. He urged Council to vote against this request.**

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

**Councilmember Jorif provided commentary following the public hearing, sharing that Council is aware of what is going on at this property, and many councilmembers personally went and looked at it in person. He went on to make a motion to deny Z2023-047. Councilmember Thomas seconded the motion. He commented that the contractor working on constructing the pickleball courts was very disrespectful at the recent Planning & Zoning Commission meeting. He noted that neither that contractor nor the**

**applicant were present this evening. Councilmember McCallum shared that he and others on the Council went and looked at this. He acknowledged that this request is concerning, and it is located very close to the neighbors. He clarified that the city / Council cannot enforce deed restrictions, as doing so is outside of the city's scope / reach. However, the City can vote down this request. Mayor Pro Tem Campbell shared that she lives in this neighborhood, raised her boys in this neighborhood, and shares a lot of the same concerns expressed by speakers this evening. She thanked everyone for taking time to come to tonight's meeting and speak. Councilmember Lewis echoed Ms. Campbell's sentiments. He thanked everyone for coming out and speaking this evening. Following the comments, the motion to deny the request passed by a vote of 7 ayes to 0 nays. Planning Director, Ryan Miller clarified that, since Council did not specify in its motion to deny, it is (by default) considered to be a denial 'with prejudice.'**

**Public Hearing Item #1 (Z2023-045) was addressed next by Council.**

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)**.

**Planning Director, Ryan Miller provided background information regarding this agenda item. The location associated with this request is the northeast corner of SH-205 and Bordeaux Drive. The applicant is wanting approval of an SUP for a restaurant less than 2,000 square feet with a drive-thru. He went on to explain the existing, nearby establishments (i.e. "Salads to Go," "Tom Thumb," and McDonald's) as well as the roadway orientation(s). He shared brief details about their landscape plan and associated requirements. He explained that approval of this SUP request is a discretionary decision on the part of Council. Thirty-five notices were mailed out to adjacent property and land owners within 500' of the subject property. One notice was received back in favor, and two notices were received back in opposition. In addition, the P&Z Commission recently approved a motion to recommend approval of this request by a vote of 7 to 0.**

**Mayor Johannesen opened the public hearing and called the applicant forth to speak.**

**Clay Cristy of ClayMoore Engineering, the applicant, came forth and briefly spoke, indicating that he will be submitting some additional items (re: landscaping) to the city's Planning Department for inclusion in this request. He apologized for the delay in getting these items to Mr. Miller.**

**Bob Wacker**
**309 Featherstone**
**Rockwall, TX**

**Mr. Wacker and commented on the John King roadway as compared to the Goliad roadway. He has concerns about the speed limit being 50 mph, as he believes it would be safer at a speed limit of 45 mph. For this reason he is both in favor of this request being approved and also somewhat in opposition of its approval.**

**Councilmember Moeller moved to approve Z2023-048. Councilmember Jorif seconded the motion. Councilmember Thomas asked if the applicant knows an estimate of how many cars will be going through the drive-thru. The applicant expressed that he does not have these specific numbers with him tonight, but it is expected that the volume will not be detrimental. The ordinance caption was read as follows:**

**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.**

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

## XII. Action Items

**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.

**Building Official, Jeffrey Widmer provided brief background information regarding this agenda item. He shared that the school district is currently constructing their two new freshmen centers. They would like a little more visibility, so they are requesting a little larger and little higher signs. (Note: 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). Mayor Pro Tem Campbell moved to approve the request for the height and size of the two signs. Councilmember Lewis seconded the motion, which – following brief comments – passed by a vote of 7 ayes to 0 nays.**

**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.

**City Manager, Mary Smith provided information concerning this agenda item. She shared that our city is the recipient of this grant for a second time now. This grant will allow the City to add twelve additional**

**firefighters. Indication was given that this will fund the twelve new firefighters for an initial period of three years. Councilmember McCallum moved to approve acceptance of the grant and associated budget amendments. Councilmember Lewis seconded the motion. Councilmember Jorif pointed out that, just as the name implies, this grant will help make Rockwall 'safer.' The motion to approve passed unanimously of Council (7 ayes to 0 nays).**

**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.

**Assistant City Manager, Joey Boyd provided brief information concerning this agenda item. He explained that this (additional) space at the Tech Park is 25,692 square feet, and it will be utilized by staff from the city's Police and Fire Departments (both Fire Administration and the Fire Marshal's office). Mayor Johannesen pointed out that this is part of a long-term growth plan to help provide additional office space for both fire and police staff.**

**Councilmember Jorif moved to authorize the City Manager to negotiate and execute the agreement. Councilmember Moeller seconded the motion, which passed unanimously of Council (7 ayes to 0 nays).**

## XIII. Adjournment

**Mrs. Smith reminded Council of the city's Volunteer Appreciation Reception, which is slated for this Wednesday. Mayor Johannesen adjourned the meeting at 7:34 p.m.**

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

_____
**TRACE JOHANNESEN, MAYOR**

**ATTEST:**

_____
**KRISTY TEAGUE, CITY SECRETARY**

**CITY OF ROCKWALL**

**ORDINANCE NO. 23-60**

**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*;

**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:**

Kristy Teague, City Secretary

**APPROVED AS TO FORM:**

Frank J. Garza, City Attorney

1st Reading: October 16, 2023

2nd Reading: November 6, 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*);

***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;

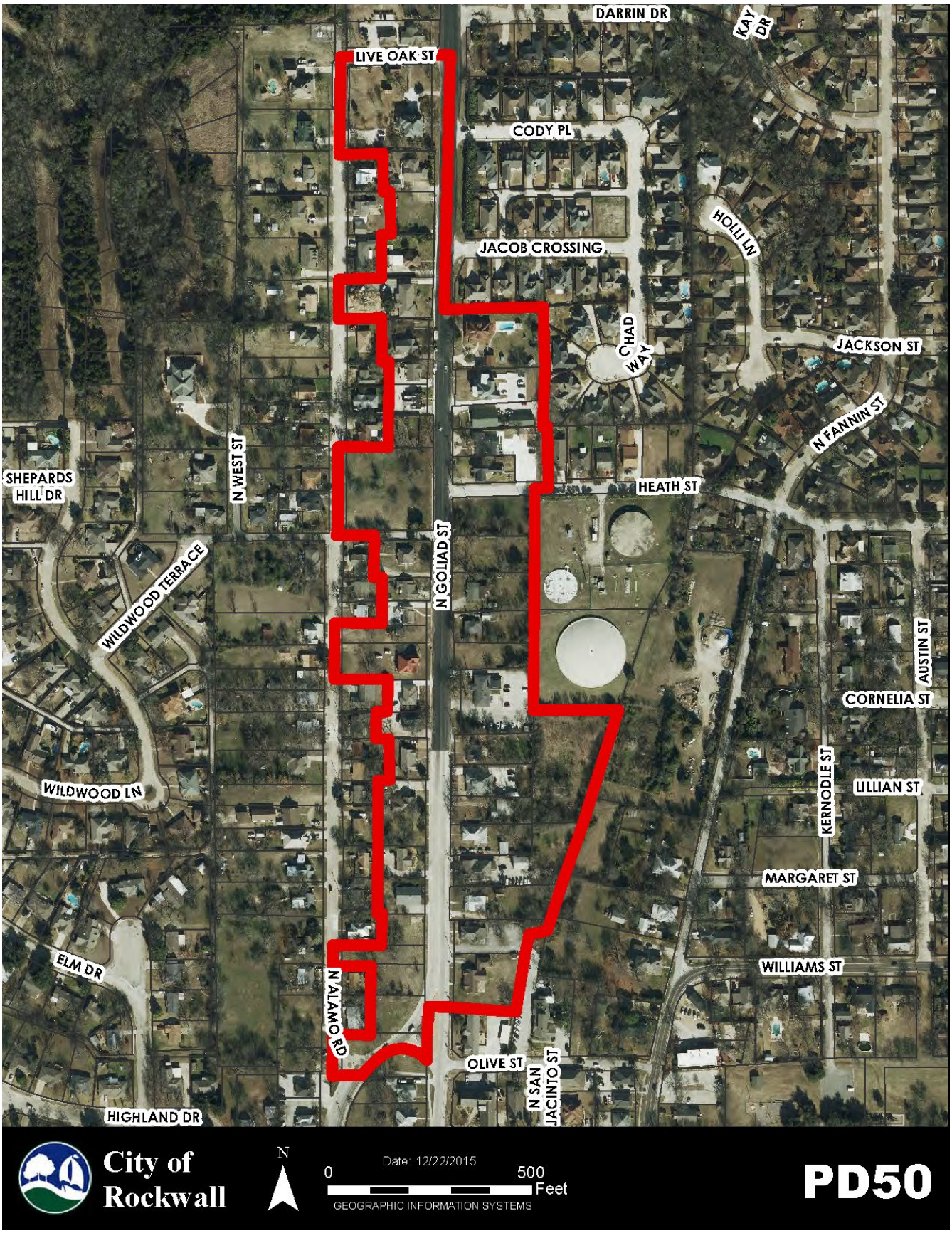
***THENCE*** northerly 98.02' along the east right of way of Alamo Street for a point;

***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.

***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.

   (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.

**CITY OF ROCKWALL**

**ORDINANCE NO. 23-61**

**SPECIFIC USE PERMIT NO. S-318**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 52 (PD-52) [*ORDINANCE NO. 02-14*] 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 *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 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 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 Planned Development District 52 (PD-52) [*Ordinance No. 02-14*] 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 *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 Subsection 03.01, *General Residential District Standards*, Planned Development District 52 (PD-52) [*Ordinance No. 02-14*] 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.

**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

**Exhibit 'A':**
*Location Map*

*Address:* *715 Sherman Street*

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



**Exhibit 'B':**
*Residential Plot Plan*

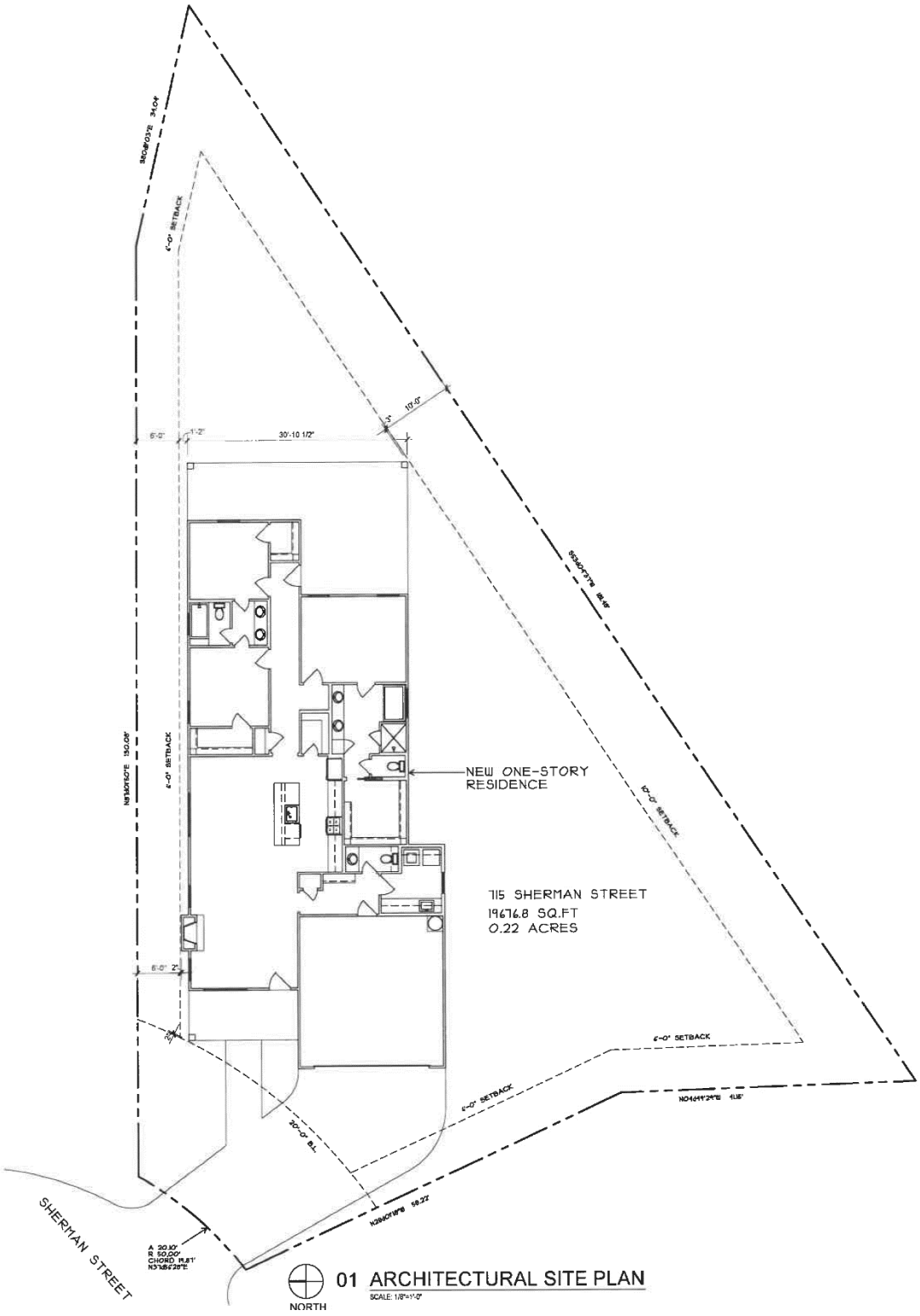


**Exhibit 'C':**
*Building Elevations*

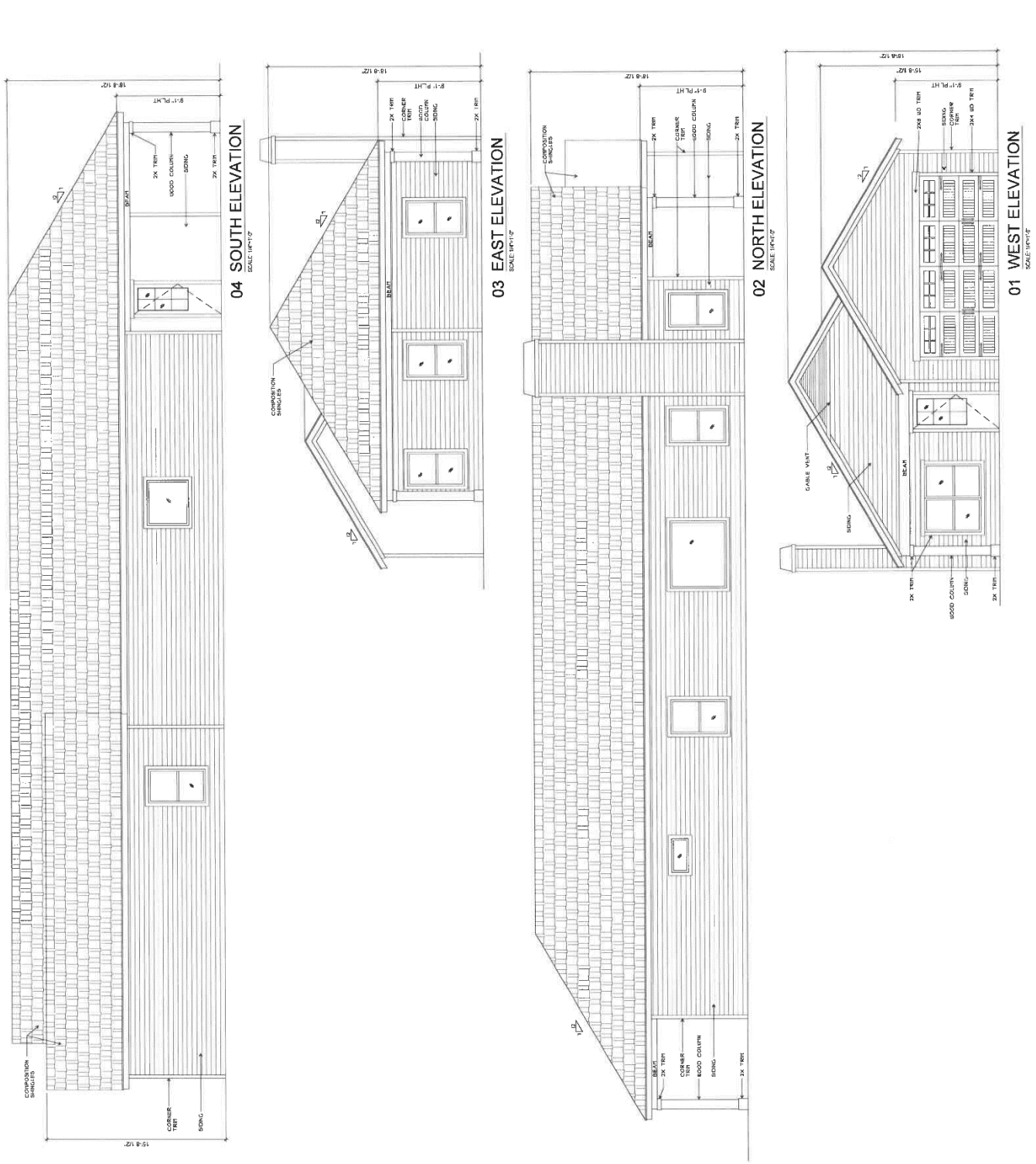
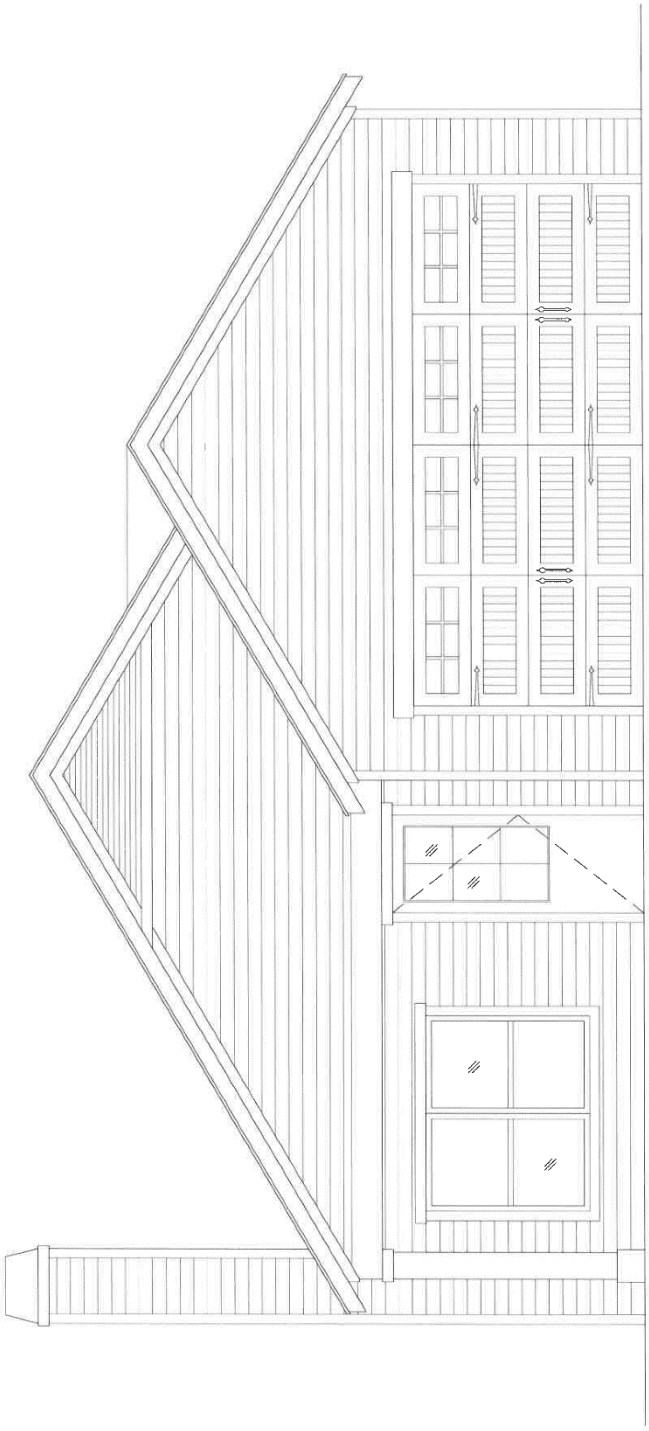


**Exhibit 'C':**
*Building Elevations*



**CITY OF ROCKWALL**

**ORDINANCE NO. 23-62**

**SPECIFIC USE PERMIT NO. S-319**

**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*

*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

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 Johannesen, 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

**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*

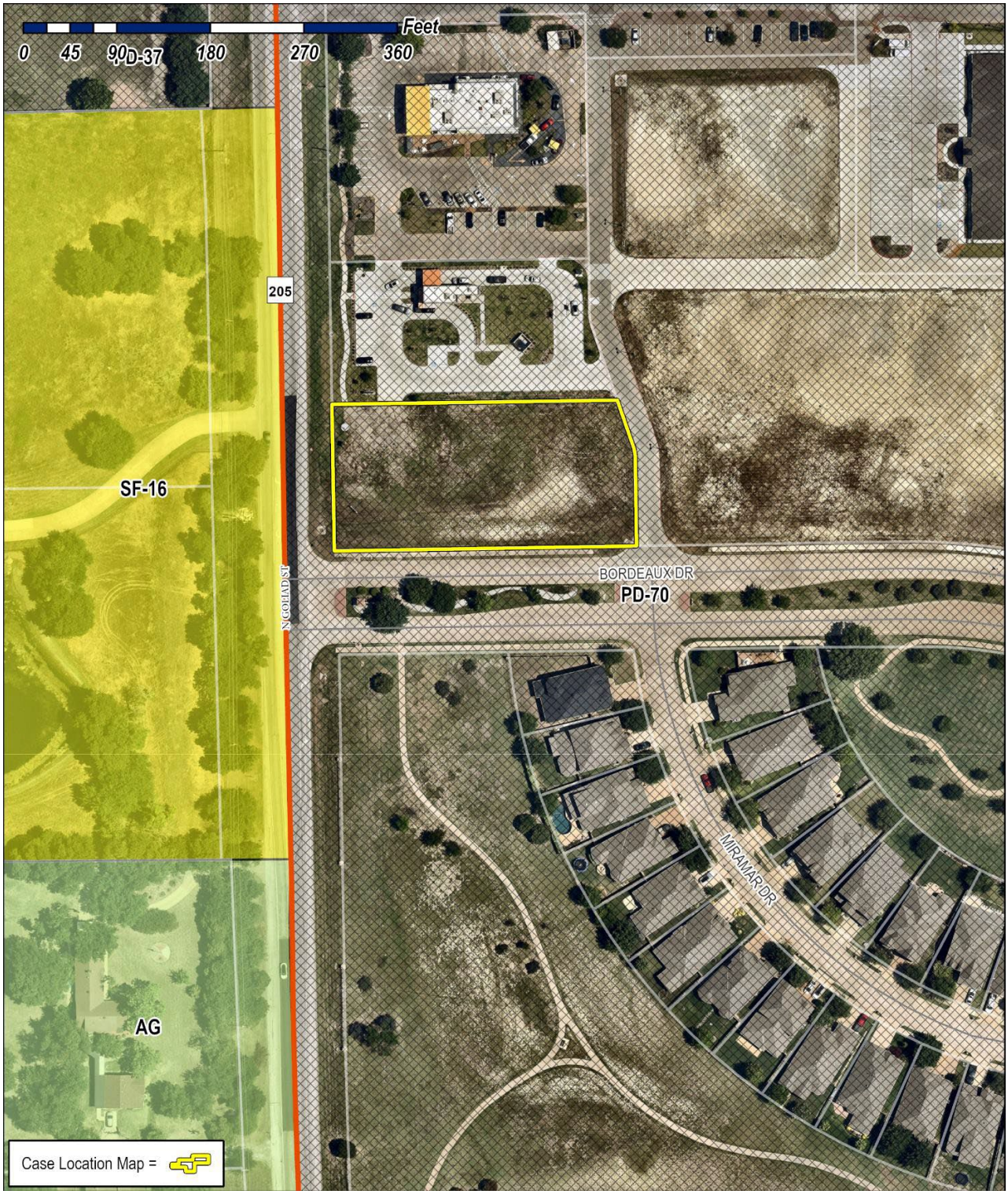


**Exhibit 'B':**
*Concept Plan*

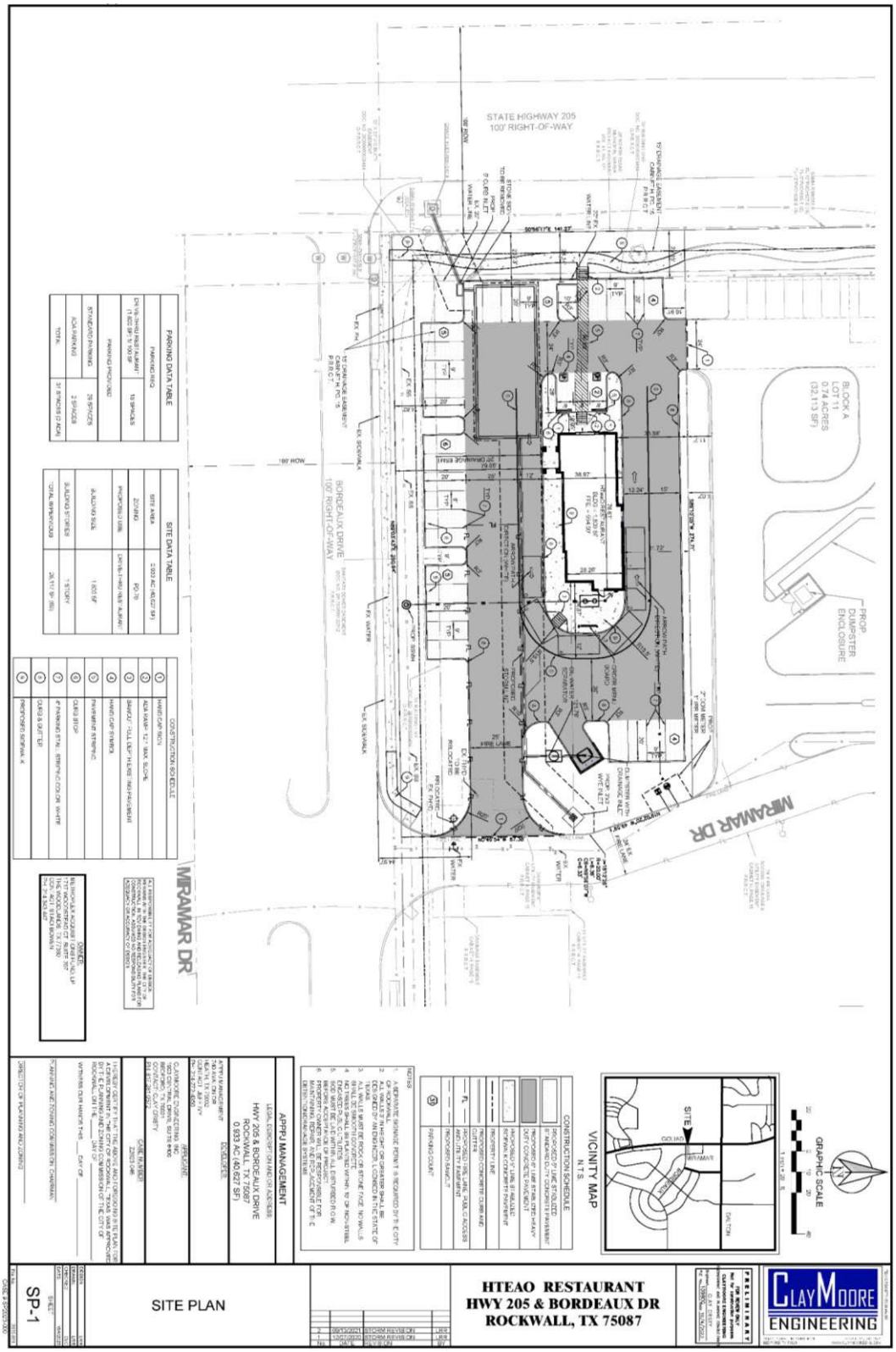
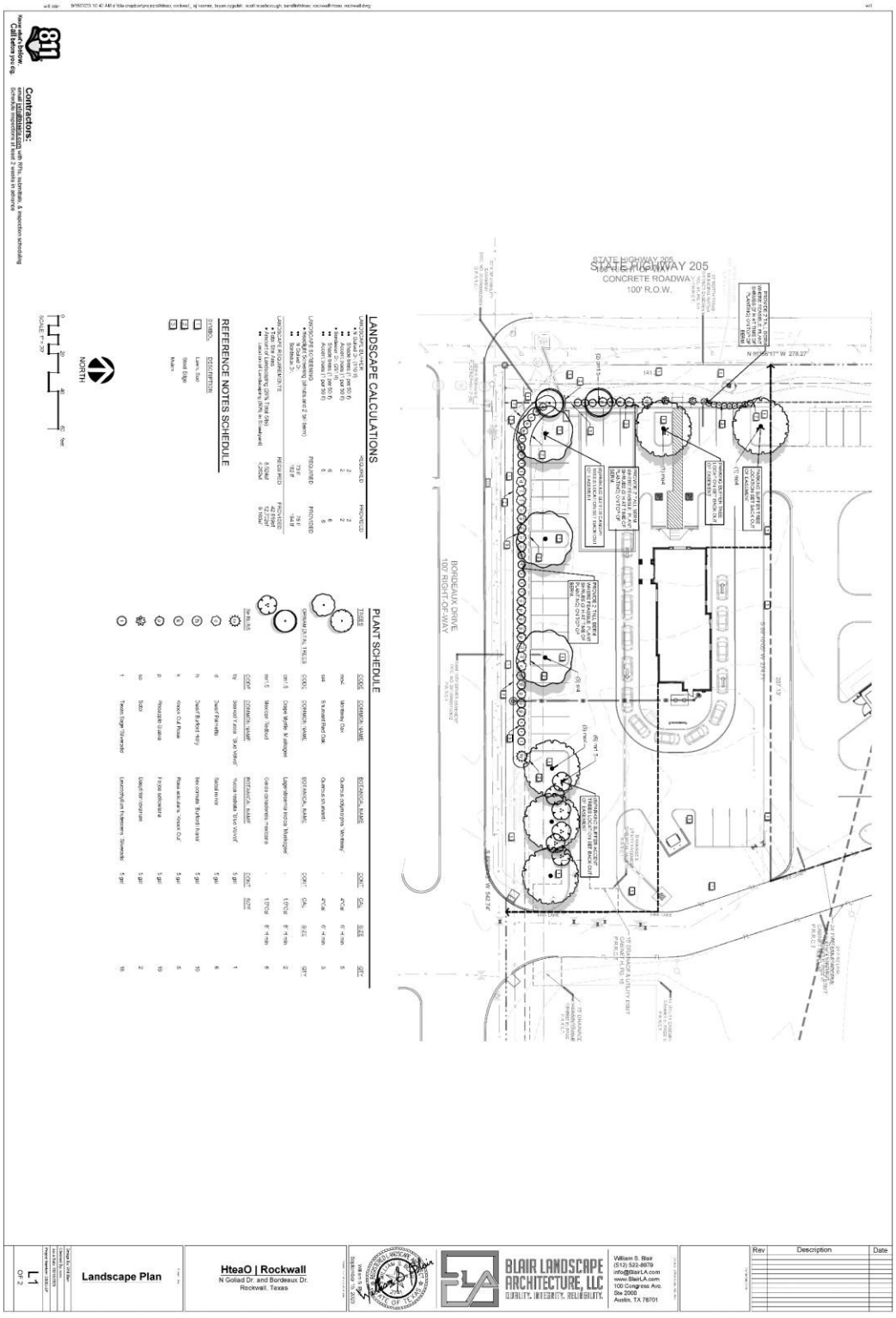


**Exhibit 'C':**
*Landscape Plan*



# 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:** | November 6, 2023 |
| **APPLICANT:** | Michael Hunter |
| **CASE NUMBER:** | P2023-031; *Final Plat for Lot 1 Block A, Hunter Addition* |

## SUMMARY

Consider a request by Michael Hunter for the approval of a *Final Plat* for Lot 1, Block A, Hunter Addition being a 0.631-acre tract of land identified as Lot 1, Block A, Barz Acre Addition and Lot 1, Block 1, Reeves Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 220 W. Quail Run Road, and take any action necessary.

## PLAT INFORMATION

☑ *Purpose*. The applicant is requesting the approval of a *Final Plat* for a 0.631-acre tract of land (*i.e. Lot 1, Block 1, Reeves Addition and Lot 1-1, Block A, Barz Addition*) for the purpose of creating one (1) lot (*i.e. Lot 1, Block A, Hunter Addition*) and establishing a utility easement. Currently, there is an existing 3,240 SF single-family home situated on the subject property, which was constructed in 1980.

☑ *Background*. The subject property was annexed on February 6, 1961 by *Ordinance No. 60-01* [*Case No. A1960-001*]. At the time of annexation, the subject property was zoned Agricultural (AG) District. At some point between the time of annexation and January 3, 1972, the subject property was zoned Single-Family 2 (SF-2) District. On June 4, 1980, a final plat was filed that established the north portion of the subject property as Lot 1, Block 1, Reeves Addition. At some point between January 3, 1972 and May 16, 1983 the subject property went through a zoning change from Single-Family 2 (SF-2) District to Single-Family 10 (SF-10) District. On March 23, 1991, a final plat was filed that established the southern portion of the subject property as Lot 1, Block A, Barz Addition. At some point after the Barz Addition was established, the southern portion of the property was purchased without a replat being completed. According to the Rockwall Central Appraisal District (RCAD) the legal description of the southern portion of the subject property is Lot 1-1, Block A, Barz Addition.

☑ *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 *Lot 1, Block A, Hunter 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 November 1, 2023, the Planning and Zoning Commission approved a motion to approve the *Final Plat* by a vote of 4-0, with Commissioners Deckard, Conway, and Llewellyn absent.

# 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 | 220 W. QUAIL RUN RD | | | | |
| SUBDIVISION | Reeves Addition | LOT | 1 | BLOCK | |
| GENERAL LOCATION | | | | | |

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

| | | | |
|---|---|---|---|
| CURRENT ZONING | SF10 | CURRENT USE | Residential SF |
| PROPOSED ZONING | SF10 | PROPOSED USE | Residential SF |
| ACREAGE | .631 | 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 | Michael B. Hunter & Vicki D. Hunter | ☐ APPLICANT | |
| CONTACT PERSON | Michael Hunter | CONTACT PERSON | |
| ADDRESS | 220 W. Quail Run RD | ADDRESS | |
| CITY, STATE & ZIP | Rockwall, TX 75087 | CITY, STATE & ZIP | |
| PHONE | (214) 563-1284 | PHONE | |
| E-MAIL | michael@hunter-hunter.com | E-MAIL | |

## NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Michael D. Hunter [*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* $ 320.40 *, TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE* 13th *DAY OF* October *, 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* 13th *DAY OF* October *, 20* 23

*OWNER'S SIGNATURE*

*NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS* Vicky Morton

VICKY MORTON
Notary Public, State of Texas
Notary ID 126778218
My Comm. Exp. 03-08-2027

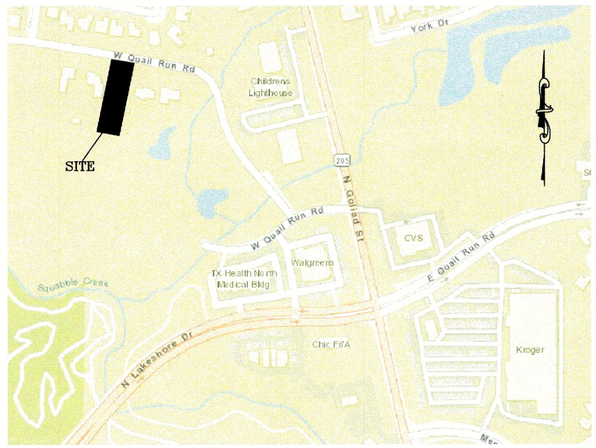
*MY COMMISSION EXPIRES*




**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.

## VICINITY MAP

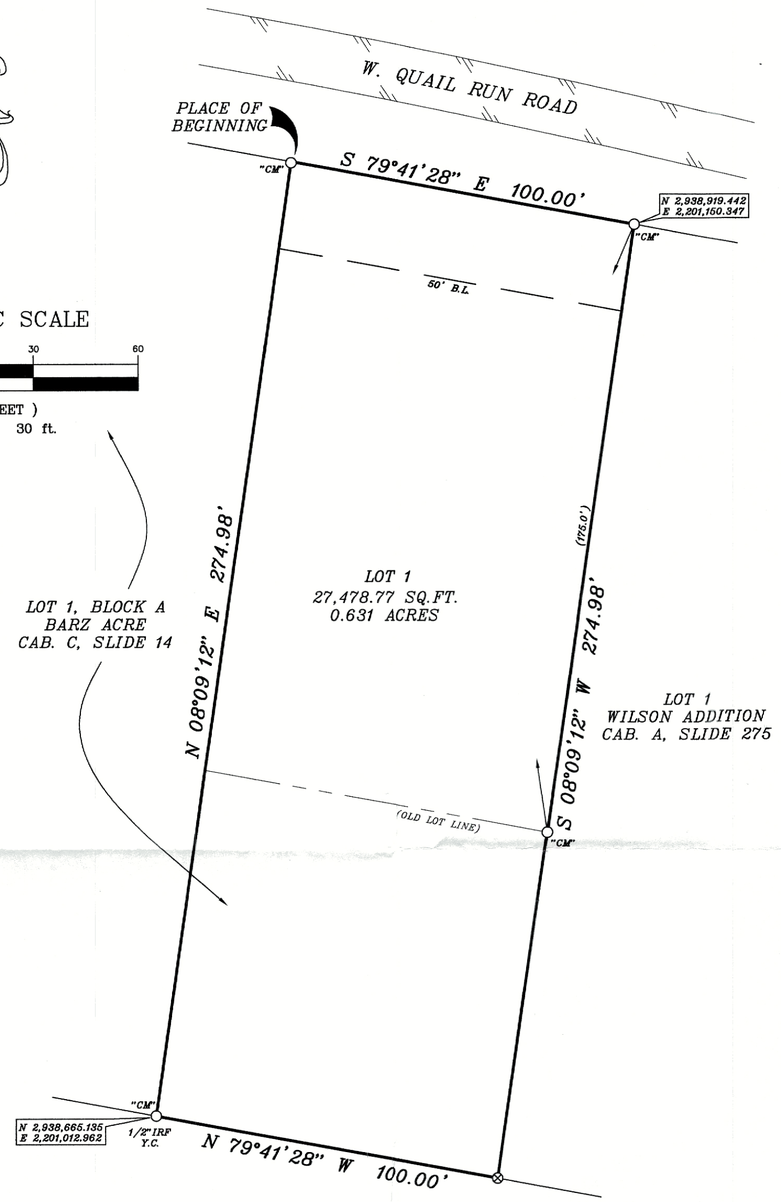



NOT TO SCALE

GRAPHIC SCALE

30 0 15 30 60

( IN FEET )
1 inch = 30 ft.




## SURVEYOR'S CERTIFICATE

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That I, Brian D. Gallia, do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and the corner monuments shown thereon were properly placed under my personal supervision.

EXECUTED THIS 11TH DAY OF SEPTEMBER, 2023

BRIAN GALLIA
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5569

NOTE: Selling a portion of this addition by metes and bounds is unlawful and a violation of the subdivision ordinance of the city and Chapter 212, municipal regulation of subdivisions and property development, of the Texas Local Government Code, and shall be the subject to the city withholding utilities and building permits.

NOTE: 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.

NOTE: 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.

NOTE: All decrotive sinage, posts, or lights installed in public right-of-way shall be installed, maintained, repaired, and replaced by the homeowner's association (HOA).

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

NOTE: THE LOCATION OF UNDERGROUND UTILITIES IF SHOWN HEREON ARE BASED ON ABOVEGROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES OR STRUCTURES.
CALL 1-800-344-8377 (DIG TESS)

NOTE: EVERY DOCUMENT OF RECORD REVIEWED AND CONSIDERED AS A PART OF THIS SURVEY IS NOTED HEREON. ONLY THE DOCUMENTS HEREON WERE SUPPLIED TO THE SURVEYOR. THERE MAY EXIST OTHER DOCUMENTS OF RECORD THAT WOULD AFFECT THIS PARCEL.

NOTE: ACCORDING TO THE F.I.R.M. IN COMMUNITY PANEL NO. 48397C0030590L, THIS PROPERTY APPEARS TO LIE IN ZONE X AND APPEARS NOT TO LIE WITHIN THE SPECIAL FLOOD HAZARD AREA. THIS STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES, THIS FLOOD STATEMENT AND/OR FLOOD LINES SHOWN HEREON SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

NOTE: BEARING BASIS, GEODETIC NORTH, WORLD GEODETIC SYSTEM 1984 (WGS84), GPS OBSERVED. "CM" CONTROLLING MONUMENT (RECOGNIZED AS OF RECORD DIGNITY).

TEXAS LICENSED SURVEYING FIRM REGISTRATION NUMBER 10150300

APPROVED:
I hereby certify that the above and foregoing subdivision plat – being an addition to the City of Rockwall, Texas – was approved by the city council of the City of Rockwall, Texas on the _____ day of _____, 2023.

_____ Mayor of the City of Rockwall

_____ Planning and Zoning Commisssion Chairman

_____ City Secretary

_____ City Engineer

## LEGEND

R.O.W.–RIGHT-OF-WAY EASM'T–EASEMENT
⊗ 1/2" IRON ROD SET ○ 1/2" IRON ROD FOUND
IRF/IRS– IRON ROD FOUND/SET (UNLESS OTHERWISE NOTED)
ASPHALT PAVING


~BRIAN GALLIA & ASSOCIATES~
BG&A Land Surveying, Inc.
8877 COUNTY ROAD 3609
QUINLAN, TEXAS, 75474
PHONE: (903) 447-0658
FAX: (903) 447-0931
www.bgasurveying.com


CAD. TECH. MM JOB NO. 2301282-1

## PROPERTY DESCRIPTION

STATE OF TEXAS:
COUNTY OF ROCKWALL:

BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND BEING KNOWN AS LOT 1, REEVES ADDITION, RECORDED IN CABINET A, SLIDE 371, PLAT RECORDS, ROCKWALL COUNTY, TEXAS AND BEING A PORTION OF LOT 1, BLOCK A, BARZ ACRE, RECORDED IN CABINET C, SLIDE 14, PLAT RECORDS, ROCKWALL COUNTY, TEXAS, AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE RECOGNIZED SOUTH RIGHT-OF-WAY LINE OF W. QUAIL RUN ROAD, SAID POINT BEING THE RECOGNIZED NORTHWEST CORNER OF SAID LOT 1, REEVES ADDITION AND THE RECOGNIZED NORTHEAST CORNER OF SAID LOT 1, BLOCK A;

THENCE SOUTH 79 DEGREES 41 MINUTES 28 SECONDS EAST, ALONG THE RECOGNIZED SOUTH RIGHT-OF-WAY LINE OF SAID W. QUAIL RUN ROAD AND THE RECOGNIZED NORTH LINE OF SAID LOT 1, REEVES ADDITION, A DISTANCE OF 100.00 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE RECOGNIZED NORTHEAST CORNER OF SAID LOT 1 AND THE APPARENT NORTHWEST CORNER OF LOT 1, WILSON ADDITION, RECORDED IN CABINET A, SLIDE 275, PLAT RECORDS, ROCKWALL COUNTY, TEXAS;

THENCE SOUTH 08 DEGREES 09 MINUTES 12 SECONDS WEST, ALONG THE RECOGNIZED EAST LINE OF SAID LOT 1, REEVES ADDITION AND THE APPARENT WEST LINE OF SAID LOT 1, WILSON ADDITION, PASSING A 1/2 INCH IRON ROD FOUND FOR WITNESS, THE RECOGNIZED SOUTHEAST CORNER OF SAID LOT 1, REEVES ADDITION AND THE RECOGNIZED MOST SOUTHERLY NORTHEAST CORNER OF SAID LOT 1, BLOCK A, AT 175.00 FEET AND CONTINUING FOR A TOTAL DISTANCE OF 274.98 FEET TO A 1/2 INCH IRON ROD SET WITH YELLOW CAP STAMPED BG&A RPLS 5569 FOR CORNER IN THE APPARENT NORTH LINE OF A TRACT OF LAND DESCRIBED IN DEED TO THE CITY OF ROCKWALL, RECORDED IN DOCUMENT NO. 2019-000023397, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS, SAID POINT BEING THE RECOGNIZED SOUTHEAST CORNER OF SAID LOT 1, BLOCK A AND THE APPARENT SOUTHWEST CORNER OF SAID LOT 1, WILSON ADDITION;

THENCE NORTH 74 DEGREES 41 MINUTES 28 SECONDS WEST, ALONG THE RECOGNIZED SOUTH LINE OF SAID LOT 1, BLOCK A AND THE APPARENT NORTH LINE OF SAID CITY OF ROCKWALL TRACT, A DISTANCE OF 100.00 FEET TO A 1/2 INCH IRON ROD FOUND WITH YELLOW CAP FOR CORNER, SAID POINT BEING THE SOUTHWEST CORNER OF HEREIN DESCRIBED TRACT;

THENCE NORTH 08 DEGREES 09 MINUTES 12 SECONDS EAST, OVER AND UPON SAID LOT 1, BLOCK A, PASSING THE SOUTHWEST CORNER OF SAID LOT 1, REEVES ADDITION AND CONTINUING ALONG THE RECOGNIZED WEST LINE OF SAID REEVES ADDITION AND THE APPARENT MOST NORTHERLY EAST LINE OF SAID LOT 1, BLOCK A, A TOTAL DISTANCE OF 274.98 FEET TO THE PLACE OF BEGINNING AND CONTAINING 27,478.77 SQ. FT. OR 0.631 ACRES OF LAND.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I Michael B. Hunter and Vickie D. Hunter the undersigned owner(s) of the land shown on this plat, and designated herein as the Hunter Addition subdivision 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, watercourses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I Michael B. Hunter and Vickie D. Hunter further certify that all other parties who have a mortgage or lien interest in the Hunter Addition subdivision have been notified and signed this plat. I Michael B. Hunter and Vickie D. Hunter 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. I Michael B. Hunter and Vickie D. Hunter 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 their 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, maintaining, 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 Rockwall 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, storm 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 county's engineer and/or county 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 and/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 progress 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 council of the City of Rockwall.

I Michael B. Hunter 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; I Michael B. Hunter and Vickie D. Hunter., my (our) successors and assigns hereby waive any claim, damage, or cause of action that I Michael B. Hunter and Vickie D. Hunter may have as a result of the dedication of exactions made herein.

Owners: Michael B. Hunter and Vickie D. Hunter

_____ By: Michael D Hunter

_____ By: Vickie D. Hunter

## NOTARY PUBLIC

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared Michael D. Hunter and Vickie D. Hunter, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they 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:

# FINAL PLAT
## LOT 1, BLOCK 1
# HUNTER ADDITION
### BEING A REPLAT OF LOT 1 OF REEVES ADDITION
### BEING 0.631 ACRES OR 24,478.77 SQ. FT.
### SITUATED IN THE S. KING SURVEY, ABSTRACT NO. 131
### CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

# 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:** | November 6, 2023 |
| **APPLICANT:** | Matthew Peterson; *DB Constructors* |
| **CASE NUMBER:** | P2023-032; *Final Plat for Lots 1 & 2, Block A, Interstate Classic Cars Addition* |

## SUMMARY

Consider a request by Matthew Peterson of DB Constructors, Inc. on behalf of Jeff Fleming of Jeff Fleming Investments, LLC for the approval of a *Final Plat* for Lots 1 & 2, Block A, Interstate Classic Cars Addition being a 3.853-acre tract of land identified as Tract 2-09 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Planned Development 46 (PD-46) District for Commercial (C) District land uses, situated within the SH-276 Overlay (SH-276 OV) District, generally located on the southside of Springer Road east of the intersection of Springer Road and Corporate Crossing, and take any action necessary.

## PLAT INFORMATION

☑ *Purpose*. The applicant is requesting the approval of a *Final Plat* for a 3.853-acre parcel of land (*i.e. Tract 1-2 of the W.H. Baird Survey, Abstract No. 25*) for the purpose of creating two (2) lots (*i.e. Lots 1 & 2, Block A, Interstate Classic Cars Addition)* and establishing the access, fire lane, and utility easements necessary to construct a 22,748 SF *New and/or Used Indoor Motor Vehicle Dealership/Showroom* on the subject property.

☑ *Background*. The subject property was originally annexed into the City of Rockwall on July 21, 1997 by *Ordinance No. 97-14*. At the time of annexation, the subject property was zoned Agricultural (AG) District. On March 1, 1999, the City Council approved a zoning change [*Case No. PZ1998-087-01; Ordinance No. 99-05*] for the subject property, changing the zoning from an Agricultural (AG) District to Planned Development District 46 (PD-46) for Commercial (C) District land uses. On August 2, 2021, the City Council amended Planned Development District 46 (PD-46) [*Case No. Z2020-024; Ordinance No. 21-32*]; however, the approved amendment did not affect the subject property. On March 6, 2023, the City Council approved a Specific Use Permit (SUP) [*Case No. Z2023-002; Ordinance No. 23-10; S-295*] to allow a *New and/or Used Indoor Motor Vehicle Dealership/Showroom* on the subject property. The subject property has remained vacant since the time of annexation. On July 11, 2023, the Planning and Zoning Commission approved a site plan [*Case No. SP2023-021*] for the construction of a 22,748 SF *New and/or Used Indoor Motor Vehicle Dealership/Showroom* on the subject property.

☑ *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 & 2, Block A, Interstate Classic Cars 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 November 1, 2023, the Planning and Zoning Commission approved a recommendation to approve the *Final Plat* by a vote of 4-0, with Commissioners Deckard, Conway, and Llewellyn absent.

# 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 | 3101 Springer Road, Rockwall TX 75032 | | | | |
| SUBDIVISION | Interstate Classic Cars Addition | LOT | 1 | BLOCK | A |
| GENERAL LOCATION | East of the Intersection of Springer Road and Corporate Crossing | | | | |

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

| | | | | | |
|---|---|---|---|---|---|
| CURRENT ZONING | PD-46 with SH-276 Overlay | CURRENT USE | Vacant | | |
| PROPOSED ZONING | | PROPOSED USE | Office/Car Showroom | | |
| ACREAGE | 1.990 | LOTS [CURRENT] | 1 | LOTS [PROPOSED] | 1 |

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

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

| | | | |
|---|---|---|---|
| ☐ OWNER | J R Fleming Investments, LLC. | ☒ APPLICANT | db constructors, inc. |
| CONTACT PERSON | Jeff Fleming | CONTACT PERSON | Matthew Peterson |
| ADDRESS | 2635 Observation Trail | ADDRESS | 2400 Great Southwest Parkway |
| CITY, STATE & ZIP | Rockwall, TX 75032 | CITY, STATE & ZIP | Fort Worth, TX 76106 |
| PHONE | (214) 505-9116 | PHONE | (972) 837-6244 |
| E-MAIL | jfleming@interstateclassiccars.com | E-MAIL | matthew@dbconstructors.com |

## NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JEFF R. FLEMING [*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* $ 340.00 *TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE* 19th *DAY OF* October, 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."*

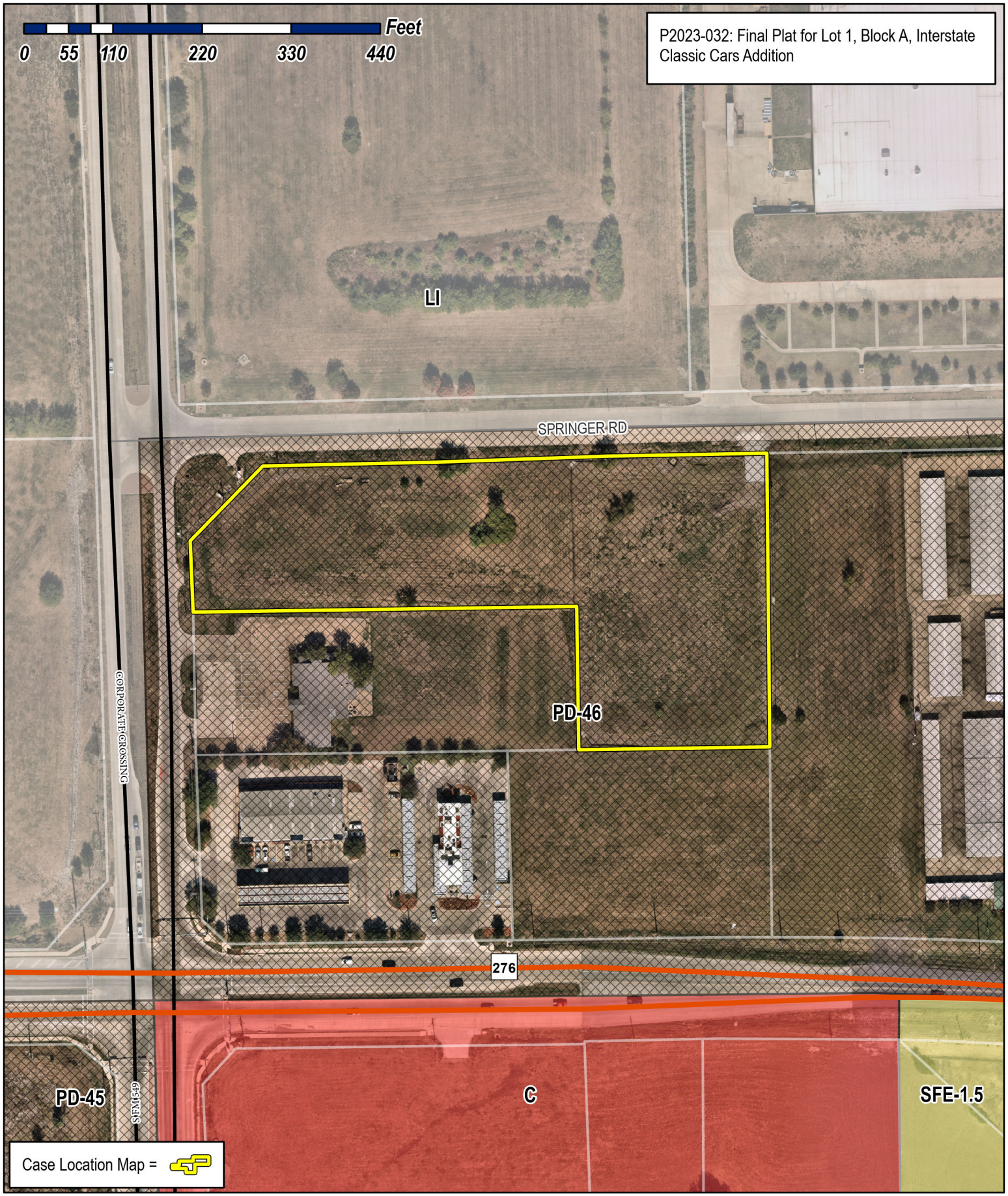
*GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE* 19th *DAY OF* October, 2023

*OWNER'S SIGNATURE*

*NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS*

Joel-Travis Burch
My Commission Expires
12/30/2025
Notary ID
128136747

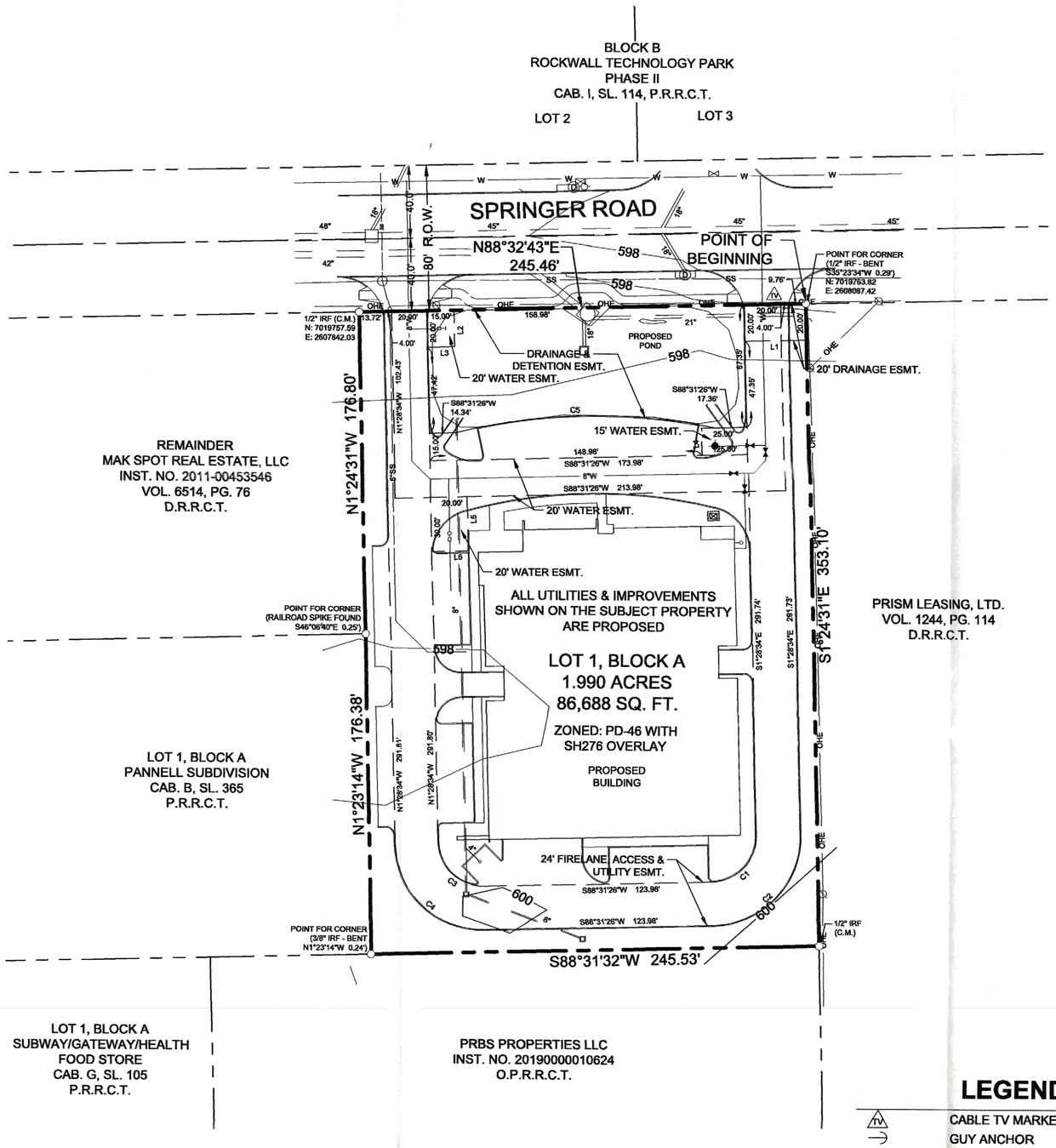
*MY COMMISSION EXPIRES* 12/30/25

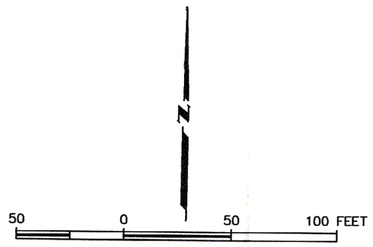



# City of Rockwall

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.




SCALE: 1"=50'




LOCATION MAP
NOT TO SCALE

| LINE TABLE | | |
|---|---|---|
| NO. | BEARING | LENGTH |
| L1 | S88°32'43"W | 33.74' |
| L2 | N01°28'34"W | 20.00' |
| L3 | S88°32'43"W | 15.00' |
| L4 | S01°28'34"E | 15.00' |
| L5 | S01°24'31"E | 30.00' |
| L6 | S88°31'26"W | 20.00' |

| CURVE TABLE | | | | | |
|---|---|---|---|---|---|
| NO. | DELTA | RADIUS | LENGTH | CHORD BEARING | CHORD |
| C1 | 90°00'00" | 25.00' | 39.27' | S43°31'26"W | 35.36' |
| C2 | 90°00'00" | 49.00' | 76.97' | S43°31'26"W | 69.30' |
| C3 | 90°00'00" | 25.00' | 39.27' | N46°28'34"W | 35.36' |
| C4 | 90°00'00" | 49.00' | 76.97' | N46°28'34"W | 69.30' |
| C5 | 26°02'21" | 315.77' | 143.51' | S88°31'26"W | 142.27' |

## LEGEND

| | |
|---|---|
| TV | CABLE TV MARKER SIGN |
| | GUY ANCHOR |
| | UTILITY POLE |
| D | STORM SEWER MANHOLE |
| | FIRE HYDRANT |
| | WATER VALVE |
| OHE | OVERHEAD ELECTRIC LINE |
| C.M. | CONTROLLING MONUMENT |
| IRFC | IRON ROD WITH CAP FOUND |
| IRF | IRON ROD FOUND |
| RRF | RAILROAD SPIKE FOUND |
| ESMT. | EASEMENT |
| R.O.W. | RIGHT-OF-WAY |
| D.R.R.C.T. | DEED RECORDS, ROCKWALL COUNTY, TEXAS |
| P.R.R.C.T. | PLAT RECORDS, ROCKWALL COUNTY, TEXAS |
| O.P.R.R.C.T. | OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS |

NOTES:

1. THE BASIS OF BEARINGS FOR THIS SURVEY IS THE STATE PLANE COORDINATE SYSTEM, NORTH TEXAS CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983. ADJUSTMENT REALIZATION 2011.

2. COORDINATES SHOWN ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, NORTH TEXAS CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.

3. IT SHALL BE THE POLICY OF THE CITY OF ROCKWALL TO WITHHOLD ISSUING BUILDING PERMITS UNTIL ALL STREETS, WATER, SEWER AND STORM DRAINAGE SYSTEMS HAVE BEEN ACCEPTED BY THE CITY. THE APPROVAL OF A PLAT BY THE CITY DOES NOT CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE THAT ANY BUILDING WITHIN SUCH PLAT SHALL BE APPROVED, AUTHORIZED OR PERMIT THEREFORE ISSUED, NOR SHALL SUCH APPROVAL CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE BY THE CITY OF THE ADEQUACY AND AVAILABILITY FOR WATER FOR PERSONAL USE AND FIRE PROTECTION WITHIN SUCH PLAT, AS REQUIRED UNDER ORDINANCE 83-54.

4. PROPERTY OWNER SHALL BE RESPONSIBLE FOR MAINTAINING, REPAIRING, AND REPLACING ALL SYSTEMS WITHIN THE DRAINAGE AND DETENTION EASEMENTS.

5. ALL EASEMENTS SHOWN HEREON ARE BY THIS PLAT UNLESS OTHERWISE NOTED.

6. SUBJECT PROPERTY IS IN "ZONE X" ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP NO. 480547 0045L, REVISED DATE SEPTEMBER 26, 2008.

"ZONE X" OTHER AREAS: AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN

OWNER
J R FLEMING INVESTMENTS, LLC
P.O. BOX 489
ROCKWALL, TEXAS 75087

# FINAL PLAT
# INTERSTATE CLASSIC CARS ADDITION
## LOT 1, BLOCK A
1.990 ACRES
SITUATED IN THE
JOHN A. RAMSEY SURVEY, ABSTRACT NO. 186
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
OCTOBER 10, 2023
CASE NUMBER _____

VOTEX SURVEYING COMPANY – TBPLS FIRM NO. 10013600
10440 N. CENTRAL EXPWY, STE. 800 DALLAS, TEXAS 75231
PH. (469) 333-8831; candy@votexsurveying.com
PROJECT NO. 2023-042

**OWNER'S CERTIFICATION**

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

**WHEREAS** J R FLEMING INVESTMENTS, LLC, BEING THE OWNER OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

**BEING** a tract of land situated in the John A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas and being all of that tract of land conveyed to J R Fleming Investments, LLC by Warranty Deed recorded in Instrument No. 20220000019133, Official Public Records, Rockwall County, Texas; and being more particularly described as follows:

**BEGINNING** a point for corner in the south right-of-way line of Springer Road (an 80-foot wide right-of-way) at the northeast corner of said J R Fleming Investments, LLC tract and the northwest corner of a tract of land conveyed to Prism Leasing, Ltd. recorded in Volume 1244, Page 114, Deed Records, Rockwall County, Texas; from which a 1/2-inch iron rod found (bent) bears S 35°23'34" W, a distance of 0.29 feet;

**THENCE** S 01°24'31" E, departing said south right-of-way line of Springer Road and with the common line of said J R Fleming Investments, LLC tract and said Prism Leasing, Ltd., a distance of 353.10 feet to a 1/2-inch iron rod found at the southeast corner of said J R Fleming Investments, LLC tract and the northeast corner of a tract of land conveyed to PRBS Properties LLC by deed recorded in Instrument No. 20190000010624, Official Public Records, Rockwall County, Texas;

**THENCE** S 88°31'32" W, with the common line of said J R Fleming Investments, LLC tract and said PRBS Properties LLC tract, a distance of 245.53 feet to a point for the southeast corner of Lot 1, Block A, Pannell Subdivision, an addition to the City of Rockwall, Texas, according to the plat thereof recorded in Cabinet B, Slide 365, Plat Records, Rockwall County, Texas; from which a 3/8-inch iron rod found bears N 01°23'14" W, a distance of 0.24 feet;

**THENCE** N 01°23'14" W, with the common line of said J R Fleming Investments, LLC tract and said Lot 1, a distance of 176.38 feet to a point for the northeast corner of said Lot 1; from which a railroad spike found bears S 46°06'40" E, a distance of 0.25 feet;

**THENCE** N 01°24'31" W, continuing with the west line of said J R Fleming Investments, LLC tract, a distance of 176.80 feet to a 1/2-inch iron rod found in said south right-of-way line of Springer Road at the northwest corner of said J R Fleming Investments, LLC tract;

**THENCE** N 88°32'43" E, with said south right-of-way line of Springer Road, a distance of 245.46 feet to the **POINT OF BEGINNING** and containing 86,688 square feet or 1.990 acres of land, more or less.

**NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:**

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

I (we) the undersigned owner(s) of the land shown on this plat, and designated herein as the INTERSTATE CLASSIC CARS 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 (we) further certify that all other parties who have a mortgage or lien interest in the INTERSTATE CLASSIC CARS ADDITION have been notified and signed this plat. I (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. I (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 their 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, maintaining, 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 Rockwall 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, storm 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 and/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 progress 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.

I (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; I (we), my (our) successors and assigns hereby waive any claim, damage, or cause of action that I (we) may have as a result of the dedication of exactions made herein.

J R Fleming Investments, LLC,
a Texas limited liability company

_____
Name, Title

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, a Notary Public in and for the County and State on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purpose and consideration therein and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2023.

_____ _____
Notary Public, State of Texas My Commission Expires

**SURVEYOR'S STATEMENT**

THAT I, Candy Hone, 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.

PRELIMINARY

RELEASED 10/10/2023 FOR REVIEW PURPOSES ONLY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

Candy Hone, Registered Professional Land Surveyor, No. 5867
Votex Surveying Company - Firm No. 10013600 - (469) 333-8831

**STATE OF TEXAS**
**COUNTY OF DALLAS**

Before me, the undersigned, a Notary Public in and for the County and State on this day personally appeared Candy Hone, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

_____
Notary Public, State of Texas My Commission Expires

**STANDARD CITY SIGNATURE BLOCK**

_____ _____
***Planning & Zoning Commission, Chairman*** ***Date***

**APPROVED:**
I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 2023.

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.

*WITNESS OUR HANDS*, this _____ day of _____, 2023.

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

OWNER
J R FLEMING INVESTMENTS, LLC
P.O. BOX 489
ROCKWALL, TEXAS 75087

# FINAL PLAT
# INTERSTATE CLASSIC CARS ADDITION
# LOT 1, BLOCK A

1.990 ACRES
SITUATED IN THE
JOHN A. RAMSEY SURVEY, ABSTRACT NO. 186
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
OCTOBER 10, 2023
CASE NUMBER _____

*VOTEX SURVEYING COMPANY – TBPLS FIRM NO. 10013600*
*10440 N. CENTRAL EXPWY, STE. 800 DALLAS, TEXAS 75231*
*PH. (469) 333-8831; candy@votexsurveying.com*
*PROJECT NO. 2023-042* *SHEET 2 OF 2*

# 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:** | November 6, 2023 |
| **APPLICANT:** | Aaron Davis; *John King, LLC* |
| **CASE NUMBER:** | P2023-033; *Final Plat for Lot 1 Block A, John King Office Park* |

## SUMMARY

Consider a request by Aaron Davis of John King, LLC for the approval of a *Final Plat* for Lot 1, Block A, John King Office Park being a 2.361-acre tract of land identified as Tract 1-2 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Planned Development 10 (PD-10) for Commercial (C) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, addressed as 1940 S. John King Boulevard, and take any action necessary.

## PLAT INFORMATION

☑ *Purpose*. The applicant is requesting the approval of a *Final Plat* for a 2.361-acre parcel of land (*i.e. Tract 1-2 of the W.H. Baird Survey, Abstract No. 25*) for the purpose of creating one (1) lot (*i.e. Lot 1, Block A, John King Office Park*) and establishing the necessary access, fire lane, and utility easements for the construction of five (5) (*i.e. two [2] buildings at 3,680 SF and three [3] buildings at 4,368 SF*) office buildings on the subject property.

☑ *Background*. The subject property was originally annexed into the City of Rockwall on September 16, 1974 by *Ordinance No. 74-25*. At the time of annexation, the subject property was zoned Agricultural (AG) District. On November 4, 1974, the City Council approved to a zoning change [*Ordinance No. 74-32*] for the subject property from an Agricultural (AG) District to Planned Development District 10 (PD-10) for Commercial (C) District land uses. The Planned Development District has been amended seven (7) times by *Ordinance No.'s 96-03*, *00-08*, *04-25*, *04-40*, *12-13*, *13-39 & 20-30* since the original ordinance adoption; however, the zoning designation of the subject property has not changed since *Ordinance No. 74-32*. On August 9, 2022, the Planning and Zoning Commission approved a site plan [*Case No. SP2022-040*] to construct five (5) (*i.e. two [2] buildings at 3,680 SF and three [3] buildings at 4,368 SF*) office buildings on the subject property.

☑ *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 *Lot 1, Block A, John King Office Park* 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 November 1, 2023, the Planning and Zoning Commission approved a motion to recommend approval of the *Final Plat* by a vote of 4-0, with Commissioners Deckard, Conway, and Llewellyn absent.

# DEVELOPMENT APPLICATION

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

**STAFF USE ONLY**
**PLANNING & ZONING CASE NO.** P2023-033

*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 | 1940 S JOHN KING | | | | |
| SUBDIVISION | JOHN KING OFFICE PARK | LOT | 1 | BLOCK | A |
| GENERAL LOCATION | | | | | |

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

| | | | | | |
|---|---|---|---|---|---|
| CURRENT ZONING | PD - 10/C | CURRENT USE | | | |
| PROPOSED ZONING | | PROPOSED USE | | | |
| ACREAGE | 2.36 | LOTS [CURRENT] | 1 | LOTS [PROPOSED] | 1 |

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

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

| | | | |
|---|---|---|---|
| ☑ OWNER | JOHN KING, LLC | ☐ APPLICANT | |
| CONTACT PERSON | AARON DAVIS | CONTACT PERSON | |
| ADDRESS | 709 W RUSK | ADDRESS | |
| CITY, STATE & ZIP | ROCKWALL TX | CITY, STATE & ZIP | |
| PHONE | 214-557-9093 | PHONE | |
| E-MAIL | aaron@sbmres.com | E-MAIL | |

## NOTARY VERIFICATION [REQUIRED]

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

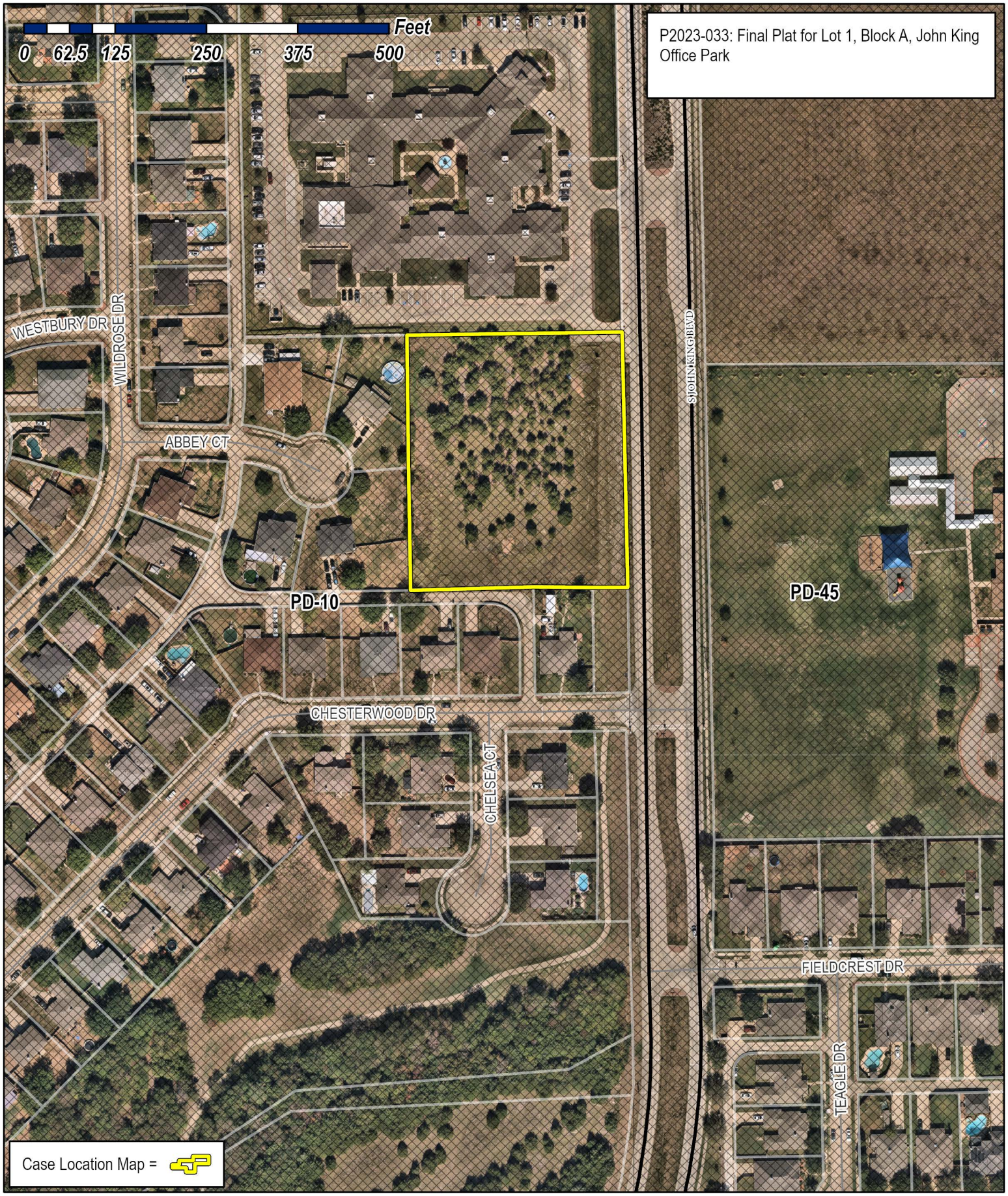
*"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF $_____, TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE _____ DAY OF _____, 20___. BY SIGNING THIS APPLICATION, 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* 20 *DAY OF* October *20* 23

*OWNER'S SIGNATURE*

*NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS* Theresa L Moss *MY COMMISSION EXPIRES*

NOTARY PUBLIC STATE OF TEXAS
THERESA L MOSS
Notary ID #130926177
My Commission Expires
December 8, 2024



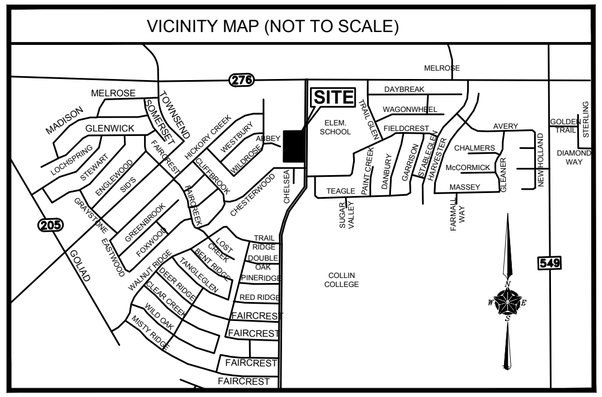


# City of Rockwall

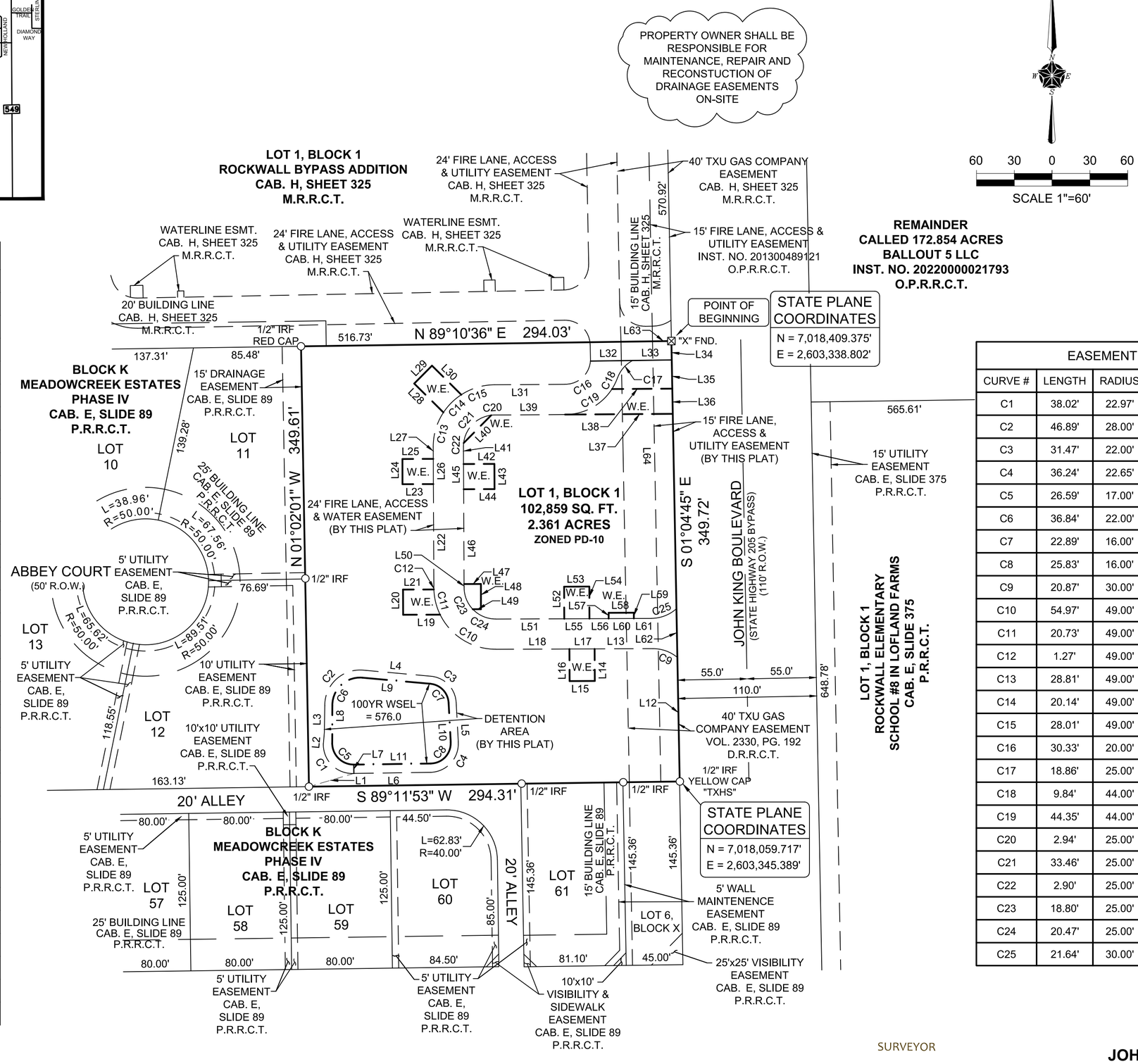
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com



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.




| EASEMENT LINE TABLE | | | EASEMENT LINE TABLE | | |
|---|---|---|---|---|---|
| LINE # | LENGTH | DIRECTION | LINE # | LENGTH | DIRECTION |
| L1 | 37.15' | N73°34'51"E | L33 | 30.94' | N89°10'36"E |
| L2 | 8.71' | N4°51'23"E | L34 | 15.00' | N1°04'43"W |
| L3 | 21.38' | N0°56'18"E | L35 | 22.80' | S1°04'47"E |
| L4 | 54.02' | S84°52'47"E | L36 | 20.00' | S1°04'45"E |
| L5 | 31.42' | S3°02'51"E | L37 | 85.56' | N89°37'06"E |
| L6 | 61.10' | S89°09'53"W | L38 | 47.82' | S89°37'06"W |
| L7 | 7.00' | N0°25'41"W | L39 | 55.66' | N89°37'06"E |
| L8 | 30.04' | S0°10'00"W | L40 | 31.02' | S44°44'56"W |
| L9 | 54.02' | N84°52'47"W | L41 | 13.81' | N0°15'04"W |
| L10 | 31.42' | N3°02'51"W | L42 | 24.50' | N89°44'56"E |
| L11 | 61.10' | N89°09'53"E | L43 | 20.00' | S0°15'04"E |
| L12 | 98.66' | N1°04'45"W | L44 | 24.50' | S89°44'56"W |
| L13 | 46.33' | N89°44'59"E | L45 | 20.00' | N0°15'04"W |
| L14 | 25.48' | S0°15'04"E | L46 | 75.25' | S0°15'04"E |
| L15 | 20.00' | S89°44'56"W | L47 | 13.36' | N89°54'07"E |
| L16 | 25.48' | N0°15'04"W | L48 | 20.00' | S0°05'53"E |
| L17 | 20.00' | N89°44'59"E | L49 | 6.56' | S89°54'07"W |
| L18 | 58.42' | N89°44'59"E | L50 | 2.94' | N0°15'04"W |
| L19 | 29.36' | S89°44'56"W | L51 | 54.42' | S89°44'56"W |
| L20 | 20.00' | N0°15'04"W | L52 | 25.48' | N0°15'04"W |
| L21 | 24.52' | N89°44'56"E | L53 | 20.00' | N89°44'56"E |
| L22 | 82.41' | S0°15'04"E | L54 | 25.48' | S0°15'04"E |
| L23 | 24.50' | S89°44'56"W | L55 | 20.00' | S89°44'56"W |
| L24 | 20.00' | N0°15'04"W | L56 | 15.25' | S89°44'56"W |
| L25 | 24.50' | N89°44'56"E | L57 | 4.57' | N0°15'04"W |
| L26 | 20.00' | S0°15'04"E | L58 | 20.00' | N89°44'56"E |
| L27 | 9.59' | S0°15'04"E | L59 | 4.57' | S0°15'04"E |
| L28 | 32.64' | N45°15'04"W | L60 | 20.00' | S89°44'56"W |
| L29 | 20.00' | N44°44'56"E | L61 | 13.94' | S89°44'56"W |
| L30 | 32.81' | S45°15'04"E | L62 | 38.44' | S1°04'45"E |
| L31 | 55.64' | S89°37'06"W | L63 | 15.00' | N89°10'36"E |
| L32 | 33.56' | N89°10'36"E | L64 | 349.59' | N1°04'45"W |




| EASEMENT CURVE TABLE | | | | |
|---|---|---|---|---|
| CURVE # | LENGTH | RADIUS | DELTA | CHORD |
| C1 | 38.02' | 22.97' | 94°51'27" | S45° 37' 28"E 33.82' |
| C2 | 46.89' | 28.00' | 95°56'27" | S47° 09' 00"W 41.60' |
| C3 | 31.47' | 22.00' | 81°57'46" | N43° 53' 54"W 28.86' |
| C4 | 36.24' | 22.65' | 91°38'55" | N42° 04' 51"E 32.50' |
| C5 | 26.59' | 17.00' | 89°36'27" | S45° 37' 28"E 23.96' |
| C6 | 36.84' | 22.00' | 95°56'27" | S47° 08' 59"W 32.68' |
| C7 | 22.89' | 16.00' | 81°57'46" | N43° 53' 54"W 20.99' |
| C8 | 25.83' | 16.00' | 92°29'20" | N43° 19' 39"E 23.11' |
| C9 | 20.87' | 30.00' | 39°51'29" | N70° 20' 48"W 20.45' |
| C10 | 54.97' | 49.00' | 64°16'32" | S58° 06' 48"E 52.13' |
| C11 | 20.73' | 49.00' | 24°14'29" | S13° 51' 17"E 20.58' |
| C12 | 1.27' | 49.00' | 1°28'59" | S0° 59' 33"E 1.27' |
| C13 | 28.81' | 49.00' | 33°41'35" | S16° 35' 44"W 28.40' |
| C14 | 20.14' | 49.00' | 23°33'08" | S45° 13' 06"W 20.00' |
| C15 | 28.01' | 49.00' | 32°45'16" | S73° 22' 18"W 27.63' |
| C16 | 30.33' | 20.00' | 86°54'04" | S47° 55' 10"W 27.51' |
| C17 | 18.86' | 25.00' | 43°13'14" | S41° 08' 51"W 18.41' |
| C18 | 9.84' | 44.00' | 12°48'27" | N26° 15' 49"E 9.82' |
| C19 | 44.35' | 44.00' | 57°44'50" | N61° 32' 27"E 42.49' |
| C20 | 2.94' | 25.00' | 6°44'05" | N86° 27' 44"E 2.94' |
| C21 | 33.46' | 25.00' | 76°41'31" | N44° 44' 56"E 31.02' |
| C22 | 2.90' | 25.00' | 6°39'15" | N3° 04' 33"E 2.90' |
| C23 | 18.80' | 25.00' | 43°05'40" | N21° 47' 54"W 18.36' |
| C24 | 20.47' | 25.00' | 46°54'20" | N66° 47' 54"W 19.90' |
| C25 | 21.64' | 30.00' | 41°19'48" | N69° 05' 02"E 21.17' |

LEGEND:

| | |
|---|---|
| CM | CONTROLLING MONUMENT |
| IRF | IRON ROD FOUND |
| IRS | IRON ROD SET WITH YELLOW CAP STAMPED "TXHS" |
| VOL., PG. | VOLUME, PAGE |
| D.R.R.C.T. | DEED RECORDS, ROCKWALL COUNTY, TEXAS |
| M.R.R.C.T. | MAP RECORDS, ROCKWALL COUNTY, TEXAS |
| INST. NO. | INSTRUMENT NUMBER |
| W.E. | WATER EASEMENT (BY THIS PLAT) |

ENGINEER
MONK CONSULTING ENGINEERS, INC.
1200 W. STATE STREET
GARLAND, TEXAS 75040
attn: JERRY MONK

OWNER
LITTLE GENIUS OF TEXAS, LLC
a Texas limited liability company
436 QUAIL CREEK DRIVE
MURPHY, TEXAS 75094
attn: VINOD SHARMA, President

SURVEYOR
TEXAS HERITAGE SURVEYING, LLC
10610 Metric Drive, Suite 124, Dallas, TX 75243
Office 214-340-9700 Fax 214-340-9710
txheritage.com
Firm No. 10169300

FINAL PLAT
**JOHN KING OFFICE PARK**
**LOT 1, BLOCK A**
1 LOT
102,859 SQUARE FEET / 2.361 ACRES
BEING A TRACT OF LAND SITUATED IN THE W.H. BAIRD SURVEY, ABSTRACT NO. 25
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
CASE NO. SP2022-040
PAGE 1 OF 2

DATE: 09/18/2023 / JOB # 2201036-4 / SCALE= 1" = 60' / DRAWN: KO

## OWNER'S CERTIFICATE:

STATE OF TEXAS
COUNTY OF ROCKWALL

BEING that tract of land situated in the W.H. Baird Survey, Abstract No. 25 in the City of Rockwall, Rockwall County, Texas, and being that tract of land described in General Warranty Deed with Vendor's Lien to JOHN KING OC, LLC recorded in Instrument Number 20220000001403, Official Public Records, Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an "X" cut in concrete found for corner, said corner being the southeast corner of Lot 1, Block 1 of Rockwall Bypass Addition, an addition to the City of Rockwall, Rockwall County, Texas according to the plat thereof recorded in Cabinet H, Sheet 325, Map Records, Rockwall County, Texas, and being in the west right-of-way line of John King Boulevard (State Highway 205 Bypass)(110 foot right-of-way);

THENCE South 01 degrees 04 minutes 45 seconds East, along the west right-of-way line of said John King Boulevard, a distance of 349.72 feet to a 1/2 inch iron rod with yellow plastic cap stamped "TXHS" found for corner, said corner being in the northeast corner of Lot 6, Block X of Meadowcreek Estates Phase IV, an addition to the City of Rockwall, Rockwall County, Texas according to the plat thereof recorded in Cabinet E, Slide 89, Plat Records, Rockwall County, Texas;

THENCE South 89 degrees 11 minutes 53 seconds West, along the north line of said Lot 6, Block X, passing a 1/2 inch iron rod found at a distance of 44.81 feet, continuing along the north line of Lot 61, Block K of said Meadowcreek Estates Phase IV, passing a 1/2 inch iron rod found at a distance of 80.64 feet, and continuing along the north right-of-way line of a 20 foot alley for a total distance of 294.31 feet to a 1/2 inch iron rod found for corner, said corner being the southeast corner of Lot 12, Block K of said Meadowcreek Estates Phase IV;

THENCE North 01 degrees 02 minutes 01 seconds West, along the east line of said Lot 12, Block K, passing a 1/2 inch iron rod found at a distance of 165.28 feet, and continuing along the east line of said Lot 11, Block K of said Meadowcreek Estates Phase IV for a total distance of 349.61 feet to a 1/2 inch iron rod found for corner, said corner being in the south line of said Lot 1, Block 1;

THENCE North 89 degrees 10 minutes 30 seconds East, along the south line of said Lot 1, Block 1, a distance of 294.03 feet back to the POINT OF BEGINNING and containing 102,859 square feet or 2.361 acres of land more or less.

## OWNERS DEDICATION:

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as the **JOHN KING OFFICE PARK** a subdivision 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 the JOHN KING OFFICE PARK subdivision have been notified and signed this plat. I 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. I 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 their 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 purposes of construction, reconstruction, inspecting, patrolling, maintaining, 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 Rockwall 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, storm 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 and/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 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.

I 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; I, my successors and assigns hereby waive any claim, damage or cause of action that I may have as a result of the dedication of exactions made herein.

JOHN KING OC, LLC, a Texas limited liability company

_____
Aaron Davis
Manager, JOHN KING OC, LLC, a Texas limited liability company

STATE OF TEXAS
COUNTY OF ROCKWALL

BEFORE ME, the undersigned authority, on this day personally appeared Aaron Davis, Manager, JOHN KING OC, LLC, a Texas limited liability company, 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 purposes and considerations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2023.

_____
Notary Signature

## SURVEYORS CERTIFICATE:

I, Gary E. Johnson, 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.

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

Approved:

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the
____ day of _____, 2023.

The 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 eight (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, 2023.

_____
Mayor, City of Rockwall

_____
City Secretary

_____
City Engineer

## GENERAL NOTES:

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

2) Bearings and elevations are based on NAD83, North American Datum of 1983.

3) The purpose of this plat is to create one lot from an unplatted tract of land.

ENGINEER
MONK CONSULTING ENGINEERS, INC.
1200 W. STATE STREET
GARLAND, TEXAS 75040
attn: JERRY MONK

OWNER
JOHN KING OC, LLC
709 W. RUSK STREET
ROCKWALL, TEXAS 75087
AARON DAVIS - MANAGER

SURVEYOR
TEXAS HERITAGE SURVEYING, LLC
10610 Metric Drive, Suite 124, Dallas, TX 75243
Office 214-340-9700 Fax 214-340-9710
txheritage.com
Firm No. 10169300

FINAL PLAT
**JOHN KING OFFICE PARK**
**LOT 1, BLOCK A**
1 LOT
102,859 SQUARE FEET / 2.361 ACRES
BEING A TRACT OF LAND SITUATED IN THE
W.H. BAIRD SURVEY, ABSTRACT NO. 25
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
CASE NO. SP2022-040



DATE: 09/18/2023 / JOB # 2201036-4 / SCALE= 1" = 60' / DRAWN: KO

---

Parcel name: 3

```
   North: 7025190.7387        East : 2595707.5326
Line  Course: N 00-02-56 E  Length: 102.27
        North: 7025293.0087         East : 2595707.6198
Line  Course: N 89-22-27 E  Length: 141.63
        North: 7025294.5557         East : 2595849.2414
Line  Course: S 14-59-50 E  Length: 57.04
        North: 7025239.4586         East : 2595864.0017
Line  Course: S 15-41-07 E  Length: 50.98
        North: 7025190.3770         East : 2595877.7843
Line  Course: N 89-52-39 W  Length: 170.26
        North: 7025190.7410         East : 2595707.5247

   Perimeter: 522.18   Area: 16,088 Sq Ft 0.369 Ac.

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0081               Course: N 73-52-41 W
  Error North: 0.00226               East : -0.00783
Precision  1: 64,466.67
```

# 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:** | November 6, 2023 |
| **APPLICANT:** | Drew Donosky; *ClayMoore Engineering* |
| **CASE NUMBER:** | P2023-035; *Replat for Lot 3, Block 1, Rockwall Recreation Addition* |

## SUMMARY


Consider a request by Drew Donosky of ClayMoore Engineering on behalf of Chase Cooley of 1540 East IH-30 Rockwall, LLC for the approval of a *Replat* for Lot 3, Block 1, Rockwall Recreational Addition being a 4.39-acre parcel of land identified as Lot 2, Block 1, Rockwall Recreational Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1540 E. IH-30, and take any action necessary.


## PLAT INFORMATION

☑ *Purpose*. The applicant is requesting the approval of a *Replat* for a 4.39-acre parcel of land (*i.e. Lot 2, Block 1, Rockwall Recreation Addition*) for the purpose of creating one (1) lot (*i.e. Lot 3, Block 1, Rockwall Recreation Addition)* to establish the necessary access, fire lane, and utility easements for the expansion of an existing *Motor Vehicle Dealership* (*i.e. Clay Cooley Hyundai*) on the subject property.

☑ *Background*. The subject property was annexed on December 3, 1985 by *Ordinance No. 85-69* [*Case No. A1985-002]*. At the time of annexation, the subject property was zoned Agricultural (AG) District. The subject property remained zoned Agricultural (AG) District until June 6, 2005 when the City Council approved *Ordinance No. 05-25* [*Case No. Z2005-019*] changing the zoning to a Light Industrial (LI) District. The building on the subject property was constructed as a house of worship (*i.e. Church of Christ*) in 1990 and was remodeled in 2012-2013 after the City Council approved *Ordinance No. 12-11* [*Case No. Z2012-005*] -- *on June 18, 2012* -- allowing a *New Motor Vehicle Dealership for Cars and Light Trucks* on property. The changes to the exterior of the building were approved by site plan under *Case No. SP2012-010* on June 12, 2012. On January 3, 2022, a Specific Use Permit (SUP) [*Case No. Z2021-049*; *Ordinance No. 22-02*] was approved by City Council allowing the expansion of the *New Motor Vehicle Dealership*, and adding the *Minor Automotive Repair Garage, Car Wash,* and *Outside Storage* land uses to the subject property. On February 15, 2022, the Planning and Zoning Commission approved a site plan [*Case No. SP2022-003*] allowing the expansion of the *New Motor Vehicle Dealership* and adding the three (3) accessory uses (*i.e. a Car Wash, Outside Storage, and a Minor Auto Repair Garage*) in compliance with the approved Specific Use Permit (SUP) [*Ordinance No. 22-02*]. Due to major changes to the approved site plan, on September 5, 2023, the City Council approved an amended Specific Use Permit (SUP) to allow for further expansion of the existing *New Motor Vehicle Dealership*, and changing the proposed accessory land use from a *Minor Automotive Repair Garage* to *Major Automotive Repair Garage*. On September 12, 2023, the Planning and Zoning Commission approved a site plan [*Case No. SP2023-030*] for the expansion of an existing *Motor Vehicle Dealership* (*i.e. Clay Cooley Hyundai*) on the subject property.

☑ *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 *Replat* 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 *Replat* for *Lot 3, Block 1, Rockwall Recreation 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 *Replat*; and,

(2) Any construction resulting from the approval of this *Replat* 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 November 1, 2023, the Planning and Zoning Commission approved a motion to recommend approval of the *Replat* by a vote of 4-0, with Commissioners Deckard, Conway, and Llewellyn absent.

# 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 | 1540 I-30 Rockwall, Tx | | | | |
| SUBDIVISION | Rockwall Recreation Addition | LOT | 1&2 | BLOCK | 1 |
| GENERAL LOCATION | IH30 and Commerce Drive | | | | |

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

| | | | | | |
|---|---|---|---|---|---|
| CURRENT ZONING | F1 | | CURRENT USE | Auto Dealer | |
| PROPOSED ZONING | | | PROPOSED USE | Auto Dealer | |
| ACREAGE | 7.17 | LOTS [CURRENT] | 2 | 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 | 1540 East IH 30 Rockwall LLC | ☐ APPLICANT | ClayMoore Engineering |
| CONTACT PERSON | Chase Cooley | CONTACT PERSON | Drew Donosky |
| ADDRESS | PO Box 570809 | ADDRESS | 1903 Central Drive, Suite 406 |
| | | | |
| CITY, STATE & ZIP | Dallas, Tx 75357 | CITY, STATE & ZIP | Bedford, Tx 76021 |
| PHONE | | PHONE | 817.281.0572 |
| E-MAIL | | E-MAIL | Drew@claymooreeng.com |

## NOTARY VERIFICATION [REQUIRED]

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

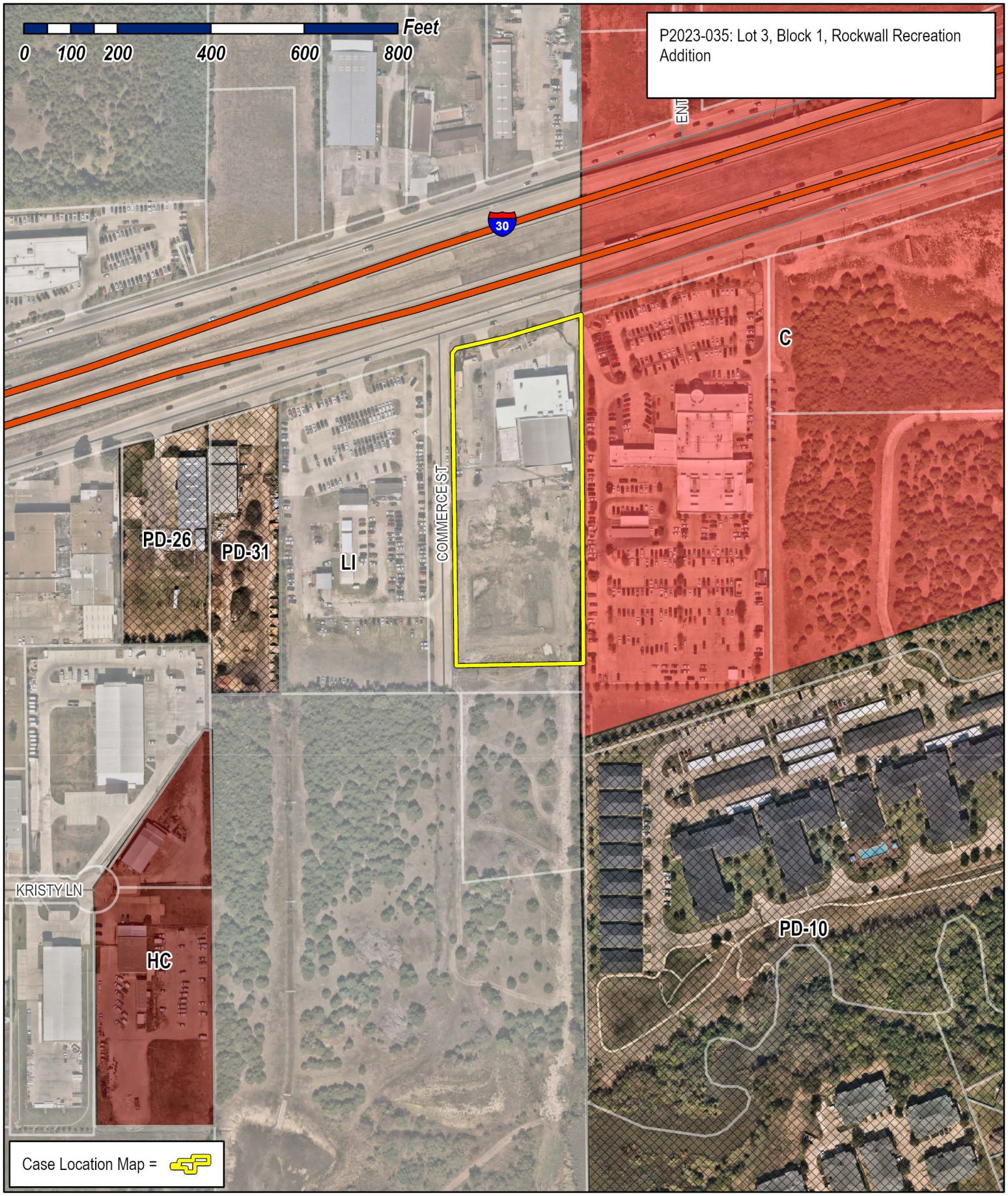
*"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF* $ 443.40 *, TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE* 20 *DAY OF* October *, 20*23*. BY SIGNING 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 _____ DAY OF _____, 20____.*

*OWNER'S SIGNATURE*

*NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS*

*MY COMMISSION EXPIRES*

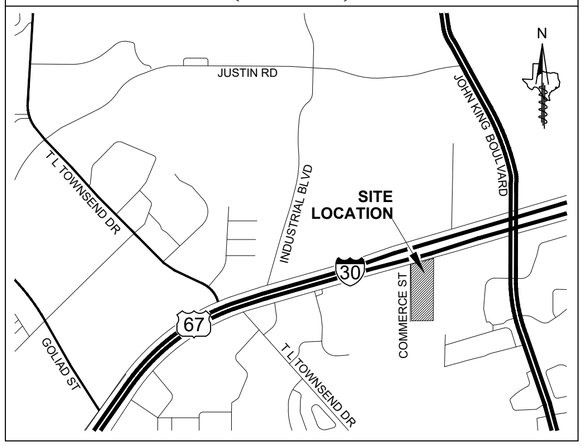



# City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 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.

## VICINITY MAP
(NOT TO SCALE)

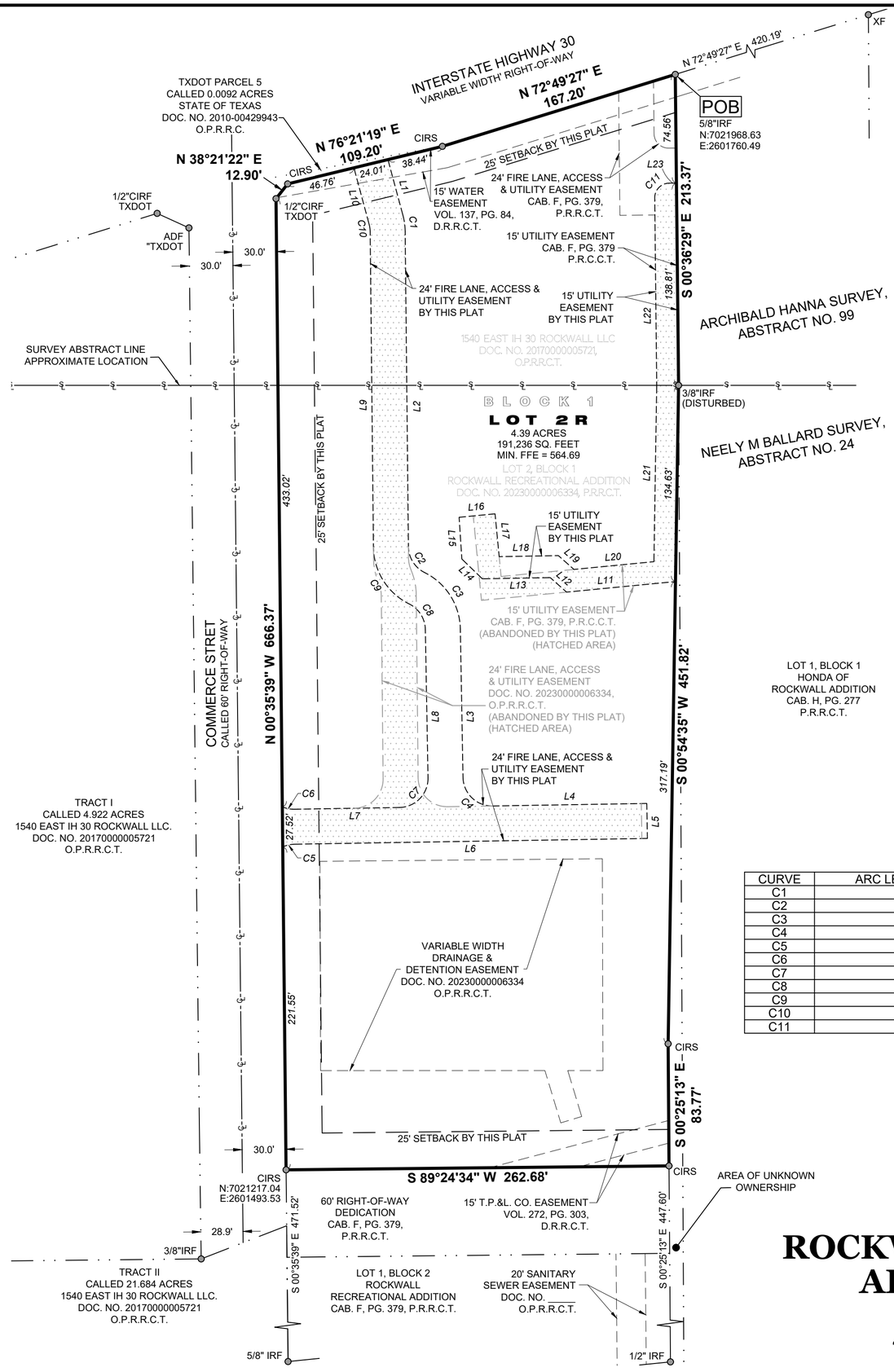



## GENERAL NOTES

1. The purpose of this plat is to dedicate & abandon easements for site development.
2. This property is located in **Non-Shaded Zone "X"** as scaled from the F.E.M.A. Flood Insurance Rate Map dated September 26th, 2008 and is located in Community Number 480547 as shown on Map Number 48397C0045L. The location of the Flood Zone is approximate, no vertical datum was collected at the time of the survey. For the exact Flood Zone designation, please contact 1-(877) FEMA MAP.
3. The grid coordinates shown on this plat are based on GPS observations utilizing the AllTerra RTKNET Cooperative network. NAD 83(2011) State Plane Coordinate System (Texas North Central Zone - 4202).
4. Selling a portion of this addition by metes and bounds is a violation of City Ordinance and State Law, and is subject to fines and/or withholding of utilities and building permits.
5. All interior property corners are marked with a 1/2-inch iron rod with a green plastic cap stamped "EAGLE SURVEYING" unless noted otherwise.
6. The bearings shown on this plat are based on GPS observations utilizing the AllTerra RTKNET Cooperative network. NAD 83(2011).
7. Elevations shown on this plat are based on GPS observations utilizing the AllTerra RTK Network. North American Vertical Datum of 1988 (Geoid 12A).
8. Property owner is responsible for repair, replacement, and maintenance off all detention and drainage systems in easements on-site.
9. It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

## LEGEND

| | |
|---|---|
| PG | = PAGE |
| CAB | = CABINET |
| POB | = POINT OF BEGINNING |
| CIRS | = CAPPED IRON ROD SET |
| CIRF | = CAPPED IRON ROD FOUND |
| ADF | = ALUMINUM DISC FOUND |
| DOC. NO. | = DOCUMENT NUMBER |
| D.R.R.C.T. | = DEED RECORDS, ROCKWALL COUNTY, TEXAS |
| P.R.R.C.T. | = PLAT RECORDS, ROCKWALL COUNTY, TEXAS |
| ——— | = SUBJECT BOUNDARY |
| — · · — | = ADJOINER BOUNDARY |




| LINE | BEARING | DISTANCE |
|---|---|---|
| L1 | S 15°03'39" E | 39.66' |
| L2 | S 00°35'39" E | 216.38' |
| L3 | S 01°01'55" E | 101.89' |
| L4 | N 89°03'46" E | 105.75' |
| L5 | S 00°59'25" E | 24.00' |
| L6 | S 89°03'46" W | 242.03' |
| L7 | S 89°03'46" W | 71.96' |
| L8 | S 01°01'55" E | 101.78' |
| L9 | S 00°35'39" E | 216.38' |
| L10 | S 15°03'39" E | 40.25' |
| L11 | N 84°27'38" E | 75.05' |
| L12 | S 48°21'36" E | 14.96' |
| L13 | N 89°00'35" E | 46.60' |
| L14 | S 45°59'25" E | 19.53' |
| L15 | S 03°46'33" E | 28.68' |
| L16 | S 84°27'38" W | 24.76' |
| L17 | N 05°32'22" W | 29.51' |
| L18 | S 89°00'35" W | 40.63' |
| L19 | N 48°21'36" W | 14.27' |
| L20 | S 84°27'38" W | 55.10' |
| L21 | S 00°54'35" W | 121.03' |
| L22 | S 00°36'29" E | 128.61' |
| L23 | S 89°23'31" W | 5.00' |

| CURVE | ARC LENGTH | RADIUS | DELTA ANGLE | CHORD BEARING | CHORD LENGTH |
|---|---|---|---|---|---|
| C1 | 11.11' | 44.00' | 14°28'00" | S 07°49'39" E | 11.08' |
| C2 | 22.02' | 20.00' | 63°04'08" | S 32°07'43" E | 20.92' |
| C3 | 48.10' | 44.00' | 62°37'52" | S 32°20'51" E | 45.74' |
| C4 | 31.38' | 20.00' | 89°54'18" | S 45°59'04" E | 28.26' |
| C5 | 8.41' | 20.00' | 24°04'46" | S 77°01'23" W | 8.34' |
| C6 | 8.55' | 20.00' | 24°29'59" | N 78°41'14" W | 8.49' |
| C7 | 31.45' | 20.00' | 90°05'41" | S 44°00'55" W | 28.31' |
| C8 | 21.86' | 20.00' | 62°37'52" | S 32°20'51" E | 20.79' |
| C9 | 48.43' | 44.00' | 63°04'08" | S 32°07'43" E | 46.02' |
| C10 | 5.05' | 20.00' | 14°28'00" | S 07°49'39" E | 5.04' |
| C11 | 15.71' | 10.00' | 90°00'00" | S 44°23'31" W | 14.14' |

| | |
|---|---|
| Project | 2110.002-XX |
| Date | 10/19/2023 |
| Drafter | BE |


**EAGLE SURVEYING, LLC**
222 S. Elm Street, Suite: 200
Denton, TX 76201
(940) 222-3009
TX Firm #10194177

**SURVEYOR**
Eagle Surveying, LLC
222 S. Elm Street, Suite: 200
Denton, TX 76201
(940) 222-3009

**ENGINEER**
Claymoore Engineering, Inc.
Contact: Drew Donosky
1903 Central Drive, Suite: 406
Bedford, TX 76021
(817) 281-0572

**OWNER**
1540 East IH 30 Rockwall LLC
PO BOX 570809
Dallas, TX 75357


# REPLAT
# ROCKWALL RECREATIONAL ADDITION REVISED
## LOT 2R, BLOCK 1
## 4.39 ACRES (191,236 SF)

BEING A REPLAT OF LOT 2, BLOCK 1
OF ROCKWALL RECREATIONAL ADDITION,
RECORDED IN DOCUMENT NUMBER 20230000006334, P.R.R.C.T.,
SITUATED IN THE ARCHIBALD HANNA SURVEY, ABSTRACT NO. 99,
AND THE NEELY M BALLARD SURVEY, ABSTRACT NO. 24
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

*CASE NO. P2023-____*

## OWNER'S CERTIFICATE & DEDICATION

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

**WHEREAS 1540 EAST IH 30 ROCKWALL LLC** is the sole owner of a 4.39 acre tract of land situated in the ARCHIBALD HANNA SURVEY, ABSTRACT NO. 99 and the NEELY M BALLARD SURVEY, ABSTRACT NO. 24, in the City of Rockwall, Rockwall County, Texas, and being all of Lot 2, Block 1 of Rockwall Recreational Addition, a subdivision of record in Document Number 20230000006334, of the Plat Records of Rockwall County, Texas, conveyed to 1540 East IH 30 Rockwall LLC by Special Warranty Deed With Vendor's Lien recorded in Document Number 20170000005721, of the Official Public Records of Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

**BEGINNING**, at a 5/8" iron rod found in the south right-of-way line of Interstate Highway 30 (a variable width right-of-way), at the northwest corner of Lot 1, Block 1, Honda of Rockwall Addition, a subdivision of record in Cabinet H, Page 277, of said Plat Records, and the northeast corner of said Lot 1, Block 1, Rockwall Recreational Addition, from which an x-cut found at the northeast corner of said Lot 1, Block 1, Honda of Rockwall Addition bears N72°49'27"E, a distance of 420.19 feet;

**THENCE**, along the east line of said Lot 1, Block 1, Rockwall Recreational Addition, the following three (3) courses and distances:

S00°36'29"E, a distance of 213.37 feet to a 3/8" iron rod found (disturbed);

S00°54'35"W, a distance of 451.82 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set;

S00°25'13"E, a distance of 83.77 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set at the northeast corner of a 60' right-of-way dedication of record in said Rockwall Recreational Addition (unimproved) and the southeast corner of said Lot 1, Block 1, Rockwall Recreational Addition;

**THENCE**, S89°24'34"W, along the north line of said 60' right-of-way dedication, being the common south line of said Lot 1, Block 1, Rockwall Recreational Addition, a distance of 262.68 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set in the east right-of-way line of said Commerce Street (a called 60' right-of-way), at the northwest corner of said 60' right-of-way dedication and the southwest corner of said Lot 1, Block 1, Rockwall Recreational Addition;

**THENCE**, N00°35'39"W, along the east right-of-way line of said Commerce Street, being the common west line of said Lot 1, Block 1, Rockwall Recreational Addition, a distance of 666.37 feet to a 1/2" inch iron rod with pink plastic cap stamped "TXDOT" found in the south right-of-way line of said Interstate Highway 30, at the southwest corner of a called Parcel 5 - 0.0092 acre tract of land conveyed to the State of Texas by Deed of record in Document Number 2010-00429943, of said Official Public Records;

**THENCE**, along the south right-of-way line of said Interstate Highway 30, the following three (3) courses and distances:

N38°21'22"E, a distance of 12.90 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set;

N76°21'19"E, a distance of 109.20 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set;

N72°49'27"E, a distance of 167.20 feet to the **POINT OF BEGINNING** and containing an area of 4.39 Acres, or (191,236 Square Feet) of land, more or less.

**NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:**

THAT, **1540 EAST IH 30 ROCKWALL LLC,** the undersigned owner of the land shown on this plat, and designated herein as **ROCKWALL RECREATIONAL ADDITION REVISED, LOT 2R, BLOCK 1**, a subdivision 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 the **ROCKWALL RECREATIONAL ADDITION, LOT 2, BLOCK 1**, subdivision have been notified and signed this plat. I 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. I 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 their 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, maintaining, 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 Rockwall 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, storm 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 and/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 progress 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.

I 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; I, my successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exactions made herein.

OWNER: **1540 EAST IH 30 ROCKWALL LLC**

BY: _____ _____
Clay Cooley, Manager — Date

**STATE OF TEXAS §**
**COUNTY OF _____ §**

BEFORE ME, the undersigned authority, on this day personally appeared _____, _____ of 1540 EAST IH 30 ROCKWALL LLC, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE this _____ day of _____, 2023.

_____
Notary Public in and for the State of Texas

## CERTIFICATE OF SURVEYOR

**NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:**

THAT I, **MATTHEW RAABE**, 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.

**PRELIMINARY**
this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

_____ _____
Matthew Raabe — Date
Registered Professional Land Surveyor #6402

## CERTIFICATE OF APPROVAL

_____ _____
Chairman — Date
Planning & Zoning Commission

**APPROVED:**

I hereby certify that the above and foregoing plat of **ROCKWALL RECREATIONAL ADDITION**, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 2023.

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

WITNESS OUR HANDS, this _____ day of _____, 2023.

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

_____
City Engineer

REPLAT
# ROCKWALL RECREATIONAL ADDITION REVISED
LOT 2R, BLOCK 1
4.39 ACRES (191,236 SF)

BEING A REPLAT OF LOT 2, BLOCK 1
OF ROCKWALL RECREATIONAL ADDITION,
RECORDED IN DOCUMENT NUMBER 20230000006334, P.R.R.C.T.,
SITUATED IN THE ARCHIBALD HANNA SURVEY, ABSTRACT NO. 99,
AND THE NEELY M BALLARD SURVEY, ABSTRACT NO. 24
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

*CASE NO. P2023-_____*

| | |
|---|---|
| Project | 2110.002-XX |
| Date | 10/19/2023 |
| Drafter | BE |


**EAGLE SURVEYING, LLC**
222 S. Elm Street, Suite: 200
Denton, TX 76201
(940) 222-3009
TX Firm #10194177

**SURVEYOR**
Eagle Surveying, LLC
222 S. Elm Street, Suite: 200
Denton, TX 76201
(940) 222-3009

**ENGINEER**
Claymoore Engineering, Inc.
Contact: Drew Donosky
1903 Central Drive, Suite: 406
Bedford, TX 76021
(817) 281-0572

**OWNER**
1540 East IH 30 Rockwall LLC
PO BOX 570809
Dallas, TX 75357

# 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:** | November 6, 2023 |
| **APPLICANT:** | Jeff Carroll; *Carroll Architects* |
| **CASE NUMBER:** | P2023-036; *Final Plat for Lot 1, Block A, Helping Hands Addition* |

## SUMMARY

Consider a request by Jeff Carroll of Carroll Architects, Inc. on behalf of Jon Bailey of Helping Hands Rockwall for the approval of a *Final Plat* for Lot 1, Block A, Helping Hands Addition being a 9.70-acre tract of land identified as Lot 1, Block A, Waggoner Gardens Inc. Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 950 Williams Street, and take any action necessary.

## PLAT INFORMATION

☑ *Purpose*. The applicant is requesting the approval of a *Final Plat* for a 9.70-acre parcel of land (*i.e. Lot 1, Block A, Waggoner Gardens Inc. Addition*) for the purpose of creating one (1) lot (*i.e. Lot 1, Block A, Helping Hands Addition*) and establishing the necessary access, fire lane, and utility easements for the construction of one (1), 14,158 SF building intended for *General Office*, *Medical Office*, and *Storage* land uses and one (1), 8,000 SF building intended for *Storage* land uses on the subject property.

☑ *Background*. On November 30, 1959, the subject property was annexed by *Ordinance 60-01* [*Case No. A1960-001*]. At the time of annexation, the subject property was zoned Agricultural (AG) District. According to the City's *Historic Zoning Maps*, the subject property was zoned Light Industrial (LI) District as of January 3, 1972. Sometime between January 3, 1972 and December 7, 1993, the zoning was changed from a Light Industrial (LI) District to a Commercial (C) District. According to the Rockwall Central Appraisal District (RCAD), the subject property has three (3) commercial buildings currently situated on the site (*i.e. a 2,998 SF building built in 1985, a 1,512 SF commercial building built at an unknown date, and an 11,250 SF commercial building built in 1993*). On August 9, 2022, the Planning and Zoning Commission approved a site plan [*Case No. SP2022-041*] to construct one (1), 14,158 SF building intended for *General Office*, *Medical Office*, and *Storage* land uses and one (1), 8,000 SF building intended for *Storage* land uses on the subject property.

☑ *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 *Lot 1, Block A, Helping Hands 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 November 1, 2023, the Planning and Zoning Commission approved a motion to recommend approval of the *Final Plat* by a vote of 4-0, with Commissioners Deckard, Conway, and Llewellyn absent.

# 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 | 950 WILLIAMS ST. SHWY 66 | | | | |
| SUBDIVISION | R BALLARD SURVEY, ABSTRACT No. 29 | LOT | 1 | BLOCK | A |
| GENERAL LOCATION | SHWY 66 & CAUTH LANE | | | | |

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

| | | | | | |
|---|---|---|---|---|---|
| CURRENT ZONING | COMMERCIAL | | CURRENT USE | RETAIL / OFFICE | |
| PROPOSED ZONING | N/A | | PROPOSED USE | SAME | |
| ACREAGE | 9.7 AC | LOTS [CURRENT] | 1 | LOTS [PROPOSED] | 1 |

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

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

| | | | |
|---|---|---|---|
| ☐ OWNER | HELPING HANDS ROCKWALL | ☒ APPLICANT | CARROLL ARCHITECTS, INC |
| CONTACT PERSON | JON BAILEY | CONTACT PERSON | JEFF CARROLL |
| ADDRESS | 950 WILLIAMS ST SH66 | ADDRESS | 750 E. INTERSTATE 30 |
| | SUITE 100 | | STE 110 |
| CITY, STATE & ZIP | ROCKWALL TX 75087 | CITY, STATE & ZIP | ROCKWALL TX 75087 |
| PHONE | 972.771.1655 | PHONE | 214.632.1762 |
| E-MAIL | JONBAILEY@ROCKWALLHELPINGHANDS.COM | E-MAIL | JC@CARROLLARCH.COM |

## NOTARY VERIFICATION [REQUIRED]

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

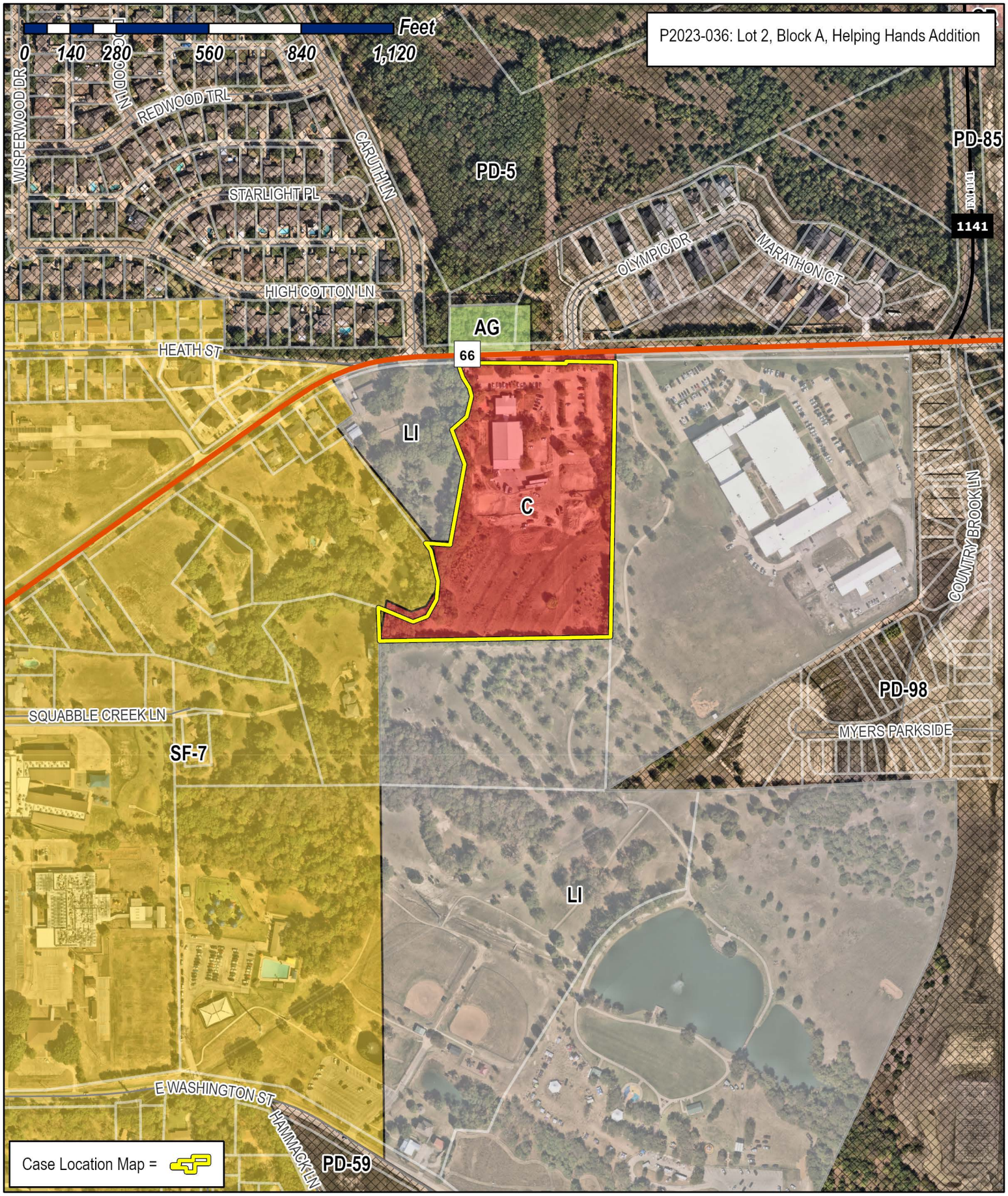
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF $_____, TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE _____ DAY OF _____, 20___. BY SIGNING THIS APPLICATION,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

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE _____ DAY OF _____, 20___

OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

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.

SURVEYOR'S NOTES

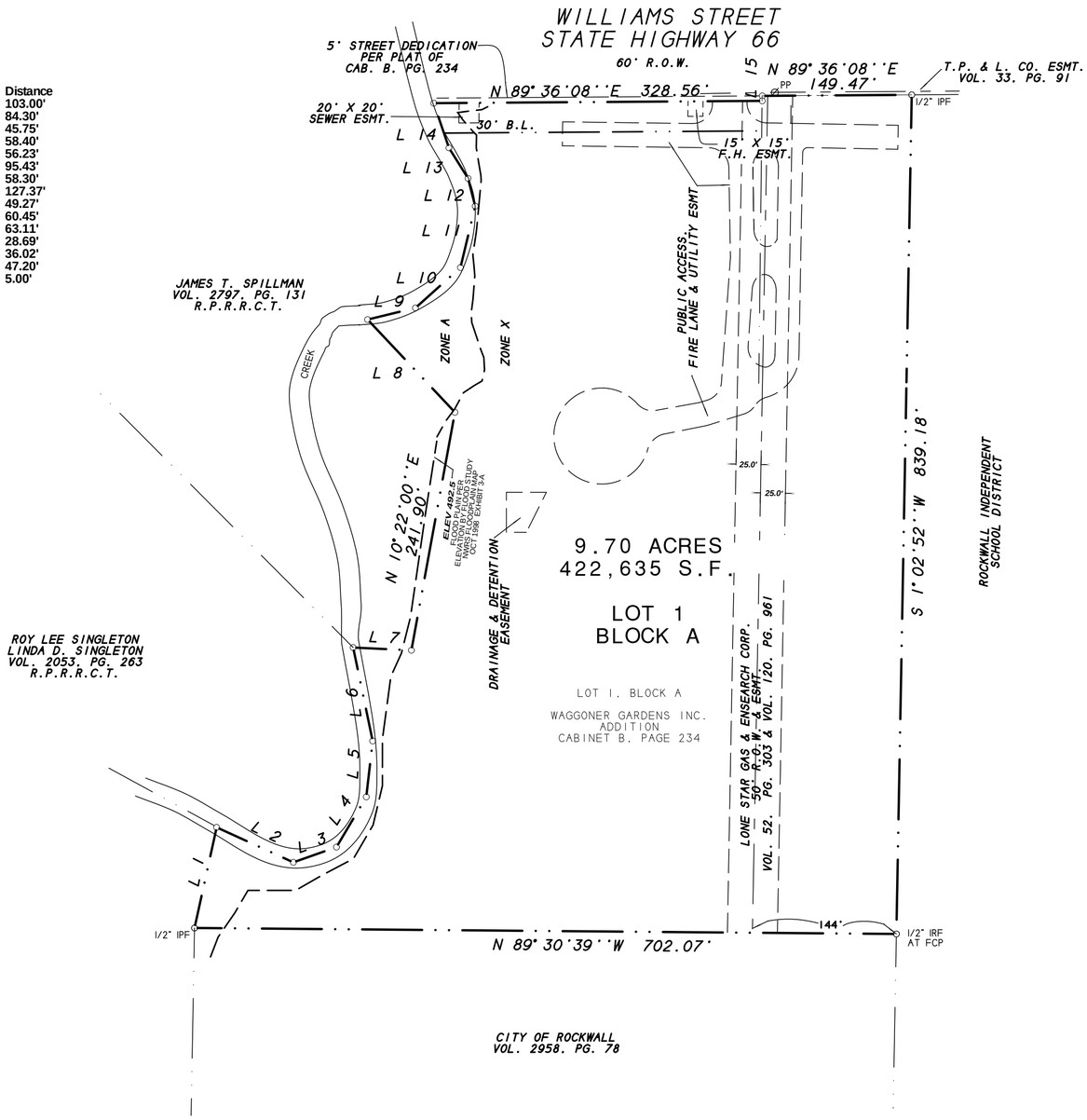
1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0030 L dated Sept. 26, 2008, this property lies in Zones A & X. Part of this property does appear to lie within a 100-year flood plain.

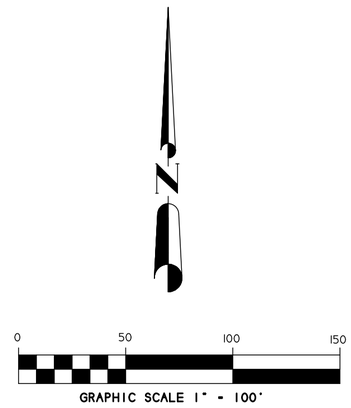
2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.

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

**LINE TABLE**

| Line | Bearing | Distance |
|---|---|---|
| 1 | N 12°24'50"E | 103.00' |
| 2 | S 65°30'29"E | 84.30' |
| 3 | N 70°32'09"E | 45.75' |
| 4 | N 30°42'26"E | 58.40' |
| 5 | N 6°31'12"E | 56.23' |
| 6 | N 11°47'14"W | 95.43' |
| 7 | S 87°20'38"E | 58.30' |
| 8 | N 43°17'26"W | 127.37' |
| 9 | N 76°19'11"E | 49.27' |
| 10 | N 48°06'07"E | 60.45' |
| 11 | N 13°30'44"E | 63.11' |
| 12 | N 14°23'51"W | 28.69' |
| 13 | N 32°04'32"W | 36.02' |
| 14 | N 18°45'17"W | 47.20' |
| 15 | N 0°41'53"E | 5.00' |




FINAL PLAT

# LOTS 1, BLOCK A HELPING HANDS ADDITION

9.70 ACRES OR 422,635 S.F.

SITUATED IN THE
R. BALLARD SURVEY, ABSTRACT NO. 29
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

OWNER:

ROCKWALL COUNTY HELPING HANDS INC
P.O. BOX 375
ROCKWALL, TEXAS 75087

SYMBOL LEGEND

| | | | | |
|---|---|---|---|---|
| TV — TELEVISION CABLE RISER | GAS — GAS METER | TEL — PHONE RISER | FH — FIRE HYDRANT | PP — POWER POLE |
| ELEC — ELEC 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 JANUARY 12, 2023
SCALE 1" = 100' FILE # 20001612-RP
CLIENT HELPING HANDS

CITY CASE P2023-

# 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:** | November 6, 2023 |
| **APPLICANT:** | Cameron Slown, PE; *Teague, Nall, and Perkins, Inc.* |
| **CASE NUMBER:** | P2023-037; *Replat for Lots 17-24, Block 1, Alliance Addition, Phase 2* |

## SUMMARY


Consider a request by Cameron Slown, PE of Teague, Nall, and Perkins, Inc. on behalf of Randall Noe of Rockwall Rental Properties, LP for the approval of a *Replat* for Lots 17-24, Block 1, Alliance Addition, Phase 2 being a 3.06-acre tract of land identified as Lots 12-14, Block 1, Alliance Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses, generally located at the northeast corner of the intersection of Andrews Drive and Alliance Drive, and take any action necessary.


## PLAT INFORMATION

☑ *Purpose*. The applicant is requesting the approval of a *Replat* for a 3.06-acre parcel of land (*i.e. Lots 12-14, Block 1, Alliance Addition, Phase 2*) for the purpose of subdividing three (3) lots into eight (8) lots (*i.e. Lots 17-24, Block 1, Alliance Addition, Phase 2)* and establishing the necessary access, fire lane, and utility easements for the construction of eight (8) *Office Buildings* on the subject property.

☑ *Background*. The subject property was annexed into the City of Rockwall on May 17, 2004 by *Ordinance No. 04-34*. At the time of annexation, it was zoned Agricultural (AG) District. On August 16, 2004, the City Council approved *Ordinance No. 04-48* [*Case No. Z2004-024*], which rezoned the subject property -- *which at this time was a portion of a larger 18.99-acre tract of land* -- from an Agricultural (AG) District to Planned Development District 57 (PD-57) for Commercial (C) District land uses. The subject property was originally platted as Lots 2-7, Block 1, Alliance Addition, Phase 2 on May 20, 2008 [*Case No. P2007-032*]. On August 11, 2014, the subject property was replatted as Lots 12, 13 & 14, Block 1, Alliance Addition Phase 2 [*Case No. P2014-009*]. On April 12, 2022, the Planning and Zoning Commission approved a site plan [*Case No. SP2022-013*] for the construction of eight (8) *Office Buildings* on the subject property.

☑ *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 *Replat* 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 *Replat* for *Lots 17-24, Block 1, Alliance Addition, Phase 2,* 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 *Replat*; and,

(2) Any construction resulting from the approval of this *Replat* 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 November 1, 2023, the Planning and Zoning Commission approved a motion to recommend approval of the *Replat* by a vote of 4-0, with Commissioners Deckard, Conway, and Llewellyn absent.

# 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] 300+20*3.06 = $361.20
- ☐ 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 | 6535, 6545, 6595 Alliance Drive and 182, 194, 202 Jeff Boyd Road | | | | |
| SUBDIVISION | Alliance Addition PH 2 | LOT | 17-24 | BLOCK | 1 |
| GENERAL LOCATION | North side of Alliance Drive at the intersection of Alliance Drive and Andrews Drive. | | | | |

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

| | | | | | |
|---|---|---|---|---|---|
| CURRENT ZONING | PD-57 | | CURRENT USE | None | |
| PROPOSED ZONING | PD-57 | | PROPOSED USE | Commercial Office Buildings | |
| ACREAGE | 3.06 | LOTS [CURRENT] | 3 | LOTS [PROPOSED] | 8 |

☒ ***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 | Rockwall Rental Properties, LP | ☒ APPLICANT | Teague, Nall and Perkins, Inc. |
| CONTACT PERSON | Randall Noe | CONTACT PERSON | Cameron Slown, PE |
| ADDRESS | PO Box 818 | ADDRESS | 825 Watters Creek Blvd. |
| | | | Suite M300 |
| CITY, STATE & ZIP | Terrell, TX 75160 | CITY, STATE & ZIP | Allen, TX 75013 |
| PHONE | | PHONE | 817-889-5050 |
| E-MAIL | | E-MAIL | cslown@tnpinc.com |

## NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Randall Noe [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 $ 361.20 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."*

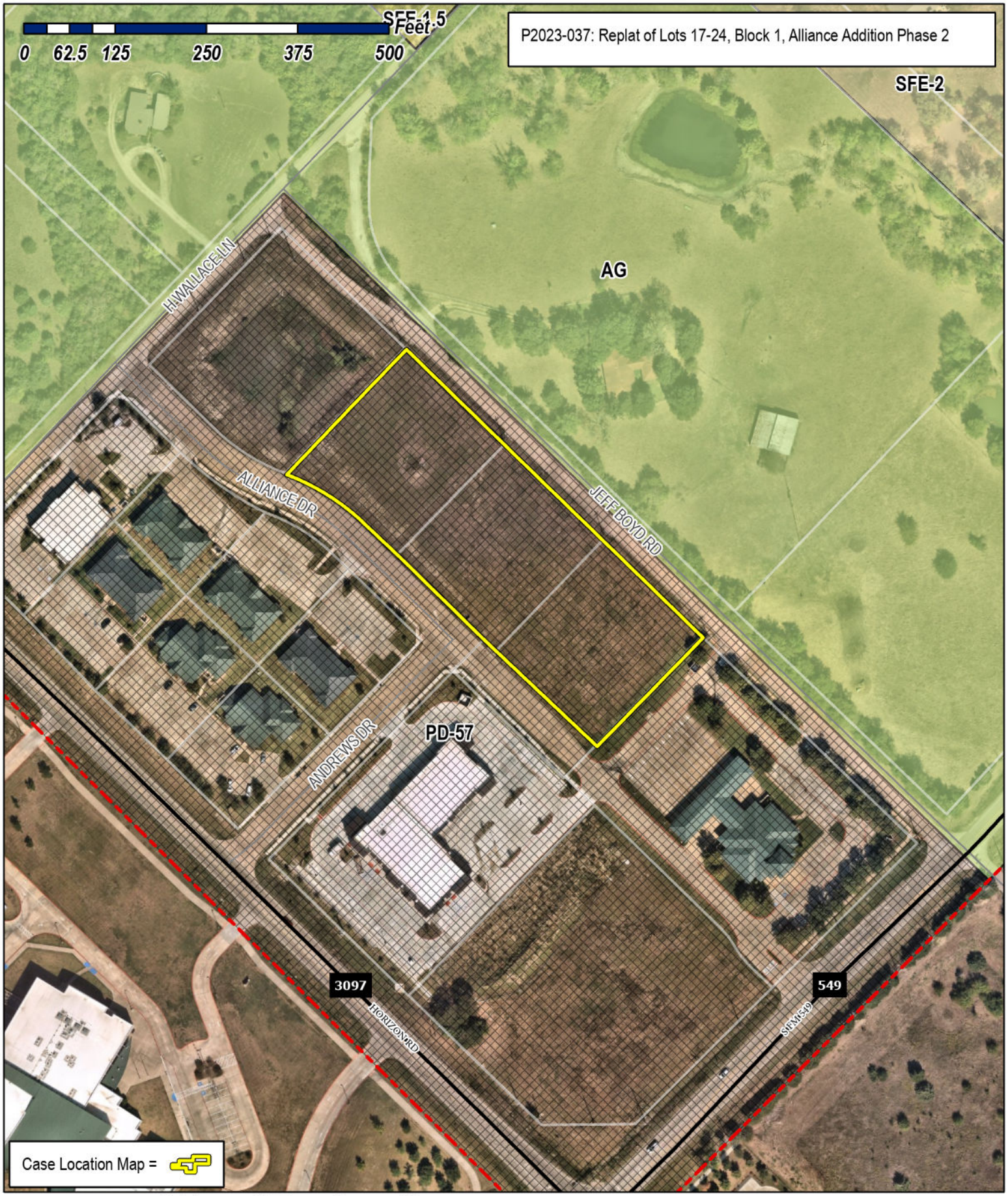
*GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE* 19 *DAY OF* Oct. *,* 2023

*OWNER'S SIGNATURE*

*NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS* Racheal Booth

RACHEAL BOOTH
My Notary ID # 129082482
Expires August 8, 2024

*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.

## OWNERS CERTIFICATE

STATE OF TEXAS}
COUNTY OF ROCKWALL}

WHEREAS Rockwall Rental Properties, L.P. is the owner of a tract of land in the County of Rockwall, State of Texas, being all of Lots 12, 13, and 14, Block 1, Alliance Addition Phase 2, an addition to the City of Rockwall, Texas according to the Plat recorded in Cabinet I, Slide 73 of the Plat Records of Rockwall County, Texas, and all of a 60 foot Fire Lane, Access, and Utility Easement as shown in Alliance Addtition Phase 2, an addition to the City of Rockwall, Texas according to the Plat recorded in Cabinet G, Slide 301 of the Plat Records of Rockwall County, Texas and being more particulary described as follows:

BEGINNING at a 5/8 inch iron rod with cap stamped "RPLS 5430" found on the north line of Alliance Drive, a 60 foot right-of-way, for the southwest corner of said Lot 12, same being the southeast corner of Lot 1 of said Alliance Addition Phase 2 as recorded in Cabinet G, Slide 301;

THENCE North 44 degrees 04 minutes 50 seconds East, departing the north line of said Alliance Drive and along the east line of said Lot 1, same being the west line of said Lot 12, a distance of 237.11 feet to a 5/8 inch iron rod with cap stamped "RPLS 5430" found on the south line of Jeff Boyd Circle, a variable width right-of-way, for the northeast corner of said Lot 1, same being the northwest corner of said Lot 12;

THENCE South 45 degrees 36 minutes 28 seconds East along the south line of said Jeff Boyd Circle and the north line of said said Alliance Addition Phase 2 as recorded in Cabinet I, Slide 73, a distance of 566.46 feet to a 5/8 inch iron rod with cap stamped "RPLS 5430" found for the northeast corner of said Lot 14, same being the northwest corner of Lot 1A, Block A, Alliance Addition according to the Plat recorded in Cabinet F, Slide 153 of the Plat Records of Rockwall County, Texas;

THENCE South 44 degrees 29 minutes 37 seconds West, departing the south line of said Jeff Boyd Circle, and along the west line of said Lot 1A, same being the east line of said Lot 14, passing, at a distance of 211.22 feet, a 5/8 inch iron rod with cap stamped "RPLS 5430" found for the southeast corner of said Lot 14, same being the northeast corner of the aforementioned 60 foot easement and continuing a total distance of 271.22 feet to a 5/8 inch iron rod with cap stamped "RPLS 5430" found on the north line of Lot 15, Block 1, Alliance Addition Phase 2, an addition to the City of Rockwall, Texas according to the Plat recorded in Instrument Number 20230000009725 of the Plat Records of Rockwall County, Texas for the southeast corner of said 60 foot easement;

THENCE North 45 degrees 36 minutes 28 seconds West along the north line of said Lot 15, same being the south line of said 60 foot easement, a distance of 210.60 feet to a 5/8 inch iron rod with cap stamped "RPLS 5430" found on the east line of Andrews Drive, a 60 foot right-of-way, for the northwest corner of said Lot 15, same being the southwest corner of said 60 foot easement;

THENCE North 44 degrees 23 minutes 28 seconds East along the east line of said Andrews Drive and the west line of said 60 foot easement, a distance of 60.00 feet to a 5/8 inch iron rod with cap stamped "RPLS 5430" found on the south line of said Lot 13 and the intersection of the east line of said Andrews drive and the north line of said Alliance Drive for the northwest corner of said 60 foot easement;

THENCE North 45 degrees 36 minutes 28 seconds West along the north line of said Alliance Drive and the south line of said Lot 13 and said Lot 12, a distance of 223.69 feet to a 5/8 inch iron with cap stamped "RPLS 5430" found for corner at the beginning of a curve to the left;

THENCE with said curve to the left having a radius of 338.92 feet, a central angle of 22 degrees 37 minutes 18 seconds, an arc length of 133.81 feet, a chord bearing of North 56 degrees 50 minutes 14 seconds West, a distance of 132.94 feet to the POINT OF BEGINNING containing 133,232 square feet, or 3.059 acres of land.

## SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Brian J. Maddox, 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____, 2023

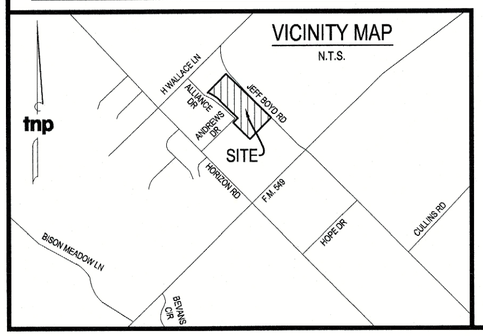
**PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.**

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

**PRELIMINARY**
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

| EASEMENT LINE TABLE | | |
|---|---|---|
| LINE | BEARING | DISTANCE |
| L1 | S 44°23'32" W | 20.00' |
| L2 | N 45°36'28" W | 110.00' |
| L3 | S 44°23'32" W | 30.08' |
| L4 | N 00°36'28" W | 42.54' |
| L5 | N 45°36'28" W | 64.75' |
| L6 | S 00°36'28" E | 13.39' |
| L7 | S 44°23'32" W | 83.28' |
| L8 | S 89°23'32" W | 32.33' |
| L9 | N 45°36'28" W | 58.14' |
| L10 | N 44°23'32" E | 20.00' |
| L11 | S 45°36'28" E | 49.86' |
| L12 | N 89°23'32" E | 15.76' |
| L13 | N 44°23'32" E | 66.72' |
| L14 | N 00°36'28" W | 6.01' |
| L15 | N 45°36'28" W | 30.68' |
| L16 | N 00°36'28" W | 19.09' |
| L17 | S 53°54'22" E | 24.58' |

| EASEMENT CURVE TABLE | | | | | |
|---|---|---|---|---|---|
| CURVE | RADIUS | DELTA ANGLE | ARC LENGTH | CHORD BEARING | CHORD LENGTH |
| C1 | 20.00' | 20°47'33" | 7.26' | N 54°47'19" E | 7.22' |
| C2 | 20.00' | 30°38'07" | 10.69' | N 29°04'29" E | 10.57' |
| C3 | 20.00' | 30°28'41" | 10.64' | S 59°37'53" W | 10.51' |
| C4 | 20.00' | 29°07'47" | 10.17' | S 29°49'39" W | 10.06' |
| C5 | 20.00' | 29°00'12" | 10.12' | N 58°53'38" E | 10.02' |
| C6 | 20.00' | 30°37'23" | 10.69' | N 29°04'51" E | 10.56' |
| C7 | 20.00' | 30°49'40" | 10.76' | S 59°48'22" W | 10.63' |
| C8 | 20.00' | 28°37'56" | 9.99' | S 30°04'34" W | 9.89' |
| C9 | 20.00' | 28°34'01" | 9.97' | N 58°40'33" E | 9.87' |
| C10 | 20.00' | 30°16'23" | 10.57' | N 29°15'21" E | 10.44' |
| C11 | 20.00' | 30°30'17" | 10.65' | S 59°38'41" W | 10.52' |
| C12 | 20.00' | 28°18'02" | 9.88' | S 30°14'31" W | 9.78' |




## OWNERS DEDICATION

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 LOTS 17, 18, 19, 20, 21, 22, 23, & 24, BLOCK 1, ALLIANCE ADDITION PHASE 2 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 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. I 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 their 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, maintaining, 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 Rockwall 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, storm 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 and/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 progress 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 Addition 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 exactions made herein.

ROCKWALL RENTAL PROPERTIES, L.P.

_____
Representative:

STATE OF TEXAS}
COUNTY OF ROCKWALL}

Before me, the undersigned authority, on this day personally appeared _____, 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.

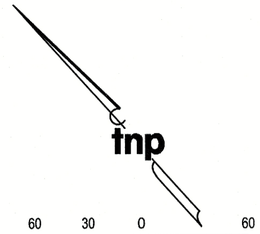
Given upon my hand and seal of office this _____ day of _____, 2023.

_____
Notary Public in and for the State of Texas

_____
My Commission Expires:

## NOTES:

1. BEARINGS ARE REFERENCED TO GRID NORTH OF THE TEXAS COORDINATE SYSTEM OF 1983 (NORTH CENTRAL ZONE 4202; NAD83(2011) EPOCH 2010) AS DERIVED LOCALLY FROM ALLTERRA CENTRAL RTKNET CONTINUOUSLY OPERATING REFERENCE STATIONS (CORS) VIA REAL TIME KINEMATIC (RTK) SURVEY METHODS. ALL DISTANCES SHOWN ARE SURFACE DISTANCES USING A COMBINED SCALE FACTOR OF 1.000146135.
2. BY GRAPHIC SCALE ONLY THE SUBJECT PROPERTY APPEARS TO LIE WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) NO. 48397C0105L DATED SEPTEMBER 26, 2008 OF THE NATIONAL INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
3. THE SURVEYOR, AS REQUIRED BY STATE LAW, IS RESPONSIBLE FOR SURVEYING INFORMATION ONLY AND BEARS NO RESPONSIBILITY FOR THE ACCURACY OF THE ENGINEERING DATA ON THIS PLAT.
4. IT SHALL BE THE POLICY OF THE CITY OF ROCKWALL TO WITHHOLD ISSUING BUILDING PERMITS UNTIL ALL STREETS, WATER, SEWER AND STORM DRAINAGE SYSTEMS HAVE BEEN ACCEPTED BY THE CITY. THE APPROVAL OF A PLAT BY THE CITY DOES NOT CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE THAT ANY BUILDING WITHIN SUCH PLAT SHALL BE APPROVED, AUTHORIZED OR PERMIT THEREFORE ISSUED, NOR SHALL SUCH APPROVAL CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE BY THE CITY OF THE ADEQUACY AND AVAILABILITY FOR WATER FOR PERSONAL USE AND FIRE PROTECTION WITHIN SUCH PLAT, AS REQUIRED UNDER ORDINANCE 83-54.
5. ALL CORNERS ARE A 5/8" IRON ROD WITH CAP STAMPED "TNP" UNLESS OTHERWISE NOTED OR SHOWN.




CIRF - CAPPED IRON ROD FOUND
CIRS - CAPPED IRON ROD SET
N.T.S. - NOT TO SCALE
R.O.W. - RIGHT OF WAY
SF - SQUARE FEET
AC - ACRES
W.E. - WATER EASEMENT
D.R.R.C.T. - DEED RECORDS ROCKWALL COUNTY, TEXAS
P.R.R.C.T. - PLAT RECORDS ROCKWALL COUNTY TEXAS

## 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).

## APPROVED

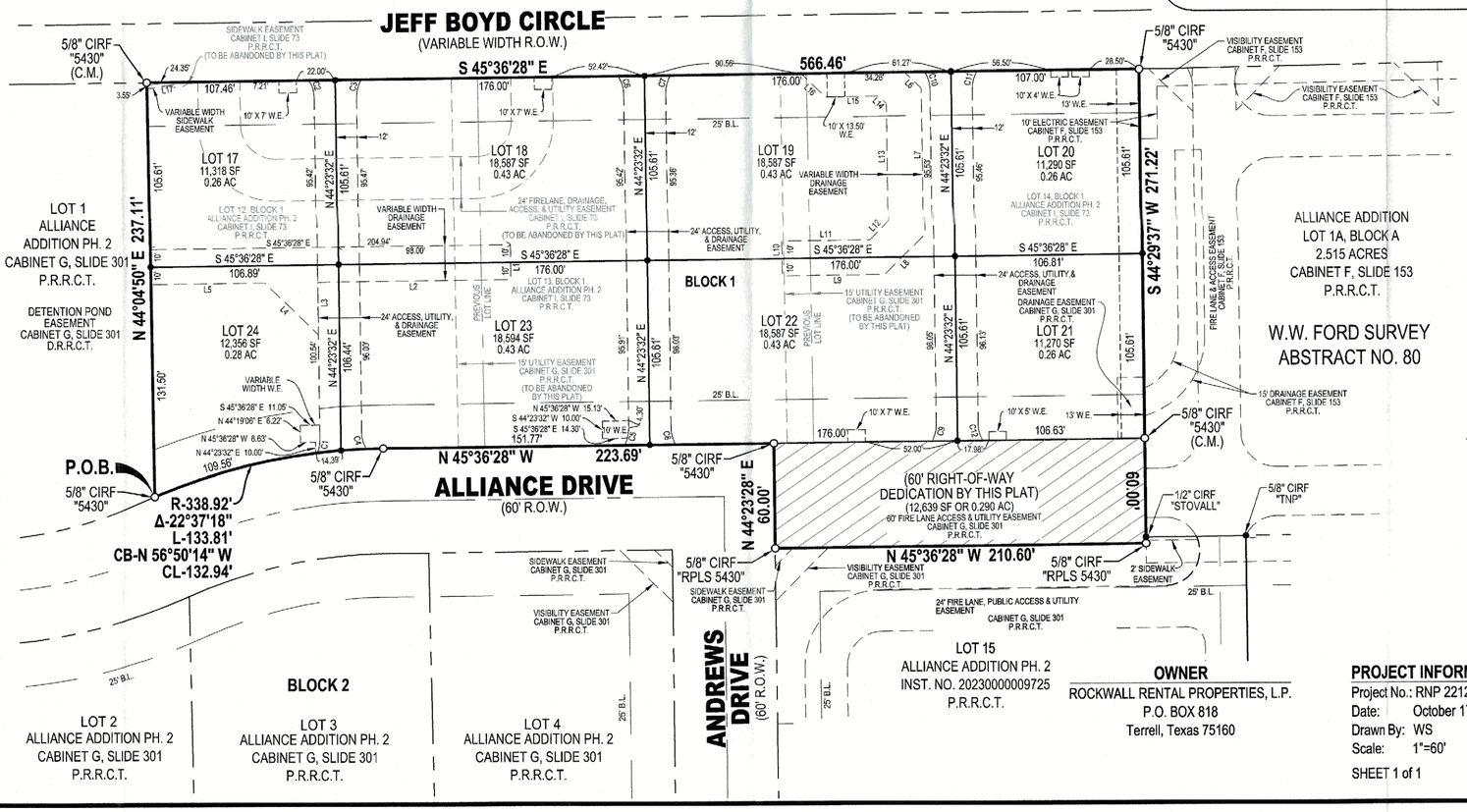
I hereby certify that the above and foregoing Subdivision Plat was reviewed by the Planning and Zoning Commission and approved by the City Council of the City of Rockwall, Texas for the preparation of a Final Plat on the _____ day of _____, 2023.

_____ MAYOR CITY OF ROCKWALL

_____ PLANNING AND ZONING CHAIRMAN

_____ CITY SECRETARY

_____ CITY ENGINEER




**OWNER**
ROCKWALL RENTAL PROPERTIES, L.P.
P.O. BOX 818
Terrell, Texas 75160

**FINAL PLAT**
***LOTS 17, 18, 19, 20, 21 22, 23, & 24, BLOCK 1 ALLIANCE ADDITION PHASE 2***

BEING ALL OF LOTS 12, 13, & 14, BLOCK A, ALLIANCE ADDITION PHASE 2 AS RECORDED IN CABINET I, PAGE 73 OF THE PLAT RECORDS OF ROCKWALL COUNTY, TEXAS AND BEING ALL OF A 60 FOOT FIRE LANE, ACCESS, & UTILITY EASEMENT AS RECORDED IN CABINET G, SLIDE 301 OF THE PLAT RECORDS OF ROCKWALL COUNTY, TEXAS

CONTAINING A TOTAL OF 3.059 ACRES

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

**PROJECT INFORMATION**
Project No.: RNP 22123
Date: October 17, 2023
Drawn By: WS
Scale: 1"=60'

SHEET 1 of 1

CASE NO._____

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

City of Rockwall

# MEMORANDUM

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

**FROM:** **Misty Farris, Purchasing Agent**

**DATE:** **November 6, 2023**

**SUBJECT:** **Purchase of Fire Apparatus**

The order needs to be placed for the purchase of a new Aerial Ladder Truck and the associated loose equipment. This will be funded from General Fund Reserves in the year it is received.

This new Ladder Truck will replace our current 2013 model Ladder 2. Build time on the new Ladder Truck will be approximately 36-48 months from the order date. Acceptance by and delivery to the Fire Department is estimated to be late December 2027. Cost is $2,066,658.

The 2024 model apparatus has been competitively bid and is available for purchase from Siddons-Martin/Pierce through the Houston-Galveston Area Council of Governments (H-GAC) Cooperative Purchasing Program contract FS12-19 (FIRE) and FS12-19A (FIRE). The City, as a member and participant in this cooperative program, has met all formal bidding requirements pertaining to the purchase of these two apparatus.

For Council consideration is the bid award for the new Ladder to Siddons-Martin/Pierce for $2,066,658 as well as pre-authorization to buy the loose equipment from various vendors and authorize the City Manager to execute a purchase order for the new apparatus and associated equipment.

**ATTACHMENTS:**
None

# CITY OF ROCKWALL, TEXAS
## MEMORANDUM

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

**CC:** **Mary Smith, City Manager**
**Joey Boyd, Assistant City Manager**
**Misty Farris, Purchasing Agent**

**FROM:** **Travis E. Sales, Director Parks, Recreation and Animal Services**

**DATE:** **November 6, 2023**

**SUBJECT:** **The Harbor / LED light conversion in fountain basin**

This project is for the conversion of incandescent lights to LED lights in fountain basins. The total cost of this project is not to exceed $85,134.00 to be funded out of the Harbor Operating Budget. This is an approved 2023-2024 budget request budgeted at $100,000.00

The quote is provided by Nema Electric under BuyBoard Contract #638-21. Nema Electric has been providing most of the electrical work in park and recreation including all sports field lighting projects and have exceed expectations in all applications.

As a member and participant in the Buy Board cooperative program, the City has met all formal bidding requirements pertaining to the purchase and install of the electric service, fixtures and lights.

For Council consideration is this LED lighting project bid award to the above listed vendor for the respective dollar amounts and authorize the City Manager to execute purchase orders and/or contracts for this project.

# NEMA 3 Electric, Inc.

4181 Old Hwy 67, Midlothian, TX 76065 • 972-723-1180 • Fax 972-723-1181 Contractors


October 14, 2023 Proposal 23-572

BuyBoard # 638-21

City of Rockwall
Attn: Travis

RE: **Rockwall Harbor**
**Rockwall, Texas**

---

Quote $ 85,134.00 to provide and install new LED Lights in the water features at the Harbor includes the following:

- New Lights
- Labor
- Demo of the old Lights
- Installation of drivers for the new lights

Terms: Net 30 – (no retainage withheld)

EXCLUDED FROM THE QUOTE:

- ⌀ Withholding of retainage
- ⌀ No draining of the water feature
- ⌀ Traffic control
- ⌀ Temporary fencing
- ⌀ Additionally insured
- ⌀ Allowances, permits and sales tax

Upon payment we will transfer manufacturers' warranties to the Owner. EXCEPT FOR TRANSFERABLE

MANUFACTURER'S WARRANTIES WE ARE NOT RESPONSIBLE FOR INJURIES OR LOSSES DUE TO DESIGN, MANUFACTURING OR OTHER DEFECTS IN THE MATERIALS DESIGNATED OR SPECIFIED BY CONTRACTOR, OWNER, OR THEIR AGENTS. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents, or delays beyond our control. Owner is to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.
Note: We may withdraw this proposal if not accepted within seven days.

**Acceptance of Proposal** – The above prices, specifications and conditions are satisfactory and are hereby accepted, you are authorized to do the work as specified, payment will be made as outlined above.

Date of Acceptance: _____ Total Amount Accepted: _____

_____ _____
Signature Printed Name & Title




TECL #18687 - Regulated by The Department of Licensing and Regulation – P.O. Box 12157, Austin, TX 78711; 1-800-803-8202, 512-463-6599; Website: www.license.tx.us/complaints

# CITY OF ROCKWALL, TEXAS
## MEMORANDUM

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

**CC:** **Mary Smith, City Manager**
**Joey Boyd, Assistant City Manager**
**Misty Farris, Purchasing Agent**

**FROM:** **Travis E. Sales, Director Parks, Recreation and Animal Services**

**DATE:** **November 6, 2023**

**SUBJECT:** **The Parks Building at the Service Center (closed cell foam installation)**

This project is for the installation of closed cell spray foam inside the park building at the Service Center. The total cost of this project is not to exceed $32,200.00 to be funded out of the Park Operating Budget. This is an approved 2023-2024 budget request.

The quote is provided by Custard Construction Services under TIPS/TAPS Contract #211001, HUB Certification 1454932931700. Custard Construction has been providing most of this type of work at the Service Center over the last year. This will ensure that the insulation installation will match all other buildings.

As a member and participant in the TIPS/TAPS program, the City has met all formal bidding requirements pertaining to the purchase and install of the electric service, fixtures and lights.

For Council consideration is this closed cell foam installation project bid award to the above listed vendor for the respective dollar amounts and authorize the City Manager to execute purchase orders and/or contracts for this project.

# CUSTARD CONSTRUCTION SERVICES

# Proposal

## Tips/Taps Contract #211001

***HUB CERTIFICATION #*** 1454932931700

**Date: October 11, 2023**

**Quote #CCSQ-2377**

| | |
|---|---|
| **Customer:** | **City of Rockwall**<br>**385 S. Goliad St.**<br>**Rockwall, TX. 75087** |
| **Attention:** | **Brian Sartain** |
| **Phone Number:** | **972-965-7662** |
| **Email:** | **Bsartain@rockwall.com** |

### Budget Price Parks Metal Building Spray Foam & Door Seals

### Scope of Work

- **Spray 2" of closed cell foam on underside of roof deck.**
- **Spray 1" of closed cell foam on interior walls of metal building.**
- **Spray paint ceiling, and walls on interior to match other buildings.**
- **furnish and install 2" weatherblock brush seals and 2" 45 retainer**
- **on the (4) new 12'x12' sectional doors on the new building. Including sides and headers.**

**Total Budget Price $32,200.00**

**EXCLUSIONS; Anything not listed on Scope of Work, Exclude Ceilings, Staining of Doors & Frames, moisture tests, moisture tests, Millwork, After hours, and Overtime, Bonds**

**PAYMENT TERMS: Net 30**

All work to be completed in a substantial workman like manner per standard practice.
Any alteration or deviation from above scope of work involving extra costs will become an extra charge over and above the contract price. All agreements are contingent upon strike, accidents, delays including weather or changes in Federal, State and Local regulations beyond our control. All invoices are due and payable in Cook County, Texas.

City of Rockwall
*The New Horizon*

# MEMORANDUM

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

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

**DATE:** **November 6, 2023**

**SUBJECT:** **Master Water/Wastewater Plan and Impact Fee Study Update**

State Law requires cities charging impact fees to developments to update these fees every five years. The City of Rockwall currently charges developments impact fees for water and wastewater improvements. These updates usually involve updating land use assumptions, evaluating the existing system for deficiencies, calculating development needs for the next ten years, creating a capital improvement project list and establishing of the maximum fees that can be charged.

Staff has received a proposal from Birkhoff, Hendricks and Carter LLP to perform these services for the City in the amount of $180,000.00. Funding for this work is available in the current Sewer Department budget.

Staff requests City Council consider authorizing the City Manager to execute a contract for the professional engineering services associated with the Master Water/Wastewater Plan and Impact Fee Study Update in an amount not to exceed $180,000.00.

AJW

Attachment

Cc:
Jonathan Browning, P.E., CFM, Assistant City Engineer
Rick Sherer, Water/Wastewater Manager
File

**STATE OF TEXAS** ♦

♦

**COUNTY OF ROCKWALL** ♦

# PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and Birkhoff, Hendricks and Carter, LLP, ("ENGINEER"), located at 11910 Greenville Avenue, Suite 600, Dallas, Texas, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for the following projects:

2024 Water Distribution System Master Plan Update,

2024 Wastewater Collection System Master Plan Update; and the

2024 Water and Wastewater System Impact Fee Update

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Attachment "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and defined in Attachment "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be an amount not to exceed One Hundred Eighty Thousand dollars and zero cents ($180,000.00) and billed in accordance with the payment schedule provided in Attachment "B". Engineer is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the schedule described in Attachment "C". In the event of termination, Engineer will assist the CITY in arranging a smooth transition process. However, Engineer's obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business working on this project. CITY may waive this potential conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the Engineer will be at reuser's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – $100,000
Bodily Injury by Disease - $500,000 (policy limits)
Bodily Injury by Disease - $100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

$2,000,000 General aggregate limit

$1,000,000 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

$1,000,000 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars ($1,000,000) annual aggregate, on a claims made basis, as long as reasonably available under standard policies.

**7. INDEMNIFICATION**

**ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR ITS AGENTS OR EMPLOYEES, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.**

**ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS ($1,000,000). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.**

8. Addresses for Notices and Communications

**CITY**
**Amy Williams, P.E.**
**Director of Public Works/City Engineer**
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

**ENGINEER**
**Derek B. Chaney, P.E., R.P.L.S.**
**Partner**
Birkhoff, Hendricks & Carter, L.L.P.
11910 Greenville Ave., #600
Dallas, Texas 75243

All notices and communications under this Contract shall be mailed or delivered to **CITY** and **Engineer** at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

**CITY** may, from time to time, request changes in the Scope of Work of **Engineer** to be performed hereunder. Such changes, including any increase or decrease in the amount of **Engineer's** compensation, or time for performance, which are mutually agreed upon by and between **CITY** and **Engineer**, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and Engineer.

13. Reports and Information

**Engineer**, at such times and in such forms as **CITY** may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish **CITY** periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Attachments and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this 16th day of October 2023.

BIRKHOFF, HENDRICKS & CARTER, LLP
A Texas Limited Liability Partnership
TPBELS Engineering Firm No. 526
TBPELS Survey Firm No. 100318-00

By: _____
Name: Derek B. Chaney, P.E., R.P.L.S.
Title: Partner

Reviewed By: _____

EXECUTED in triplicate originals on this ____ day of _____ 2023.

ATTEST:

City of Rockwall, Texas

_____
Mary Smith
City Manager

# ATTACHMENT "A"

# Scope of Services

## 2024 Water Distribution System Master Plan Update, 2024 Wastewater Collection System Master Plan Update; and 2024 Water and Wastewater System Impact Fee Update

General Project Description:

The City of Rockwall (City) desires to engage the services of Birkhoff, Hendricks and Carter, LLP (BHC) to provide engineering services for the 2024 Water Distribution and Wastewater Collection System Master Plan Updates and the 2024 Water and Wastewater System Impact Fee Update. The Water and Wastewater Master Plans and Impact Fees were last updated in 2019.

**BASIC SERVICES**

**1. Water Distribution System Master Plan Update**

1.1. Update the existing (year 2024), 10-year (year 2034) and buildout hydraulic water models using current release of InfoWater Pro (ArcGIS-based) software.

1.2. Considering available planning documents including the most recent update to the Comprehensive Plan, Future Land Use Plan, Thoroughfare Plan, current City Limits and Extraterritorial Jurisdiction (ETJ) boundaries, and adjacent Water Certificate of Convenience and Necessity (CCN) holders (note that the City of Rockwall does not currently have a water CCN), support the City in developing a proposed Planning Boundary to be applied for the Water Distribution System Master Plan Update. Attend one meeting at City Hall to review and receive direction from the City on the Master Plan Water System Planning Boundary.

1.3. Update the existing water model to reflect existing water lines and facilities constructed since the last master plan update was completed in 2019 at the City's direction and as required to properly evaluate the system. Generally, existing water lines 12-inch in diameter and larger will be modeled. Smaller diameter lines will be evaluated and modeled as needed to evaluate specific areas, complete loops, or as requested by the City.

1.4. Modify the layout and alignments of future water lines and facilities as required in connection with the established Water Master Plan Planning Boundary and Future Thoroughfare Plan.

1.5. Coordinate with the City Staff to obtain current water system operational set points, including high service pump on/pump off settings, and elevated tank levels associated with those pumps settings. If applicable, retrieve updated pump curves for high service pumps stations from the City. Update existing model scenario pump controls to match the operational set points and updated pump curves provided.

1.6. Update the existing, 10-year and buildout water demand and population spreadsheets, based on existing and projected land use assumptions as provided by the City.

1.7. Update the existing and future pressure plane divide between the 698.75 and 780 water system services areas based on recently implemented system improvements. Revisit and refine the buildout pressure plane divide, as necessary.

1.8. Incorporate the updated 72-hour diurnal demand curve and distribute water demands from the water demand study (to be completed under separate agreement) to the existing (2024) water model.

1.9. Apply the hydraulic system demands to the 10-year and buildout water models based on projected land use assumptions provided by the City.

1.10. Coordinate with the City's treated water supplier, the North Texas Municipal Water District (NTMWD), regarding existing and future supply requirements and location of expected future supply delivery points.

1.11. Simulate the existing (2024), 10-year (2034) and buildout hydraulic water models using a 72-hour Extended Period Simulation (EPS) and evaluate the following:

a) Run models based on maximum daily demand and analyze results to check facility sizes, line sizes, and operation of elevated storage tanks. Update facility and water line sizes, as necessary.

b) Complete a fire flow analysis based on maximum daily demand conditions.

c) Identify deficiencies and establish recommended improvements to resolve, including development of engineer's opinion of probable project cost.

1.12. Update the previous 2019 Water System Master Plan Map to reflect updates to existing and future systems for the 2024 Water Master Plan Update, including:

a) Streets, parcels and 100-year floodplain provided by the City as the base map

b) Buildout Water service area planning boundary

c) Updated water line sizes and model ID numbers

d) Updated junction nodes and model ID numbers

e) Existing and recommend future elevated tanks and ground storage reservoirs

f) Existing and recommended future pump station layouts

g) Color coded Service Area (pressure-plane) delineation

h) Current CCN boundaries (if available)

i) Location of existing and/or future pressure reducing valves, if required

1.13. Prepare written Water Master Plan Report, including methodology of the analysis, findings, recommendations, exhibits, 10-year CIP summary, and fire flow analysis reports.

1.14. Attend up to two (2) coordination meetings with City Staff at City Hall to review and discuss study approach, findings, reports and final conclusions and recommendations.

## 2. Wastewater Collection System Master Plan Update

2.1. Update the existing (year 2024), 10-year (year 2034) and buildout hydraulic wastewater models using current release of InfoSewer Pro (ArcGIS-based) software.

2.2. Considering available planning documents listed in Section 1.2 of this Scope of Services, support the City in developing a proposed Planning Boundary to be applied for the Wastewater Collection System Master Plan Update. Review and receive direction from the City on the wastewater system planning boundary at the meeting listed in Section 1.2.

2.3. Using the existing wastewater collection system model and future wastewater system lines and facilities from the previous 2019 Wastewater Collection System Master Plan Update as the base, update the models as necessary to reflect existing conditions. Add new trunk lines, lift stations, force mains and manholes to the model that were constructed since the last update. Typically, pipe sizes of 10-inch and larger in diameter will be modeled, with smaller diameter lines of hydraulic significance included as needed to complete an effective working model.

2.4. Update the major wastewater basins, wastewater service areas and general configuration of collection system as necessary to incorporate recent additions to the collection system and changes to the City's buildout wastewater planning boundary.

2.5. Update the wastewater design flow and population spreadsheets, based on existing, 10-year and buildout land use assumptions and population projections as provided by the City.

2.6. Utilize diurnal curves created based on the Wastewater Flow Monitoring study (scheduled to be completed by Engineer under separate agreement in 2023) and create a typical diurnal curve to be applied in future growth areas. The diurnal curves represent the pattern of usage during dry weather flow conditions.

2.7. Develop wastewater design flow assumptions (per capita for residential, and per unit area/acres for non-residential) for each unique land use as shown by the City's Future Land Use Plan.

2.8. Use the established wastewater design flow assumptions to calculate and apply the hydraulic wastewater loadings to the existing, 10-year and buildout model scenarios.

2.9. Develop wet weather modeling parameters based on observed flow meter data to simulate system response to storm event.

2.10. Apply the wet-weather hydrographs and storm modeling variables to the existing modeled base loads.

2.11. Run existing and buildout models using a 48-hour extended period simulation (EPS). The EPS scenarios will include both wet-weather and dry-weather flows.

2.12. Analyze the existing model results. Evaluate capability of existing sewer lines, lift stations and wastewater treatment plant to convey wastewater flows. Existing system will be evaluated to determine if a free-flow or surcharged (deficient) condition exists. Existing collection system lines shown to surcharge will be evaluated for proposed improvement via Inflow/Infiltration Reductions, Rehabilitation, Replacement or Paralleling. Develop list of recommended system improvements, including formulation of engineer's opinions of probable project costs and implementation schedule

2.13. Analyze buildout model results. Evaluate and determine required sizes for future sewer lines, lift stations and wastewater treatment plants. Recommended buildout system improvements will be based on free-flow conditions.

2.14. Coordinate with the NTMWD and provide the City's buildout wastewater treatment capacity requirements. Review the NTMWD Sabine Creek Regional Wastewater Treatment Plant Master Plan report and where appropriate, incorporate findings into the Wastewater Collection System Master Plan Update.

2.15. Update the 2019 Wastewater System Master Plan Map to reflect updates to existing and future systems for the 2024 Wastewater System Master Plan Update, including:

a) City Limits, Sewer CCN and Buildout Wastewater Planning Boundary

b) Streets, parcels, and 100-year floodplain provided by the City as the base map.

c) Color coded major sewershed basin delineations

d) Modeled sanitary sewer lines, with pipe diameters and model ID numbers

e) Modeled manholes and model ID numbers

f) Existing and future lift stations and force mains

g) Existing wastewater treatment plants

h) Proposed improvements to the existing wastewater collection system

2.16. Prepare written Wastewater Master Plan report, including methodology of the analysis, findings, recommendations, exhibits, and 10-year CIP summary.

2.17. Attend up to two (2) coordination meetings with City Staff at City Hall to review and discuss study approach, findings, reports and final conclusions and recommendations.

## 3. Water and Wastewater Impact Fee Update

3.1. Impact Fee Study to include City's proposed and eligible existing recovery waterlines, pump stations, ground storage reservoirs, elevated storage tanks, wastewater collection lines and lift stations. The wastewater impact fee study will consider inclusion of eligible existing and proposed regional improvements specified in the NTMWD regional CIP. The water impact fee will exclude these regional NTMWD components. The water and wastewater impact fees will be based on a single planning boundary.

3.2. Review the water and wastewater capital improvement program (CIP) projects included in the last impact fee report and coordinate with the City staff to confirm completed improvement and move those projects to the capital recovery project list. Review, update, and add where necessary, capital projects eligible for recovery in the impact fee program. Coordinate with the City to request and retrieve eligible costs associated with identified impact fee recovery projects.

3.3. Development of a 10-year Water System CIP and 10-year Wastewater System CIP, responding to growth in the land use assumptions, including formulation of engineer's opinions of probable costs and implementation schedule. The 10-year CIP's will be based on land use and growth assumptions provided by the City of Rockwall.

3.4. Utilize the existing and 10-year water and wastewater models described in this Scope of Services, Section 2, and Section 3, as the base models for the Impact Fee Analysis. For each CIP project identified, analyze the capacity currently utilized, total capacity available, the capacity utilized over the impact fee period.

3.5. Review of the existing living unit equivalent (LUE) for the impact fee. Update water meter equivalency based on latest AWWA standards for water meters. Existing water meter counts, by size and classified as domestic or irrigation, shall be provided by the City of Rockwall.

3.6. Calculate the water and wastewater impact fee based on the list of eligible existing and proposed projects, using actual or estimated construction cost of existing projects, and projected cost of projects on the 10-year CIP, living unit equivalent and the utilized capacity of the facilities during the 10-year period.

3.7. Prepare a water and wastewater impact fee report, including a summary of land use assumptions, schedules, opinions of probable project costs, capacity tabulations, CIP exhibits and the calculation of the maximum water and wastewater impact fee.

3.8. Attend up to two (2) meetings with the City staff at City Hall to discuss project approach, review identified projects, study findings, interim reports and present final conclusions and recommendations.

3.9. Coordination as necessary with the City's consultant for Roadway Impact Fees (Freese and Nichols), including incorporation of Water and Wastewater Impact Fee Update content into City Council and Capital Improvement Advisory Committee presentations prepared by the City's Roadway Impact Fee consultant.

3.10. Establish project schedule for adoption of Updated Impact Fees by City Council.

3.11. Attend the following meetings at City Hall:

a) Up to two (2) meetings to present Updated CIP and Impact Fees to the Capital Improvement Advisory Committee.

b) One City Council Meeting for public hearing on adoption of the Updated Impact Fees.

c) One City Council Meeting for adoption of Updated Impact Fees.

## ADDITIONAL SERVICES

The following scope items defined as additional services are those anticipated to be necessary to facilitate completion of the project. These services will be performed on an as-need basis and invoiced based on effort and expenses incurred.

### 4. Reproduction and Printing of Reports and Maps

4.1. Prepare and deliver three (3) copies of preliminary reports for the Water Distribution System and Wastewater Collection System Master Plans and three (3) copies of preliminary report for Impact Fees for City staff review.

4.2. Prepare and deliver one unbound original copy each of the final Water Distribution System and Wastewater Collection System Master Plan report and the Water and Wastewater System Impact Fee report. The reports will be capable of reproduction by the City.

4.3. Prepare and deliver five (5) bound copies of final Water and Wastewater System Impact Fee reports.

4.4. Prepare and deliver three (3) bound copies of the final Water Distribution System and Wastewater Collection System Master Plan reports.

4.5. Prepare and deliver five (5) 1" =2000' scale color maps of the Water Distribution System and Wastewater Collection System Master Plan Map.

4.6. Prepare and deliver one copy each of the color Water Distribution System and Wastewater Collection System Master Plan maps mounted on hard backing with clear seal for use with dry erase markers.

4.7. Prepare and deliver electronic files of the final reports and maps in PDF file format.

## 5. Exclusions

The intent of this scope of services is to include only the services specifically listed herein and no others. Services specifically excluded from this scope of services include, but are not necessarily limited to the following:

5.1. Preparation of Land Use Assumptions for the Water and Wastewater Master Plans, and the Impact Fee Update Report

5.2. Consulting services by others not included in Scope of Services

5.3. Preparation of the Water and Wastewater Impact Fee Ordinance

5.4. Public Meeting Notifications

5.5. Scheduling of Capital Improvement Advisory Committee and Council Meetings

5.6. Public Meetings beyond two (2) Capital Improvement Advisory Committee Meetings and two (2) City Council Meetings for Public Hearing and Adoption of Updated Impact Fees

5.7. Fiduciary responsibility to the City

5.8. Hydraulic water model calibration

5.9. Water system pressure or flow monitoring

5.10. Water Quality Analysis

5.11. Legal Services

# ATTACHMENT "B"

# Payment Schedule

Compensation for Basic Services in Tasks 1-3 shall be on a lump sum basis. The tabulation below establishes the not to exceed amount for each category of contract service:

| Task # | Task Description | Fee Amount |
|---|---|---|
| | **BASIC SERVICES** | |
| 1 | Water Master Plan Update | $60,400.00 |
| 2 | Wastewater Master Plan Update | $57,200.00 |
| 3 | Water & Wastewater Impact Fee Update | $61,000.00 |
| | **Basic Services Subtotal:** | **$178,600.00** |
| | | |
| Compensation for additional services under Task 4 shall be on an hourly basis of salary cost times a multiplier of 2.45 for time expended on the task. Expenses shall be at invoice cost times a multiplier of 1.15. | | |
| | **ADDITIONAL SERVICES** | |
| 4 | Reproduction and Printing of Reports and Maps | $1,400.00 |
| | **Additional Services Subtotal:** | **$1,400.00** |
| | **Total Not to Exceed Fee Amount:** | **$180,000.00** |

Fees that are Lump Sum for each task and will be invoiced monthly based upon the overall percentage of services performed.

# ATTACHMENT "C"

## Project Schedule

The schedule below is a generalized outline. Once the project is initiated, an updated project schedule will be prepared based on the Capital Improvement Advisory Committee and City Council calendars.

Notice to Proceed ..... November, 2023

Water & Wastewater Master Plan Update Reports ..... 5 Months after Notice to Proceed

Water & Wastewater Impact Fee Report ..... 7 Months after Notice to Proceed

Impact Fee Presentations, Hearing & Adoption ..... 7-9 Months after Notice to Proceed

# ATTACHMENT "D"

## Information to be Provided by the City

The following information is to be provided by the City, if available.

1. Digital base map of City of Rockwall streets and parcels.
2. Digital base map of existing water and wastewater system lines and facilities in ArcGIS format.
3. As-built construction record drawings of existing water lines, pump stations, storage facilities, sanitary sewer lines, lift stations and force mains, as requested
4. Water pump station pump curves and/or pump and motor data plate information, if requested and available.
5. Digital mapping for Future Land Use Plan.
6. Land Use Assumptions Report.
7. Construction, engineering, construction inspection and land rights acquisition cost data for eligible impact fee projects constructed since the last update.

City of Rockwall
*The New Horizon*

**MEMORANDUM**

---

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

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

**DATE:** **November 6, 2023**

**SUBJECT:** **Engineering Contract for the Mims Elevated Water Storage Tank**

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The proposed Mims 1½ Million Gallon (MG) Elevated Storage Tank (EST) and Offsite Water Line improvements were identified as a recommended 10-year Capital Improvement Program (CIP) projects by the 2019 Water Distribution System Master Plan and Impact Fee update. With a projected project date in 2022; however, do to land acquisition this was delayed until 2023. Based on an assumed approval and notice to proceed issued for engineering design in November 2023, the projected in-service date will be mid-2026.

The new Mims EST and offsite water line improvements will strengthen the capability of the City's existing water distribution system by providing additional above ground storage capacity in the southeastern quadrant of the current City Limits. The Mims EST will operate in tandem with the City's existing Southside and Country Lane EST's, allowing water levels in each tank to cycle more gradually, resulting in improved stability of customer water pressures throughout the water distribution system.

The new EST will enhance water system facility redundancy and reliability, which will be essential for taking an existing EST out of service for any planned maintenance and/or rehabilitation activities. To complete necessary rehabilitation, the existing tank may have to be drained and taken out of service for up to 6-months. If this occurs, the City's water system will rely solely on the remaining EST for above ground storage. The new Mims EST will mitigate this exposure.

The new Mims EST will decrease the City's reliance on pumping out of the high service water pump stations. Decreased reliance on pumping equates to lower electricity usage and any associated costs. The additional storage capacity also bolsters the water systems' reliability and resilience to respond in emergency conditions. This increases the time in which the City can sustain normal operation of the water system in events like an outage, major water transmission line break, or planed/unplanned shut down of treated water supply from the City's regional provider (*i.e. the North Texas Municipal Water District [NTMWD]*).

Staff requests the City Council consider authorizing the City Manager to execute a contract with Birkhoff, Hendricks & Carter, L.L.P. for the engineering services for the Mims Elevated Water Storage Tank in the amount of $691,600.00 to be paid from the Water and Sewer Fund.

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

# PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and Birkhoff, Hendricks and Carter, LLP, ("ENGINEER"), located at 11910 Greenville Avenue, Suite 600, Dallas, Texas, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for the 1.5-Million Gallon (MG) Mims Road Elevated Storage Tank (Project A) and Offsite 16-inch Water Line (Project B).

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Attachment "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and defined in Attachment "A."

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be an amount not to exceed Six Hundred Ninety-One Thousand Six Hundred dollars and 00/100's ($691,600.00) and billed in accordance with the payment schedule provided in Attachment "B". Engineer is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the schedule described in Attachment "C." In the event of termination, Engineer will assist the CITY in arranging a smooth transition process. However, Engineer's obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business working on this project. CITY may waive this potential conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the Engineer will be at re-user's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – $100,000
Bodily Injury by Disease - $500,000 (policy limits)
Bodily Injury by Disease - $100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

$2,000,000 General aggregate limit

$1,000,000 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

$1,000,000 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars ($1,000,000) annual aggregate, on a claims made basis, as long as reasonably available under standard policies.

**7. INDEMNIFICATION**

**ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR ITS AGENTS OR EMPLOYEES, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.**

**ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS ($1,000,000). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.**

8. Addresses for Notices and Communications

**CITY**
**Amy Williams, P.E.**
**Director of Public Works/City Engineer**
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

**ENGINEER**
**Derek B. Chaney, P.E., R.P.L.S.**
**Partner**
Birkhoff, Hendricks & Carter, L.L.P.
11910 Greenville Ave., #600
Dallas, Texas 75243

All notices and communications under this Contract shall be mailed or delivered to **CITY** and **Engineer** at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

**CITY** may, from time to time, request changes in the Scope of Work of **Engineer** to be performed hereunder. Such changes, including any increase or decrease in the amount of **Engineer's** compensation, or time for performance, which are mutually agreed upon by and between **CITY** and **Engineer**, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and Engineer.

13. Reports and Information

**Engineer**, at such times and in such forms as **CITY** may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish **CITY** periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Attachments and any future Contract Amendments constitute the entire agreement and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this 16th day of October 2023.

BIRKHOFF, HENDRICKS & CARTER, LLP
A Texas Limited Liability Partnership
TPELS Engineering Firm No. 526
TBPELS Surveying Firm No. 100318-00

By: _____
Name: Derek B. Chaney, P.E., R.P.L.S.
Title: Partner

EXECUTED in triplicate originals on this ____ day of _____ 2023.

ATTEST:

City of Rockwall, Texas

_____
Ms. Mary Smith
City Manager

# ATTACHMENT "A"

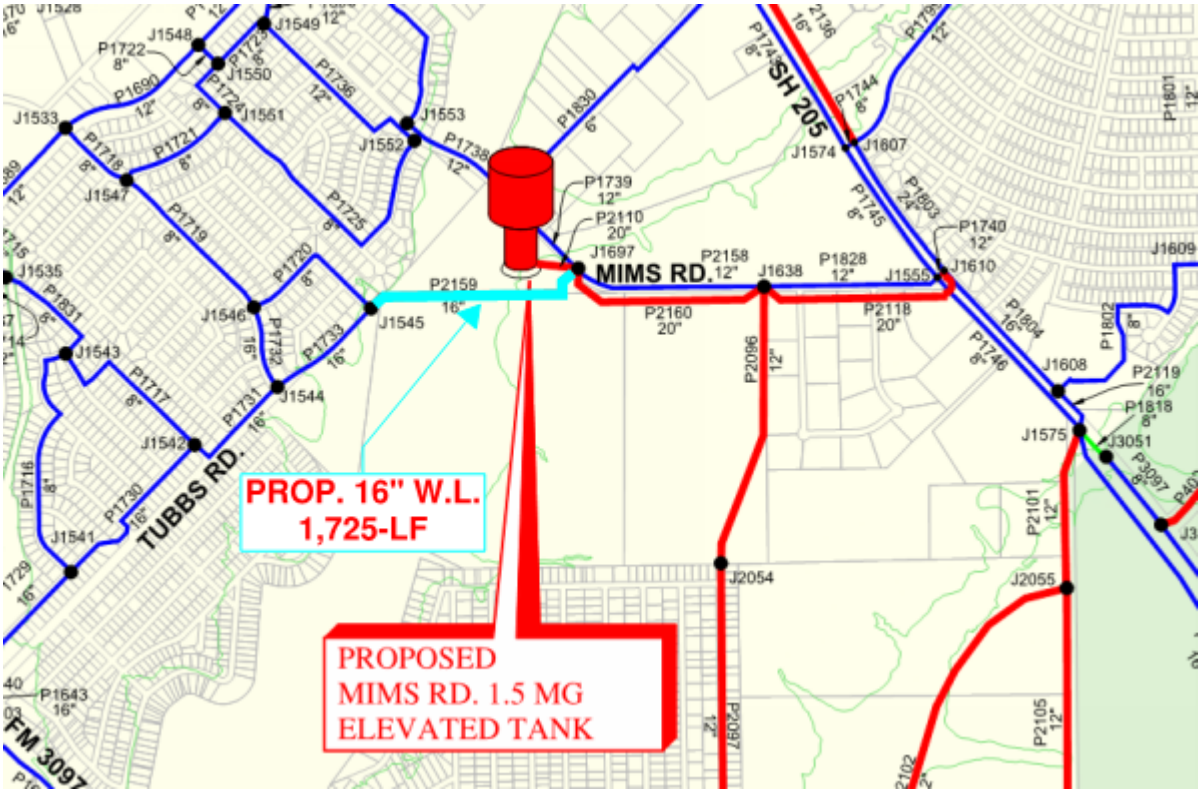
## Scope of Services

### *1.5 Million Gallon Mims Road Elevated Storage Tank (Project A), and Associated 16-inch Offsite Water Line (Project B)*

Project Description:

The City of Rockwall (City) desires to engage the services of Birkhoff, Hendricks and Carter (Consultant) to provide design, bidding, and construction administration services in connection with the 1.5 Million Gallon (MG) Mims Elevated Storage Tank (EST) project and a 16-inch offsite water line. The Opinion of Probable Construction Estimate includes the construction of a shallow foundation system for the elevated tank and all normal appurtenances with allowances for a deep foundation if required. Geotechnical investigation will determine if a deep foundation system is required. The Offsite 16-inch water line project and EST project will be bid as separate projects.

The 16-inch water line is approximately 1,725-linear feet and is expected to be constructed from the proposed EST site westerly across the FEMA Special Flood Hazard Zone and connecting to the existing 16-inch water line on Tubbs Road at Glenhurst Drive. The proposed Mims Elevated Storage Tank and Offsite 16-inch Water Line, colored cyan, are shown on the location map below/



**BASIC SERVICES (LUMP SUM)**

## 1. Design Phase

### 1.1. Elevated Tank Design Phase

Major Elevated Tank Design Elements include:

Preparation of construction plans, and specifications for a 1,500,000 gallon composite elevated tank based on the following standards:

- American Water Works Association (AWWA D 107)
- American Nation Standards Institute (ANSI)
- American Society of Testing Materials (ASTM)
- National Sanitation Foundation (NSF)
- American Concrete Institute (ACI)

1.1.1. With Special Details including:

- Pipe Connections
- Overflow & Drain Piping
- Connection to Existing SCADA
- Tank Ladders
- Roof Hatches
- Vent
- Tank Mixing System
- Valve & Electric Valve Operations
- Wireless Ready for Third Party Vendors
- Wet Riser
- Access and Truck Doors
- Obstruction Light
- Interior Light System
- Exterior Light System
- Electrical System
- Chloramine Analyzer
- Two Air-Conditioned Structural Floors
- 2 Insulated Oversized O.H. Doors (14' W X 14' T)
- Restroom on Ground Floor

1.1.2. Electrical Design shall include provisions for emergency generator, heat tracing on all pressure gauges and radiant heaters over piping and valves on ground floor.

1.1.3. SCADA design shall include a repeater.

1.1.4. HVAC Design by Campos Engineering.

1.1.5. Provisions for connecting to the City's existing monitoring and control system

1.1.6. Provisions for reestablishing grass on site.

1.1.7. Provisions for concrete driveway to access tank truck door.

1.1.8. Provisions for aluminum ornamental fence around the site.

1.1.9. The limits of the property, contours on site, and piping is as shown on the records drawings provided by the City. Information from record drawings will be placed in the construction plans.

1.1.10. The high-water level (HWL) shall be elevation 698.75 feet.

1.1.11. The coating system will not include red lead primer. Specifications will be prepared that will be in conformance with the Texas Commission on Environmental Quality (TCEQ) Regulations for containment systems.

1.1.12. Conduct project kickoff meeting with Consultant's Project Manager and City Staff.

1.1.13. Prepare and submit project schedule to City staff.

1.1.14. Prepare the following plan sheets:

| **Plan Sheets & Specifications** | **60%** | **90%** | **100%** |
|---|---|---|---|
| Cover Sheet w/ Location Map and Sheet Index | X | X | X |
| City General Notes Sheet | X | X | X |
| Grading, Drainage, Site and Fencing Plans | X | X | X |
| Erosion Control Plan (1"=20' scale) | | X | X |
| Elevated Tank Plans | X | X | X |
| Electrical Diagrams, SCADA, Electrical Schedules and Details | X | X | X |
| Technical Specifications | X | X | X |
| Contract Documents | | X | X |
| Standard Construction Details & Project Notes | | X | X |
| Opinion of Probable Construction Cost | X | X | X |

1.1.15. For each submittal provide:

a) Two (2) Full Size Copies – 22" X 34"

b) One (1) PDF Copy

c) One (1) PDF copy of scanned City Comments of Previous Submittal

1.1.16. Two (2) Design review meetings are included

1.1.17. Submit to State Regulatory Agencies, as required

1.1.18. Preparation of FAA Hazard to Flight Determination

1.1.19. Prepare erosion control plan. Contractor shall be responsible for Storm Water Pollution Prevention plan and TCEQ storm water permit notifications and postings.

1.1.20. Prepare opinion of probable construction estimate at 60%, 90% and 100% plan set Reviews.

1.1.21. Preparation of Specifications and Contract Documents

a. Contract documents will include the following:
   i. City of Rockwall standard construction contract forms
   ii. Notice to bidders
   iii. Special instructions to bidders
   iv. Bid Schedule (Bid-Tab) – Electronic for Bidding
   v. Standard construction contract
   vi. Performance bond
   vii. Payment bond
   viii. Maintenance bond
   ix. Certificate of insurance
   x. General conditions
   xi. Special conditions
   xii. Description of Pay Items
   xiii. Permits (TXDOT, TCEQ, FAA Determination of Flight Hazzard)
   xiv. Geotechnical Report

## 1.2. **Water Line Design**

1.2.1. Conduct progress meetings at 60% and 90% completion to monitor the development of the project regarding project status, coordination issues and discuss City review comments of the plans.

1.2.2. Prepare the following plan sheets and incorporate City comments for each review:

| **Plan Sheets** | **60%** | **90%** | **100%** |
|---|---|---|---|
| Cover Sheet w/ Location Map and Sheet Index | X | X | X |
| General Notes Sheet | X | X | X |
| Horizontal/Vertical Control Sheet (1"=40' scale) | X | X | X |
| Erosion Control Plan (1"=40' scale) | | X | X |
| Water Line Plan/Profile (1"=20'H, 1'=5'V scale) | X | X | X |
| Standard Construction Details & Project Notes | | X | X |
| Opinion of Probable Construction Cost | X | X | X |
| Construction Contract Template and Specifications | | X | X |

1.2.3. For each submittal provide:

a) Two (2) Full Size Copies – 22" X 34"

b) One (1) PDF Copy

c) One (1) PDF copy of scanned City Comments of Previous Submittal

1.2.4. Two (2) Design meetings are included

1.2.5. Prepare opinion of probable construction estimate at 60%, 90% and 100% plan set reviews.

1.2.6. Preparation of Specifications and Contract Documents

a. Contract documents will include the following:
   i. City of Rockwall standard construction contract forms
   ii. Notice to bidders
   iii. Special instructions to bidders
   iv. Bid Schedule (Bid-Tab) – Electronic for Bidding
   v. Standard construction contract
   vi. Performance bond
   vii. Payment bond
   viii. Maintenance bond
   ix. Certificate of insurance
   x. General conditions
   xi. Special conditions
   xii. Technical specifications
   xiii. Description of Pay Items
   xiv. Permits (TXDOT, TCEQ, FAA Determination of Flight Hazzard)
   xv. Geotechnical Report

**2. Bidding Phase (Separately for EST and Water Lines)**

2.1. Furnish the City with one 11-inch x 17-inch set of final construction plans, and one set of final Bidding Documents and Specifications for use during the bidding phase. Documents shall also be provided to the City in electronic PDF format.

2.2. The City will handle all notices to publish in the newspaper. The Engineer will upload to Civcastusa.com (online service) non-modifiable copies of the Engineer's sealed, signed and dated plan sheets and specifications. In the event that the electronic copies are modified, the original file at Birkhoff, Hendricks & Carter, LLP's office will govern in all cases.

2.3. The Engineer will prepare addenda to answer questions by bidders of the plans and specifications. The Engineer will provide the City with sealed, signed and dated addenda. The Engineer will upload the addenda to Civcastusa.com (online service) to respond to all questions. Questions must be submitted by potential bidders a minimum of 72-hours prior to the bid opening. All addenda shall be posted a minimum of 24-hours before the bid opening.

2.4. Attend Pre-Bid meeting for the elevated tank and water line projects, if requested by City.

2.5. Attend the bid opening for the elevated tank and water line projects.

2.6. Complete tabulation of bids; checking for mathematical errors and unbalanced bids. (Bid documents to be provided to Consultant by the City). City shall be provided bid tabulations in pdf format for the elevated tank and water line projects.

2.7. Obtain experience record and references from the apparent low bidder. Check references of apparent low bidder. Formulate opinion from information received and provide a letter of recommendation for award of a construction contract for the elevated tank and water line projects.

2.8. Once a construction contract is awarded by the City Council and contract documents are executed, return bid bonds to the bidders. The Consultant will return the original

bid packages to the City at the pre-construction conference for the elevated tank and water line projects.

**3. <u>Construction Phase (Separate for EST and Water Lines):</u>**

3.1 Pre-Construction Meeting: Prepare for and attend the Pre-Construction Meeting prior to commencement of Work at the Site. Consultant to provide the following quantities of plans and specifications for distribution at the Pre-Construction Meeting.

a) Half-size plans (11-inch x 17-inch) plans – (15 Total)
7 – City (File, Engr. Dept. PM, Inspector, Sub-Inspector, Water, Wastewater, Streets/Drainage)
4 – Franchise Utility Company Reps. (AT&T, Atmos, TXU/ONCOR, Charter)
3 – Contractor/Sub-contractors
1 – Geotech/Materials Testing Lab

b) Full-size plans (24-inch x 36-inch) plans – (5 Total)
2 – City (File and Inspector)
3 – Contractor/Subcontractors

c) Specification Books – (7 Total)
3 – City (Engr. PM, Inspector, Sub Inspector)
3 – Contractor/Subcontractors
1 – Geotech/Materials Testing Lab

d) Plan Set "Approved for Construction" on a flash / thumb drive.

3.2 Attend on-site construction observation meetings to observe progress, clarify design concepts and/or assist with solutions needed to overcome obstacles in construction (as applicable to scope of work) or to study and evaluate possible practical alternative solutions. A maximum of four (4) site visits are included in the budget for the water line project and six (6) trips for the elevated storage tank. Consultant is not responsible for Contractor means and methods, phasing including but, not limited to the Project Safety Program or adherence to Safety Practices per any and all local jurisdictions and/or OSHA regulations.

3.3 When requested by the City, provide a memo of the site visit observations to the City.

3.4 Clarifications and Interpretations. Issue clarifications and interpretations of the Contract documents to City as appropriate. Field Orders authorizing variations from the requirements of the Contract Documents will be made by City from clarifications and interpretations made by the Consultant.

3.5 Shop Drawings and Samples. Review and take appropriate action in respect to Shop Drawings and Samples and other data which Contractor is required to Submit. Review of shop drawings will be completed by review of electronic PDF files provided by the Contractor. Consultant review and appropriate action will not extend to means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction or to related safety precautions and programs. Such appropriate action of the Consultant is limited to the following:

i. No exceptions taken,
ii. Revise and resubmit,
iii. Make corrections noted, and
iv. Rejected.

3.6 Substitutes and "or-equal." Evaluate and determine the acceptability of substitute or "or-equal" materials and equipment proposed by Contractor in accordance with the Contract documents, but subject to the provisions of applicable standards of state or local government entities. "Or-equal" acceptance by the Consultant will only be provided if the Consultant has experience with the substitution.

3.7 Limitation of Responsibilities. The Consultant shall not be responsible for the acts or omissions of any Contractor, or of any of their subcontractors, suppliers, or of any other individual or entity performing or furnishing the Work.

3.8 Final Construction Walk Through. Consultant shall be present at the City's final construction walk through and will prepare a "punch/checklist" for the contractor to use to achieve final project acceptance.

## ADDITIONAL SERVICES (HOURLY)

The following scope items defined as additional services are those anticipated to be necessary to facilitate design of the project. These services will be performed on an hourly basis and shall be invoiced based on time and expenses incurred.

**4. Design and Boundary Surveys:**

4.1. Prior to Field Surveys:

4.1.1. Data collection and property research

a) Gather existing plat information, if applicable

b) Collect Property owner and record information

c) Gather existing ROW and easement information, identify all easements through typical research methodologies (i.e., plats, courthouse filings, etc.)

4.2. Establish horizontal control points temporary vertical control benchmarks at 500-foot maximum spacing.

4.3. Tie into City established benchmarks and establish vertical control benchmark for each project.

4.4. Set control points as necessary based on the NAD-83 North Central Texas Foot coordinate system to maintain horizontal and vertical control for both projects.

4.5. Perform boundary and topography surveys along both projects that include but are not limited to:

i. Property corner monumentation
ii. Existing pavement, curbs, sidewalks, barrier free ramps, etc.
iii. Roadway and lane striping
iv. Driveways
v. Existing storm sewer inlets, manholes, junction boxes Headwalls (including culvert sizes and invert elevations)
vi. Outfalls, bridges and erosion control
vii. Existing driveway culverts and swales (flowlines, sizes, types, etc.)
viii. Guardrail
ix. Utility manholes, vaults, water valves, water meters, wastewater cleanouts, sprinkler heads, telephone poles, power poles, utility markers, other public utilities and franchise utilities
x. Traffic Signal poles, cabinets, pull boxes and other signal equipment
xi. Signs (excluding temporary signs)
xii. Trees, including species and caliper (all sizes)
xiii. Landscape planters, Shrubs, rocks and other features.
xiv. Buildings and permanent structures
xv. Retaining walls
xvi. Fencing walls
xvii. Fence limits and material types (excluding temporary fences)
xviii. Mailboxes (types – wood, brick, stone)
xix. Other applicable physical features that could impact design

## 5. Easement Document Preparation

5.1. Preparation of Plat and Field Note Descriptions for expected water line easements required. Three (3) easement descriptions are included for the purpose of establishing a budget for this phase of work. Easement documents shall be signed by a Register Professional Land Surveyor and shall contain the following:

i. Parcel number
ii. Area required
iii. Area remaining
iv. Legal description
v. Current owner
vi. Any existing platted easements or easements filed by separate instrument including easements provided by utility companies
vii. All physical features
viii. Metes and bounds description of parcel to be acquired. The description shall be provided on a separate sheet from the exhibit. Each type of easement shall be described separately.

5.2. Consultant shall obtain an Abstract of Title report from a land title company and provide the City with the report for each property requiring a permanent easement. This report verifies ownership and existing encumbrances (e.g., deeds of trust, unpaid tax liens, mechanic's liens, etc.) on the property that might affect the landowner's rights to grant the proposed easement to the City. The project budget includes title reports for three (3) easement parcels. The City Attorney shall draft the front-end language of easement documents. The easement will be filed by the City at the County by the City.

Abstract Title Services are expected to be provided by a sub-consultant, Whitman Land Group, LLC.

## 6. Reproduction:

6.1. Reimbursable expenses for reproduction of plans and bidding documents as outlined in Section 2.3 (d) along with One 11" X 17" set of construction plans and bidding documents to the City for bidding.

## 7. Record Drawings:

7.1. Utilizing City's on-site representative and Contractor construction record information, Engineer will prepare record drawings and provide the following deliverables:

7.1.1. Electronic copy of the record drawings shall be submitted on CD/DVD or flash drive in the following formats.

7.1.2. AutoCAD (.dwg) format

7.1.3. Portable Document File (PDF) 400 dpi (min) (22-inch x 34-inch paper size)

7.1.4. If applicable, an electronic copy of geotechnical reports, survey data, photographs, and exhibits used for the project, in .PDF or jpg format.

7.1.5. Record drawings shall be sealed, dated and signed by the Engineer of Record in accordance with the Texas Board of Professional Engineers Policy Advisory Opinion Regarding Record Drawings.

7.1.6. All documented field changes and revisions provided shall be shown and noted in the revision block.

7.1.7. Revisions shall be drawn using accepted drafting standards and shall be clear and legible.

7.1.8. Line work and notes related to work deleted or changed shall be omitted from the Record Drawing.

**8. Geotechnical Evaluation (Henley Johnston & Associates):**

8.1. City will be provided a pdf copy of the geotechnical report. The geotechnical evaluation will be completed by Henley Johnston & Associates, Inc. and includes the following:

8.1.1. Elevated Tank Site: - Perform a geotechnical analysis of the site utilizing a qualified geotechnical laboratory to determine subsurface conditions and soil design parameters. The geotechnical analysis shall include the following:

(a) Subsurface exploration, including three (3) bores at varied depths.

(b) Laboratory tests for classification purposes and strength characteristics.

(c) Engineering services that address soil and groundwater conditions as well as recommendations for foundations, floor slab and earthwork.

8.1.2. A geotechnical report will be furnished, by the geotechnical engineer, summarizing the results of the field and laboratory data. The report will contain analyses and recommendations. The data contained in the geotechnical report will be made available to contractors during the bidding process for information purposes.

**9. Elevated Storage Tank Quality Control, Materials Testing and Inspection Services (Henley Johnston & Associates):**

9.1. Quality control and materials testing including optimum moisture/density, Atterberg limits, field density test, pier inspection (if required), concrete testing and concrete mix design review. The independent testing and inspection firm (Henley Johnston.) contracted by the Engineer shall perform the quality control and materials testing.

9.2. Daily testing and inspection of steel erection and welds, including radiographic inspection. An independent testing and inspection firm (Henley Johnston) contracted by the Engineer will perform the testing and inspection of steel erection and welding.

9.3. Daily inspection and testing of painting operation including blasting, mil thickness and holiday testing. An independent testing and inspection firm (Henley Johnston) contracted by the Engineer will perform the testing and inspection of the painting operation.

**10. Water of The U.S. Determination:**

10.1. Preliminary Jurisdictional Determination for the Buffalo Creek and Buffalo Creek Tributary 3. This task will assist the City with remaining in compliance with Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbor Act during construction of the proposed offsite water line from the proposed tank site to Tubbs Road. The subtasks will include desktop review, site investigation and report preparation. Report will be provided to the City in pdf format. Work will be completed by Terracon Consultants, Inc.

**EXCLUSIONS**

The intent of this scope of services is to include only the services specifically listed herein and no others. Services specifically excluded from this scope of services include, but are not necessarily limited to the following:

A. Certification that work is in accordance with plans and specifications.
B. Consulting services by others not included in Scope of Services.
C. Contractor's means and methods.
D. Fees for permits.
E. Fees for publicly advertising the construction project.
F. Fiduciary responsibility to the Client.
G. Land rights acquisition services.
H. Materials testing, quality control and construction inspection services for the offsite water lines and EST onsite site work.
I. On-site construction safety precautions, programs and responsibility (Contractor's responsibility).
J. Phasing of Contractor's work.
K. Preliminary engineering report.
L. Revisions and/or change orders as a result of revisions after completion of original design (unless to correct error on plans).
M. Structural Design
N. Trench safety designs.

# ATTACHMENT "B"

# Payment Schedule

Compensation for **Part I -Basic Services**, Tasks 1 through 3 shall be on a lump sum basis. The tabulation below establishes the not to exceed amount for each category of contract service:

Compensation for **Part II – Additional Services**, Tasks 4 through 10 shall be on an hourly basis of salary cost times a multiplier of 2.45 for time expended on the task. Field survey crew shall be based on $185.00 per hour, inclusive of all equipment rentals and software licensing; plus, mileage charge at the IRS established rate. Expenses shall be at invoice cost times a multiplier of 1.15.

| Task No. | PROFESSIONAL SERVICE | PROJECT A MIMS 1.5-MG ELEVATED TANK | PROJECT B 16" EST OFFSITE WATER LINE |
|---|---|---|---|
| | **BASIC SERVICES** | | |
| 1 | Design | $293,000.00 | $93,200.00 |
| 2 | Bidding | $11,200.00 | $4,400.00 |
| 3 | Construction Administration | $85,900.00 | $21,200.00 |
| ** | Engineering Services Contingency | $39,000.00 | $11,900.00 |
| | **SUBTOTAL BASIC SERVICES:** | **$429,100.00** | **$130,700.00** |
| | **ADDITIONAL SERVICES** | | |
| 4 | Design Surveys | $11,600.00 | $20,900.00 |
| 5 | Easement Document Preparation | $0.00 | $23,500.00 |
| 6 | Reproduction | $1,500.00 | $500.00 |
| 7 | Record Drawings | $9,000.00 | $4,000.00 |
| 8 | Geotechnical Evaluation | $10,100.00 | $0.00 |
| 9 | Construction Materials Testing & Inspection | $42,000.00 | $0.00 |
| 10 | Waters of the U.S. Determination | $0.00 | $8,700.00 |
| | **SUBTOTAL ADDITIONAL SERVICES:** | **$74,200.00** | **$57,600.00** |
| | **PROJECT TOTAL:** | **$503,300.00** | **$188,300.00** |
| | **GRAND TOTAL, NOT TO EXCEED:** | **$691,600.00** | |

**Engineering Services Contingency - *The contingencies fee is a fixed amount to be used at the discretion of the City for additional services outside of the original scope of service as outlined in this agreement. This scope and fees associated with this item will be controlled by the City and will only be used as the City directs. The Engineer has no right or guarantee to the use of this Contingency.*

Fees that are Lump Sum for each task and will be invoiced monthly based upon the overall percentage of services performed.

# ATTACHMENT "C"

## Project Schedule

The following is a general duration for completing each phase of the project:

Preliminary Site Plan & Schematics ..... 3-Months from N.T.P.

60% Submittal ..... 8-Months from N.T.P.

City Return 60% Review Comments of Plans ..... 2-Weeks from 60% Sub.

90% Preliminary Plans to City ..... 3-Months from 60% Com.

City Return 90% Review Comments of Plans ..... 2-Weeks from 90% Sub.

100% Plans to City ..... 2-Months from 90% Com.

City Return 100% Review Comments of Plans ..... 2-Weeks from 100% Com.

Bidding ..... 1-Month

Construction Phase (Tank) ..... 15 to 18-months

Construction Phase (Offsite Water) ..... 6 to 8-months

**Legend:**
N.T.P. = Notice to Proceed
Sub. = Submittal
Com. = Comments

A project schedule with dates will be provided based on these durations once a N.T.P. is issued by the City.

# ATTACHMENT "D"

## Sub-Consultants

**Geotechnical, Materials Testing and Quality Control**

Mr. James Phipps, P.E.
Henley Johnston & Associates
Dallas, Texas

**HVAC Design for Elevated Tank**

Campos Engineering
Dallas, Texas

**Environmental**

Terracon Consultants, Inc.
Dallas, Texas

**Abstract of Title**

Mr. Matthew Whitman
Whitman Land Group LLC
Dallas, Texas

City of Rockwall

# MEMORANDUM

**TO:** Mayor and City Council Members

**FROM:** Misty Farris, Purchasing Agent

**DATE:** November 6, 2023

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

These City vehicles will be ordered using TIPS-USA (The Interlocal Purchasing System) 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 install of computer hardware, radio, decals, and safety equipment.

***FY 2024 Approved Vehicles***

| Department | Vehicle | Budget | Cost | Funding | Vendor |
|---|---|---|---|---|---|
| Water | Utility Truck | 70,620 | 66,863 | | Silsbee Ford |
| Wastewater | Utility Truck | 70,620 | 66,863 | | Silsbee Ford |
| Total | | $ 141,240 | $ 133,726 | W & S Fund | |

Action Needed

Council is asked to consider approving the new vehicle orders as listed above to Silsbee Ford - $133,726 and authorize the City Manager to execute purchase orders for these new vehicles.

**ATTACHMENTS:**

None

City of Rockwall
*The New Horizon*

# MEMORANDUM

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**TO:** **Rockwall City Council**

**FROM:** **Jeffrey Widmer, Director / Building Official**

**DATE:** **October 23, 2023**

**SUBJECT:** **Routine Airport Maintenance Program Grant Agreement**

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As part of the budget process, the City Council approved funds for maintenance and improvements at the Ralph M. Hall / Rockwall Municipal Airport. The Routine Airport Maintenance Program grant funds up to $100,000.00 per year for each general aviation airport and reimburses local governments 90% of the cost of these smaller projects.

Attached is the FY 23-24 RAMP grant agreement between the State and the City for the Ralph M. Hall / Rockwall Municipal Airport for consideration. The City Council is asked to consider approval of the Grant Agreement and authorize the City Manager to enter into an agreement with the Texas Department of Transportation – Aviation Division for the City of Rockwall to participate in the Routine Airport Maintenance Program.

**TEXAS DEPARTMENT OF TRANSPORTATION**
**GRANT FOR ROUTINE AIRPORT MAINTENANCE PROGRAM**

**(State Assisted Airport Routine Maintenance)**

**TxDOT Project ID: M2418RCKW**

## Part I - Identification of the Project

TO: The City of Rockwall, Texas

FROM: The State of Texas, acting through the Texas Department of Transportation

This Grant is made between the Texas Department of Transportation, (hereinafter referred to as the "State"), on behalf of the State of Texas, and the City of Rockwall, Texas, (hereinafter referred to as the "Sponsor").

This Grant Agreement is entered into between the State and Sponsor shown above, under the authority granted and in compliance with the provisions of the Transportation Code Chapter 21.

The project is for **airport maintenance** at the ROCKWALL - RALPH M HALL/ROCKWALL MUNI Airport.

## Part II - Offer of Financial Assistance

1. For the purposes of this Grant, the annual routine maintenance project cost, Amount A, is estimated as found on Attachment A, Scope of Services, attached hereto and made a part of this grant agreement.

   State financial assistance granted will be used solely and exclusively for airport maintenance and other incidental items as approved by the State. Actual work to be performed under this agreement is found on Attachment A, Scope of Services. State financial assistance, Amount B, will be for ninety percent (90%) of the eligible project costs for this project or $100,000.00, whichever is less, per fiscal year and subject to availability of state appropriations.

   Scope of Services, Attachment A, of this Grant, may be amended, subject to availability of state funds, to include additional approved airport maintenance work. Scope amendments require submittal of an Amended Scope of Services, Attachment A.

   Services will not be accomplished by the State until receipt of Sponsor's share of project costs.

**Only work items as described in Attachment A, Scope of Services of this Grant are reimbursable under this grant.**

Work shall be accomplished by August 31, 2024, unless otherwise approved by the State.

2. The State shall determine fair and eligible project costs for work scope. Sponsor's share of estimated project costs, Amount C, shall be as found on Attachment A and any amendments.

   It is mutually understood and agreed that if, during the term of this agreement, the State determines that there is an overrun in the estimated annual routine maintenance costs, the State may increase the grant to cover the amount of the overrun within the above stated percentages and subject to the maximum amount of state funding.

   The State will not authorize expenditures in excess of the dollar amounts identified in this Agreement and any amendments, without the consent of the Sponsor.

3. Sponsor, by accepting this Grant certifies and, upon request, shall furnish proof to the State that it has sufficient funds to meet its share of the costs. The Sponsor grants to the State the right to audit any books and records of the Sponsor to verify expended funds.

   Upon execution of this Agreement and written demand by the State, the Sponsor's financial obligation (Amount C) shall be due in cash and payable in full to the State. State may request the Sponsor's financial obligation in partial payments. Should the Sponsor fail to pay their obligation, either in whole or in part, within 30 days of written demand, the State may exercise its rights under Paragraph V-3. Likewise, should the State be unwilling or unable to pay its obligation in a timely manner, the failure to pay shall be considered a breach and the Sponsor may exercise any rights and remedies it has at law or equity.

   The State shall reimburse or credit the Sponsor, at the financial closure of the project, any excess funds provided by the Sponsor which exceed Sponsor's share (Amount C).

4. The Sponsor specifically agrees that it shall pay any project costs which exceed the amount of financial participation agreed to by the State. It is further agreed that the Sponsor will reimburse the State for any payment or payments made by the State which are in excess of the percentage of financial assistance (Amount B) as stated in Paragraph II-1.

5. Scope of Services may be accomplished by State contracts or through local contracts of the Sponsor as determined appropriate by the State. All locally contracted work must be approved by the State for scope and reasonable cost. Reimbursement requests for locally contracted work shall be submitted on forms provided by the State and shall include copies of the invoices for materials or services. Payment shall be made for no more than 90% of allowable charges.

   The State will not participate in funding for force account work conducted by the Sponsor.

6. This Grant shall terminate upon completion of the scope of services.

## Part III - Additional Requirements for Certain Equipment

1. Certain purchase, installation, and subscription costs for eligible air traffic and operations monitoring equipment ("Equipment") are reimbursable as provided in this Part. If Grantee is seeking reimbursement for eligible Equipment costs, it must be shown in Attachment A.

2. For eligible Equipment, the State will reimburse 90% of the initial cost to purchase and install, not to exceed $3,000.00, and 90% of the annual subscription fee for subsequent years, not to exceed $3,000.00 per year.

3. Notwithstanding Section 2, for the one year prior to a master plan or airport layout plan update, TxDOT will reimburse up to 90% of the eligible costs, not to exceed $5,400.00.

4. Eligibility Requirements

    A. The Equipment must include the following items, at a minimum;

        1. Triangulation

        2. Noise abatement

        3. Aircraft tracking data for 30 days

        4. Direct installation without a third party

        5. Identification of pavement utilization by airplane design group for the entire airport

        6. 1 second and 3 foot accuracy

        7. Equal effectiveness at both towered and non-towered airports

        8. Tracking of military and government aircraft, including FAA blocked aircraft

    B. In order for costs to be eligible for RAMP reimbursement:

        1. The Sponsor must maintain and operate the Equipment for 3 years.

        2. On at least a quarterly basis, the Sponsor must provide to the State all data produced and collected by the Equipment.

        3. To be eligible for reimbursement of the annual subscription fee after the first year, the Sponsor must participate in the Routine Airport

Maintenance Program, have an executed Grant Agreement for that year, and comply with all grant requirements.

A. The State may conduct on-site or off-site monitoring reviews of the Equipment during the initial required 3-year term, and during any years Sponsor seeks reimbursement of subscription costs. The Sponsor shall fully cooperate with the State and provide any required documentation. The Sponsor shall grant full access to the Equipment to the State or its authorized designee for the purpose of determining compliance, including, but not limited to:

1. Whether the Equipment, and its operation and maintenance, are consistent with the requirements set forth in the Grant Agreement and this First Amendment;

2. Whether the Sponsor is making timely progress with installation of the Equipment, and whether its management, financial management and control systems, procurement systems and methods, and overall performance are in conformance with the requirements set forth in the Grant Agreement and this First Amendment, and are fully and accurately reflected in reports submitted to the State.

B. Failure to maintain compliance with these requirements may result in the Sponsor having to repay grant funds to the State.

## Part IV - Sponsor Responsibilities

1. In accepting this Grant, if applicable, the Sponsor guarantees that:

a. it will, in the operation of the facility, comply with all applicable state and federal laws, rules, regulations, procedures, covenants and assurances required by the State in connection with this Grant; and

b. the Airport or navigational facility which is the subject of this Grant shall be controlled by the Sponsor for a period of at least 20 years; and

c. consistent with safety and security requirements, it shall make the airport or air navigational facility available to all types, kinds and classes of aeronautical use without discrimination between such types, kinds and classes and shall provide adequate public access during the period of this Grant; and

d. it shall not grant or permit anyone to exercise an exclusive right for the conduct of aeronautical activity on or about an airport landing area. Aeronautical activities include, but are not limited to scheduled airline flights, charter flights, flight instruction, aircraft sales, rental and repair, sale of aviation petroleum products and aerial applications. The landing area consists of runways or landing strips,

taxiways, parking aprons, roads, airport lighting and navigational aids; and

e. through the fence access shall be reviewed and approved by the State; and

f. it shall not permit non-aeronautical use of airport facilities, unless noted on an approved Airport Layout Plan, without prior approval of the State/FAA. This includes but is not limited to: the process of land disposal, any changes to the aeronautical or non-aeronautical land uses of the airport, land's deeded use from non-aeronautical to aeronautical, requests of concurrent use of land, interim use of land, approval of a release from obligations from the State/FAA, any of which will require 18 months, or longer; and

g. the Sponsor shall submit to the State annual statements of airport revenues and expenses when requested; and

h. all fees collected for the use of the airport shall be reasonable and nondiscriminatory. The proceeds from such fees shall be used solely for the development, operation and maintenance of the airport or navigational facility; and

i. an Airport Fund shall be established by resolution, order or ordinance in the treasury of the Sponsor, or evidence of the prior creation of an existing airport fund or a properly executed copy of the resolution, order, or ordinance creating such a fund, shall be submitted to the State. The fund may be an account as part of another fund, but must be accounted for in such a manner that all revenues, expenses, retained earnings, and balances in the account are discernible from other types of moneys identified in the fund as a whole. All fees, charges, rents, and money from any source derived from airport operations must be deposited in the Airport Fund and shall not be diverted to the general revenue fund or any other revenue fund of the Sponsor. All expenditures from the Airport Fund shall be solely for airport purposes. Sponsor shall be ineligible for a subsequent grant or loan by the State unless, prior to such subsequent approval of a grant or loan, Sponsor has complied with the requirements of this subparagraph; and

j. the Sponsor shall operate runway lighting at least at low intensity from sunset to sunrise; and

k. insofar as it is reasonable and within its power, Sponsor shall adopt and enforce zoning regulations to restrict the height of structures and use of land adjacent to or in the immediate vicinity of the airport to heights and activities compatible with normal airport operations as provided in Tex. Loc. Govt. Code Ann. Sections 241.001 et seq. (Vernon and Vernon Supp.). Sponsor shall also acquire and retain aviation easements or other property interests in or rights to use of land or airspace, unless sponsor can show that acquisition and retention of such interest will be impractical or will result in undue hardship to Sponsor. Sponsor shall be ineligible for a subsequent grant or loan by the State unless Sponsor has, prior to subsequent approval of a grant or loan, adopted and passed an airport hazard zoning ordinance

or order approved by the State.

l. mowing services will not be eligible for state financial assistance. Sponsor will be responsible for 100% of any mowing services.

2. The Sponsor, to the extent of its legal authority to do so, shall save harmless the State, the State's agents, employees or contractors from all claims and liability due to activities of the Sponsor, the Sponsor's agents or employees performed under this agreement. The Sponsor, to the extent of its legal authority to do so, shall also save harmless the State, the State's agents, employees or contractors from any and all expenses, including attorney fees which might be incurred by the State in litigation or otherwise resisting claim or liabilities which might be imposed on the State as the result of those activities by the Sponsor, the Sponsor's agents or employees.

3. The Sponsor's acceptance of this Offer and ratification and adoption of this Grant shall be evidenced by execution of this Grant by the Sponsor. The Grant shall comprise a contract, constituting the obligations and rights of the State of Texas and the Sponsor with respect to the accomplishment of the project and the operation and maintenance of the airport.

   If it becomes unreasonable or impractical to complete the project, the State may void this agreement and release the Sponsor from any further obligation of project costs.

4. Upon entering into this Grant, Sponsor agrees to name an individual, as the Sponsor's Authorized Representative, who shall be the State's contact with regard to this project. The Representative shall receive all correspondence and documents associated with this grant and shall make or shall acquire approvals and disapprovals for this grant as required on behalf of the Sponsor, and coordinate schedule for work items as required.

5. By the acceptance of grant funds for the maintenance of eligible airport buildings, the Sponsor certifies that the buildings are owned by the Sponsor. The buildings may be leased but if the lease agreement specifies that the lessee is responsible for the upkeep and repairs of the building no state funds shall be used for that purpose.

6. Sponsor shall request reimbursement of eligible project costs on forms provided by the State. All reimbursement requests are required to include a copy of the invoices for the materials or services. The reimbursement request will be submitted no more than once a month.

7. The Sponsor's acceptance of this Agreement shall comprise a Grant Agreement, as provided by the Transportation Code, Chapter 21, constituting the contractual obligations and rights of the State of Texas and the Sponsor with respect to the accomplishment of the airport maintenance and compliance with the assurances and conditions as provided. Such Grant Agreement shall become effective upon the State's written Notice to Proceed issued following execution of this agreement.

## PART V - Nomination of the Agent

1. The Sponsor designates the State as the party to receive and disburse all funds used, or to be used, in payment of the costs of the project, or in reimbursement to either of the parties for costs incurred.

2. The State shall, for all purposes in connection with the project identified above, be the Agent of the Sponsor. The Sponsor grants the State a power of attorney to act as its agent to perform the following services:

   a. accept, receive, and deposit with the State any and all project funds granted, allowed, and paid or made available by the Sponsor, the State of Texas, or any other entity;

   b. enter into contracts as necessary for execution of scope of services;

   c. if State enters into a contract as Agent: exercise supervision and direction of the project work as the State reasonably finds appropriate. Where there is an irreconcilable conflict or difference of opinion, judgment, order or direction between the State and the Sponsor or any service provider, the State shall issue a written order which shall prevail and be controlling;

   d. receive, review, approve and pay invoices and payment requests for services and materials supplied in accordance with the State approved contracts;

   e. obtain an audit as may be required by state regulations; the State Auditor may conduct an audit or investigation of any entity receiving funds from TxDOT directly under this contract or indirectly through a subcontract under this contract. Acceptance of funds directly under this contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the State Auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

   f. reimburse sponsor for approved contract maintenance costs no more than once a month.

## PART VI - Recitals

1. This Grant is executed for the sole benefit of the contracting parties and is not intended or executed for the direct or incidental benefit of any third party.

2. It is the intent of this grant to not supplant local funds normally utilized for airport maintenance, and that any state financial assistance offered under this grant be in addition to those local funds normally dedicated for airport maintenance.

3. This Grant is subject to the applicable provisions of the Transportation Code, Chapters 21 and 22, and the Airport Zoning Act, Tex. Loc. Govt. Code Ann. Sections 241.001 et seq. (Vernon and Vernon Supp.). Failure to comply with the terms of this Grant or with the rules and statutes shall be considered a breach of this contract and will allow the State to pursue the remedies for breach as stated below.

   a. Of primary importance to the State is compliance with the terms and conditions of this Grant. If, however, after all reasonable attempts to require compliance have failed, the State finds that the Sponsor is unwilling and/or unable to comply with any of the terms of this Grant, the State, may pursue any of the following remedies: (1) require a refund of any financial assistance money expended pursuant to this Grant, (2) deny Sponsor's future requests for aid, (3) request the Attorney General to bring suit seeking reimbursement of any financial assistance money expended on the project pursuant to this Grant, provided however, these remedies shall not limit the State's authority to enforce its rules, regulations or orders as otherwise provided by law, (4) declare this Grant null and void, or (5) any other remedy available at law or in equity.

   b. Venue for resolution by a court of competent jurisdiction of any dispute arising under the terms of this Grant, or for enforcement of any of the provisions of this Grant, is specifically set by Grant of the parties in Travis County, Texas.

4. The State reserves the right to amend or withdraw this Grant at any time prior to acceptance by the Sponsor. The acceptance period cannot be greater than 30 days after issuance unless extended by the State.

5. This Grant constitutes the full and total understanding of the parties concerning their rights and responsibilities in regard to this project and shall not be modified, amended, rescinded or revoked unless such modification, amendment, rescission or revocation is agreed to by both parties in writing and executed by both parties.

6. All commitments by the Sponsor and the State are subject to constitutional and statutory limitations and restrictions binding upon the Sponsor and the State (including Sections 5 and 7 of Article 11 of the Texas Constitution, if applicable) and to the availability of funds which lawfully may be applied.

## Part VII - Acceptances

### Sponsor

The City of Rockwall, Texas, does ratify and adopt all statements, representations, warranties, covenants, agreements, and all terms and conditions of this Grant.

Executed this 6th day of November, 2023.

The City of Rockwall, Texas
Sponsor

_____
Sponsor Signature

Director / Building Official
Sponsor Title

## Acceptance of the State

Executed by and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs and grants heretofore approved and authorized by the Texas Transportation Commission.

STATE OF TEXAS
TEXAS DEPARTMENT OF TRANSPORTATION

By:_____

Date:_____

**Attachment A**
**Scope of Services**
**TxDOT Project ID: M2418RCKW**

| Eligible Scope Item: | Estimated Costs Amount A | State Share Amount B | Sponsor Share Amount C |
|---|---|---|---|
| **GENERAL MAINTENANCE** | $111,111.11 | $100,000.00 | $11,111.11 |
| **Special Project** | $0.00 | $0.00 | $0.00 |
| **Special Project** | $0.00 | $0.00 | $0.00 |
| **Special Project** | $0.00 | $0.00 | $0.00 |
| **Special Project** | $0.00 | $0.00 | $0.00 |
| **Special Project** | $0.00 | $0.00 | $0.00 |
| | | | |
| **TOTAL** | $111,111.11 | $100,000.00 | $11,111.11 |

Accepted by: The City of Rockwall, Texas

Signature

Title: Director / Building Official

Date: November 6, 2023

GENERAL MAINTENANCE: As needed, Sponsor may contract for services/purchase materials for routine maintenance/improvement of airport pavements, signage, drainage, AWOS systems, approach aids, lighting systems, utility infrastructure, fencing, herbicide/application, sponsor owned and operated fuel systems, hangars, terminal buildings and security systems; professional services for environmental compliance, approved project design. Special projects to be determined and added by amendment.

Airport Operations Counting Systems: The purchase and installation of specified air traffic and operations monitoring equipment ("Equipment") is eligible for reimbursement as provided in Part III

**Only work items as described in Attachment A, Scope of Services of this Grant are reimbursable under this grant.**

## CERTIFICATION OF AIRPORT FUND

TxDOT Project ID: M2418RCKW

The City of Rockwall does certify that an Airport Fund has been established for the Sponsor, and that all fees, charges, rents, and money from any source derived from airport operations will be deposited for the benefit of the Airport Fund and will not be diverted for other general revenue fund expenditures or any other special fund of the Sponsor and that all expenditures from the Fund will be solely for airport purposes. The fund may be an account as part of another fund, but must be accounted for in such a manner that all revenues, expenses, retained earnings, and balances in the account are discernible from other types of moneys identified in the fund as a whole.

The City of Rockwall, Texas
(Sponsor)

By: Jeffrey Widmer

Title: Director / Building Official

Date: November 6, 2023

### Certification of State Single Audit Requirements

I, Jeffrey Widmer, do certify that the City of Rockwall will comply with all
(Designated Representative)
requirements of the State of Texas Single Audit Act if the City of Rockwall spends or receives more than the threshold amount in any grant funding sources during the most recently audited fiscal year. And in following those requirements, the City of Rockwall will submit the report to the audit division of the Texas Department of Transportation. If your entity did not meet the threshold in grant receivables or expenditures, please submit a letter indicating that your entity is not required to have a State Single Audit performed for the most recent audited fiscal year.

Signature

Director / Building Official
Title

November 6, 2023
Date

## DESIGNATION OF SPONSOR'S AUTHORIZED REPRESENTATIVE

TxDOT Project ID: M2418RCKW

The City of Rockwall designates, Jeffrey Widmer, Director / Building Official
(Name, Title)
as the Sponsor's authorized representative, who shall receive all correspondence and documents associated with this grant and who shall make or shall acquire approvals and disapprovals for this grant as required on behalf of the Sponsor.

The City of Rockwall, Texas
(Sponsor)

By: Jeffrey Widmer

Title: Director / Building Official

Date: November 6, 2023

**DESIGNATED REPRESENTATIVE**

Mailing Address: 385 South Goliad

Rockwall, Texas 75087

Overnight Mailing Address:

Telephone/Fax Number: (972) 772-6453

Email address: jwidmer@rockwall.com

# CITY OF ROCKWALL, TEXAS
## MEMORANDUM

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

**CC:** **Mary Smith, City Manager**
**Joey Boyd, Assistant City Manager**

**FROM:** **Travis E. Sales, Director Parks, Recreation and Animal Services**

**DATE:** **November 6, 2023**

**SUBJECT:** **Founders Day Festival Entertainment**

This request is for providing a headliner musician/artist at the Founders Day Festival to take place at Harry Myers Park on May 18, 2024.

This request is to execute a contract with UTA in the amount not to exceed $70,000.00 to provide a musician/artist (due to contract agreement name cannot be released until January 13, 2024) for 2024 Founders Day Festival at Harry Myers Park to be funded out of Hot Funds (this is an approved 2023-2024 Hot Fund request)

For Council consideration is a contract to provide a musician/artist to the above listed agency for the respective dollar amounts and authorize the City Manager to execute the contract for this festival.

City of Rockwall
*The New Horizon*

**MEMORANDUM**

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

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

**DATE:** **November 6, 2023**

**SUBJECT:** **Engineering Contract for the Southside Elevated Water Storage Tank Rehabilitation**

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The *Southside Composite Elevated Water Storage Tank* is located approximately 360-feet northwest of the eastbound service road of IH-30 and 370-feet west of White Hills Drive. The tank has a capacity of one (1) million gallons and was originally constructed in 1996. The coating systems on the interior and exterior of the tank are original and have not been altered since the initial construction 27-years ago. These coatings currently exceed the life expectancy for a properly maintained tank coating system, which typically has an expected life cycle of approximately 20-years for the exterior coating system and 25-years for the interior coating system. As these coating systems reach the end of their expected life cycles, the risk for damage to the underlying steel structure increases. This is due to the possibility of water penetrating the coating system and causing corrosion to set in on the steel. To ensure the tank remains effective and sustainable for future decades, it is advised that both the interior and exterior coating systems should be sand blasted and re-coated as soon as it is practical to do so. Any structural deficiencies due to corrosion will also need to be addressed during this rehabilitation.

Staff requests the City Council consider authorizing the City Manager to execute a contract with Birkhoff, Hendricks & Carter, L.L.P. for engineering services for the *Southside Composite Elevated Water Storage Tank Rehabilitation* in the amount of $83,600.00 to be paid from the *Water Fund*.

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

# PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and Birkhoff, Hendricks and Carter, LLP, ("ENGINEER"), located at 11910 Greenville Avenue, Suite 600, Dallas, Texas, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for the Southside 1-MG Composite Elevated Storage Tank Rehabilitation project.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Attachment "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and defined in Attachment "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be an amount not to exceed Eighty-Three Thousand Six Hundred dollars and zero cents ($83,600.00) and billed in accordance with the payment schedule provided in Attachment "B". Engineer is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the schedule described in Attachment "C". In the event of termination, Engineer will assist the CITY in arranging a smooth transition process. However, Engineer's obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business working on this project. CITY may waive this potential conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the Engineer will be at reuser's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – $100,000
Bodily Injury by Disease - $500,000 (policy limits)
Bodily Injury by Disease - $100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

$2,000,000 General aggregate limit

$1,000,000 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

$1,000,000 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars ($1,000,000) annual aggregate, on a claims made basis, as long as reasonably available under standard policies.

**7. INDEMNIFICATION**

**ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR ITS AGENTS OR EMPLOYEES, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.**

**ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS ($1,000,000). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.**

8. Addresses for Notices and Communications

**CITY**
**Amy Williams, P.E.**
**Director of Public Works/City Engineer**
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

**ENGINEER**
**Derek B. Chaney, P.E., R.P.L.S.**
**Partner**
Birkhoff, Hendricks & Carter, L.L.P.
11910 Greenville Ave., #600
Dallas, Texas 75243

All notices and communications under this Contract shall be mailed or delivered to **CITY** and **Engineer** at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

**CITY** may, from time to time, request changes in the Scope of Work of **Engineer** to be performed hereunder. Such changes, including any increase or decrease in the amount of **Engineer's** compensation, or time for performance, which are mutually agreed upon by and between **CITY** and **Engineer**, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and Engineer.

13. Reports and Information

**Engineer**, at such times and in such forms as **CITY** may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish **CITY** periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Attachments and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this 27th day of October 2023.

BIRKHOFF, HENDRICKS & CARTER, LLP
A Texas Limited Liability Partnership
TBPELS Engineering Firm No. 526
TBPELS Surveying Firm No. 100318-00

By: _____
Name: Derek B. Chaney, P.E., R.P.L.S.
Title: Partner

EXECUTED in triplicate originals on this ____ day of _____ 2023.

ATTEST:

City of Rockwall, Texas

_____
Mary Smith
City Manager

# ATTACHMENT "A"

## Scope of Services

### Southside 1-MG Composite Elevated Storage Tank Rehabilitation

Project Description:

The City of Rockwall (City) desires to engage the services of Birkhoff, Hendricks and Carter, LLP (Consultant) to provide engineering design, bidding, construction administration, surveying and materials testing services for the Southside 1-MG Composite Elevated Storage Tank Rehabilitation project. A project location map is provided below.




Location Map

## BASIC SERVICES

### 1. Preliminary Engineering

1.1. Prepare an agenda and attend a kickoff meeting at City Hall to review design parameters with the City and what elements will be included in the rehabilitation.

1.2. Prepare a preliminary project schedule.

1.3. Conduct a site visit to observe existing conditions of the site and climb the tank to assess the condition of the accessible interior and exterior tank components, including the coating system, and attachments to the roof. Prepare email summary of findings to the City.

1.4. Complete topographic surveys at the site to identify current conditions, locate existing fence, locate access, and locate wireless buildings and structures on site.

1.5. Prepare preliminary site plan for the tank rehabilitation at minimum scale of 1" = 40', based on field surveys and as-built record drawings. The recorded deed for the tank site will be obtained to identify the property boundaries on the site plan.

1.6. Prepare cover sheet, including a project location map and sheet index.

1.7. Prepare photograph sheets of the existing site and tank.

1.8. Prepare preliminary specifications for re-coating the interior and exterior of the tank. Specifications will include requirements for containment system of blast and paint. Specify dehumidification requirements for the interior blasting and coating system.

1.9. Provide provisions for wireless providers to reattach to the tank structure.

1.10. Include in the design a three-level water quality sampling line.

1.11. Specify in documents replacement of fall protection system harness with current OSHA approved harnesses.

1.12. Formulate opinion of probable construction cost based on preliminary plans.

1.13. Submit three (3) sets of preliminary plans and specifications to the City for review. Include in documents proposal requirements of potential painting contractors.

1.14. Meet with the City at City Hall to discuss preliminary plans and specifications.

1.15. Assist City in selecting testing laboratory for blast and paint inspections.

### 2. Final Design

2.1. Revise the preliminary plans and specifications to address City review comments.

2.2. Prepare a plan sheet for tank elevation view and logo detail.

2.2.1. Coordinate with the City to obtain .eps file for the City logo.

2.2.2. Logo colors to be selected by the City.

2.3. Prepare proposal and bid schedule.

2.4. Formulate opinion of probable construction cost based on final plans.

2.5. Prepare bid item descriptions.

2.6. Prepare competitive sealed proposal requirements and proposal scoring process with input from the City.

2.7. Prepare and assemble final bidding documents, including proposal forms, construction plans, specifications, and contract documents.

2.8. Submit one set of final plans (11" x 17" maximum sheet size), bidding documents and project specifications to the City for their use during the bidding phase. Documents shall also be provided to the City in electronic PDF format.

## 3. Bidding Phase

The bid method will be competitive sealed proposals (CSP). The City will create a Proposal Evaluation Committee that will score each proposal for the purpose of recommending the highest qualified contractor that submitted a proposal.

3.1. Assist the City staff in advertising the project for competitive sealed proposals. This will include providing the City with Notice to Contractors for their use in publicly advertising project. The Engineer will post on CivCast.

3.2. Address questions from the proposers during the proposal process and prepare and issue addenda as necessary.

3.3. Attend proposal opening at City hall and assist City during opening of proposals.

3.4. The Engineer shall complete tabulation of proposals, checking for mathematical errors and unbalanced bids. Original proposal documents to be returned to the City after tabulation.

3.5. Review submitted and compiled material from each proposal, and check if requested information was submitted. Prepare a spreadsheet to document findings and email to the City.

3.6. Follow-up with each proposer that did not submit full package and request missing data if allowed by the City.

3.7. Check references provided for proposal packages received.

3.8. Provide spreadsheet to City selection committee of data received, including reference comments and original submittal data for evaluation.

3.9. Assist selection committee in selection process and ranking of proposers.

3.10. Formulate opinion from information received and provide a letter of recommendation to the City for award of a construction contract.

3.11. Assemble and prepare four (4) sets of construction contract documents between the City and the successful contractor and facilitate execution of all sets by both parties.

## 4. Construction Administration Phase

4.1. Conform construction plans and project specifications to addendums, if required.

4.2. Attend the Pre-Construction Conference at City Hall.

4.3. The Engineer will attend up to three (3) site meetings to monitor the progress of construction.

4.4. Review shop drawings and other submittal information which the Contractor submits. This review is for the benefit of the Owner and covers only general conformance with information given by the Contract Documents. The contractor is to review and stamp their approval on submittals prior to submitting them to the Engineer. Review of shop drawing submissions is solely for their conformance with the design intent and conformance with information given in the construction documents. Birkhoff, Hendricks & Carter L.L.P. shall not be responsible for any aspects of a shop drawing submission that affect or are affected by the means, methods, techniques, sequences and operation of construction, safety precautions and programs incidental thereto, all of which are the

Contractors responsibility. Electronic copy of shop drawings in which no exceptions, or make corrections noted are taken by the Engineer will be provided to the City. All shop drawings will be completed electronically in PDF format.

4.5. Provide written responses to requests for information or clarification from city inspector or contractor.

4.6. Accompany the City during their final inspection of the project. If necessary, climb the tank to check completed work.

4.7. The Engineer shall prepare project "Record Drawings" based on information provided by the Contractor, and/or City as to the actual field placement of the work, including any changes or deletions. All documented field changes and revisions provided shall be shown and noted in the revision block. Revisions shall be drawn using accepted drafting standards and shall be clear and legible. Line work and notes related to work deleted or changed shall be omitted from the Record Drawing. Record drawings shall be sealed, dated, and signed by the Engineer of Record in accordance with the Texas Board of Professional Engineers Policy Advisory Opinion Regarding Record Drawings. The Engineer shall provide the following deliverables to the City:

4.7.1. Electronic copies of the record drawings shall be submitted to the City on a flash drive in AutoCAD (.dwg) and PDF formats.

4.7.2. If applicable, an electronic copy of geotechnical reports, survey data, photographs, and exhibits used for the project, in .PDF or jpg format.

4.7.3. Electronic copy of project specifications in Microsoft Word (.doc) and PDF format.

## ADDITIONAL SERVICES

The following scope items defined as additional services are those anticipated to be necessary to facilitate design of the project. These services will be performed on an as-need basis and invoiced based on effort and expenses incurred.

### 5. Surveying for Engineering Design

5.1. Consultant will submit request to Texas 811 for location of franchise utilities.

5.2. Survey for Engineering Design:

5.2.1. Establish horizontal control points and temporary vertical control benchmarks in the vicinity of the proposed improvements.

5.2.2. Perform field survey to identify and tie the horizontal and vertical location of relevant topographic conditions on the site, including tank footprint, fence, driveway, drainage structures, telecommunication equipment, and other structures on the site.

### 6. Coordination with Wireless Communication Providers

6.1. Coordinate with the City to identify wireless communication providers with equipment on the roof of the tank. The City shall provide contact information for the providers.

6.2. Coordinate with the City to identify City owned and operated wireless communications equipment located on the roof of the tank.

6.3. Assist the City in notifying the telecommunication providers of the proposed schedule for tank rehabilitation, including preparation of notification letters to be mailed by the Engineer via certified mail. Letter shall include deadline for removal of equipment to facilitate rehabilitation of the tank.

## 7. Onsite Construction Quality Control

7.1. Onsite Construction Quality Control is to be completed by Steel Inspectors of Texas, Inc., with up to thirty (30) trips to the job site for coating, blasting, and welding inspections. A NACE Level 1 certified technician will be provided to perform inspections and testing of the following:

7.1.1. Surface profile measurements of the surface preparation and cleanliness prior to coating application.

7.1.2. Site conditions, including ambient conditions specified for coating application that will be verified prior to coating applications.

7.1.3. Coatings applied will be documented for conformance to the specifications and product data sheets.

7.1.4. Measure dry film thickness after each coating application.

7.1.5. Low voltage pin hole Holiday testing of completed interior surfaces.

7.2. Preparation of daily reports for each site visit with pictures and documentation on on-going work and any deficiencies. Test reports to be provided to CITY as construction progresses.

## EXCLUSIONS

The scope of services identified herein specifically excludes the following items, however, these items can be provided, if necessary, with a revision to scope of work and fees as agreed between CITY and ENGINEER in writing:

A. Additional Meetings not listed in the project scope.

B. Additional survey not listed in the project scope.

C. Additonal construction inspections and testing beyond those included in Additional Services.

D. Consulting services by others not included in the proposal.

E. Environmental permitting, impact assessment (preparation of NEPA documentation), or site assessment/remediation.

F. Fees for permits and bid advertising.

G. On-site construction safety precautions, programs, and responsibility (Contractor's responsibility).

H. Phasing of Contractor's work (Contractor's Responsibility).

I. Resident representative services during construction other than listed in the project scope.

J. Structural Design or foundation Analysis.

# ATTACHMENT "B"

## Payment Schedule

Compensation for Basic Services in Tasks 1-4 shall be on a lump sum basis. The tabulation below establishes the not to exceed amount for each category of contract service:

| | Task | Fee Amount |
|---|---|---|
| | **BASIC SERVICES** | |
| 1 | Preliminary Engineering | $ 19,300.00 |
| 2 | Final Design Phase | $ 16,700.00 |
| 3 | Bidding Phase | $ 8,500.00 |
| 4 | Construction Administration Phase | $ 12,400.00 |
| | **Basic Services Subtotal:** | **$56,900.00** |
| | | |
| Compensation for additional services under Tasks 5-7 shall be on an hourly basis of salary cost times a multiplier of 2.45 for time expended on the task. Field survey crew shall be based on $185.00 per hour, inclusive of all equipment rentals and software licensing; plus, mileage charge at the IRS established rate. Expenses shall be at invoice cost times a multiplier of 1.15. | | |
| | **ADDITIONAL SERVICES** | |
| 5 | Surveying for Engineering Design | $ 1,600.00 |
| 6 | Coordination with Wireless Communication Providers | $ 7,000.00 |
| 7 | Onsite Construction Quality Control | $ 18,100.00 |
| | **Additional Services Subtotal:** | **$26,700.00** |
| | **Total (Basic + Additional Services):** | **$83,600.00** |

Fees that are Lump Sum for each task and will be invoiced monthly based upon the overall percentage of services performed.

# ATTACHMENT "C"

## Project Schedule

Notice to Proceed (NTP) ..... December 2023

Submit Preliminary Plans & Specifications ..... March 2024

Submit Final Plans & Specifications ..... May 2024

Advertise Project for Bids ..... June 2024

Construction Contract Award ..... July 2024

Construction ..... October 2024 – April 2025

# ATTACHMENT "D"

## Sub-Consultants

The Sub-Consultants anticipated for the work included in the scope of services for this project are as follows.

Onsite Construction Quality Control: Steel Inspectors of Texas, Inc.
Tiphony Hulsey, President
7600 Wagnon Street
Fort Worth, Texas 76108
Phone: (817) 246-8096
tiphony@steelinspectorsoftexas.com

City of Rockwall
*The New Horizon*

# MEMORANDUM

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

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

**DATE:** **November 6, 2023**

**SUBJECT:** **Squabble Creek Pump Emergency Repair**

The Squabble Creek Lift Station located at 2219 Dickson Lane and one of the main sanitary sewer lift station locations for the City. This pump station is in immediate need of repair.

Staff has contacted Pump Solutions, Inc. to make emergency repairs on the pump. The cost of the above emergency repairs is $43,706.00, which exceeds the City's competitive sealed bid threshold. According to *Local Government Code Chapter 252, Section 252.022, General Exceptions to the Competitive Bid Process; Item (2),* "… a procurement necessary to preserve or protect the public health or safety of the municipality's residents …" may be used to justify the emergency repairs made to the pump station.

Staff is requesting the City Council consider approving an emergency repair of the Squabble Creek Pump in the amount of $43,706.00 to be funded out of the Water and Sewer Fund.

AW:jb

Cc: Joey Boyd, Assistant City Manager
Jonathan Browning, P.E., CFM, Assistant City Engineer
Rick Sherer, Manager Water/Wastewater
File

Pump Solutions

18594 US Hwy 59
New Caney, Texas 77357
Phone: 281-399-9400
Fax: 281-399-9401
Cell: 713-232-0839

THIS TRANSMITTAL CONSISTS OF _1_ PAGE(S) INCLUDING THIS PAGE.

TO: City of Rockwall
FROM: Bubba Daniels
Bid DATE: 10/31/23
RE: Squabble Creek

**PSI JOB # 2460** **Serial # 1677516N**

Includes the following parts and labor to repair a Gorman Rupp/ Prime Aire plus MOD # PAH 16A60-B-C18

- QTY (1) New Impeller.
- QTY (1) New Impeller Shaft
- QTY (1) New Bearing Box
- QTY (1) New Wear ring
- QTY (1) New Bearing Assembly
- QTY (1) New Roller Bearing
- QTY (1) New Mech. Seal
- QTY (1) New O-rings
- QTY (1) Gaskets
- QTY (1) Sand Blast and paint.

**PLEASE NOTE: Please see report.**

**Total Repair Price for all Equipment Listed Above: $38,034.00**

**Original Call Out: $1,512.00**

**Price to reinstall and start up: $4,160.00 This will be a two days labor.**

**Total Price for the complete Project: $43,706.00**

**Complete replacement pump and motor would be around:**

Thank you for your consideration of the proposed equipment.

Sincerely,

William Daniels

11 Oct 2023
PSI Job# 2460 Rockwall / Squabble Creek

Gorman Rupp / Prime Aire Plus
Mod PAH16A60-B-C18
Ser 1677516N Imp Dia STD

Pump only. No motor with pump. The bearing bracket on the impeller side is burnt from overheating. The shaft is locked up. Disassembled pump. Impeller has weight plates welded to it on both sides. The welded plate on the impeller has been rubbing against volute. These welded plates could possibly throw the impeller out of balance. The impeller needs to be checked for balance. Removed impeller. The shaft is very dark in color from extreme heat. Disassembled bearing bracket housing. The drive side bearings are not destroyed. The impeller side bearing is destroyed and welded itself together. The impeller side bearing spun inside bearing housing and damaged the bearing housing beyond use. The other components that are inside the bearing housing are also damaged. The end of the shaft that has the locking nut assembly on it has damaged threads. The impeller side bearing has also welded itself to the shaft. Cannot remove the bearing. The shaft is no good.

City of Rockwall
*The New Horizon*

# MEMORANDUM

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

**FROM:** **Misty Farris, Purchasing Agent**

**DATE:** **November 6, 2023**

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

As in the past, City vehicles will be ordered using the Texas Association of School Boards' Buy Board purchasing cooperative 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 with after-market equipment such as emergency lighting, wiring, and installation of computer hardware, radio, decals, and safety equipment.

FY 2024 Approved Vehicle

| Department | | Budget | Cost | Funding | Vendor |
|---|---|---|---|---|---|
| Fire Marshal | Vehicle | $49,000.00 | $50,330.00 | | Rockdale Country Ford |

Council is asked to consider approving the new vehicle order as listed above to Rockdale Country Ford $50,330.00 and authorize the City Manager to execute the purchase order for this new vehicle. Funding source Fire Marshal operating budget.

**Attachment:**
None

**ROCKDALE COUNTRY FORD**
**PO BOX 72, ROCKDALE, TX 76567**
**BUYBOARD 601-19**

| | | | |
|---|---|---|---|
| **End User:** | **ROCKWALL FIRE DEPARTMENT** | **Caldwell Rep:** | Jake Schobinger #1220 |
| **Contact:** | KEVIN CLARK | **Phone:** | (979) 429-8847 |
| **Phone/ Email:** | 972.771.7774/KCLARK@ROCKWALL.COM | **Date:** | Tuesday, October 17, 2023 |
| **Product Description:** | 2025 Ford Police Interceptor Utility (K8A) AWD | **Email:** | Jake@usaautomotivepartners.com |

**A.** **Bid Series:** 116-FORD EXPLORER — **A. Base Price:** $ 49,360.00

**B.** **Published Options [Itemize each below]**

| Code | Model Vehicle | | | | |
|---|---|---|---|---|---|
| K8A | 2025 Ford Police Interceptor Utility (K8A) AWD | | | | |
| **Code** | **Options** | **Bid Price** | **Code** | **Options** | **Bid Price** |
| 47A | Police Engine Idle Feature | $0.00 | | | |
| 153 | Front License Plate Bracket | $0.00 | | | |
| 44B | Transmission: 10-Speed Automatic | $0.00 | | | |
| 500A | Order Code 500A | $0.00 | | | |
| 96 | Charcoal Black, Unique HD Cloth Front Bu | $0.00 | | | |
| 99W | Engine: 3.3L V6 Direct-Injection Hybrid Sy | $0.00 | | | |
| E4 | Vermillion Red | $0.00 | | | |
| | 3.73 Axle Ratio | $0.00 | | | |
| | | | | | |

**Total of B. Published Options** $ -

**C.** **Unpublished Options [Itemize each below, not to exceed 25%]**

| Unpublished Options | Bid Price | Unpublished Options | Bid Price |
|---|---|---|---|
| | | | |
| | | | |
| | | | |
| | | | |

**Total of C. Unpublished Options:** $ -

| | | | |
|---|---|---|---|
| **D.** | **Registration, Inspection, Paperwork, Postage cost, Courthouse time, & Runner time:** | | |
| **E.** | **Upfitter/Quote Number:** | | |
| **F.** | **Delivery ETA:** | | |
| **G.** | **Floor Plan Interest (for in-stock and/or equipped vehicles):** | | |
| **H.** | **Lot Insurance (for in-stock and/or equipped vehicles):** | | |
| **I.** | **Contract Price Adjustment:** | | |
| **J.** | **Additional Delivery Charge** | 190 miles | $ 570.00 |
| **K.** | **Subtotal** | | $ 49,930.00 |
| **L.** | **Quantity Ordered** | 1 x K = | $ 49,930.00 |
| **M.** | **Trade in:** | | |
| **N.** | **Coop Fee per purchase order** | | $ 400.00 |
| **O.** | **Total purchase price with coop fee (Prices and availability are subject to change without notice)** | | $ 50,330.00 |

**DISCLAIMER**

**PRICES AND AVAILABILITY CAN CHANGE AT ANY TIME WITHOUT FURTHER NOTICE DUE TO SUPPLY CHAIN CHALLENGES. REVERIFY PRICING BEFORE ISSUING A PURCHASE ORDER. FINAL PRICE IS NOT CONFIRMED UNTIL VEHICLE ORDER IS ACCEPTED BY THE MANUFACTURER. ACKNOWLEGDE BY EMAIL RECEIPT THAT THE PURCHASE ORDER WAS RECEIVED BY USA AUTOMOTIVE PARTNERS, LLC. (CALDWELL COUNTRY CHEVROLET, ROCKDALE COUNTRY FORD dba CALDWELL COUNTRY FORD, CAMERON COUNTRY CDJR)**

City of Rockwall
*The New Horizon*

# MEMORANDUM

**TO:** Mayor and Council Members

**FROM:** Hotel Occupancy Tax Sub-committee Members
Mary Smith, city Manager

**DATE:** November 3, 2023

**SUBJECT:** Supplemental Request for HOT Funding

**The Subcommittee received further information from the Rush Creek Yacht Club regarding their HOT request for the 2023 Regatta. Members Anna Campbell, Bennie Daniels, and Tim McCallum have prepared the following recommendation for funding pending Council's approval.**

**Specific supplementary information regarding the number of competitors who come from marinas along the Texas coast and out of state marinas. That information is attached to this memo as well.**

**Prior to Council action on the above, the Hotel Occupancy Tax budget is as follows:**

| | |
|---|---|
| Fund Balance carried forward | $2,860,645 |
| Budgeted Revenues | 1,700,000 |
| Previously Allocated Funding | (1,154,200) |
| Projected Fund Balance | $3,406,445 |

**The subcommittee can answer any questions regarding their recommendation. Council is asked to consider approval of the funding amounts and authorize the City Manager to execute contracts with the organizations.**

City of Rockwall
*The New Horizon*

# Hotel Occupancy Tax

# Program Year 2024

**Events held Oct. 1, 2023 – Sept. 30, 2024**

# Application

MUST BE TYPED or PRINTED

Deliver to:
City of Rockwall Finance Office
Attn: Misty Farris
385 S. Goliad St., Rockwall, TX 75087
Ph. 972-771-7700 Fax 972-771-7728 mfarris@rockwall.com

**Organization Name:** Rush Creek Yacht Club
Name of Event: 2023 Chocopalooza TSA End of Year Regatta and Optimist Mid-America Championships
Date(s) of Event: November 4-5, 2023
Funding Request $: 3000
Website Address: www.rcyc.org
Mailing Address: 320 Rush Creek Drive, Heath, TX 75032
Physical Address: 320 Rush Creek Drive, Heath, TX 75032
Telephone: 972-771-6500 Fax:

**Primary Contact Name: Stephanie Virag, Regatta Chairman**
(Project Director)
Mailing Address: 229 Bristol Court, Heath, TX 75032

Email Address: stephanievirag@me.com
Telephone: 650-388-6161 Fax: N/A

**Secondary Contact Name: Alex Porter, Commodore of Rush Creek Yacht Club**
(President/Board Chairman)
Mailing Address: 1091 Limestone Court, Allen, TX 75013

Email Address: commodore@rcyc.org
Telephone: 972-375-8477 Fax: N/A

- **COMPLETE AN APPLICATION FOR EACH EVENT/PROGRAM/EXHIBIT REQUESTING FUNDS**
- **INCOMPLETE APPLICATIONS WILL NOT BE FORWARDED TO THE COUNCIL SUBCOMMITTEE**

1. Mark an "X" next to the category or categories that your organization is requesting funds in the attached budget request.

**Advertising/Tourism X** **Requested funding amount $ 3,000**
Conducting solicitation or promotional programs that encourage tourists and delegates to come to the City of Rockwall.

**Arts** **Requested funding amount $**
Providing encouragement, promotion, improvement and application of the arts as it relates to the presentation, performance execution or exhibition of the major art forms in the City of Rockwall.

**Historical** **Requested funding amount $**
Providing historical restoration, preservation, programs and encouragement to visit preserved historic sites or museums located in the City of Rockwall.

2. Describe the program or event for the upcoming fiscal year (Oct. 1 2023 – Sept. 30, 2024) that you are requesting Hotel Tax funding. What is your event and why are you having it? Chocopalooza Regatta is a youth sailing event for sailors as young as 8 through 18. The sailors sail Optimist boats, 420 boats or ILCA boats and they will sail for 2 full days on Lake Ray Hubbard. The 2023 Chocopalooza regatta will be larger this year since this regatta is also the Texas Sailing Association End of the Year Regatta (which will bring sailors and families from clubs throughout Texas and Oklahoma) and the United States Optimist Dingy Association (USODA) Mid-America Championship (bringing sailors and families from across the United States). This regatta will bring in over 100 families from around Texas and the United States. Because this is a USODA regatta the top Opti sailors will qualify for the United States Team Trials that will be held in April 2024. The highlight of this regatta for the sailors is the chocolate fountain that all sailors get to enjoy after sailing all day. Rush Creek Yacht Club is a member of the Texas Sailing Association and we volunteer and enjoy hosting this regatta every year and families enjoy coming to Rockwall/Heath.

3. How does the event/program meet the definition of the categories listed in Item No. 1 above (promotion of tourism and the hotel industry in the City of Rockwall)? Families from throughout Texas and the United States will come to Rockwall/Lake Ray Hubbard and will need accommodations for the weekend. Rockwall hotels will be promoted in all of the regatta materials and the families will be able to see and experience all that Rockwall has to offer, examples are shopping, Harbor district, movies and restaurants. Families will arrive Friday, November 3rd and check out Sunday, November 5th. The regatta registration starts Friday evening and the trophy presentation is Sunday afternoon.

4. Is the event/program that the organization is requesting Hotel Tax funds held in/on City-owned property? No
Name location: Rush Creek Yacht Club, 320 Rush Creek Drive, Heath, TX 75032

5. Will your organization provide special event insurance coverage for the event/ program if held on City property? No, Cubb Insurance covers all events held at Rush Creek
Name of Insurance Company: Chubb Insurance Company

6. Provide 3 years attendance history for the above listed programs, activities, exhibits or event described in Item No. 2 above.

| Event | Year | Event Duration (in Days) | Audience Size | # of Attendees in hotel rooms |
|---|---|---|---|---|
| Chocopalooza 2019 | 2019 | 2 | 70 | 50 |
| Chocopalooza 2020 | 2020 | 2 | 75 | 60 |
| Chocopalooza 2021 | 2021 | 2 | 76 | 60 |
| Chocopalooza 2022 | 2022 | 2 | 90 | 75 |
| Chocopalooza 2023 | 2023 | 2 | Estimate: 100+ | Estimate: 75-95 families in Rockwall Lodging |
| | | | | |
| | | | | |
| | | | | |

7. What specific market will you target with the event/program's marketing plan? Attach up to 3 examples and evidence of marketing area and readership (Label Exhibit C). Exhibit C Attached

8. The City of Rockwall must require segregated accounting of its Hotel funds. Organizations must maintain and account for revenue provided from the tax authorized by section 351.101(a) within one of the two options listed below.
   a) Separate checking account without combining with any other revenues or maintained in any other bank account or
   b) Maintain a line item accounting, whereby the Hotel revenues may not be combined with any other revenues or expenditures. The funds may be maintained in the same bank account, provided they are reported as a separate line item in the organization's budget. Interest earned on the Hotel revenues must be used to support the event/program as well.

   Will the organization be able to segregate the accounting process in either a) or b) above? Yes, b

9. Provide all of the following documentation with this application and label each as outlined below.

| | |
|---|---|
| Exhibit A | Proposed budget for each event/program using attached form |
| Exhibit B | Letter of determination certifying federal tax exempt 501(c)(3) status |
| Exhibit C | Examples and evidence of marketing area and readership (limit 3) |

| | |
|---|---|
| Exhibit D | List members of the governing body including name, position, mailing address and phone number |
| Exhibit E | W-9 Form https://www.irs.gov/pub/irs-pdf/fw9.pdf? |
| Exhibit F | Form 1295 https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm |

*We certify, to the best of our ability, that the information in this application, including all exhibits and supporting documentation is true and correct to the best of our knowledge. It is understood and agreed that any funds awarded as a/ result of this application will be used for the purpose set for herein and the program guidelines.*

President/Board Chairman: Alex Porter

Date 8/2/2023

Signature

Event/Program Director: Stephanie Virag

Date 8/2/2023

Signature

**Both signatures are required for the application to be complete.**

EXHIBIT A

# Hotel Occupancy Tax Funding Request

## Event/Program Budget - Program Year 2024

Financial information (round to the nearest dollar). Include a completed copy of this budget with funding request

Organization Name: Rush Creek Yacht Club

Event/Program Name: 2023 Chocopalooza TSA End of the Year Regatta and Mid-America Championship

Requested Funding: $ 3,000

| Expenses (for this project only) | | Total Expenses | HOT Funding $ Request | Additional Justification for HOT Funding Request |
|---|---|---|---|---|
| 1. Personnel | $ | | | |
| Administrative | | | | |
| Artistic | | | | |
| Technical | | | | |
| Other personnel | | 5000 | | Food for sailors, Race Committee and coaches for the weekend |
| 2. Fees for outside professional services | | | | |
| Administrative | | 500 | | |
| Artistic | | | | |
| Technical | | | | |
| 3. Space Rental | | | | |
| 4. Equipment Rental | | 1500 | 1500 | Funds to secure a tent in case of cold or inclement weather since the clubhouse will not fit the number of people in attendance |
| 5. Travel/Transportation | | | | |
| 6. Promotion/Printing | | 2500 | 1500 | Funds for regatta t-shirts and for the sailors |
| 7. Costumes/Royalties | | | | |
| 8. Other (supplies, postage etc.) | | 500 | | Office Supplies |
| 9. Sub -Totals | | 10,000 | 3000 | |
| 10. Total Expenses | | 10,000 | 3000 | |

| Revenues (for this project only) | | | |
|---|---|---|---|
| 1. Total Amount of HOT Fund Request | $ | 3000 | Revenue - additional remarks |

| | | | |
|---|---|---|---|
| 2. Admissions (ticket and concessions) | | 7000 | The total for the regatta will be around 10,600 and with HOT funds we would not have to come out of pocket for many of the expenses. HOT funds will be able to keep the registration costs down for the families traveling to the regatta. |
| 3. Donations | | | |
| 4. Organizational funds budgeted | | | |
| 5. Grants (State) | | | |
| 6. Other (list): | | | |
| 7. Other (list): | | | |
| 8. Other (list): | | | |
| 9. Other (list): | | | |
| 10. Total income and contributions | | | |
| 11. Total In-Kind | | | |
| 12. Total Revenues | | 7000 | |

| **Financial Information (for this project only)** | | | | | |
|---|---|---|---|---|---|
| Fiscal Year (Oct. 1st - Sept. 30th) | | 2021 Actual | 2022 Actual | 2023Actual | 2023 Proposed |
| Total Revenue (including HOT funds) | $ | $6,040 | $7,589 | First Year Applying for HOT Funds | $7,000 |
| Total Expenses | $ | $6,333 | $7,119 | | $10,000 |
| Total HOT funds awarded | $ | $0 | $0 | | $3,000 |

**Exhibits B-F to follow**

**If you are submitting more than one application (one for each event/program funding) only provide <u>one copy</u> of the following documents/exhibits with your submittal:**

| | |
|---|---|
| Exhibit B | Letter of determination certifying federal tax exempt 501(c)(3) status |
| Exhibit D | List members of the governing body including name, position, mailing address and phone number |
| Exhibit E | W-9 Form https://www.irs.gov/pub/irs-pdf/fw9.pdf? |
| Exhibit F | Form 1295 https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm |

Exhibit C

Rush Creek Yacht Club Request for HOT funds
2023 Chocopalooza TSA End of the Year Regatta and Optimist Mid-America Championship

1. The website to hotels

The City's hotel link will be added to the Notice of Race (NOR) to inform families what hotels are in Rockwall. http://rockwall.com/hotels.asp

Example of what is listed in the NOR

12. CAMPING/LODGING
    a. RCYC has over an acre of camping space behind the club. Bathrooms and showers are located at the club.
    b. There are numerous hotels located within 15 miles of RCYC including Hilton, Marriott and IHG hotels. Click here to access the City of Rockwall Hotels Page

2. The United States Optimist Dingy Association (USODA) has Rush Creek Yacht Club as a host for the Mid-America Championship. Families will use the NOR to locate lodging information in Rockwall for the regatta. https://www.usoda.org/racing.

3. The Texas Sailing Association (TSA) has Rush Creek Yacht Club as a host for the Chocopalooza regatta. Families will use the NOR to locate lodging information in Rockwall for the regatta. https://www.txsail.org/circuit

4. Rush Creek Yacht Club, USODA and TSA will also post the regatta lodging information on their social media accounts.
    1. TSA: https://www.facebook.com/groups/172730702754870
    2. USODA: https://www.facebook.com/USOptiSailing
    3. Rush Creek Yacht Club: https://www.facebook.com/RushCreek

NON-PROFIT

In the name and by the authority of

# The State of Texas

OFFICE OF THE SECRETARY OF STATE

## CERTIFICATE OF AMENDMENT
## OF

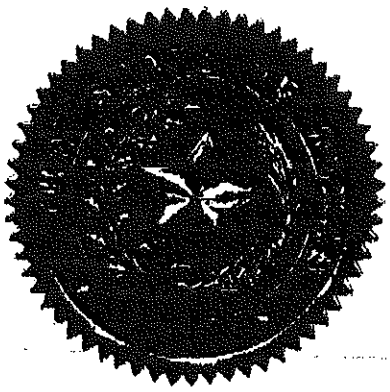
RUSH CREEK YACHT CLUB
FORMERLY: DALLAS OLYMPIC YACHT CLUB
CHARTER NO. 267180

The undersigned, as Secretary of State of the State of Texas, hereby certifies that duplicate originals of Articles of Amendment to the Articles of Incorporation of the above corporation duly signed and verified pursuant to the provisions of the Texas Non-Profit Corporation Act, have been received in this office and are found to conform to law.

ACCORDINGLY the undersigned, as such Secretary of State, and by virtue of the authority vested in him by law, hereby issues this Certificate of Amendment to the Articles of Incorporation and attaches hereto a duplicate original of the Articles of Amendment.

Dated January 27, 19 70

Martin Dies Jr.
Secretary of State



## RCYC BOARD OF GOVENORS - FLAG OFFICERS

| Position | Name | Address | Phone # |
|---|---|---|---|
| Commodore: | Alejandro Porter | 1091 Limestone Ct, Allen TX 75013 | (972) 375-8477 |
| Vice Commodore: | Victor Bloede | 3633 McFarlin Blvd #A, Dallas TX 75205 | (214) 578-3383 |
| Vice Commodore: | Karen Logan | 704 Village Green Drive, Rockwall TX 75087 | (214) 771-6247 |
| Vice Commodore: | Joe Erwin | 108 Gordon Circle, Heath TX 75032 | (214) 801-1003 |
| Treasurer: | James Barnes | 2728 McKinnon #2107, Dallas TX 75201 | (214) 521-3688 |
| Secretary: | Chris Tierney | 300 Rush Creek Dr. D-6, Heath TX 75032 | (612) 600-8143 |

Form **W-9**
(Rev. October 2018)
Department of the Treasury
Internal Revenue Service

# Request for Taxpayer Identification Number and Certification

▶ Go to *www.irs.gov/FormW9* for instructions and the latest information.

**Give Form to the requester. Do not send to the IRS.**

Print or type. See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
RUSH CREEK YACHT CLUB

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☑ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____

**Note:** Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

*(Applies to accounts maintained outside the U.S.)*

5 Address (number, street, and apt. or suite no.) See instructions.
320 RUSH CREEK DR.

Requester's name and address (optional)

6 City, state, and ZIP code
HEATH, TX 75032

7 List account number(s) here (optional)

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN,* later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

**Social security number**
| | | | – | | – | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | |

**or**

**Employer identification number**
| 7 | 5 | – | 1 | 3 | 3 | 5 | 9 | 5 | 1 |
|---|---|---|---|---|---|---|---|---|---|

## Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

**Sign Here** | **Signature of U.S. person** ▶ Lisa Blankenship Verified by pdfFiller 07/19/2023 | **Date** ▶ 07/19/2023

# General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to *www.irs.gov/FormW9.*

## Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See* What is backup withholding, *later.*

# CERTIFICATE OF INTERESTED PARTIES

**FORM 1295**



Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

**OFFICE USE ONLY**
**CERTIFICATION OF FILING**

**Certificate Number:**
2023-1055446

**Date Filed:**
08/03/2023

**Date Acknowledged:**

**1 Name of business entity filing form, and the city, state and country of the business entity's place of business.**
Rush Creek Yacht Club
Heath, TX United States

**2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.**
City of Rockwall

**3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.**
75-1335951
HOT Funds 2023/2024: Advertising/Tourism: Conducting solicitation or promotional programs that encourage tourists and delegates to come to the City of Rockwall.

| 4 Name of Interested Party | City, State, Country (place of business) | Nature of Interest (check applicable) | |
|---|---|---|---|
| | | Controlling | Intermediary |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

**5 Check only if there is NO Interested Party.** [X]

**6 UNSWORN DECLARATION**

My name is Stephanie Virag, and my date of birth is 11/8/1973.

My address is 229 Bristol Court (street), Heath (city), Tx (state), 75032 (zip code), USA (country).

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Rockwall County, State of Texas, on the 3rd day of August (month), 2023 (year).

Stephanie Virag
Signature of authorized agent of contracting business entity
(Declarant)

October 2, 2023

Dear Rockwall Hotel Tax Committee

Rush Creek Yacht Club in Heath appreciates your consideration to review the following information that we hope will provide you with deeper visibility into the distribution of our competitors and visitors to Rockwall County.

The sailing competitions hosted by Rush Creek in Heath attract sailors from across the State, mainly from Houston (Seabrook, Kemah, and La Porte) and Austin. We also have competitors that visit us from Oklahoma and other Texas coastal cities such as Corpus Cristy and Rockport. National events have a wider variety of visitors. Competitors, their families, and coaches stay in our area between 2 and 3 nights, some events run longer.

There are also participants that travel from Denton, and Fort Worth that account for 15% of the competitors, we are not including them in our hotel numbers. Other local sailors or visitors that have alternate accommodations fall under the “Local” group in our table. With the growing traffic we are facing, competitors have no way of staying in other cities and commuting to Rush Creek to meet our events schedules.

We are using the local hotel link (http://rockwall.com/hotels.asp) in our event promotions.

- 2023 Optimist Mid-America Championship (usoda.org)
- 2023 Chocopalooza (rcyc.org)

Past events and participants:

| Date / Regatta Competition | Results | Hotel | Local | Total |
|---|---|---|---|---|
| **2023 June 14-17 MC SCOW NATIONALS** | Link to results and participants | 37 | 64 | 101 |
| **2022 Jun 18 - 19 MID AMERICA OPTIMIST CHAMPIONSHIP** | Link to results and participants | 21 | 26 | 47 |
| **2022 Jun 18 - 19 JUNIOR TEXAS SAILING** | Link to results and participants | 27 | 22 | 49 |
| **2021 October 30-31 JUNIOR TEXAS SAILING** | Link to results and participants | 32 | 44 | 76 |
| **2020 November 14-15 JUNIOR TEXAS SAILING** | Link to results and participants | 40 | 45 | 85 |
| | **TOTAL PARTICIPANTS** | **157** | **201** | **358** |

I am at your immediate disposal to answer any questions or provide additional information.

Alex Porter

**Commodore 2023**
**Rush Creek Yacht Club**
**972-375-8477**

**Rush Creek Yacht Club – National and Texas Sailing Association Events**

2023 Regatta Schedule that promotes Rockwall County and Heath as competitive sailing destinations.

March 4th & 5th - **Texas Independence Day Regatta & Texas J24 Circuit Stop**
April 15th & 16th - **J/22 Texas Circuit Stop**
June 14th - 17th **- 2023 MC Scow National Championship (Included in our Hotel numbers)**
October 6th - 8th - **Black Tie Regatta**
November 4th & 5th - **Chocopalooza / TSA End of Year** & USODA Optimist Mid America Championship


















| Date | CLUB/ORG/STATE | HOTEL |
|---|---|---|
| **2023 June 14-17 MC SCOW NATIONALS** | Arizona | 2 |
| | Austin TX | 1 |
| | California | 3 |
| | Colorado | 1 |
| | Florida | 2 |
| | Giorgia | 1 |
| | Illinois | 3 |
| | Indiana | 2 |
| | Iowa | 2 |
| | Maryland | 1 |
| | Michigan | 1 |
| | Minnesota | 2 |
| | Missouri | 2 |
| | Montana | 1 |
| | New Jersey | 5 |
| | North Carolina | 1 |
| | Oklahoma | 2 |
| | Wisconsin | 5 |
| | **Event Total** | **37** |
| **2022 Jun 18 - 19 JUNIOR TEXAS SAILING** | Austin Yacht Club | 17 |
| | Carolina Yacht Club (SC) | 1 |
| | Club Nautico Valle de Bravo | 1 |
| | Houston Yacht Club | 7 |
| | Lakewood Yacht Club Seabrook (TX) | 14 |
| | Oklahoma City Boat Club | 7 |
| | Palacios Yacht Club | 1 |
| | **Event Total** | **48** |
| **2021 October 30-31 JUNIOR TEXAS SAILING** | Austin Yacht Club | 8 |
| | Houston Yacht Club | 5 |
| | Lakewood Yacht Club Seabrook (TX) | 16 |
| | Oklahoma City Boat Club | 3 |
| | **Event Total** | **32** |
| **2020 November 14-15 JUNIOR TEXAS SAILING** | Austin Yacht Club | 10 |
| | Grande Maumelle Sailing Club | 1 |
| | Houston Yacht Club | 7 |
| | Lakewood Yacht Club Seabrook (TX) | 21 |
| | Oklahoma City Boat Club | 1 |
| | **Event Total** | **40** |

City of Rockwall

# MEMORANDUM

**TO:** Mayor and City Council Members

**FROM:** Mary Smith, City Manager

**DATE:** November 6, 2023

**SUBJECT:** Purchasing Policy

**The City Council has not updated the City's purchasing policy and associated limits since 2004. The current $25,000 level for sealed bids was increased to $50,000 by the State many years ago. The City's lower limit results in our needing to either sealed bid or find a buying cooperative which meets our requirements for purchases which in today's economy is a low threshold.**

**Specifically buying vehicles presents a challenge at the $25,000 level. We must use a cooperative and wait LONG periods of time for delivery. We are waiting in excess of two years for a pretty standard white pickup truck. We know we could find them on a local dealership lot but we can't do that with the low bid ceiling we have. For that reason alone, we need to raise the limit to the State's prescribed level of $50,000.**

**Council is asked to consider adoption of the accompanying Ordinance establishing new purchasing limits. Staff will be available to answer any questions Council may have.**

## ATTACHMENTS:

1. Rockwall_Purchasing_Authority_Ordinance

**ORDINANCE NO. _____**

**AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, REPEALING ORDINANCE NO. 04-18 AND ESTABLISHING GENERAL AUTHORITY FOR PURCHASING POLICIES FOR THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** City of Rockwall Ordinance No. 04-18, passed and approved on April 5, 2004, established the general authority for purchases and contract authority for the City Manager pf anything less than twenty-five thousand dollars ($25,000); and

**WHEREAS,** in an effort to streamline office operations and be responsive to the needs of the of the citizens of Rockwall, it is imperative that the City's purchasing procedures be updated; and

**WHEREAS**, it is the goal of the City to be responsive to the meeting the needs of the City while at the same time complying with all applicable state laws regarding procurement and purchasing; and

**WHEREAS,** because of the increase of costs to good and services, it has become necessary to update the City's purchasing procedures and update contractual authority; and

**WHEREAS,** the City will still have the following safeguards: expenditure of funds would have to be in the Council's approved budget; expenditure of funds must still comply with state law; the City has a yearly audit and the expenditure and authorization of funds could be reviewed by the outside Auditor;

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

**SECTION 1**. That all procedures established shall comply with State laws regarding municipal purchasing procedures and the following general guidelines:

A. Purchase Order Limit of $500 - Purchases of $500 or more shall be made with a Purchase Order, of which a Purchase Order number will be assigned by the Finance System Software.
B. Purchases greater than $500 - Shall be authorized by the Department Director or Designee.
C. Purchases greater than $500 but less than $50,000 - Shall be approved by the Department Director or Designee and the Director of Finance or City Manager.
D. Purchases $50,000 and greater - Shall be awarded by the City Council and authorized by the Department Director, Director of Finance and City Manager.
E. Contracts greater than $50,000, will require a formal procurement under Chapter 252 of the Texas Local Government.

**SECTION 2.** The following purchasing circumstances shall be authorized by the City Manager. Each of these purchase requests will be forwarded to the City Manager for review and consideration. Should the City Manager approve the purchase, then the purchasing policy in Section 1 will be adhered to.

A. Request for Capital Purchase not approved in the City budget.
B. Request for Capital Purchase cost will exceed the approved budget amount.
C. Request for any purchase that would cause the Department expense line item to exceed 100 percent of the budget threshold.

**SECTION 3.** Chapter 252 of the Texas Local Government Code requires formal procurements for any contract costing $50,000 or more, unless it falls under an exception recognized by Chapter 252. The amount identified in Sections 1 D and 1 E of this ordinance will be tied to the amount in Section 252.021. If the amount for formal procurement is amended by the Legislature, therefore Sections 1 D and 1 E will be amended to reflect the revised state law amount.

**SECTION 4.** **INCORPORATION OF RECITALS.** The City Council finds the recitals contained in the preamble to this ordinance are true and correct and incorporates them as findings of fact.

**SECTION 5.** **REPEALER**. All ordinances, resolutions, and code sections in conflict herewith are repealed to the extent of such conflict. The municipal court established pursuant to the general law is abolished in the manner prescribed thereby and all pending cases transferred to said court which shall assume jurisdiction thereof.

**SECTION 6.** **SEVERABILITY.** If any provision of this code is found by a court of competent jurisdiction to be invalid or unconstitutional, or if the application of this code to any person or circumstances is found to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this code which can be given effect without the invalid or unconstitutional provision or application.

**SECTION 7.** **EFFECTIVE DATE.** The ordinance shall be effective immediately following its approval by the City Council.

**ORDERED AND APPROVED**, this ___day of November 2023.

**CITY OF ROCKWALL, TEXAS**

By:_____
Trace Johannesen
Mayor

**ATTEST**

_____
Kristy Teague
City Secretary

**APPROVED AS TO FORM**

_____
Frank J. Garza
City Attorney

City of Rockwall

# MEMORANDUM

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

**FROM:** **Joey Boyd, Assistant City Manager**

**DATE:** **November 6, 2023**

**SUBJECT:** **Short Term Rentals**

The City Attorney will present information at the meeting Monday regarding state law as it relates to municipalities' ability to regulate short-term rentals. This agenda is a discussion item so City Council will be able to ask questions and give direction to the city attorney and city staff.

**ATTACHMENTS:**
None

Visit ROCKWALL
Free Live Music Capital of North Texas

# QUARTERLY REPORT



## JULY – SEPTEMBER 2023

VisitRockwall.com

# New Logo

New logo represents some of the great aspects in Rockwall!



## Strategic Planning Process

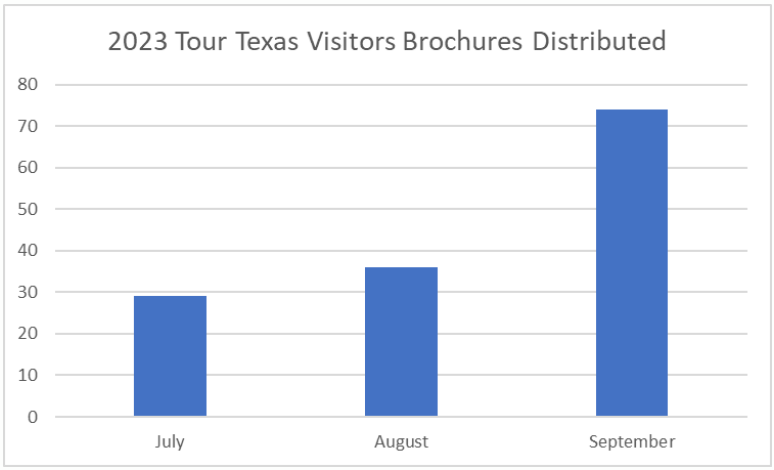
The goal of our strategic plan is to create an organized plan and set priorities to promote Rockwall as a premier tourism destination.

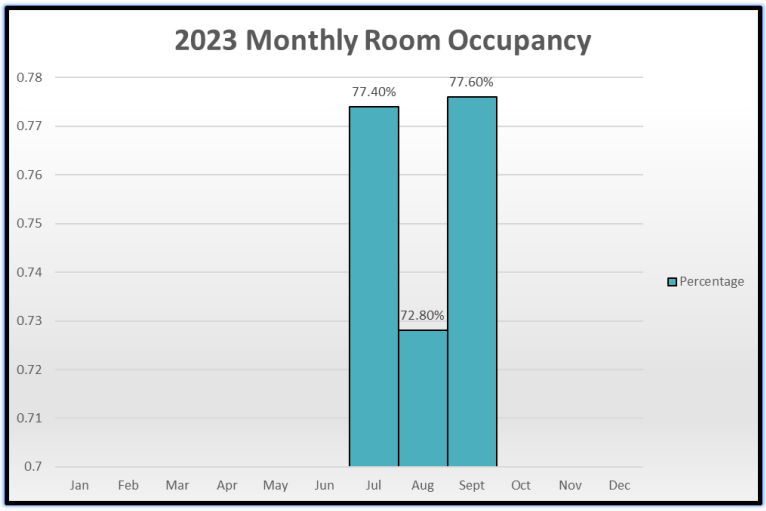
- Currently working with Clarity of Place to create an organized plan for Visit Rockwall
- Organizing December work session
- Plan to implement in January 2024

# Operational Efforts

Visit Rockwall continues to work with hotel sales directors and local businesses to distribute print brochures. Partnering with Tour Texas allows us the ability to send visitor packets directly to Texas leisure tourists interested in vacationing in Texas.

As the Rockwall Visitor Center, we hand out printed materials to visitors and new residents to Rockwall.



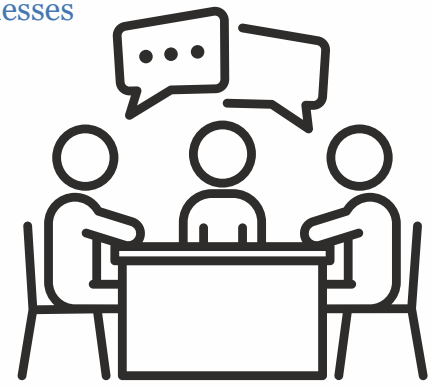

Our goal is to promote Rockwall as the premier meetings destination to continue to grow our room occupancy.

# Groups/Events Serviced

Last Quarter, the team created welcome bags for a conference at the Hilton and provided print materials for wedding parties and conference attendees.

Groups Serviced

- Delivered Community Guides and Brochures to area hotels/businesses
- Private wedding group
- Service Industry Anniversary Event
- Resourcing Edge Conference

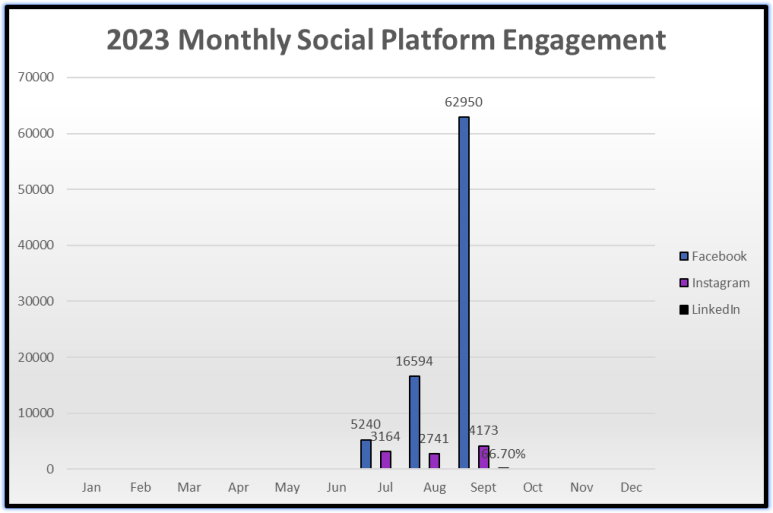


# Social Media Metrics

Visit Rockwall promotes tourism through print and digital channels. One of our biggest assets is social media.

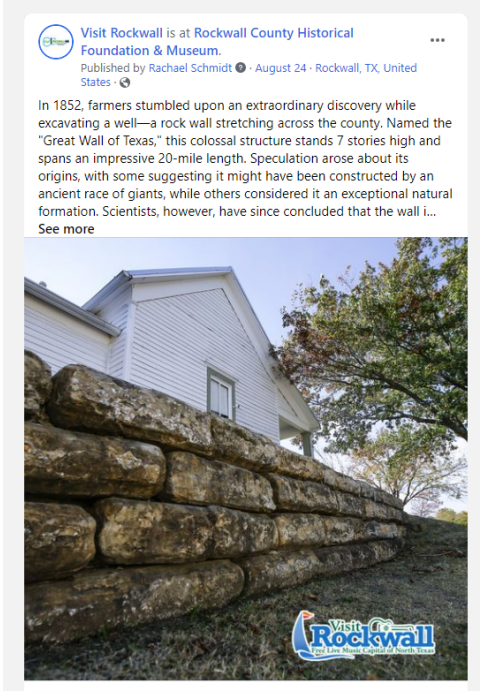
Current Social Media Platforms

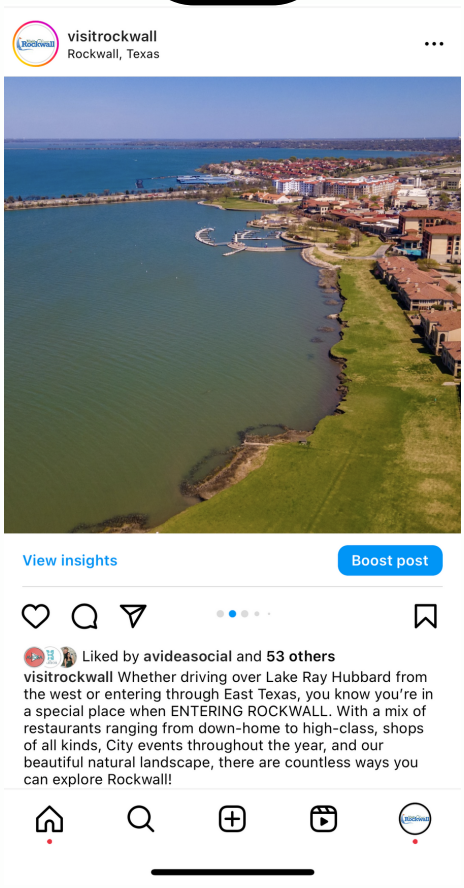
- Facebook
- Instagram
- LinkedIn




## Top Performing posts



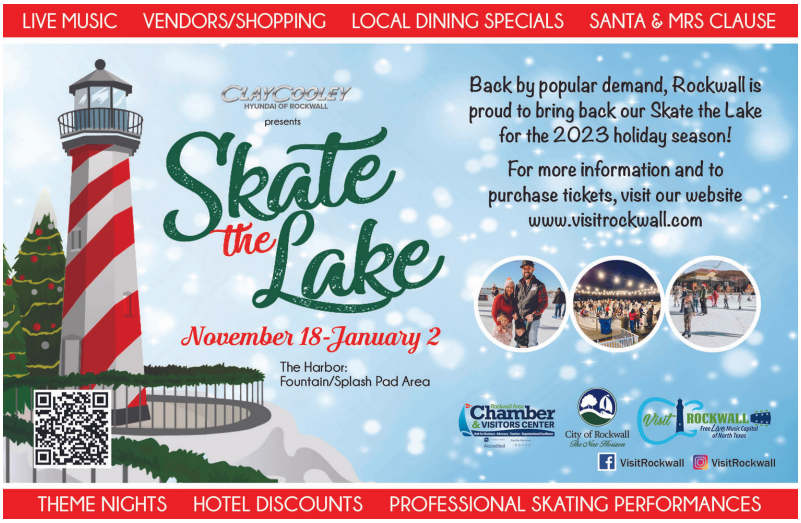




Our top performing posts continue to be Rockwall History and Food related posts.

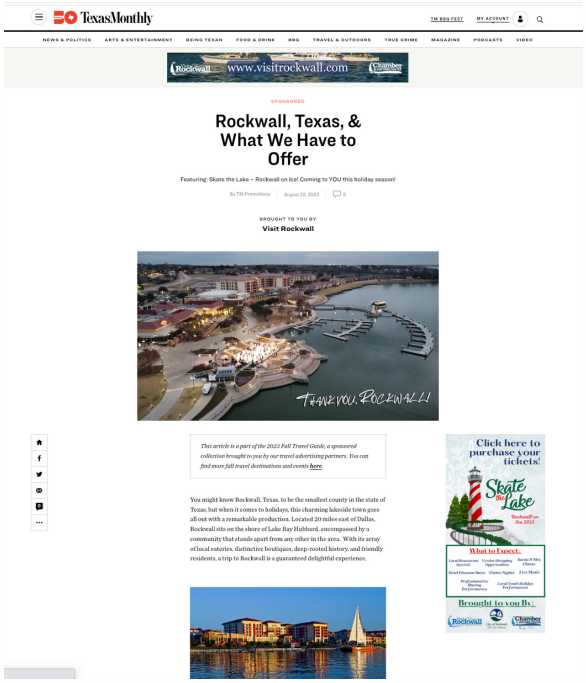
# Digital Advertisements

Digital Billboard Advertisements




DFW Child Digital Advertisment

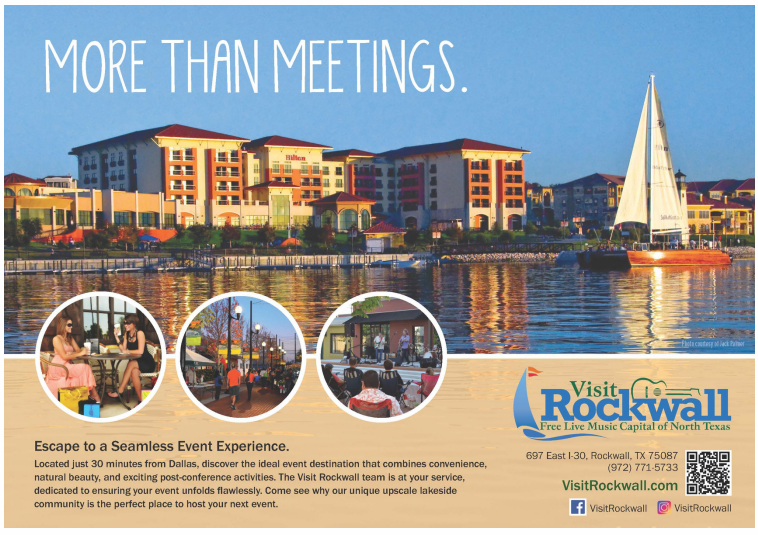



Texas Monthly Digital Article

# Print Advertisements




Texas Travel Guide




Texas Monthly Digital Article

# Servicing Opportunities/Relationships




Kiwanis Triathlon




Downtown Rockwall Association Service Industry Anniversary




Destination Day at Texas State Fair




WFAA Channel 8 Family First has chosen to highlight and participate in Rockwall's Hometown Christmas Celebration. They will promote the event to the metroplex and be onsite on December 2nd.

## Conferences Bid

- TX Parks & Wildlife Conference
- TACVB Regional Workshop
- Ski Nautique -
  - Confirmed Summer 2024

## Upcoming Sales Shows

- Texas Association of CVBs Sales Blitz
- Destination Southwest
- Texas Association of CVBs Regional Workshop
  - Rockwall was selected as the host site of this workshop

**Rockwall Area Chamber of Commerce & Visitors Center**
**Hotel Occupancy Tax Financial Review**
**Program Years 2021-2022 to PY 2022-2023**

| | PY 9/30 2021-2022 *Based on PY Cash Spend | | | PY 9/30 2022-2023 *Based on PY Cash Spend | | |
|---|---|---|---|---|---|---|
| | Actual | Budget | Variance | Actual | Budget | Variance |
| **Program Year Revenues** | | | | | | |
| Payments Received | 301,794.00 | 301,794.00 | - | 420,619.71 | 465,000.00 | (44,380.29) |
| Funds applied to spend in Q4 2022 | | | - | 44,730.80 | | 44,730.80 |
| PY 22 Surplus applied to PY 23 | | | - | 44,380.29 | | 44,380.29 |
| | | | - | | | |
| | | | - | | | |
| | | | - | | | |
| **Total Program Year Funds** | 301,794.00 | 301,794.00 | - | 509,730.80 | 465,000.00 | 44,730.80 |
| **Expense** | | | - | | | - |
| Advertising & Marketing | 28,562.23 | 35,200.00 | (6,637.77) | 150,380.55 | 118,000.00 | 32,380.55 |
| Staffing | 60,150.00 | 78,000.00 | (17,850.00) | 108,007.43 | 160,000.00 | (51,992.57) |
| Events | | | - | 89,351.75 | 75,000.00 | 14,351.75 |
| Tourism Committee | | | - | 15,039.95 | 15,000.00 | 39.95 |
| Skate the Lake | 75,100.00 | 70,000.00 | 5,100.00 | | | - |
| Nautique | 14,200.00 | - | 14,200.00 | | | - |
| TCCe Convention | 13,573.68 | 11,500.00 | 2,073.68 | | | - |
| Visit/DMO | 12,505.70 | 12,884.00 | (378.30) | 4,175.23 | 15,000.00 | (10,824.77) |
| Marketing Rockwall | 3,971.72 | 19,000.00 | (15,028.28) | | | - |
| Website Support | 2,130.32 | 9,400.00 | (7,269.68) | 3,179.26 | 12,000.00 | (8,820.74) |
| Video Production | 1,125.00 | 12,000.00 | (10,875.00) | 13,809.00 | 15,000.00 | (1,191.00) |
| Convention Expos | 1,364.26 | 10,000.00 | (8,635.74) | 3,220.00 | 10,000.00 | (6,780.00) |
| Music Friendly | | 5,750.00 | (5,750.00) | | | - |
| Visitors Brochures | | 12,060.00 | (12,060.00) | | | - |
| Community Guide | | 20,000.00 | (20,000.00) | | | - |
| Give-a-ways | | 6,000.00 | (6,000.00) | 327.10 | 45,000.00 | (44,672.90) |
| | | | - | | | |
| | 212,682.91 | 301,794.00 | (89,111.09) | 387,490.27 | 465,000.00 | (77,509.73) |
| | | | - | | | |
| **Surplus / (Deficit)** | 89,111.09 | - | (89,111.09) | 122,240.53 | - | (122,240.53) |

| | |
|---|---|
| Discharge of deficit | |
| Funds applied to spend in Q4 2022 | 44,730.80 |
| Surplus deducted from PY 23 Payment | 44,380.29 |

# 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 |
| **CC:** | Mary Smith, *City Manager*<br>Joey Boyd, *Assistant City Manager* |
| **FROM:** | Ryan Miller, *Director of Planning and Zoning* |
| **DATE:** | November 6, 2023 |
| **SUBJECT:** | MIS2023-014; *Variance Request to the Utility Standards for a Self-Service Car Wash* |

On November 15, 2023, the Planning and Zoning Commission approved a site plan [*i.e. Case No. SP2022-053*] for a *Self-Service Car Wash* on a 6.37-acre tract of land (*i.e. Tract 3-09 of the J. M. Allen Survey, Abstract No. 2*) at 1720 John King Boulevard. In addition to the site plan approval, the Planning and Zoning Commission also granted variances to the *Roof Design Standards* and the *Four (4) Sided Architecture Requirements* of the SH-205 By-Pass Overlay (SH-205 BY-OV) District. To off-set these requested variances, the applicant offered the following compensatory measures: [*1*] more than 90% masonry materials on the two (2) primary facades, [*2*] six (6) more accent trees than required along SH-276, [*3*] two (2) more canopy trees than required along SH-276, and [*4*] six (6) more accent trees than required along John King Boulevard.

The subject property is located at the northwest corner of John King Boulevard and SH-276, and is zoned Planned Development District 10 (PD-10). The majority of the requirements in Planned Development District 10 (PD-10) were established through a *Compromise Settlement Agreement and Mutual Release of All Claims* that was executed by the Cambridge Companies, Inc. and the City of Rockwall on February 16, 2004. Planned Development District 10 (PD-10) was amended by the City Council to incorporate the *Compromise Settlement Agreement* on April 5, 2004 through the adoption of *Ordinance No. 04-25*. The requirements for the subject property have remained the same since the adoption of *Ordinance No. 04-25*. Staff should note that a consolidating ordinance [*i.e. Ordinance No. 20-30*] was adopted for Planned Development District 10 (PD-10) on August 3, 2020; however, no development requirements or concept plans were changed from *Ordinance No. 04-25* within the consolidating ordinance.

On October 20, 2023, the applicant -- *Alan M. Jacob of Car Wash Pro Designers (CWPD)* -- submitted a development application requesting a variance to the utility placement requirements of Planned Development District 10 (PD-10) to allow the existing overhead powerlines to remain in place. According to Planned Development District 10 (PD-10), "(a)ll overhead utilities shall be placed under ground except at the outer perimeter of Planned Development District 10 (PD-10) as shown on *Exhibit 'B'* including *Tract 6* as described in the *Settlement Agreement* and as otherwise approved by the City of Rockwall." Based on this section of Planned Development District 10 (PD-10), the subject property would be required to underground the existing overhead powerlines. This requirement is also stipulated in several sections of the Unified Development Code (UDC) and Municipal Code of Ordinances. Specifically, the sections relevant to the subject property are as follows:

- Subsection 06.02, *General Overlay District Standards*, of Article 05, *District Development Standards*, of the UDC:

  H. *Utility Placement.* All overhead utilities within any overlay district shall be placed underground.

  *NOTE: The subject property is located within the SH-205 By-Pass Overlay (SH-205 BY-OV) District.*

- Section 03.03, *Utility Distribution Lines*, of Article 04, *Permissible Uses*, of the UDC:

  *All utility distribution lines shall be placed underground. Utility distribution lines placed above-ground shall require special approval of the City Council based upon a recommendation of the Planning and Zoning Commission.*

- Section 38-15, *Miscellaneous Requirements*, of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances:

(e) *Underground Utilities*. All power and telephone service shall be underground. No overhead service will be allowed without special permission being given by the city council.

Staff should note that these requirements were communicated to the applicant multiple times throughout the development process beginning with the site plan submittal (*see staff's project comments in the attached packet*) and again with the civil engineering submittal (*see staff's civil engineering comments in the attached packet*). Staff should also point out, that the approved site plan included a note from the applicant indicating "(a)ll overhead utilities be placed underground …" (*see the approved and signed site plan in the attached packet*).

Since Planned Development District 10 (PD-10) does not outline a variance process -- *and the requirement for undergrounding overhead utilities is also contained within the General Overlay District Standards* -- this request is subject to Subsection 09.02, *Variances to the General Overlay District Standards*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC). This section states, "…an applicant may request the Planning and Zoning Commission [*or City Council in this case*] grant a variance to any provision contained in Section 06.02, *General Overlay District Standards*, of Article 05, *District Development Standards*, where unique or extraordinary conditions exist or where strict adherence to the technical requirements of this section would create an undue hardship." In this case, the applicant's letter states that "(t)he variance is [*being*] requested to protect the health and safety of the public ..."; however, the applicant's letter fails to state how the variance protects the health and safety of the general public or identify a *unique* or *extraordinary condition* that prevents the applicant from meeting the City's requirements. Subsection 09.02 of the UDC goes on to state that two (2) compensatory measures that *directly offset* the requested variance shall be provided. In this case, the applicant's letter states that "(n)o compensatory measures are required for this variance request …", which is not accurate; however, all variance requests and the proposed compensatory measures are considered on a *case-by-case* basis and are discretionary to the approving body (*i.e. Planning and Zoning Commission or City Council*). In this case, since the requirement exists in Planned Development District 10 (PD-10), the Unified Development Code (UDC), and the Municipal Code of Ordinances, the City Council is the approving body pending a recommendation from the Planning and Zoning Commission. Staff should also note that in accordance with Subsection 09.02, *Variances to the General Overlay District Standards*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "(a)pproval of any variance to the requirements of this section [*i.e. Subsection 09.02; Article 11, UDC*] by the Planning and Zoning Commission or City Council shall require a supermajority vote (*i.e. three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval."

In considering this request, staff should note that in previous cases for similar requests the City Council and Planning and Zoning Commission have not approved variances relating to the undergrounding of utilities due to the potential of creating a precedence; however, in August 2022 the City Council did grant the Rockwall Economic Development Corporation (REDC) [*i.e. Case No. MIS2022-011*] a variance allowing the delay of undergrounding certain utility distributing lines along SH-276 between John King Boulevard and Rochelle Road, and a waiver to the underground utility requirements for a non-residential subdivision [*i.e. Creekside Commons Subdivision*] at the southeast corner of FM-1139 and SH-205 [*Case No. MIS2022-010*]. The waiver for the *Creekside Commons Subdivision* was granted due to the costs associated with the undergrounding of the distribution lines along SH-205 and FM-549. With this being said, requests for variances are considered on a case-by-case basis at the discretion of the City Council pending a recommendation from the Planning and Zoning Commission. On November 1, 2023, the Planning and Zoning Commission reviewed the applicant's request and approved a motion to recommend approval by a vote of 4-0, with Commissioners Deckard, Conway, and Llewelyn absent. Should the City Council have any questions, staff and a representative for the applicant will be available at the *November 6, 2023* City Council meeting.

# 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 | **1720 SOUTH JOHN KING BLVD.** | | |
| SUBDIVISION | | LOT | BLOCK |
| GENERAL LOCATION | **NW CORNER TX 276 AND SOUTH JOHN KING BLVD (6 +/- ACRE TRACT)** | | |

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

| | | | |
|---|---|---|---|
| CURRENT ZONING | **PD-10 TRACT D-5** | CURRENT USE | **VACANT RAW LAND** |
| PROPOSED ZONING | **MODIFY PARA** | PROPOSED USE | **COMMERCIAL** |
| ACREAGE | **6.17** | 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 | | ☒ APPLICANT | **Car Wash Pro Designers (CWPD)** |
| CONTACT PERSON | Jim Dunn | CONTACT PERSON | **Alan M Jacob, General Counsel** |
| ADDRESS | 1377 Kettering Dr. | ADDRESS | **6400 N Northwest Hwy, Unit 4** |
| CITY, STATE & ZIP | Ontario, CA 91761 | CITY, STATE & ZIP | **Chicago, IL 60631** |
| PHONE | 949-910-1167 | PHONE | **630.394.1256** |
| E-MAIL | Dundevelopments@cox.net | E-MAIL | **alan.j@carwashprodesigners.com** |

## NOTARY VERIFICATION [REQUIRED]

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

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

*GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE ____ DAY OF _____, 20___.*

*OWNER'S SIGNATURE* _____

*NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS*

*MY COMMISSION EXPIRES*

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy or validity of that document.

STATE OF CALIFORNIA

} ss.

COUNTY
OF Orange

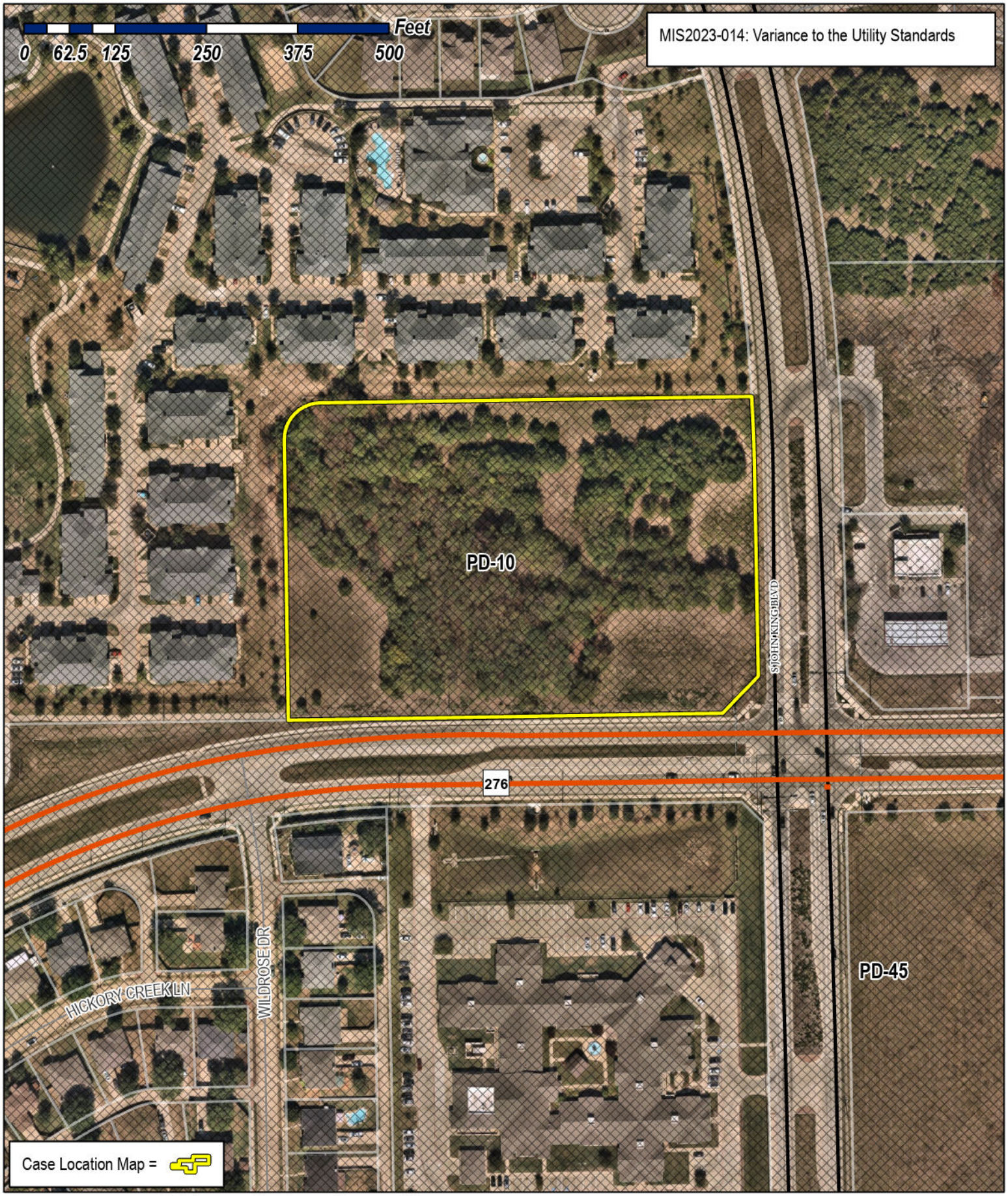
On 10/4/2023, before me, Suketu R Bhatt, a Notary Public, personally appeared James L. Dunn
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
**WITNESS** my hand and official seal.

Signature

(This area for official notarial seal)

ETC1 SUKETU R. BHATT COMM. #2450581 NOTARY PUBLIC- CALIFORNIA ORANGE COUNTY MY COMM. Expires June 18, 2027 ETC1




# 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.

October 5, 2023

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

Attn: Planning Department, Variance Application Submittal

Re: PROPOSED CAR WASH, NORTHWEST CORNER OF TEXAS 276 AND SOUTH JOHN KING BLVD.
1720 Texas 276, Rockwall Texas
City Engineering Project Number 2023-0013
WTCE Project No.: C2200058
Variance Request Letter

Dear Mr. Edwards:

Please accept this letter as a formal request for a Variance to the provision in Planned Development Ordinance PD-10 that requires the burial of approximately 700 feet of a 3 conductor circuit of 24,500 volt distribution power lines along the frontage of the subject tract.

This variance is requested to protect the health and safety of the public. The variance requested is to keep the existing power lines in their existing aerial location and to avoid the construction of two transition poles that will have the 3 power lines located on the side of the power poles encased in steel conduit and exposed to damage by the traveling public. We agree that in certain conditions it is necessary to transition power lines from an aerial position to an underground location such as crossing a major highway, water way, railroad yard or airport runway.

In this case the 24,500 volt power lines will be relocated to an underground position purely for aesthetic reasons. The Texas 276 right-of-way is currently lined with overhead power lines on both sides for its entire length. This will be the only 700 foot length of the highway that has buried power lines. The tract of land that is the subject of this variance is referenced in the PD-10 as tract D-5.

We request a variance to the existing paragraph in PD-10:

Exhibit C, PD Development Standards, Paragraph D, Item 1, Subparagraph F regarding the burial of overhead power lines except along the perimeter of the Area C that is located immediately to the east of the subject tract.

A copy of the paragraph from the PD-10 document is shown below:

> (F) *Buried Utilities*. **All overhead utilities shall be placed under ground except at the outer perimeter of Planned Development District 10 (PD-10) as depicted in *Exhibit 'B'* including *Area C* as described in the *Settlement Agreement* and as otherwise approved by the City of Rockwall.**

We request that the referenced paragraph be re-phrased as follows:

Buried Utilities. All overhead utilities shall be placed under ground except:

1. at the outer perimeter of Planned Development District 10 (PD-10) as depicted in Exhibit 'B' including Area C as described in the Settlement Agreement;
2. The south side of Tract D-5; and
3. as otherwise approved by the City of Rockwall.

The compensatory measures offed to support this request are listed below:

*(A) If the proposed compensatory measures sufficiently offset the requested variance or exception.*

No compensatory measures are required for this variance request, however, should Staff or the City of Rockwall require compensatory measures to offset the variance, the Owner will consider all options.

*(B) If such a request will substantially or permanently injure the appropriate use of adjacent property.*

The request is to allow overhead lines in certain areas around the property. If this variance is granted, the exception will not substantially or permanently injure the appropriate use of adjacent property. In fact, the granting of this variance will not, in any way, deprive or interfere with adjacent property current or future uses.

*(C) If such a request will adversely affect the health, safety, and/or general welfare of the public.*

Granting of this variance will prevent the exposure of the travelling public on Texas Route 276 (10,860 Average Daily Traffic) to three high voltage (24,500 volts) power lines (contained in vertical galvanized steel or CPVC plastic conduits) in two locations on the north side of Texas 276. One of the points of exposure is within 20 feet of a very high traffic intersection. Granting the variance will assure that the high voltage power lines will remain as aerial lines as is the current location.

*(D) If such a request will be contrary to the public interest.*

Granting of this variance will prevent the exposure of the traveling public to the power lines in the zone of potential damage by automobile accidents. Such granting will not be contrary to the public interest as the variance is a common use and generally accepted locally and within nearly every urban area.

*(E) If such a request will authorize the operation of a use other than those uses specifically authorized for the district in which the subject property is located.*

The granting of the variance has no relevance to use. No special use or operation is granted with this request. The actual use and operation on the property is an allowable one existing regardless of this request.

*(F) If such a request will be in harmony with the spirit and intent of the Unified Development Code (UDC), Comprehensive Plan, and/or other City policies.*

The request will be in harmony with the UDC, Comprehensive Plan and City policies as it will allow utility use and will be uniform with other utilities throughout the City of Rockwall and specifically within the District.

*(G) If such a request will alter the essential character of the district in which the subject property is located.*

Granting of this variance will not alter the character of the district in that it will not negatively alter the clean and orderly appearance of the power lines in a presently uniformly elevated and safe location. Two power poles will be removed if this variance is not granted. One of the power poles is a concrete pole that is required to support the power lines due to a change in alignment. The other pole is a wood pole with a larger diameter than a standard wood pole. The failure to grant this variance may alter the District's uses.

*(H) If such a request will substantially weaken the general purpose of the zoning requirements established for the district in which the subject property is located.*

Granting of this variance will not weaken the general purpose of the requirements in that no adjacent properties will be effected by granting this variance. Additionally, the variance is not a zoning change request to modify the actual use of the property.

We have attached the following documents to this letter:

1. Application executed by the property owner; 2 pages with current deed (5 pages) and the OMI Rockwall Operating Agreement.
2. Exhibit 1 showing the location of the site
3. Exhibit 2 showing the overall site layout
4. Exhibit 3 showing the street view on the south side of the property
5. Exhibit 4 showing the details of the scope of the work that will be avoided should this variance be granted
6. A copy of select pages from PD-10 that reference the site.

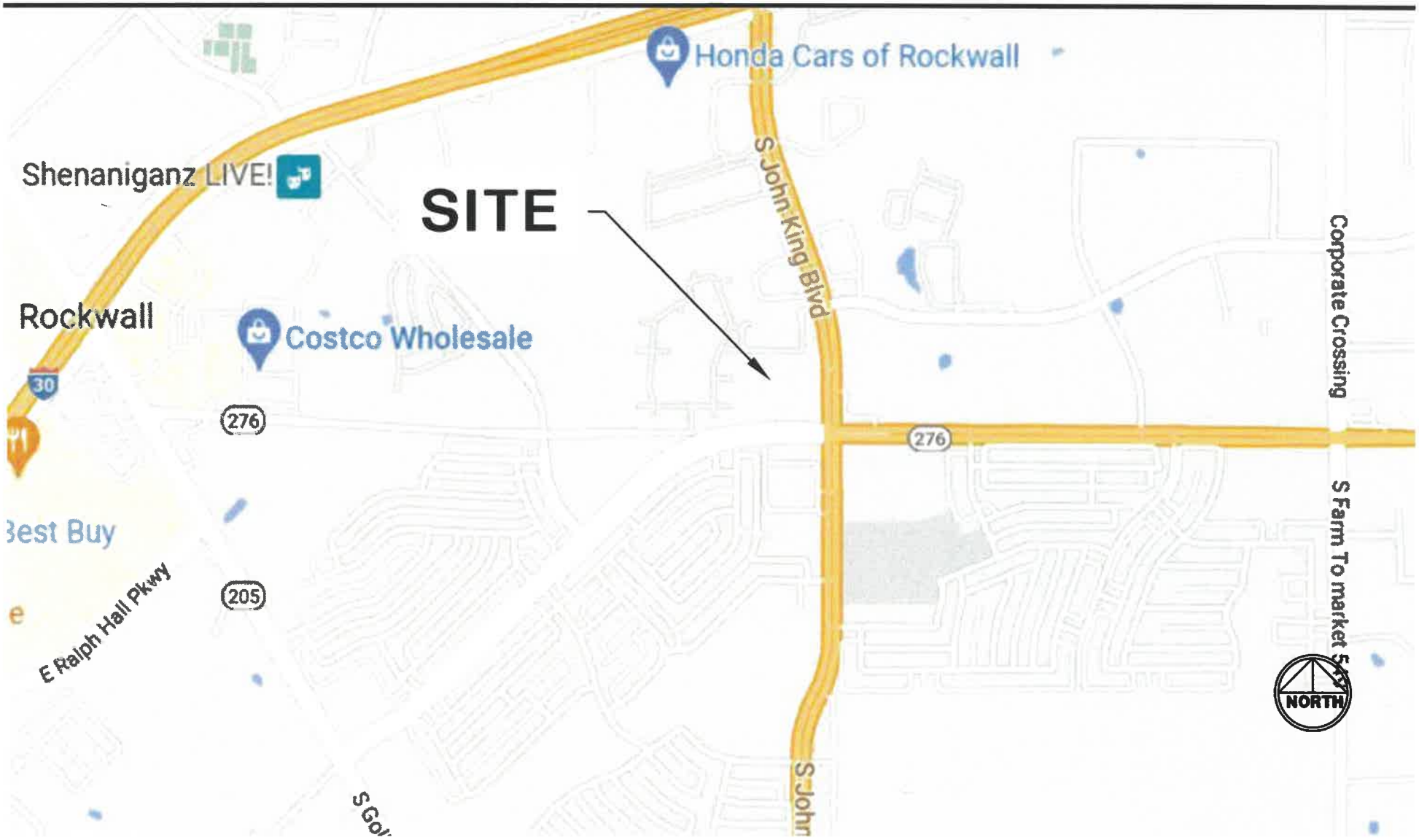
**Respectfully Submitted,**

**The W-T Group, LLC**



**Randall E. Siemon, PE**
**Senior Project Manager, Civil Engineering Division**

EXHIBIT ONE
VARIANCE REQUEST TO NOT BURY OVERHEAD 24,500 VOLT 3-WIRE ELECTRICAL TRANSMISSION LINE AS REQUIRED IN PD-10

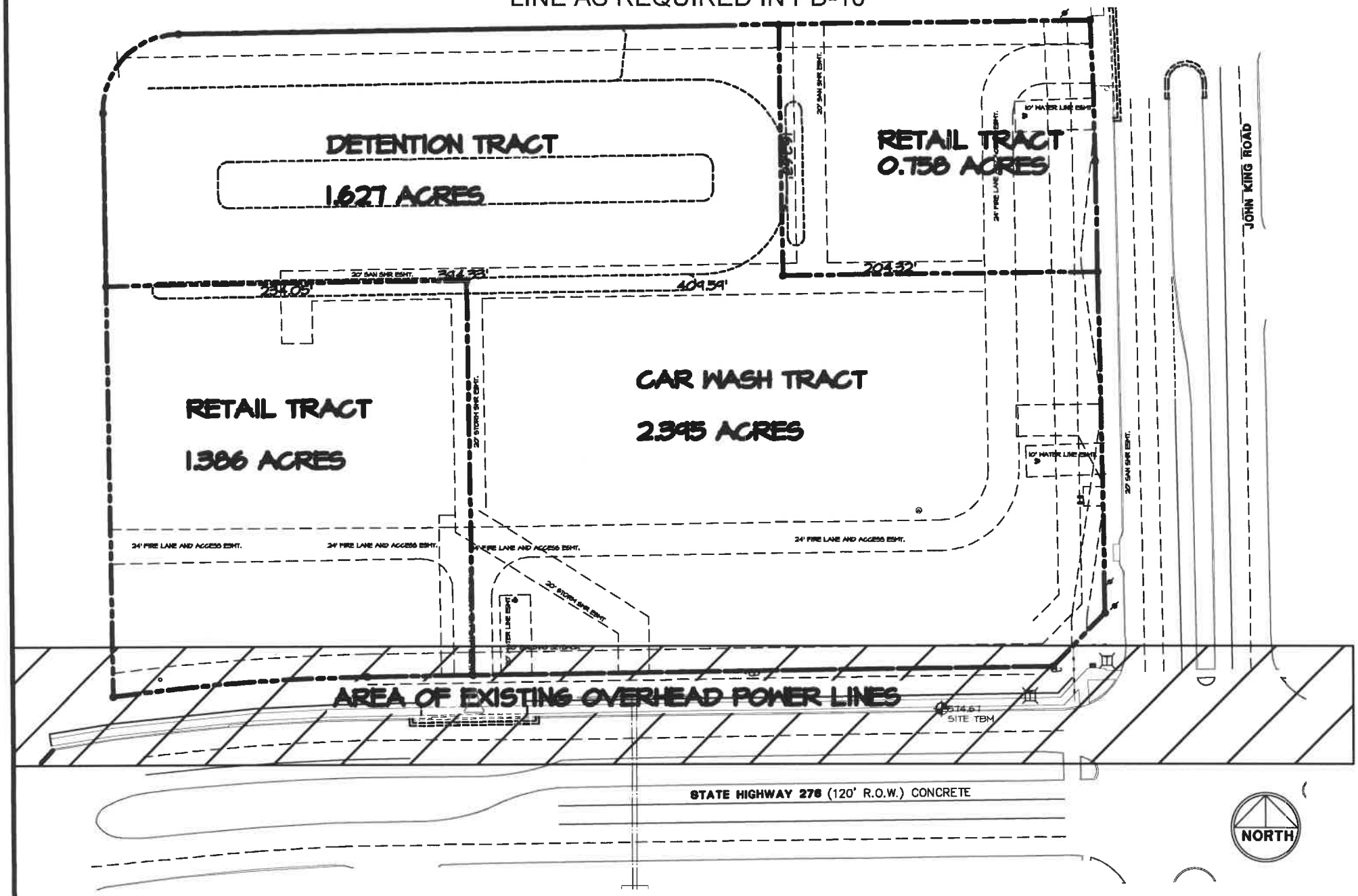



GRID REFERENCE: E5 SCALE 1" = 1000' MAP DATA © 2022 GOOGLE

CAR WASH
1720 S. JOHN KING BLVD.
ROCKWALL, TEXAS 75032

WT GROUP
Engineering with Precision, Pace and Passion.
2675 Pratum Avenue | Hoffman Estates, IL 60192
T: 224.293.6333 | F: 224.293.6444
wtengineering.com
Texas Firm ID No: 18685

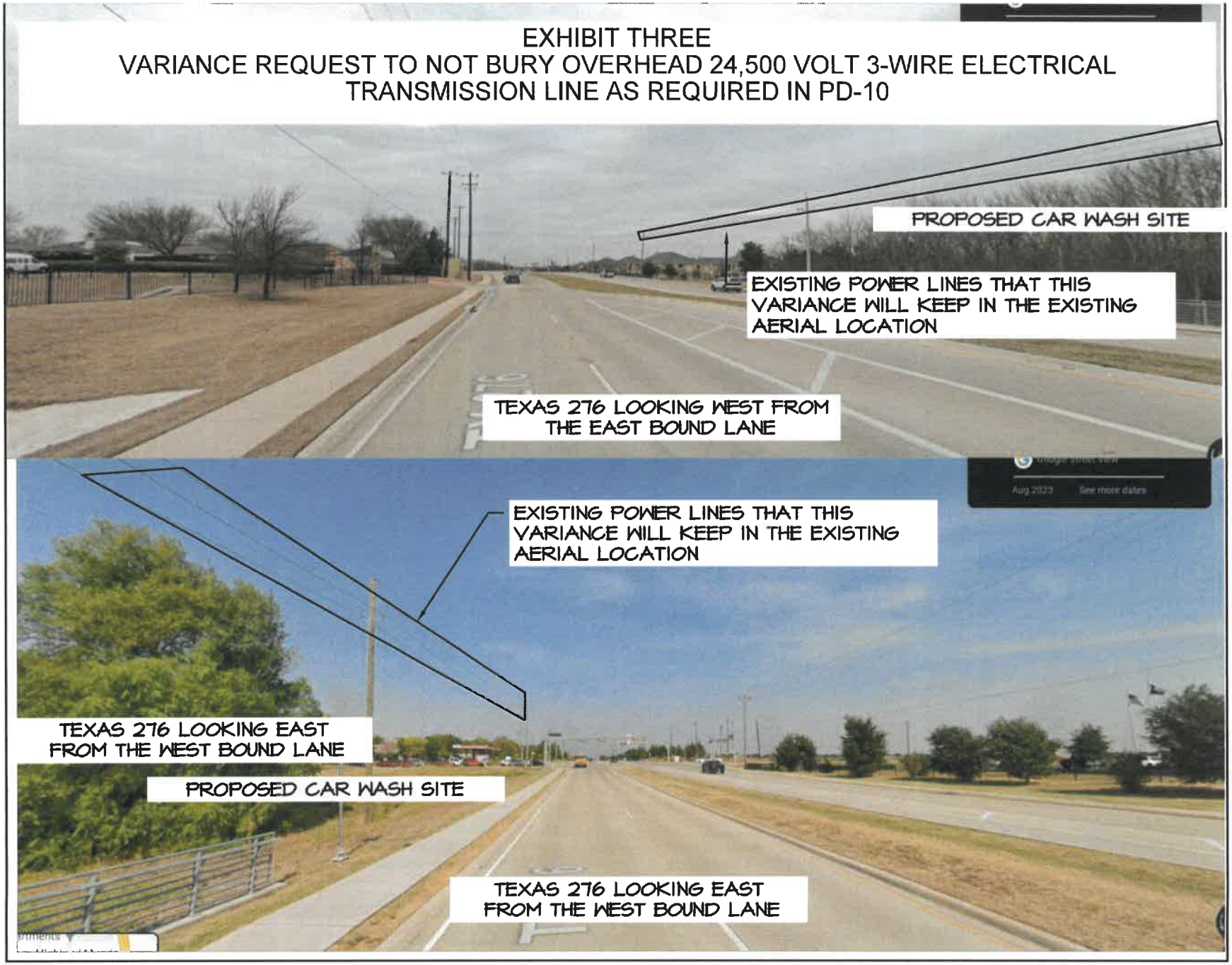
# EXHIBIT TWO OVERALL LOT PLAN
# VARIANCE REQUEST TO NOT BURY OVERHEAD 24,500 VOLT 3-WIRE ELECTRICAL TRANSMISSION LINE AS REQUIRED IN PD-10




CAR WASH
1720 S. JOHN KING BLVD.

WT GROUP
Engineering with Precision, Pace and Passion

# EXHIBIT THREE
## VARIANCE REQUEST TO NOT BURY OVERHEAD 24,500 VOLT 3-WIRE ELECTRICAL TRANSMISSION LINE AS REQUIRED IN PD-10

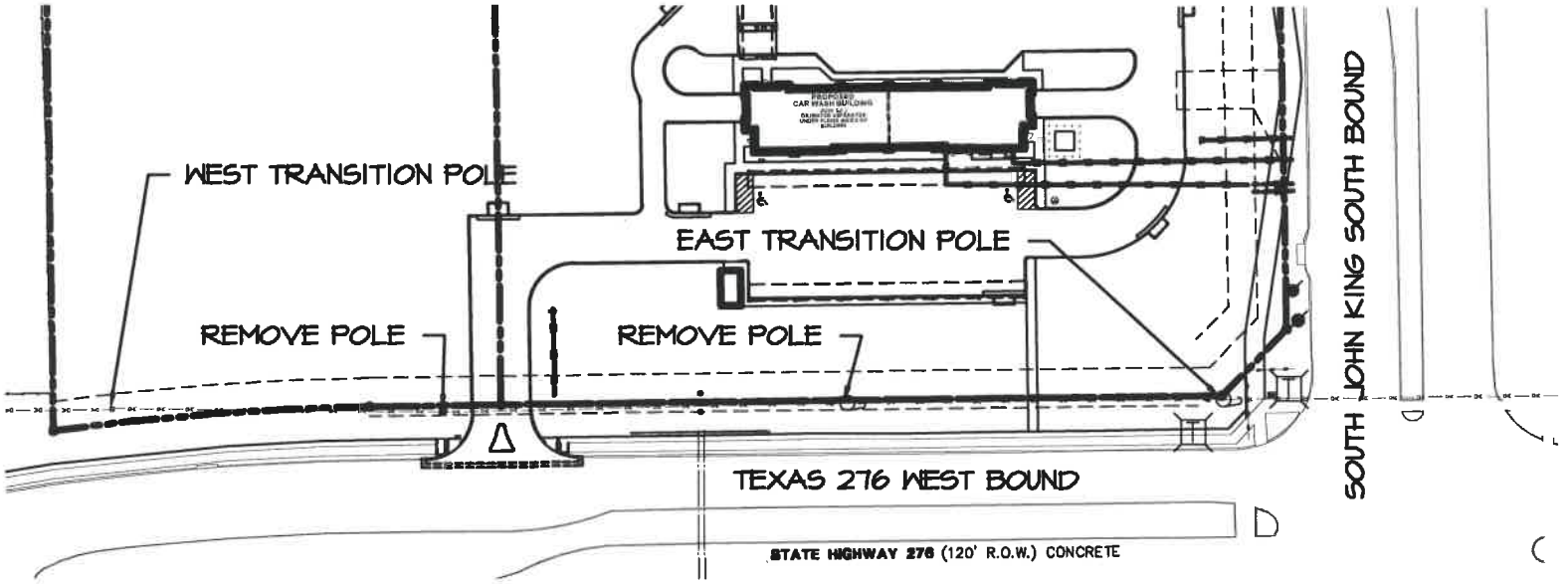



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wtengineering.com
Texas Firm ID No: 18885
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EXHIBIT "FOUR"

# VARIANCE REQUEST TO NOT BURY OVERHEAD 24,500 VOLT 3-WIRE ELECTRICAL TRANSMISSION LINE AS REQUIRED IN PD-10






VIEW OF TEXAS 276 LOOKING WEST



VIEW OF TEXAS 276 LOOKING EAST FROM THE CULVERT CROSSING TX 276

CAR WASH
1720 S. JOHN KING BLVD.
ROCKWALL, TEXAS 75032

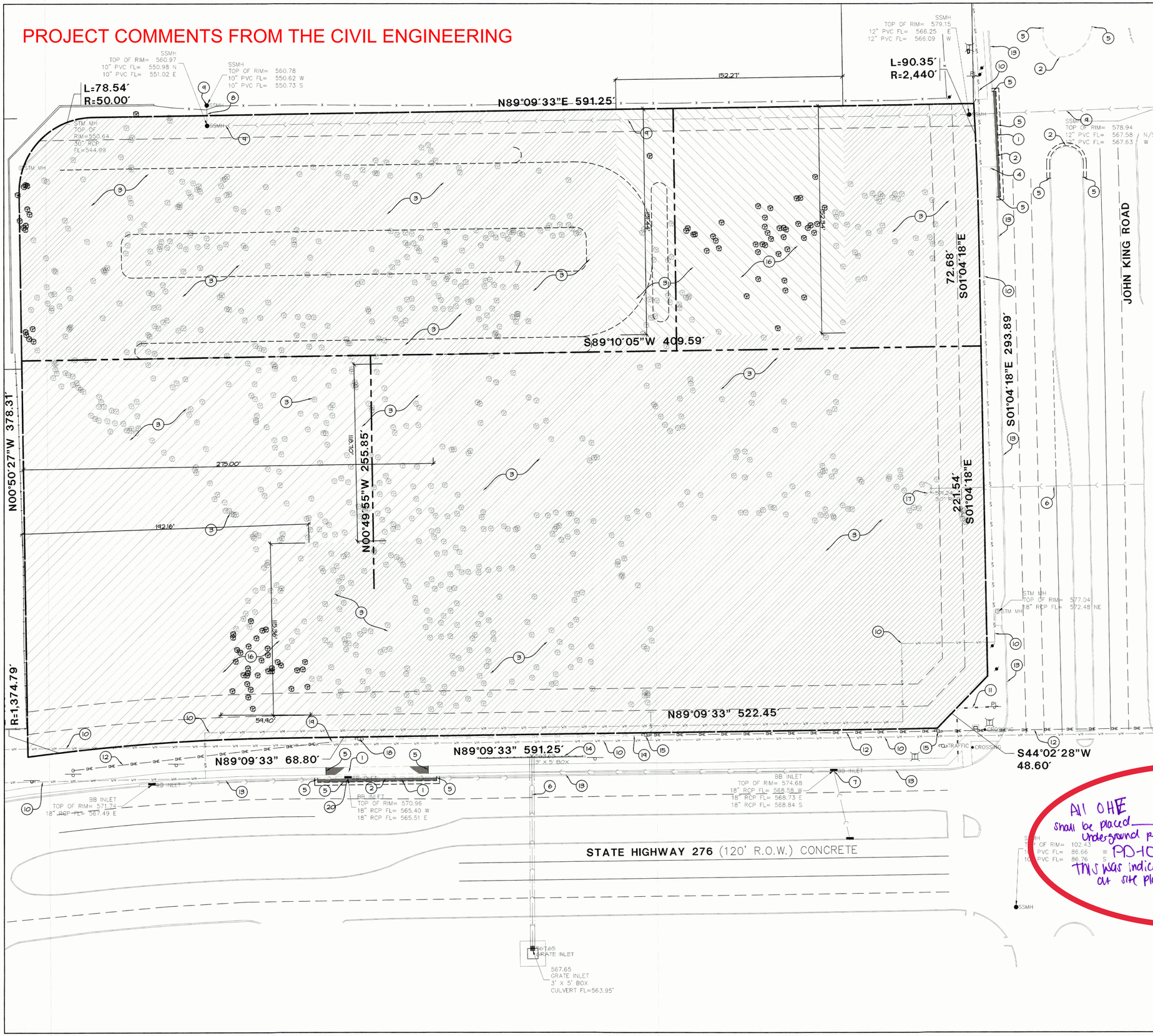
WT Group
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wtengineering.com

M.7 Site Plan:
(1) Please remove the second building on the west side of the property from the site plan.
(2) Include the Legal Description (Tract 3-09 of the J. M. Allen Survey, Abstract No. 0002) in the title block (Subsection 03.04.A, of Article 11, UDC)
(3) According to Planned Development District 10 (PD-10), "(a)ll overhead utilities shall be placed underground except at the outer perimeter of Planned Development District 10 (PD-10) as depicted in Exhibit 'B' including Area C as described in the Settlement Agreement and as otherwise approved by the City of Rockwall." In this case, the subject property is required to have all overhead utilities be placed underground. Please indicate conformance to this requirement on the site plan in the notes section. (Section D(1)(F), PD-10)
(4) Indicate and label all sidewalks proposed for the site. A ten (10) foot meandering sidewalk is required along S John King Boulevard and a six (6) foot sidewalk is required along SH-276. (Subsection 03.04.B, of Article 11, UDC).
(5) Remove all landscaping from the site plan.
(6) Remove all labeling beside the street name on John King Boulevard and SH-276. The classifications called out on the plan are not correct.
(7) Indicate the size of the building in SF.
(8) Indicate conformance with the parking requirements (i.e. 1 parking space per 250 SF of building area). Also, indicate where the dedicated five (5) employee parking spaces are to be located (i.e. not a vacuum bay).
(9) Indicate the distance between the building and the front and side property line.

M.8 Landscape Plan
(1) Please remove the second building on the west side of the property from the landscape plan.
(2) The landscape buffer along SH-276 is required to have 18 canopy trees and 24 accent trees. The landscape buffer along John King Boulevard is required to have nine (9) canopy trees and 12 accent trees. In addition, an undulating berm and shrubbery that is at least 30-inches in height is required along both frontages. Please provide a table showing conformance to the requirements.
(3) Detention basins shall be landscaped in a natural manner using ground cover, grasses, shrubs, berms, and accent and canopy trees. There shall be a minimum of one (1) canopy tree per 750 SF and one (1) accent tree per 1,500 SF of detention area. Please provide a table showing conformance to the requirements. (Subsection 05.03(D), Article 08, UDC)
(4) All canopy trees shall be four (4) caliper inches or greater, and all accent trees shall be four (4) feet in height or greater. Please provide a note indicating conformance to this requirement.
(5) Indicate the applicable zoning district percentage of landscaping required and provided, and the impervious area vs the amount of landscaping required and provided. (Subsection 01.01.B, of Article 05, UDC)
(6) All Canopy trees must be a minimum of four (4) caliper inches. (Subsection 04(A)(1)(a), Article 08, UDC)
(7) Willow Oak, Mulberry, Japanese Pagoda, Purple Leaf Plum are prohibited trees. Please choose an approved tree from the table cited instead. (Table 1, Appendix C, UDC)
(8) All parking spaces shall be within 80' of a canopy tree. Please provide an exhibit showing conformance to this requirement. (Subsection 05.03.E, Article 08, UDC)
(9) Trees must be planted at least five (5) feet from water, sewer, and storm sewer lines. Please provide an exhibit showing conformance to this requirement. (Subsection 05.03.E, of Article 08, UDC)
(10) The developer shall establish grass and maintain the seeded area, including watering, until a "permanent stand of grass" is obtained at which time the project will be accepted by the City. A "stand of grass" consists of 75% to 80% coverage and minimum height of one (1) inch in height. Please add a note indicating conformance. (Subsection 4.2, Coverage, Engineering Standards of Design and Construction)
(11) All landscape buffers and public right-of-way located adjacent to a proposed development shall be improved with grass (i.e. sod – hydro mulch shall be prohibited in these areas) prior to issuance of a Certificate of Occupancy. Please add a note indicating conformance. (Subsection 05.03.G, of Article 08, UDC)
(12) Landscape screening along entrances and exits of the carwash tunnel shall be three (3) tiered, incorporating approved canopy trees, accent trees, and shrubbery. Please show conformance to this on the landscape plan. (Subsection 05.02(A)(2), Article 08, UDC)
(13) A minimum of a 20-foot wide landscape buffer shall be required along the entire length of any non-residential lot that abuts a residentially zoned or used property (i.e. the north and west property lines). Please show conformance to this on the landscape plan. (Subsection 05.01.B.2, of Article 08)
(14) Any non-residential or multi-family land use or parking area that has a side or rear contiguous to any residentially zoned or used property shall be screened with a masonry fence a minimum of six (6) feet in height with approved canopy trees planted on 20-foot centers. As an alternative, the Planning and Zoning Commission may approve an alternative screening method that incorporates a wrought iron fence and three (3) tiered screening (i.e. [1] small to mid-sized shrubs, large shrubs or accent trees, and canopy trees or [2] evergreen trees and canopy trees) along the entire length of the adjacency. The canopy trees shall be placed on 20-foot centers. (Subsection 05.02 (B), Article 08)

M.9 Treescape Plan:
(1) Please provide a table (see attached) with all the information of the trees removed and protected.

PROJECT COMMENTS FROM THE CIVIL ENGINEERING




## SITE DEMOLITION NOTES:

A. CONTRACTOR SHALL PERFORM ALL DEMOLITION WORK IN ACCORDANCE WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL REQUIREMENTS.
B. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY DEMOLITION PERMITS AND COORDINATE ALL DEMOLITION WITH THE MUNICIPALITY AND OWNERS REPRESENTATIVE TO ENSURE PROTECTION AND MAINTENANCE OF SANITARY AND WATER UTILITIES AS NECESSARY AND TO PROVIDE STORM WATER CONVEYANCE UNTIL NEW FACILITIES ARE CONSTRUCTED, TESTED, AND PLACED IN OPERATION.
C. CONTRACTOR SHALL DEVELOP AND IMPLEMENT A DAILY PROGRAM OF DUST CONTROL PROCEDURES PRIOR TO DEMOLITION OF ANY STRUCTURES. MODIFICATION OF DUST CONTROL PROCEDURES SHALL BE PERFORMED BY THE CONTRACTOR TO THE SATISFACTION OF THE MUNICIPALITY AND COMPLY WITH THE NPDES II REQUIREMENTS OF THE TEXAS ENVIRONMENTAL PROTECTION AGENCY AND THE INDIVIDUAL STORM WATER POLLUTION PREVENTION PLAN FOR THIS PROJECT.
D. ALL EXISTING TREES, BRUSH AND MISCELLANEOUS VEGETATION TO BE REMOVED OR DEMOLISHED SHALL BE REMOVED FROM THE SITE AND LEGALLY DISPOSED OF BY THE CONTRACTOR.
E. VOIDS LEFT BY ANY ITEM REMOVED UNDER ANY PROPOSED BUILDING, PAVEMENT, OR WALK OR WITHIN 24" THEREOF SHALL BE BACKFILLED WITH ENGINEERED FILL.
F. ALL EXISTING BUILDINGS, FOUNDATIONS, CONCRETE OR ASPHALT PAVEMENT OR WALKS, CURB AND GUTTER AND MISCELLANEOUS STRUCTURES (INCLUDING, BUT NOT LIMITED TO FENCES, POLES, YARD LIGHTS, ELECTRICAL PANELS, AND MISCELLANEOUS DEBRIS) INDICATED TO BE DEMOLISHED SHALL BE REMOVED OR DEMOLISHED AND REMOVED FROM THE SITE AND DISPOSED OF LEGALLY BY THE CONTRACTOR.
G. CONTACT GAS COMPANY PRIOR TO DEMOLITION. LOCATION OF EXISTING GAS SERVICES ARE UNKNOWN.
H. ALL EXISTING TREES SHALL REMAIN UNLESS OTHERWISE NOTED.
I. ALL EXISTING UTILITIES SHALL REMAIN UNLESS OTHERWISE NOTED.
J. CONTRACTOR SHALL HIRE A PRIVATE UTILITY LOCATOR TO LOCATE UTILITIES PRIOR TO CONSTRUCTION AND SHALL CONTACT THE SITE ENGINEER IF A CONFLICT EXISTS.
K. CONTRACTOR SHALL PROVIDE REMOVAL AND REPLACEMENT AND SHORING AS NECESSARY TO MEET OSHA AND LOCAL CODE, AS WELL AS MANUFACTURER'S REQUIREMENTS.
L. ALL FOUNDATIONS FOR ALL FENCES, SIGNS, ETC. NOTED FOR REMOVAL SHALL BE REMOVED AND LEGALLY DISPOSED OF OFFSITE.
M. PROOF-ROLLING SHALL BE PERFORMED FOR ALL SUBGRADE PRIOR TO CONSTRUCTION OF NEW PAVEMENT. ALL SUBGRADE PROOF-ROLLING SHALL BE WITNESSED AND APPROVED BY A MATERIALS TESTING AGENCY TO BE HIRED BY THE CONTRACTOR. CONTRACTOR TO COORDINATE ALL PROOF-ROLLING WITH THE MATERIALS TESTING AGENCY. CONTACT THE ENGINEER AND MATERIAL TESTING AGENCY SO THAT THEY MAY WITNESS THE PROOF ROLL. PROOF ROLL SHALL BE PROVIDED FOR ALL PAVEMENT AREAS SPECIFIED FOR FULL DEPTH REMOVAL AND REPLACEMENT.
N. EXISTING CONDITIONS AND TOPOGRAPHY SHOWN REPRESENTS SITE CONDITIONS PER THE SURVEY LAST DATED 04-08-22, PREPARED BY CORE SURVEYING. CONTRACTOR SHALL FIELD VERIFY EXISTING ELEVATIONS AND CONDITIONS (INCLUDING BUT NOT LIMITED TO VERIFICATION OF CONTROL AND ALL UTILITIES WHETHER DEPICTED OR NOT) PRIOR TO CONSTRUCTION AND NOTIFY ENGINEER OF ANY DISCREPANCIES.
O. SEE SURVEY FOR LOCATED EXISTING UTILITY DATA.
P. CLEAR SITE AS NECESSARY TO CONSTRUCT PROPOSED IMPROVEMENTS.
Q. ALL ITEMS MARKED "EXISTING OR EXISTING TO REMAIN" TO BE PROTECTED FROM DAMAGE FOR THE DURATION OF CONSTRUCTION.
R. CONTRACTOR TO PROVIDE SOIL TESTING SERVICES AS PART OF THEIR CONTRACT.

## DEMOLITION LEGEND

- EXISTING STORM SEWER
- EXISTING SANITARY SEWER
- EXISTING COMBINATION SEWER
- WM — EXISTING WATER MAIN
- WS — EXISTING WATER SERVICE
- GAS — EXISTING GAS LINE
- UGE — EXISTING UNDERGROUND ELECTRIC LINE
- UGT — EXISTING UNDERGROUND TELCO LINE
- OHE — EXISTING OVERHEAD LINES
- EXISTING CLOSED MANHOLE
- EXISTING OPEN GRATE MANHOLE
- EXISTING BEEHIVE GRATE MANHOLE
- EXISTING CURB INLET
- EXISTING FIRE HYDRANT
- EXISTING VALVE VAULT
- EXISTING B-BOX
- EXISTING GAS VALVE
- EXISTING PAVEMENT TO BE REMOVED FULL DEPTH
- EXISTING AREA TO BE CLEARED
- EXISTING AREA TO BE CLEARED BY FUTURE PROPERTY OWNER
- EXISTING AREA TO BE CLEARED UNDER THIS SCOPE OF WORK AT A FUTURE DATE DUE TO USE OF THE AREA AS DETENTION OVERFLOW.

## PROJECT NOTES:

1. EXISTING CONCRETE SIDEWALK TO BE REMOVED.
2. EXISTING CONCRETE BARRIER CURB TO REMOVED.
3. EXISTING TREES TO BE REMOVED.
4. EXISTING SIGN TO BE REMOVED AND RELOCATED.
5. NEW FULL DEPTH SAWCUT EXISTING CONCRETE TO PROVIDE CLEAN CONSTRUCTION BREAK.
6. EXISTING STORM SEWER TO REMAIN.
7. EXISTING STORM STRUCTURE TO REMAIN.
8. EXISTING SANITARY SEWER TO REMAIN.
9. EXISTING SANITARY STRUCTURE TO REMAIN.
10. EXISTING WATER MAIN TO REMAIN.
11. EXISTING GAS TO REMAIN.
12. EXISTING OVERHEAD LINE TO REMAIN.
13. EXISTING CONCRETE BARRIER CURB TO REMAIN.
14. EXISTING HEADWALL TO REMAIN.
15. EXISTING UTILITY POLE AND ASSOCIATED WIRING TO REMAIN.
16. EXISTING TREES TO BE REMOVED AT A FUTURE DATE BY FUTURE DEVELOPMENT.
17. EXISTING HEADWALL TO BE REMOVED.
18. EXISTING OVERHEAD ELECTRIC LINE TO BE REMOVED.
19. EXISTING UTILITY POLE TO BE REMOVED AND RELOCATED.
20. EXISTING STORM STRUCTURE TO REMAIN. REPLACE RIM WITH TYPE 'A' FRAME AND GRATE.

All OHE shall be placed Underground per PD-10 This was indicated on site plan.

ALL RESPONSIBILITY FOR ADEQUACY OF DESIGN REMAINS WITH THE DESIGN ENGINEER. THE CITY OF ROCKWALL, IN REVIEWING AND APPROVING PLANS [illegible] ASSUMES NO RESPONSIBILITY FOR ADEQUACY OR ACCURACY OF DESIGN.

PRELIMINARY

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF PRELIMINARY REVIEW UNDER THE AUTHORITY OF RANDALL E. SIEMON, PE

RELEASED FOR REVIEW ONLY. NOT FOR CONSTRUCTION.

RANDALL E. SIEMON, PE
TEXAS PE 73607

TEXAS FIRM ID NO. 18685

NORTH

CASE NUMBER SP2022-053

1" = 30'

00 15 30 60 120

AQUATIC \ CIVIL \ MECHANICAL \ ELECTRICAL \ PLUMBING \ TELECOMMUNICATION \ STRUCTURAL \ ACCESSIBILITY CONSULTING \ DESIGN & PROGRAM MANAGEMENT \ LAND SURVEY


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Texas Firm ID No. 18685

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PERMIT ONLY

STATE OF TEXAS
RANDALL E. SIEMON
73607
LICENSED PROFESSIONAL ENGINEER

6-24-23

CASE NUMBER SP2022-053
CASE NUMBER E2023-013

CAR WASH
1720 S. JOHN KING BLVD.
ROCKWALL, TEXAS 75032

CWPD CAR WASH
NWC JOHN KING AND US 276
ROCKWALL, TEXAS
SP2022-053, E2023-013

ISSUE

| TO | DATE |
|---|---|
| P&Z MEETING | 11/15/22 |
| CITY REVIEW | 03/29/23 |
| RESUBMIT | 06/29/23 |

CHECK:RES
DRAWN:TEP
JOB: C2200058

C-1
SITE DEMOLIT

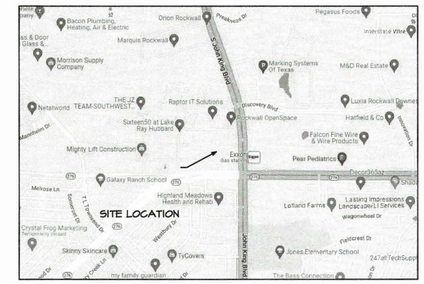
W:\2022 Jobs\079. C2200058 - Car Wash - Rockwall, TX\C2200058_Dwgs\CIVIL_Current\C-1.0_Demolition Plan.dwg, C-1.0, 6/30/2023 12:39:27 PM

# PROJECT COMMENTS FROM THE CIVIL ENGINEERING

## ZONING INFORMATION

| | | | |
|---|---|---|---|
| SITE ZONING | MUNICIPALITY: CITY OF ROCKWALL<br>EXISTING ZONING: PD-10 | | |
| SITE AREA | | PROPOSED | |
| | LOT AREA: | 131,340 S.F.<br>3.02 ACRES | |
| | TOTAL PROPERTY AREA: | 268,786 S.F.<br>6.17 ACRES | |
| YARD AREAS/ BUILDING SETBACK LINE | FRONT YARD: | STANDARD<br>15'-0" | PROPOSED<br>15'-0" |
| LANDSCAPE SETBACKS | FRONT YARD: | STANDARD<br>50'-0" | PROPOSED<br>50'-0" |
| PARKING | PARKING BASED ON BUILDING AREA | STANDARD<br>21 | PROPOSED<br>29 |
| PARKING | | PROPOSED | |
| | EMPLOYEE STALLS: | 5 | |
| | ADA/VACUUM STALLS: | 2 | |
| | VACUUM STALLS: | 22 | |
| | TOTAL STALLS: | 29 | |
| LOT AREA S.F. | 268,786 S.F. | | |
| LOT AREA AC. | 6.17 AC. | | |
| IMPERVIOUS S.F. | 52,180 S.F. | | |
| IMPERVIOUS AC. | 1.20 AC. | | |
| PERVIOUS S.F. | 216,606 S.F. | | |
| PERVIOUS AC. | 4.97 AC. | | |

## LOCATION MAP




NOTES:
1. MAX LIGHT POLE HEIGHT IS 20'
2. ALL ROOFTOP EQUIPMENT TO BE SCREENED.
3. 95% OF EXTERIOR FACADE TO BE MASONRY NOT COUNTING DOORS AND WINDOWS.
4. ALL ELECTRICAL AND DATA UTILITY SERVICE LINES TO BE PLACED UNDERGROUND WHEN ENTERING THE SITE FROM PUBLIC R.O.W.
5. ENCLOSURE FOR ONE, 3 CY, FRONT END LOADING, ROLLING, POLYETHYLENE SOLID WASTE CONTAINER STORAGE AND VACUUM SYSTEM EQUIPMENT.
6. ALL PAVEMENT 6" MIN. THICK, 3500 PSI CONCRETE, WITH #3 @ 18" MID DEPTH
7.

FIRE HYDRANT

FIRE LANE

## UTILITY LEGEND

- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- EXISTING WATER MAIN
- PROPOSED WATER MAIN
- EXISTING GAS LINE
- EXISTING OVERHEAD LINES
- PROPOSED OVERHEAD LINE
- PROPOSED RIM ELEVATION
- PROPOSED INVERT ELEVATION
- ADJUST EXISTING RIM ELEVATION
- EXISTING STORM MANHOLE
- EXISTING SANITARY MANHOLE
- EXISTING B INLET
- EXISTING WATER VAULT
- PROPOSED FIRE HYDRANT
- PROPOSED CLOSED LID MANHOLE
- PROPOSED OPEN LID MANHOLE / CATCH BASIN
- PROPOSED INLET
- PROPOSED RESTRICTOR STRUCTURE
- PROPOSED FLARED END SECTION
- PROPOSED TESTABLE BACKFLOW PREVENTOR
- PROPOSED WATER METER

All overhead shall be placed underground Per BDID 4 overlay District standards

## SITE PLAN SIGNATURE BLOCK

APPROVED:

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 _____, 2023

WITNESS OUR HANDS , THIS _____ DAY OF _____, 2023

_____ _____

PLANNING AND ZONING COMMISSION , CHAIRMAN DIRECTOR OF PLANNING AND ZONING

PROPOSED TRASH CONTAINER AND EQUIPMENT ENCLOSURE

NORTH

1" = 30'

00 15 30 60 120

AQUATIC \ CIVIL \ MECHANICAL \ ELECTRICAL \ PLUMBING \ TELECOMMUNICATION \ STRUCTURAL \ ACCESSIBILITY CONSULTING \ DESIGN & PROGRAM MANAGEMENT \ LAND SURVEY


WT GROUP
Engineering with Precision, Place and Passion.
2675 Prairie Avenue | Hoffman Estates, IL 60192
T: 224.293.6333 | F: 224.293.6444
wtengineering.com
Texas Firm ID No: 19663


PERMIT ONLY

RANDALL E. SEMON
73607
LICENSED PROFESSIONAL ENGINEER

6-24-23

CASE NUMBER SP2022-
CASE NUMBER E2023-

CAR WASH
1720 S. JOHN KING BLVD.
ROCKWALL, TEXAS 75032

CWPD CAR WASH
NWC JOHN KING AND US 276
ROCKWALL, TEXAS
SP2022-053, E2023-013

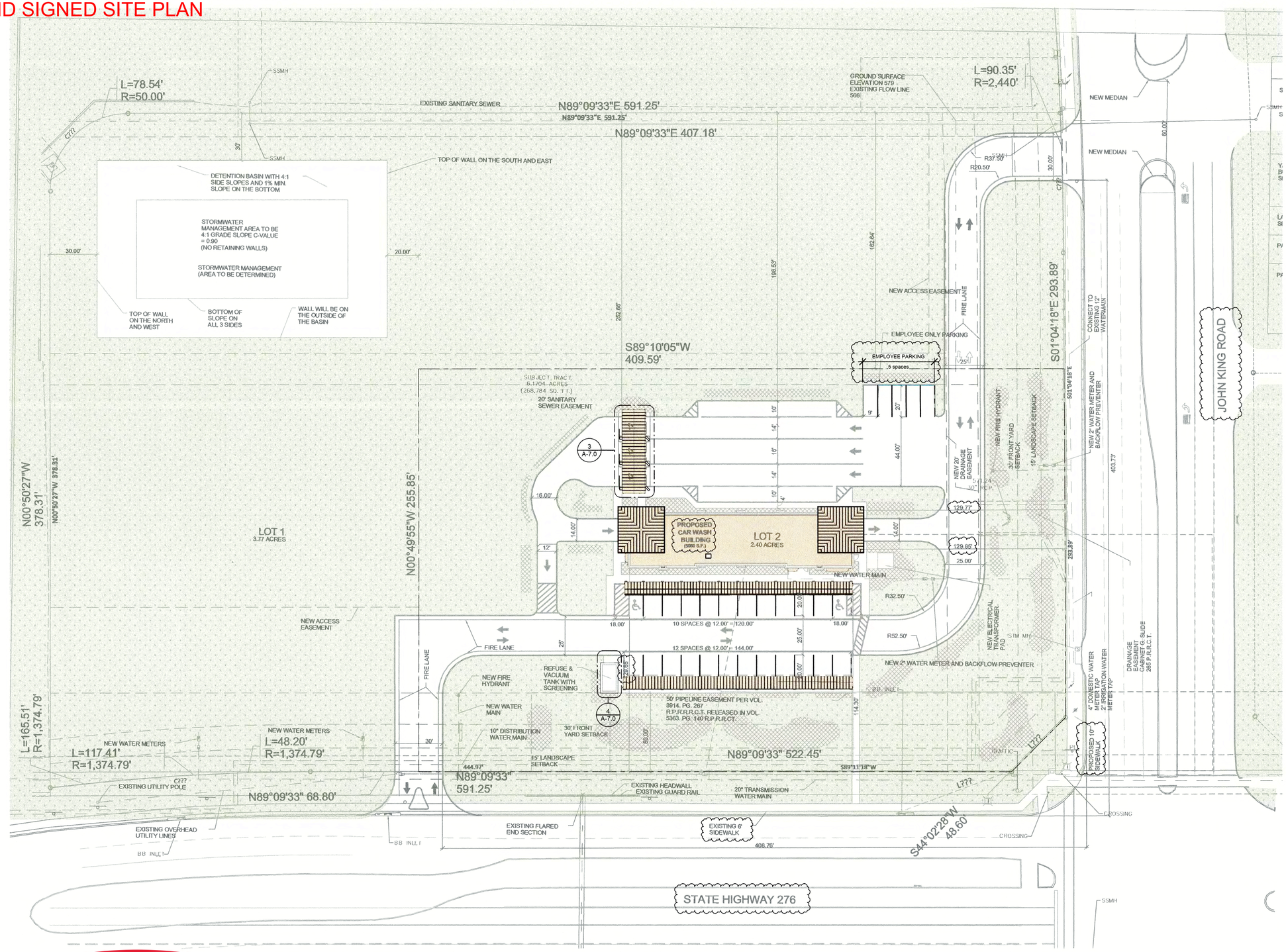
ISSU

| TO | DA |
|---|---|
| P&Z MEETING | 11/15 |
| CITY REVIEW | 03/29 |
| RESUBMIT | 06/29 |

CHECK
DRAWN
JOB: C220

C-2
PROPOSED SITE

APPROVED AND SIGNED SITE PLAN




1 SITE PLAN
G-1.2 SCALE: 1" = 30'-0"

**NOTES:**
ALL OVERHEAD UTILITIES BE PLACED UNDERGROUND

APPROVED:
I hereby certify that the above and foregoing site plan for a development in the City of Rockwall, Texas, was approved by the Planning & Zoning Commission of the City of Rockwall

on the 15th day of November, 2022

WITNESS OUR HANDS, this 15th day of March, 2023

Planning & Zoning Commission, Chairman

Director of Planning and Zoning

CASE# SP2022-053

N


NERD ARCHITECTS
6400 N NORTHWEST HWY SUITE 4
CHICAGO IL 60631
TEL 847.825.9400


| | |
|---|---|
| PROJECT # | 2034 |
| DATE: | 01/17/22 |

REGISTERED ARCHITECT GUIDO CORRADO NERD 29097 STATE OF TEXAS

**NEW AUTOMATED CARWASH FACILITY**

1720 S JOHN KING BLVD
ROCKWALL, TEXAS 75087
(Tract 3-09 of the J. M. Allen Survey, Abstract No. 0002)

| | | |
|---|---|---|
| 1 | 10/31/22 | ZONING REVISIONS |
| | 10/07/22 | ZONING REVIEW |
| ▲ | | REVISIONS |
| DRAWN BY: | | RAM |
| APPROVED BY: | | GCN / MAM |
| SCALE: | | AS NOTED |
| DESCRIPTION: | | SITE PLAN |
| SHEET NO. | | G-1.2 |

**CITY OF ROCKWALL**

**ORDINANCE NO. 20-30**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING PLANNED DEVELOPMENT DISTRICT 10 (PD-10) [*ORDINANCE NO.'S 74-32, 96-03, 00-08, 04-25, 04-40, 12-13 & 13-39*] 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 10 (PD-10), BEING A ~580.48-ACRE TRACT OF LAND SITUATED WITHIN THE J. CADLE SURVEY, ABSTRACT NO. 65; J. M. ALLEN SURVEY, ABSTRACT NO. 2; W. H. BAIRD SURVEY, ABSTRACT NO. 25; W. H. BARNES SURVEY, ABSTRACT NO. 26; A. JOHNSON SURVEY, ABSTRACT NO. 123; AND J. R. JOHNSON SURVEY, ABSTRACT NO. 128, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED IN *EXHIBIT 'B'* 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 Lucas Altoe on behalf of STAR Hubbard, LLC for the approval of an amendment to Planned Development District 10 (PD-10) [*Ordinance No. 04-25*] for the purpose of adding office as an ancillary land use to multi-family for a 32.6546-acre parcel of land identified as Lot 1, Block A, Mansions Family Addition, which is a part of a larger ~580.48-acre Planned Development District that is situated within J. Cadle Survey, Abstract No. 65; J. M. Allen Survey, Abstract No. 2; W. H. Baird Survey, Abstract No. 25; W. H. Barnes Survey, Abstract No. 26; A. Johnson Survey, Abstract No. 123; and J. R. Johnson Survey, Abstract No. 128, City of Rockwall, Rockwall County, Texas, identified as Planned Development District 10 (PD-10) [*Ordinance No.'s 74-32, 96-03, 00-08, 04-25, 04-40, 12-13 & 13-39*], 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 10 (PD-10) [*Ordinance No.'s 74-32, 96-03, 00-08, 04-25, 04-40, 12-13 & 13-39*] 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.'s 74-32, 96-03, 00-08, 04-25, 04-40, 12-13 & 13-39*;

**SECTION 2.** That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District 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 development of the *Subject Property* shall generally be in accordance with the *Concept Plan*, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

**SECTION 4.** That development of the *Subject Property* shall generally be in accordance with the *PD Development Standards*, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

**SECTION 5.** That development of the *Subject Property* shall generally be in accordance with the *Concept Plan*, described in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

**SECTION 6.** That development of the *Subject Property* shall generally be in accordance with the *Concept Plan*, described in *Exhibit 'E'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'E'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

**SECTION 7.** That development of the *Subject Property* shall generally be in accordance with the *Concept Elevations*, described in *Exhibit 'F'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'F'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

**SECTION 8.** That development of the *Subject Property* shall generally be in accordance with the *Concept Plan, Concept Elevations, and Concept Landscape Plan*, described in *Exhibit 'G'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'G'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

**SECTION 9.** That development of the *Subject Property* shall generally be in accordance with the *Concept Plan*, described in *Exhibit 'F'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'F'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

**SECTION 10.** That the official zoning map of the City of Rockwall, Texas be corrected to reflect the change in zoning described here in.

**SECTION 11.** 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 12.** 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. 20-02*], 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 13.** 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. 20-02*] 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. 20-02*] (*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;

**SECTION 14.** 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 3RD DAY OF AUGUST, 2020.**

Jim Pruitt, Mayor

**ATTEST:**

Kristy Cole, City Secretary

**APPROVED AS TO FORM:**

Frank J. Garza, *City Attorney*

CITY OF ROCKWALL TEXAS
SEAL

*1st Reading:* July 20, 2020

*2nd Reading:* August 3, 2020

## *EXHIBIT 'A':*
*Legal Description*

*BEING* 580.48 acres of land situated in the Abstract 2, J.M. Allen Survey in the County of Rockwall, Texas and being more particularly described by metes and bounds as follows:

*BEGINNING* at a point in the Northeastern most corner of Rockwall Downes Addition Phase 1(RCAD# 88527), Block E, Lot 31. (NAD83 Texas State Plane GPS Coordinate: 2603772.8887 E, 7019049.6742 N feet);

*THENCE* South 00° 31' 08.24" East following the Eastern boundary line of Rockwall Downes Addition, a distance of 2716.497 feet for a corner;

*THENCE* South 89° 18' 48.23" West, a distance of 454.211 feet for a corner;

*THENCE* South 01° 02' 50.24" East, following along the West Right of Way of South John King Blvd, a distance of 2015.496 feet for a corner;

*THENCE* South 88° 21' 59.93" West, a distance of 176.809 feet for a corner;

*THENCE* South 01° 21' 18.01" East, a distance of 3183.054 feet for a corner;

*THENCE* South 36° 18' 33.84" West, a distance of 1422.475 feet for a corner;

*THENCE* North 43° 10' 39.19" West, a distance of 1701.923 feet to the beginning of a curve found in the centerline of State Highway 205 (S Goliad St), said being the beginning of a curve to the right having a tangent of 556.704 and a radius of 5040.628 feet with a chord distance of 1106.679 feet and a chord bearing of North 37 degrees 15 minutes 16.86 seconds East to a point;

*THENCE* North 31° 10' 50.08" West, a distance of 3360.519 feet for a corner;

*THENCE* North 66° 36' 08.32" East, following along Buffalo Creek, a distance of 74.657 feet for a point;

*THENCE* North 50° 24' 43.10" East, a distance of 80.211 feet for a point;

*THENCE* North 18° 54' 16.58" East, a distance of 91.725 feet for a point;

*THENCE* North 03° 14' 22.07" East, a distance of 63.104 feet for a point;

*THENCE* North 11° 12' 03.41" East, a distance of 73.436 feet for a point;

*THENCE* North 26° 12' 41.06" West, a distance of 86.124 feet for a point;

*THENCE* North 37° 47' 38.14" West, a distance of 73.711 feet for a point;

*THENCE* North 25° 18' 04.49" East, a distance of 72.318 feet for a point;

*THENCE* North 45° 42' 58.69" East, a distance of 134.501 feet for a point;

*THENCE* North 37° 01' 49.36" East, a distance of 84.876 feet for a point;

*THENCE* North 46° 41' 04.42" East, a distance of 57.183 feet for a point;

*THENCE* North 41° 52' 49.85" East, a distance of 66.419 feet for a point;

*THENCE* North 33° 19' 34.75" East, a distance of 103.857 feet for a point;

*THENCE* North 76° 36' 26.52" East, a distance of 51.322 feet for a point;

*THENCE* South 60° 01' 04.52" East, a distance of 35.682 feet for a point;

*THENCE* North 80° 32' 15.13" East, a distance of 21.692 feet for a point;

*THENCE* North 27° 10' 51.84" East, a distance of 49.443 feet for a point;

*THENCE* North 33° 20' 26.99" East, a distance of 54.071 feet for a point;

*THENCE* North 35° 54' 35.27" West, a distance of 42.563 feet for a point;

*THENCE* North 76° 51' 57.28" West, a distance of 36.620 feet for a point;

*THENCE* North 36° 15' 13.08" West, a distance of 44.224 feet for a point;

*THENCE* North 08° 41' 10.95" West, a distance of 86.582 feet for a point;

*THENCE* North 70° 56' 31.27" East, a distance of 90.890 feet for a point;

*THENCE* North 48° 08' 53.21" East, a distance of 91.085 feet for a point;

*THENCE* North 02° 11' 33.96" East, a distance of 88.757 feet to the beginning of a curve found crossing old State Highway 276, said being the beginning of a curve to the right having a tangent of 88.419 feet and a radius of 167.275 feet with a chord distance of 156.341 feet and a chord bearing of North 00 degrees 38 minutes 57.99 seconds West to a point;

*THENCE* South 88° 06' 20.65" East, a distance of 154.498 feet for a corner;

*THENCE* North 00° 09' 35.47" West, a distance of 1673.721 feet for a corner;

*THENCE* South 43° 38' 58.76" East, following along the West Right of Way of South TL Townsend Dr. a distance of 1912.611 feet for a corner;

*THENCE* South 14° 46' 51.19" East, a distance of 208.204 feet for a point;

*THENCE* South 06° 39' 18.55" East, a distance of 136.260 feet for a corner;

*THENCE* North 87° 12' 38.34" East, a distance of 653.482 feet for a corner;

*THENCE* North 01° 00' 29.30" West, a distance of 2042.776 feet for a corner;

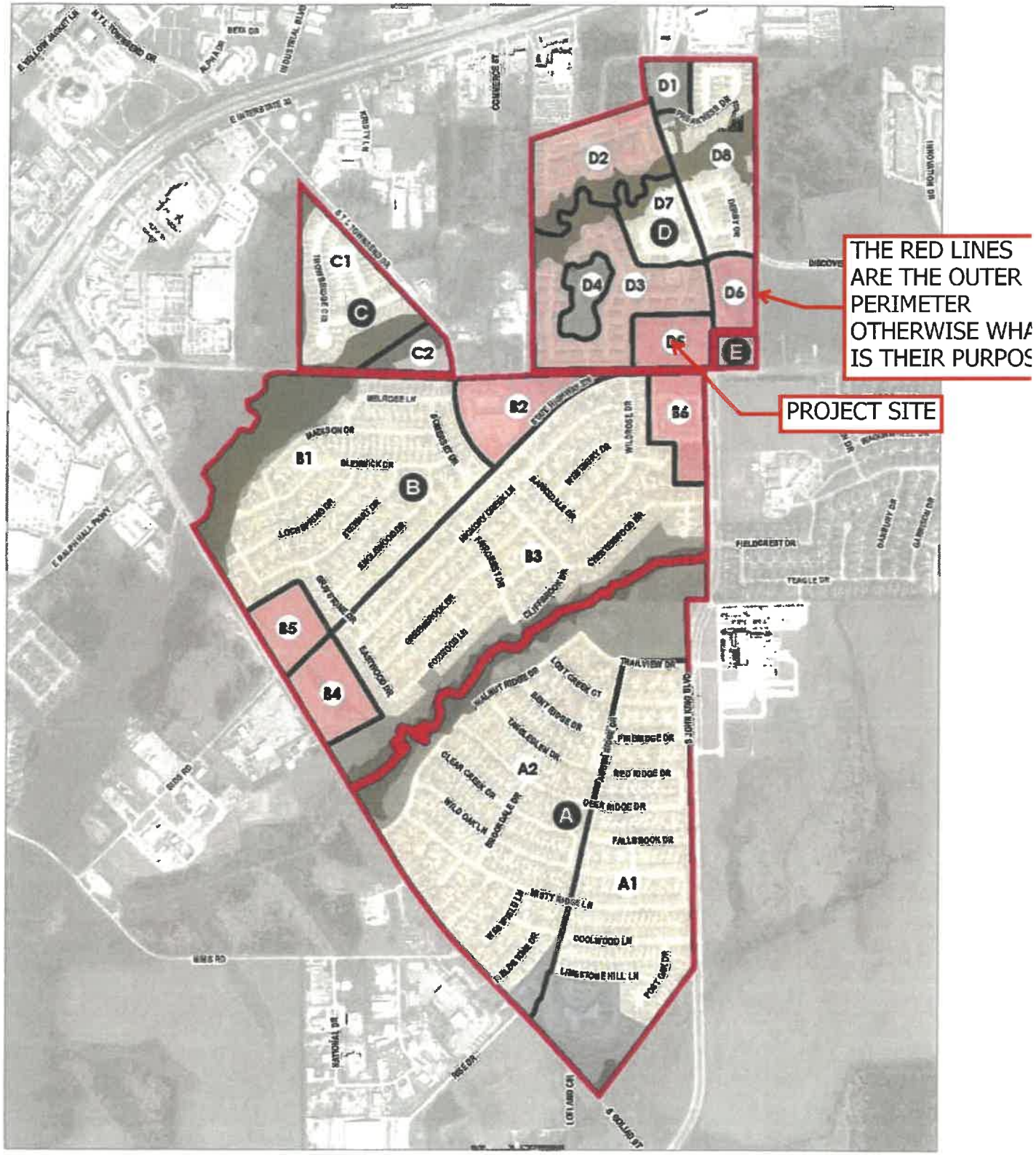
*THENCE* North 71° 48' 45.72" East, a distance of 1055.068 feet to the beginning of a following along the West Right of Way of South John King Blvd, said being the beginning of a curve to the right having a tangent of 188.517 feet and a radius of 2045.685 feet with a chord distance of 375.444 feet and a chord bearing of South 89 degrees 00 minutes 03.60 seconds West to a point;

*THENCE* North 89° 48' 30.91" East, a distance of 1028.699 feet, to the *POINT OF BEGINNING AND CONTAINING* 580.48 acres of land (25,268,421.447 square feet) more or less. The above description also intended to follow all adjacent existing city limits, extra-territorial jurisdiction, and applicable parcel boundaries.

***EXHIBIT 'A':***
*Legal Description*



***EXHIBIT 'B':***
*Concept Plan*



## *EXHIBIT 'C':*
*PD Development Standards*

(A) *Purpose.*

(1) *August 3, 2020.* The purpose of this amendment to Planned Development District 10 (PD-10) is to consolidate *Ordinance No.'s 74-32, 96-03, 00-08, 04-25, 04-40, 12-13 & 13-39*; however, this ordinance does not change the intent, restrictions or land uses established in any previous ordinance with the exception of adding office as an ancillary land use to multi-family for *Tract D3* as depicted in *Exhibit 'B'* of this ordinance.

(B) *Areas A & B: Tracts A1, A2, B1, B2, B3, B4, B5, & B6*

(1) *Tract A1, A2, B1 & B3; ~396.469-Acres [Hickory Ridge and Meadow Creek Subdivisions]:* The areas identified as *Tracts A1, A2, B1 & B3* in *Exhibit 'B'* of this ordinance shall be subject to the following requirements:

(A) *Permitted Land Uses. Lot Types SF-6, SF-7, & SF-8.4* on *Tracts A1, A2, B1 & B3* shall be subject to the permitted land uses stipulated for properties in a Single-Family 7 (SF-7) District and *Lot Type SF-10* on *Tract A1, A2, & B2* shall be subject to the permitted land uses stipulated for properties in a Single-Family 10 (SF-10) District as specified by Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*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.

(B) *Lot Layout and Composition.* The lot layout and composition shall conform to the following:

| *Tract* | *Lot Type* | *Minimum Lot Size (SF)* | *Acres* | *Density* | *Dwelling Units (#)* | *Dwelling Unit (%)* |
|---|---|---|---|---|---|---|
| *B1 & B3* | SF-6 | 6,000 SF | 63.04 | 3.8 | 245 | 100.00% |
| *B1 & B3* | Open Space | *N/A* | 8.80 | *N/A* | *N/A* | *N/A* |
| *A1 & A2* | SF-6 | 6,000 SF | 77.96 | 4.2 | 327 | 36.37% |
| *A1 & A2* | SF-7 | 7,000 SF | 92.70 | 3.5 | 324 | 36.04% |
| *A1 & A2* | SF-8.4 | 8,400 SF | 23.23 | 3.2 | 74 | 8.23% |
| *A1 & A2* | SF-10 | 10,000 SF | 57.96 | 3.0 | 174 | 19.35% |
| *A1 & A2* | Open Space | *N/A* | 36.20 | *N/A* | *N/A* | *N/A* |
| | | *Tract B1 & B3:* | 81.84 | | 245 | 21.41% |
| | | *Tract A1 & A2:* | 288.05 | | 899 | 78.58% |
| | | Total: | 369.90 | | 1,144 | 100.00% |

(C) *Density and Dimensional Requirements.* The following density and dimensional requirements are required for development on *Tracts A1, A2, B1 & B3*:

| *Lot Type (see Concept Plan) ►* | ***SF-6*** | ***SF-7*** | ***SF-8.4*** | ***SF-10*** |
|---|---|---|---|---|
| *Minimum Lot Width at Building Line* | 55' | 60' | 65' | 75' |
| *Minimum Front Yard Setback* | 20' | 20' | 20' | 25' |
| *Minimum Side Yard Setback* | 5' | 5' | 6' | 6' |
| *Minimum Side Yard Setback (Adjacent to a Street)* | 15' | 15' | 15' | 15' |
| *Minimum Rear Yard Setback* | 10' | 10' | 10' | 10' |
| *Garage Setback* | 20' | 20' | 20' | 20' |
| *Minimum Area/Dwelling Unit (SF)* | 1,500 SF | 1,700 SF | 1,800 SF | 1,850 SF |
| *Maximum Height* | 28' | 32' | 32' | 36' |
| *Minimum Off-Street Parking Requirement* [1] | 2 | 2 | 2 | 2 |
| *Minimum Masonry Requirement* | 75% | 75% | 75% | 75% |
| *Maximum Lot Coverage* [2] | 50% | 35% | 35% | 35% |

*General Notes:*

1. Minimum two (2) car garage required.
2. *Lot Types SF-6, SF-7 & SF-8.4* within *Tract A1* have a maximum lot coverage of 45%.

(D) *Garage Orientation*. Except when adjacent to open space all properties in *Tracts A1, A2, B1 & B3* shall have rear entry garages (*i.e. accessible from an alleyway*). No lots will be built with front entry garages (*i.e. no garage doors facing the street*).

(E) *Streets*. All streets shall be designed to be curvilinear.

(F) *Anti-Monotony*. The anti-monotony restrictions for properties in *Tracts B1 & B2* shall not allow the same building elevation any closer than five (5) houses apart.

(2) *Tracts B2, B4, B5 & B6: ~40.886-Acres*: The area identified as *Tracts B2, B4, B5 & B6* in *Exhibit 'B'* of this ordinance shall be subject to the following requirements:

(A) *Permitted Land Uses*. *Tracts B2, B4, B5 & B6* shall be subject to the permitted land uses stipulated for properties in a Commercial (C) District as specified by Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*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.

(B) *Density and Dimensional Requirements*. *Tracts B2, B4, B5 & B6* shall be subject to the dimensional requirements stipulated for properties in a Commercial (C) District as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future.

(C) *Area C: Tracts C1 & C2*

(1) *Tract C1: ~25.185-Acres [Townsend Village Subdivision; Ordinance No. 04-25]*: The area identified as *Tract C1* in *Exhibit 'B'* of this ordinance shall be subject to the following requirements:

(A) *Permitted Land Uses*. *Tract C1* shall permit *Single-Family Attached (i.e. Townhomes) [SF-A]* and *Single-Family Detached [SF-D]* land uses. In addition, clubhouse and recreational land uses (*e.g. exercise club, a pool, tennis courts, or other similar amenities*) shall be permitted as ancillary land uses to residential land uses. An *On-Site Temporary Real Estate/Sales Office* shall also be permitted.

(B) *Density and Dimensional Requirements*. The following density and dimensional requirements are required for development on *Tract C1*:

| *Lot Type (see Concept Plan)* ► | ***SF-A*** | ***SF-D*** |
|---|---|---|
| *Maximum Density Per Gross Acre* | 8 | 5 |
| *Minimum Lot Width* | 35' [1] | 50' [2] |
| *Minimum Lot Depth* | *N/A* [11] | 100' |
| *Minimum Lot Area* | 3,500 SF | 5,000 SF |
| *Minimum Front Yard Setback* | 15' – 20' [4] | 20' |
| *Minimum Side Yard Setback* | *N/A* | 5' |
| *Minimum Side Yard Setback (Adjacent to a Street)* [3] | *N/A* | 15' |
| *Minimum Length of Driveway Pavement* [9] | 20' | 20' |
| *Maximum Height* | 32' | 32' |
| *Minimum Rear Yard Setback* | 7½' [5] | 10' |
| *Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]* | *N/A* | 1,500 SF |
| *Distance Between Buildings* | 20' [12] | 10' |
| *Masonry Requirement* [6] | 90% | 90% |
| *Common Open Space Per Gross Acre* [7] | 10% | 10% |
| *Off-Street Parking Requirements* | 2 [8] | 2 [10] |
| *Maximum Lot Coverage* | *N/A* | 45% |

*General Notes:*

1: All townhomes shall face on a public or private street or open space and be accessed by an alley unless the lots back to open space areas in which case the alley requirement may be waived.
2: The minimum lot width shall be measured at the *Front Yard Building Setback*.
3: The minimum lot setback abutting an arterial will be 20-feet.
4: Porches, stoops, bay windows, balconies, masonry clad chimneys, colonnades and building overhangs may project up to ten (10) feet into the setback area.
5: Setback from alley way or laneway edge of pavement.
6: Masonry requirement shall exclude doors and windows, and is defined as brick, stone, cultured stone, cementaceous fiber board (*Hardy Plank or similar nine [9] inch or smaller width boards*) and cementaceous stucco.
7: There shall be a minimum of 10% of the gross area of the tract for open space, which shall satisfy any parkland dedication requirements of the City. This shall include floodplain.
8: Setback from a public right-of-way.
9: In an enclosed garage.
10: An enclosed garage shall not be considered in meeting the off-street parking requirements.
11: All units shall face on a public or private street or open space and be accessed by an alleyway.
12: The minimum separation between attached buildings shall be 20-feet for every 140-foot building.

(C) *Clubhouse Facilities for Single-Family Attached and Single-Family Detached*. Any clubhouse facility shall be constructed of a minimum of 20% stone or cast stone.

(D) *Garage Requirements for Single-Family Detached*. For lots less than 55-feet in width, garages must be located at the rear of the property with alley access. Alleys are required unless lots back to open space areas in which case the lots shall be a minimum of 55-feet in width and provide a front, side loaded *J-Swing* (or *Traditional Swing*) garage or a garage toward the rear of the lot, as approved by the City. Lots which are 55-feet or more in width and containing a front-loaded garage must setback the face of the garage at least three (3) feet from the nearest front corner of the house or have a *pass-through* drive to a garage toward the rear of the property or a front, side loaded *J-Swing* garage. A minimum single care attached garage is required for each lot.

(E) *Screening Walls Along Townsend Drive and/or SH-276*. Any screening wall against Townsend Drive or SH-276 shall employ stone, cultured stone or pre-cast concrete caps along the solid portions of the wall.

(F) *Streets in a Single-Family Attached Development*. Residential streets may be constructed with a 26-foot street section if approved by the City.

(G) *HOA/PID Single-Family Attached Development*. A Public Improvement District (PID), Homeowner's Association (HOA), or other entity approved by the City shall be required in order to ensure maintenance of common areas including parks and streetscapes.

(2) *Tract C2: 3.816-Acres [Ordinance No. 13-39]*: The area identified as *Tract C2* in *Exhibit 'B'* of this ordinance shall be subject to the following requirements:

(A) *Permitted Land Uses*. *Tract C2* shall be subject to the permitted land uses stipulated for properties in a General Retail (GR) District as specified by Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*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, with the following land uses being expressly prohibited:

- ☑ Temporary Carnival, Circus, or Amusement Ride
- ☑ Outdoor Commercial Amusement/Recreation
- ☑ Indoor Gun Club, Skeet, or Target Range
- ☑ Theater
- ☑ Night Club, Discoteque or Dance Hall
- ☑ Restaurant, Less than 2,000 SF with a Drive-Through or Drive-In

- ☑ Restaurant, 2,000 SF or more with a Drive-Through or Drive-In
- ☑ Retail Store with Gasoline Sales that has Two (2) Dispensers (*i.e. Maximum of Four [4] Vehicles*]
- ☑ Retail Store with Gasoline Sales that has more than Two (2) Gasoline Dispensers
- ☑ Full Service Car Wash and Auto Detail
- ☑ Self Service Car Wash
- ☑ Service Station

(B) *Density and Dimensional Requirements*. *Tract C2* shall be subject to the dimensional requirements stipulated for properties in a General Retail (GR) District as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future.

(D) *Area D [Ordinance No.'s 04-25]*

(1) *General Requirements for Area D (i.e. Tracts D1, D2, D3, D4, D5, D6, D7 & D8)*

(A) *Floodplain*. The floodplain will be developed and maintained as private open space by a Homeowner's Association (HOA).

(B) *Conformity with Other City Ordinances*. Unless in conflict with the standards herein, development shall comply with the standards and procedures established by the City of Rockwall that are in effect at the time of development. Any planned median openings shall be subject to review and approval by the City. All median openings shall meet design standards of the City of Rockwall.

(C) *Streetscape*.

(1) *Landscape Buffer*. The landscape buffer shall be a minimum of 15-feet wide for retail/commercial land uses; 25-feet wide for residential land uses; and 50-feet for office and industrial land uses. The landscape buffer shall include a *built-up* berm and/or shrubbery or a combination of both along the entire length of the subject property's frontage along John King Boulevard and SH-276 rights-of-way. The minimum required height of the aforementioned berm and/or shrubbery or the combination thereof is 30-inches and shall not exceed a maximum height of 48-inches. Sidewalks shall be allowed within the buffer strip as an access easement, as approved by the City of Rockwall.

(2) *Buffer-Strip Plantings*. Three (3) canopy trees and four (4) accent tress shall be required per 100-linear feet of frontage along John King Boulevard or SH-276 right-of-way.

(3) *Plant Material Sizes*. The following size requirements shall be required:

(a) *Canopy Trees*: Four (4) Caliper Inches
(b) *Accent Trees*: Four (4) Feet in Height
(c) *Deciduous Shrubs*: 15-Inches [*Two (2) Gallon Minimum*]
(d) *Evergreen Shrubs*: 12-Inches [*Two (2) Gallon Minimum*]

(4) *Plant Material Selections*. The following materials are recommended for planting in the buffer-strip; however, the other following materials may be acceptable:

(a) *Canopy Trees*. Burr Oak, Red Oak, Live Oak, Cedar Elm, Lacebark Elm, and Leyland Cypress.
(b) *Accent Trees*. Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, and Possumhaw.

(D) *Street Standards*. All private streets, excluding drives, fire lanes and private parking areas, shall be built to city public street standards unless otherwise permitted in this ordinance or approved by the City Council.

(E) *Screening Walls*. No continuous solid screening walls shall be constructed adjacent to John King Boulevard or SH-276. Overlay District requirements *shall not* apply to *Tracts C1, D2, D3, D7, & D8*. In addition, [*1*] at least 50% of the wall shall be constructed of wrought/ornamental iron or similar material, including landscaping and plantings, to allow a measure of transparency; [*2*] no wall may extend more than 300-feet without being offset by a minimum of four (4) feet for a length of at least 20-feet; and [*3*] the solid portion of the wall shall be constructed of masonry material as defined in this ordinance.

(F) *Buried Utilities*. All overhead utilities shall be placed under ground except at the outer perimeter of Planned Development District 10 (PD-10) as depicted in *Exhibit 'B'* including *Area C* as described in the *Settlement Agreement* and as otherwise approved by the City of Rockwall.

(G) *Lighting*. No light poles shall exceed 20-feet in height. All lighting fixtures shall focus light downward and be contained on-site.

(H) *Parks*. See *Tracts D1 & D4*.

(I) *Trails*. A trail shall be constructed along John King Boulevard and SH-276 adjacent to the Planned Development District 10 (PD-10). The developer will be responsible for the cost of an additional three (3) feet of width to a standard five (5) foot sidewalk along the north side of SH-276 – *Tract D3 & D5* – and on one (1) side of John King Boulevard – *Tract D2, D3, D5 & D7* - - as it passes through this Planned Development District.

(2) *Tracts D1 & D4: ~9.394-Acres [Private Open Space]*: The area identified as *Tracts D1 & D4* in *Exhibit 'B'* of this ordinance shall be subject to the following requirements:

(1) *Private Parks*. *Tracts D1 & D4* are private parks. All residential development within Planned Development District 10 (PD-10) will include no dedication of public internal streets directly serving the residential properties within Planned Development District 10 (PD-10); therefore, the provisions outlined in *Section 24-46* and *Section 24-50*, details herein outlined, and all other applicable requirements of Chapter 24 of the City of Rockwall Municipal Code of Ordinances apply to Planned Development District 10 (PD-10); however, if public streets are to be dedicated, requirements for parkland dedication may be reviewed for compliance.

(a) The calculated pro-rata share for mandatory parkland dedication and with current or future ordinance requirements development is:

(1) Ten (10) acres (*as defined by Chapter 24 of the Municipal Code of Ordinances of the City of Rockwall*) of dedication is required.
(2) $375,000.00 in park development fees (*as defined by Chapter 24 of the Municipal Code of Ordinances of the City of Rockwall*) is required.

(b) The requirement for mandatory dedication is waived as provided in *Section 24-50.2* of the Municipal Code of Ordinances and the following constitutes the development providing private amenities which meet or exceed the calculated pro-rata share noted above:

(1) A total of ten (10) acres of land meeting the requirements of Chapter 24 will be permanently dedication and zoned for use as private parks space serving Park District No. 24.

(2) The developer will propose and submit to the City private parkland design for development (*to meet all applicable federal, state, local, and generally accepted park design and development standards*) of the private park(s) described above for review and approval by the City. Such design shall include providing amenities and parkland development and improvements which meet or exceed the pro-rata calculated above ($375,000.00) for development fees which amount would be divided between the park areas as determined by the City and which would be due to the City if the development included dedication of public streets serving the residential areas of Planned Development District 10 (PD-10).

(3) The two (2), five (5) are tracts shown as *Tracts D1 & D4* in *Exhibit 'B'* of this ordinance (*which includes land not covered by Planned Development District 10 [PD-10] but which the owner has agreed to dedicated as private open space*) hereto attached shall be the location of the ten (10) acres of private parkland serving Planned Development District 10 (PD-10).

(4) The two (2), five (5) acre tracts are not contiguous and must be accessible by way of a minimum of eight (8) foot wide concrete trail for those residents that will be served by the two (2) tracts referenced above.

(a) In addition to the sidewalks otherwise required by the City of Rockwall, the developer is responsible for the cost of an eight (8) foot wide concrete sidewalk or trail along the public right-of-way or access easement for John King Boulevard and SH-276 and any dedication of additional right-of-way to allow for the construction of this sidewalk or trail.
(b) No trail is required along the IH-30 right of way.

(5) The developer is required to furnish evidence for approval by the City of Rockwall that the maintenance and operation of the private park for Planned Development District 10 (PD-10) been secured such that the City will incur no costs associated with their maintenance and operation.

(6) Plat approval of land for residential purposes east of John King Boulevard shall trigger the construction of the private park amenities east of John King Boulevard. Plat approval of *Tract D3*, west of John King Boulevard shall trigger the construction of private park amenities west of John King Boulevard.

(7) The required parkland (*reflected as Tract D1*) may be integrated with *Tract D8* to better distribute parkland and increase accessibility.

(3) *Tract D2: ~20.651-Acres [The Mansions Age Restricted Apartments]*: The area identified as *Tract D2* in *Exhibit 'B'* of this ordinance shall be subject to the following requirements:

(A) *Permitted Land Uses*. *Tract D2* shall permit *Age-Restricted Multi-Family (i.e. Multi-Family restricted to occupants of a minimum age of 55 years old for at least one [1] resident)* and *Single-Family Attached (i.e. Townhomes)* land uses. In addition, clubhouse and recreational land uses (*e.g. exercise club, a pool, tennis courts, centralized dining facilities, or other similar amenities*) shall be permitted as ancillary land uses to residential and multi-family land uses. An *On-Site Temporary Real Estate/Sales Office* shall also be permitted.

(B) *Development Standards for Single-Family Attached (i.e. Townhomes)*. All *Single-Family Attached* developments shall meet all of the standards stipulated for *Single-Family Attached [SF-A]* in *Tracts D7 & D8 in Exhibit 'B'*. These standards are outline in Section (D)(6) below.

(C) *Density and Dimensional Requirements*. The density and dimensional requirements for *Tract D2* are as follows:

(1) *Maximum Number of Units*. *Tract D2* may contain a maximum of 250 age-restricted multi-family units.
(2) *Building Height*. The maximum building height shall not exceed 60-feet or three (3) stories.
(3) *Unit Sizes*. The average unit sizes shall not be less than 940 SF.

(D) *Building Design and Articulation*. The buildings shall be highly articulated in a similar manner to the sample articulation drawing contained in *Exhibit 'F'* of this ordinance illustrating the exterior finishes and treatments.

(E) *Garages*. No less than 1.5 parking spaces shall be provided per unit. Of these parking spaces, at least 30% shall be located in garages (*i.e. attached or detached*), 30% shall be located in carports, and the remainder may be located in surface parking lots.

(F) *Masonry Requirement*. The masonry requirement shall be 95% excluding doors and windows, and is defined as brick, stone, cultured stone, cementaceous fiber board (*Hardy Plank or similar nine [9] inch or smaller width boards*) and cementaceous stucco.

(G) *Clubhouse Facilities/Common Recreation Amenity*. The age restricted multi-family area shall have a clubhouse facility including residence dining areas and a commercial kitchen. In addition, other amenities such as an exercise club, a pool or tennis courts shall be provided.

(H) *Screening Walls Along John King Boulevard and/or SH-276*. Any screening wall against Townsend Drive or SH-276 shall employ stone, cultured stone or pre-cast concrete caps along the solid portions of the wall.

(I) *Open Space*. A minimum of 20% of *Tract D2* shall be developed as open space (*including floodplain*) in addition to the requirement for parkland dedication stipulated by the general requirements outline in Section (D)(1) above.

(J) *Phasing*. No phasing of multi-family developments shall be permitted.

(4) *Tract D3; ~29.423-Acres [The Mansions Apartments]*: The area identified as *Tract D3* in *Exhibit 'B'* of this ordinance shall be subject to the following requirements:

(A) *Permitted Land Uses*. *Tract D3* shall permit *Multi-Family, Single-Family Attached (i.e. Townhomes)* land uses. In addition, clubhouse and recreational land uses (*e.g. exercise club, a pool, tennis courts, centralized dining facilities, or other similar amenities*) shall be permitted as ancillary land uses to residential and multi-family land uses. An *On-Site Temporary Real Estate/Sales Office* shall also be permitted. Office/Co-Working Space shall be permitted in the area of *Tract D3* indicated in *Exhibit 'H'* of this ordinance.

(B) *Development Standards for Single-Family Attached (i.e. Townhomes)*. All *Single-Family Attached* developments shall meet all of the standards stipulated for *Single-Family Attached [SF-A]* in *Tracts D7 & D8 in Exhibit 'B'*. These standards are outline in Section (D)(6) below.

(C) *Density and Dimensional Requirements*. The density and dimensional requirements for *Tract D3* are as follows:

(1) *Maximum Number of Units*. *Tract D3* may contain a maximum of 336 multi-family units.
(2) *Building Height*. The maximum building height shall not exceed 42-feet or two (2) stories.

(3) *Unit Sizes*. At least 20% of all units must be 1,500 SF or larger, and no more than 35% may be less than 1,000 SF. In no case may any unit have less than 700 SF of interior living space. The average unit size shall not be less than 1,200 SF.
(4) *Unit Access*. All units shall be accessed directly from the ground level. There shall be no exterior stair wells or common entrances.

(D) *Building Design and Articulation*. The buildings shall be highly articulated in a similar manner to the sample articulation drawing contained in *Exhibit 'F'* of this ordinance illustrating the exterior finishes and treatments.

(E) *Garages*. Every unit must have an attached, direct-access garage with an average of at least 1.3 garage spaces per unit.

(F) *Masonry Requirement*. The masonry requirement shall be 95% excluding doors and windows, and is defined as brick, stone, cultured stone, cementaceous fiber board (*Hardy Plank or similar nine [9] inch or smaller width boards*) and cementaceous stucco.

(G) *Clubhouse Facilities/Common Recreation Amenity*. The multi-family area shall have a clubhouse facility and amenities (*e.g. exercise club, a pool, tennis courts, or other similar amenities*). The clubhouse facility shall be constructed of a minimum of 20% stone or cast stone.

(H) *Screening Walls Along John King Boulevard and/or SH-276*. Any screening wall against Townsend Drive or SH-276 shall employ stone, cultured stone or pre-cast concrete caps along the solid portions of the wall.

(I) *Open Space*. A minimum of 20% of *Tract D3* shall be developed as open space (*including floodplain*) in addition to the requirement for parkland dedication stipulated by the general requirements outline in Section (D)(1) above and identified as *Tract D4*; however, the required parkland may be integrated with *Tract D3* to better distribute parkland and increase accessibility.

(J) *Phasing*. No phasing of multi-family developments shall be permitted.

(5) *Tracts D5 & D6; ~14.295-Acres:* The area identified as *Tracts D5 & D6* in *Exhibit 'B'* of this ordinance shall be subject to the following requirements:

(A) *Permitted Land Uses*. *Tracts D5 & D6* shall be subject to the permitted land uses stipulated for properties in a Commercial (C) District as specified by Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*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; however, only the following land uses shall be permitted on the subject property:

- ☑ Animal Clinic for Small Animals with No Outdoor Pens [1]
- ☑ Antique/Collectible Store
- ☑ Astrologer, Hypnotist, or Psychic Art & Science
- ☑ Banquet Facility
- ☑ Portable Beverage Service Facility [1]
- ☑ Blood Plasma Donor Center
- ☑ Church/House of Worship [1]
- ☑ Day Care with Seven (7) or More Children
- ☑ Car Wash/Auto Detail [1]
- ☑ Catering Service
- ☑ Temporary Christmas Tree Sales Lot or Similar Uses [1]
- ☑ Copy Center
- ☑ Permanent Cosmetics [1]
- ☑ Electrical, Watch, Clock, Jewelry or Similar Repair

- ☑ Financial Institution with Drive-Through
- ☑ Financial Institution without Drive-Through
- ☑ Garden Center [2]
- ☑ General Personal Service
- ☑ General Retail Store (*25,000 SF – 49,999 SF*)
- ☑ General Retail Store (50,000 SF or Greater) [2]
- ☑ General Retail Store (*Less Than 25,000 SF*)
- ☑ Hair Salon and/or Manicurist
- ☑ Health Club
- ☑ Laundry Service with Drop-Off or Pickup Services
- ☑ Self Service Laundry Facility
- ☑ Locksmith
- ☑ Massage Therapist
- ☑ Mini-Warehouse [1]
- ☑ Municipally Owned or Controlled Utility Facilities
- ☑ Museum or Art Gallery
- ☑ Office Building (*5,000 SF or Greater*)
- ☑ General Office
- ☑ Pet Shop
- ☑ Private Club, Lodge, or Fraternal Organization
- ☑ Post Office
- ☑ Rental Store without Outside Storage and/or Display
- ☑ Restaurant (*Less Than 2,000 SF with Drive-In or Drive Through*) [3]
- ☑ Restaurant (*2,000 SF or more with Drive-In or Drive Through*) [3]
- ☑ Restaurant (*Less Than 2,000 SF without Drive-In or Drive Through*)
- ☑ Restaurant (*2,000 SF or more without Drive-In or Drive Through*)
- ☑ Restaurant with Accessory Private Club or Brew Pub
- ☑ Retail Store with Gasoline Sales Limited to Four (4) Dispensers and Eight (8) Vehicles
- ☑ Shoe and Boot Repair and Sales
- ☑ Art, Photography, or Music Studio
- ☑ Tailor, Clothing, and/or Apparel Shop
- ☑ Temporary On-Site Construction Office
- ☑ Theater

*Notes:*

[1]: Additional requirements as specified in Article 04, Permissible Uses, of the Unified Development Code [*Ordinance No. 20-02*].

[2]: Requires a Specific Use Permit (SUP)

[3]: Limited to one (1) per 1,000 SF as measured from the property line.

(B) *Density and Dimensional Requirements*. *Tracts D5 & D6* shall be subject to the dimensional requirements stipulated for properties in a Commercial (C) District as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future.

(C) *Materials*. The masonry requirement shall be 95% excluding doors and windows, and is defined as brick, stone, cultured stone, cementaceous fiber board (*Hardy Plank or similar nine [9] inch or smaller width boards*) and cementaceous stucco.

(D) *Site Layout*. If developed as retail, *Tracts D5 & D6* shall be laid out in a manner that is pedestrian-friendly and provides easy access to the adjacent residential developments.

(E) *Mechanical Equipment*. Rooftop mechanical equipment and other appurtenances must be screened.

(F) *Shared Parking and Access*. Any commercial development shall incorporate cross access.

# 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 |
| **CC:** | Mary Smith, *City Manager*<br>Joey Boyd, *Assistant City Manager* |
| **FROM:** | Ryan Miller, *Director of Planning and Zoning* |
| **DATE:** | November 6, 2023 |
| **SUBJECT:** | MIS2023-016; *Alternative Tree Mitigation Settlement Agreement for the Peachtree Subdivision* |

On October 20, 2023, the applicant -- *Ryan Joyce of Michael Joyce Properties* -- submitted a development application requesting an *Alternative Tree Mitigation Settlement Agreement* for the Peachtree Subdivision. The Peachtree Subdivision was established by the City Council on March 6, 2023 through the adoption of *Ordinance No. 23-11* [*Planned Development District 101 (PD-101)*; *Case No. Z2023-003*]. According to this Planned Development (PD) District ordinance, the Peachtree Subdivision is a 140.50-acre residential subdivision that will consist of 292 residential lots with a gross density of 2.08 dwelling units per acre (*see Figure 1*). These lots will consist of four (4) lot types: [*1*] 32, *Type 'A'* lots that will be a minimum of 82' x 120' (*or 9,000 SF*), [*2*] 98, *Type 'B'* lots that will be a minimum of 72' x 120' (*or 8,400 SF*), [*3*] 105, *Type 'C'* lots that will be a minimum of 62' x 120' (*or 7,200 SF*), and [*4*] 57, *Type 'D'* lots that will be a minimum of 52' x 120' (*or 6,000 SF*). In addition, the development will consist of a total of 65.90-acres of open space that includes a 0.90-acre amenity site, 21.10-acres of private open space, and 43.90-acres of floodplain. Currently, the subject property remains undeveloped, and the applicant has received approval for a *Preliminary Plat* [*Case No. P2023-017*] and a *Master Plat* [*Case No. P2023-016*]. Based on the most recent aerial image, the subject property has a thick tree canopy, the majority of which is located within the 100-year floodplain (*see Figure 2*).

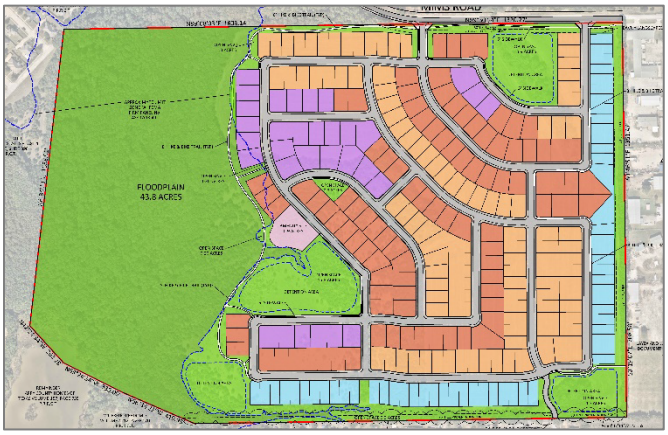



*FIGURE 1*: CONCEPT PLAN

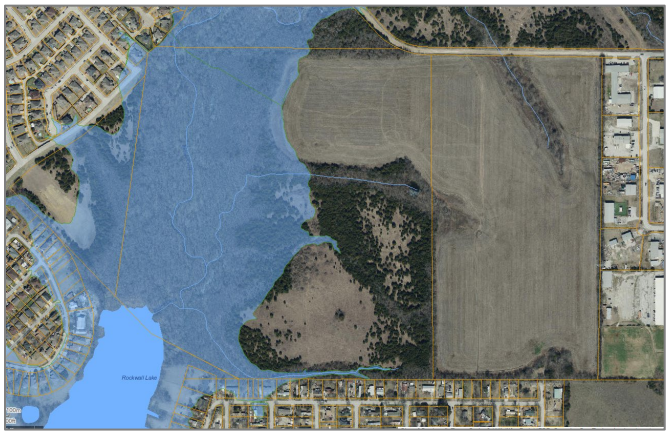


*FIGURE 2*: AERIAL IMAGE OF THE SUBJECT PROPERTY

According to the applicant's letter, the *Alternative Tree Mitigation Settlement Agreement* is being requested "(d)ue to changes in the tree ordinance on how cedar trees are counted, [*and based on this*] there is an exponential amount of work in documenting all trees on the property." On October 3, 2022, the City Council approved *Ordinance No. 22-54* [*Case No. Z2022-043*], which changed the tree mitigation requirements for cedar trees. Specifically, under the previous tree mitigation requirements cedar trees were counted at a rate of ½-inch for every one (1) inch removed for cedar trees 11-inches or greater in size. Under the new tree mitigation requirements, cedar trees require four (4) caliper inches of mitigation for every cedar tree removed that is eight (8) feet or greater in height. In the applicant's letter, they have provided the following estimates for the tree mitigation required for the cedar trees on the subject property based on the previous tree mitigation ordinance and the current tree mitigation ordinance:

| | |
|---|---|
| ESTIMATED CEDAR TREE MITIGATION (OLD ORDINANCE) | 3,856 CALIPER INCHES |
| ESTIMATED CEDAR TREE MITIGATION (CURRENT ORDINANCE) | 12,160 CALIPER INCHES |
| DIFFERENCE IN MITIGATION | 8,304 CALIPER INCHES |

In staff's conversations with the applicant, the applicant has indicated that there would be a substantial cost associated with having the trees surveyed and marked on the subject property in accordance with the requirements of the new ordinance. In lieu of performing a tree survey, the applicant has indicated a desire to pay the City the costs that would be incurred with the tree survey, in addition to the estimated tree mitigation, and some additional mitigation measures. Specifically, the applicant is proposing the following:

| CREDITS AVAILABLE BASED ON ESTIMATE | |
|---|---|
| ESTIMATED TREES TO BE SAVED IN PRESERVATION AND FLOODPLAIN AREAS | 36,200 CALIPER INCHES |
| [1] 20% CREDIT FOR SAVED TREES BASED ON ESTIMATE | 7,240 CALIPER INCHES |

| PAID CREDITS BY THE DEVELOPER | |
|---|---|
| $100,000.00 PAID INTO THE TREE FUND | 1,000 CALIPER INCHES |
| [2] TOTAL PAID CREDITS EQUAL TO CALIPER INCHES OF TREES | 1,000 CALIPER INCHES |

| TREES TO BE PLANTED ON THE SITE BY THE DEVELOPER | |
|---|---|
| 456 x 4-INCH CALIPER TREES TO BE PLANTED PER THE APPROVED LANDSCAPE PLAN | 1,824 CALIPER INCHES |
| 4 x 4-INCH CALIPER TREES PLANTED ON 248 INTERIOR LOTS [1] | 3,968 CALIPER INCHES |
| 5 x 4-INCH CALIPER TREES PLANTED ON 44 CORNER LOTS [1] | 880 CALIPER INCHES |
| 51 ORNAMENTAL TREE A MINIMUM OF 6-FEET IN HEIGHT [2] | 153 CALIPER INCHES |
| TRANSPLANTING OF 55 CEDAR TREES FROM ON-SITE ALONG INDUSTRIAL AREA [2] | 220 CALIPER INCHES |
| [3] MITIGATION PROVIDED PER THE TREE MITIGATION ORDINANCE (EXCLUDES [2]) | 6,672 CALIPER INCHES |

*NOTES*:
*[1]: THE ORDINANCE NO. 23-11 (PD-101) REQUIRES A MINIMUM OF 2 x 4-INCH CALIPER TREES PER LOT*
*[2]: DOES NOT COUNT TOWARDS TREE MITIGATION PER ORDINANCE AND EXCLUDED FROM TOTAL*

| MITIGATION PROVIDED FOR BY APPLICANT'S PROPOSAL | |
|---|---|
| [1] 20% CREDIT FOR SAVED TREES BASED ON ESTIMATE | 7,240 CALIPER INCHES |
| [2] TOTAL PAID CREDITS EQUAL TO CALIPER INCHES OF TREES | 1,000 CALIPER INCHES |
| [3] MITIGATION PROVIDED PER THE TREE MITIGATION ORDINANCE | 6,672 CALIPER INCHES |
| TOTAL MITIGATION PROVIDED FOR BY PROPOSAL | 14,912 CALIPER INCHES |

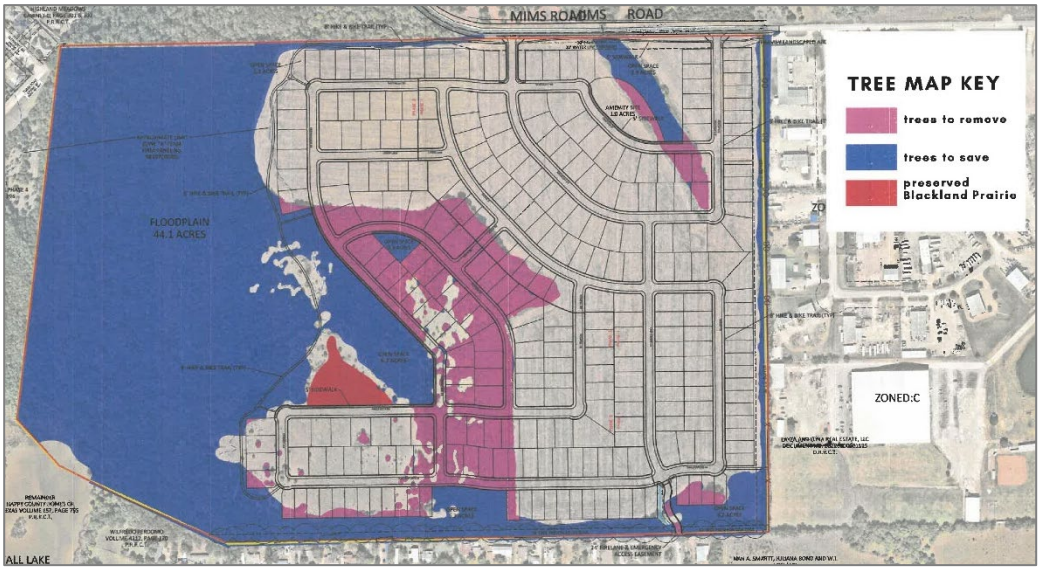



*FIGURE 3*: TREE CONCEPT PLAN
*WHERE: BLUE = PRESERVED TREES; PINK = REMOVED TREES; RED = BLACKLAND PRAIRIE TO BE PRESERVED*

In addition, to the above mitigation proposal the applicant has also agreed to designate and preserve a one (1) acre tract of the Blackland Prairie. As the City Council and Planning and Zoning Commission may recall, this was originally requested by City staff as part of the original zoning case for Planned Development District 101 (PD-101); however, the applicant had indicated at that time that based on the floodplain and lots needed to meet their proforma they were unable to commit to the preservation during the zoning case. Through the design process the applicant's drainage and detention area was able to be adjusted to allow for the one (1) acre dedication. If this case is approved by the City Council, this dedication will be

required to be shown on the subdivision plat for the subdivision (*see Figure 3*). Staff should note that the applicant's request will be above and beyond the requirements of *Ordinance No. 23-11*, and that the applicant will be required to provide [*1*] the 50-foot landscape buffer with berm and two (2) rows of staggered cedar trees along the eastern property line, and [*2*] a 30-foot tree preservation easement along the southern property line in accordance with the zoning ordinance. In addition, the applicant will be required to hold a *Tree Transplanting Day*, and -- *based on the proposed agreement* -- will *not* receive any additional benefit from trees that are transplanted by residents during this event (*i.e. the applicant cannot account for additional mitigation resulting from trees removed from the property during the event*).

According to Subsection (G), *Alternative Tree Mitigation Settlement Agreement*, of Article 09, *Tree Preservation*, of the Unified Development Code (UDC), "(i)n certain cases, the City Council -- *upon recommendation from the Planning and Zoning Commission* -- may consider an *Alternative Tree Mitigation Settlement Agreement* where, due to hardship, the applicant is unable to meet the requirements of this Article or where it is determined that adherence to the tree mitigation requirements will create a hardship for an applicant. These funds will be deposited in the City's tree mitigation fund and will be used for planting trees in the City's parks, medians, streets rights-of-way, or other similar areas as determined by the Parks and Recreation Department." In reviewing the applicant's request, it does appear that it may warrant consideration and may provide benefit to both the City and the applicant; however, all requests for an *Alternative Tree Mitigation Settlement Agreement* are discretionary decisions for the City Council pending a recommendation from the Planning and Zoning Commission. On November 1, 2023, the Planning and Zoning Commission reviewed the applicant's request and approved a motion to recommend approval by a vote of 4-0, with Commissioners Deckard, Conway, and Llewelyn absent. Should the City Council have any questions, staff and a representative for the applicant will be available at the *November 6, 2023* City Council meeting.

# 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 | Mimms Rd Rockwall TX | | | | |
| SUBDIVISION | Peachtree Meadows | LOT | | BLOCK | |
| GENERAL LOCATION | Mimms Rd | | | | |

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

| | | | | | |
|---|---|---|---|---|---|
| CURRENT ZONING | Planned Development District 2 | 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]

| | | | |
|---|---|---|---|
| ☐ OWNER | | ☑ APPLICANT | Michael Joyce Properties |
| CONTACT PERSON | | CONTACT PERSON | Ryan Joyce |
| ADDRESS | | ADDRESS | 767 Justin Rd |
| | | | |
| CITY, STATE & ZIP | | CITY, STATE & ZIP | Rockwall, TX 75087 |
| PHONE | | PHONE | 512-965-6280 |
| E-MAIL | | E-MAIL | ryan@michaeljoyceproperties.com |

## NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Michael Ryan Joyce [*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* $ 100.00 *, TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE* 20th *DAY OF* October *, 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."*

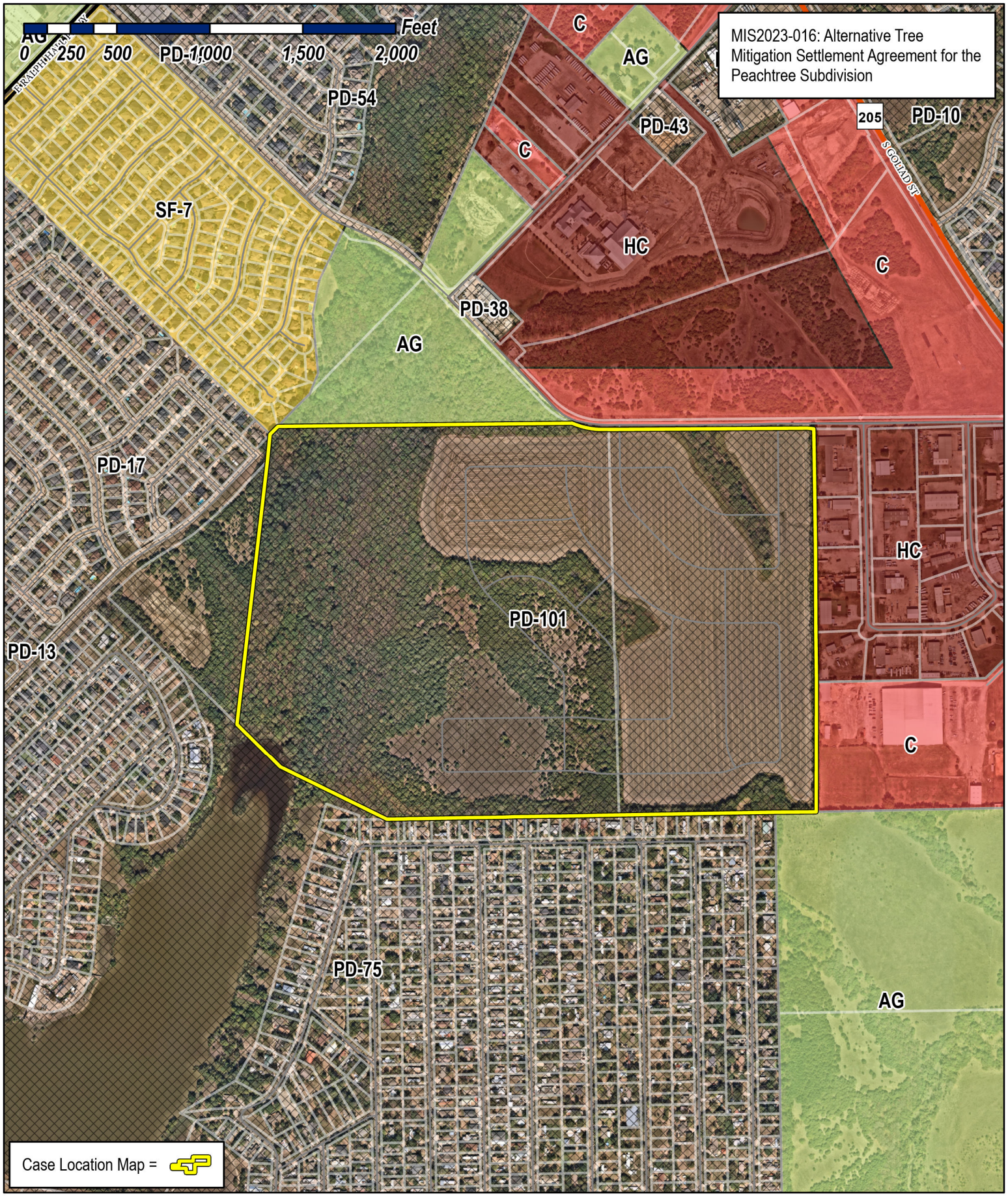
*GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE* 20th *DAY OF* October *, 2023.*

*OWNER'S SIGNATURE*

*NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS*

CARLY LEWIS
Notary Public, State of Texas
Comm. Expires 04-16-2025
Notary ID 133044766

*MY COMMISSION EXPIRES* 4-16-25




# 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.

MICHAEL JOYCE
PROPERTIES

767 Justin Rd
Rockwall, TX 75087

Ryan Miller
City of Rockwall
Director of Planning
385 S. Goliad
Rockwall, TX 75087

RE: Peachtree Meadows Alternative Tree Mitigation Plan

Dear Mr. Miller,

We are writing to request an Alternative Tree Mitigation Plan for the Peachtree Meadows project. We would typically complete a tree survey of the entire property as required by city ordinance. Due to changes in the tree ordinance on how cedar trees are counted, there is an exponential amount of work in documenting all trees on the property.

We currently are making the following estimations with this property based upon on site estimates and sample survey areas.

- Trees to be saved — 36,200 caliper inches
- Tree to be removed (per new cedar tree calculations) — 12,160 caliper inches
- Trees to be removed (per old cedar tree calculations) — 3,856 caliper inches

We would like to request the following alternative tree mitigation for the total amount to be removed:

- 20% reduction for trees saved on the property — 2,432 caliper inches
- 456 – 4" trees to be planted per the included diagram by developer — 1,824 caliper inches
- 4 trees planted per interior lot (248 Lots) — 3,968 caliper inches
- 5 trees planted per corner lot (44 lots) — 880 caliper inches
- 51 ornamental trees minimum 6' in height — 153 caliper inches
- Transplant of approximately 55 cedars trees from onsite in phase 2 to be utilized in required planting on Phase 1 — 220 caliper inches

Additionally, we would like to provide the following:

- Preservation of approximately 1 +/- acres of Blackland Prairie area to be preserved by plat as shown on the attached exhibit
- $100,000 donation to the City of Rockwall Tree fund for use by the Rockwall Parks Department for use through out the city.
- Conduct 2 - Tree Transplant Day per the City of Rockwall Resolution No. 05-06

MICHAEL JOYCE
PROPERTIES

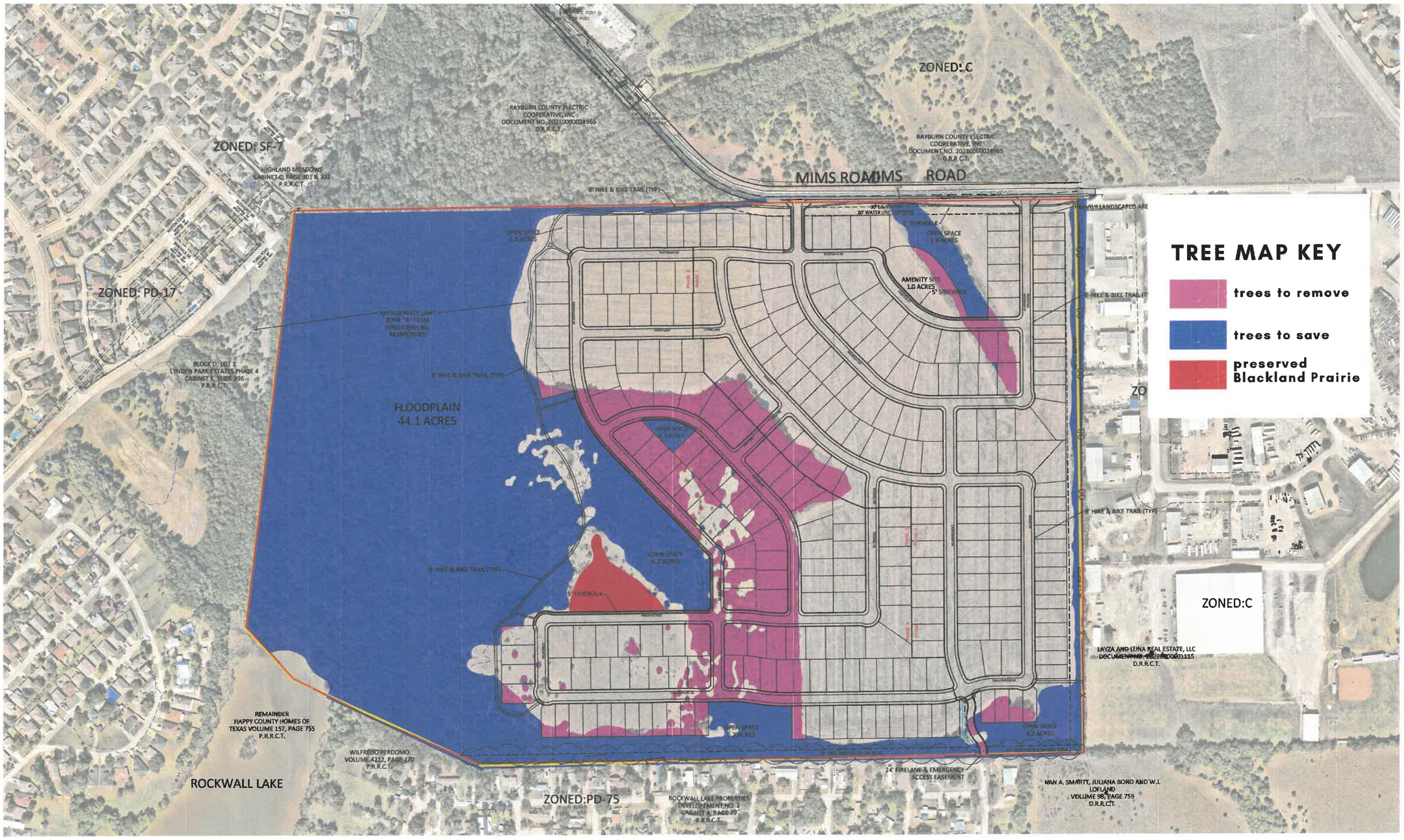
767 Justin Rd
Rockwall, TX 75087

We appreciate your consideration in this matter.

Sincerely,

Ryan Joyce
President, Michael Joyce Properties

Enclosure:




ALL LOTS LESS THAN 12,000 SF ARE LOCATED WITHIN 800 FT OF A PUBLIC OR PRIVATE OPEN SPACE AREA.

LOT TYPE
- A (82'x120')
- B (72'x120')
- C (62'x120')
- D (52'x120')

| LOT TYPE | A | B | C | D |
|---|---|---|---|---|
| LOT COUNT | 32 | 98 | 105 | 57 |
| MINIMUM LOT AREA (SF) | 9,000 | 8,400 | 7,200 | 6,000 |
| MINIMUM LOT WIDTH (FT) | 82 | 72 | 62 | 52 |
| MINIMUM LOT DEPTH (FT) | 120 | 120 | 120 | 120 |
| FRONT BUILDING SETBACK (FT) | 20 | 20 | 20 | 20 |
| REAR BUILDING SETBACK (FT) | 20 | 20 | 20 | 20 |
| SIDE BUILDING SETBACK INTERIOR (FT) | 6 | 6 | 6 | 6 |
| SIDE BUILDING SETBACK CORNER (FT) | 15 | 15 | 15 | 15 |
| MAXIMUM BUILDING HEIGHT | 35 FEET/ 2.5 STORIES | | | |
| MAXIMUM LOT COVERAGE (%) | 45% | 45% | 65% | 65% |
| TYPICAL PAD SIZE* | 70' x 80' | 60' x 80' | 50' x 80' | 40' x 80' |

*MEASURED AT FRONT BUILDING SETBACK

JOHNSON VOLK CONSULTING
TBPELS Engineering Firm No. 11952 / Land Surveying Firm No. 10194033
704 Central Parkway East | Suite 1200 | Plano, TX 75074 | 972.201.3100

# CONCEPT PLAN
# Peachtree Meadows
## 292 SINGLE-FAMILY RESIDENTIAL LOTS
## 140.50 ACRES
## ROCKWALL, TEXAS

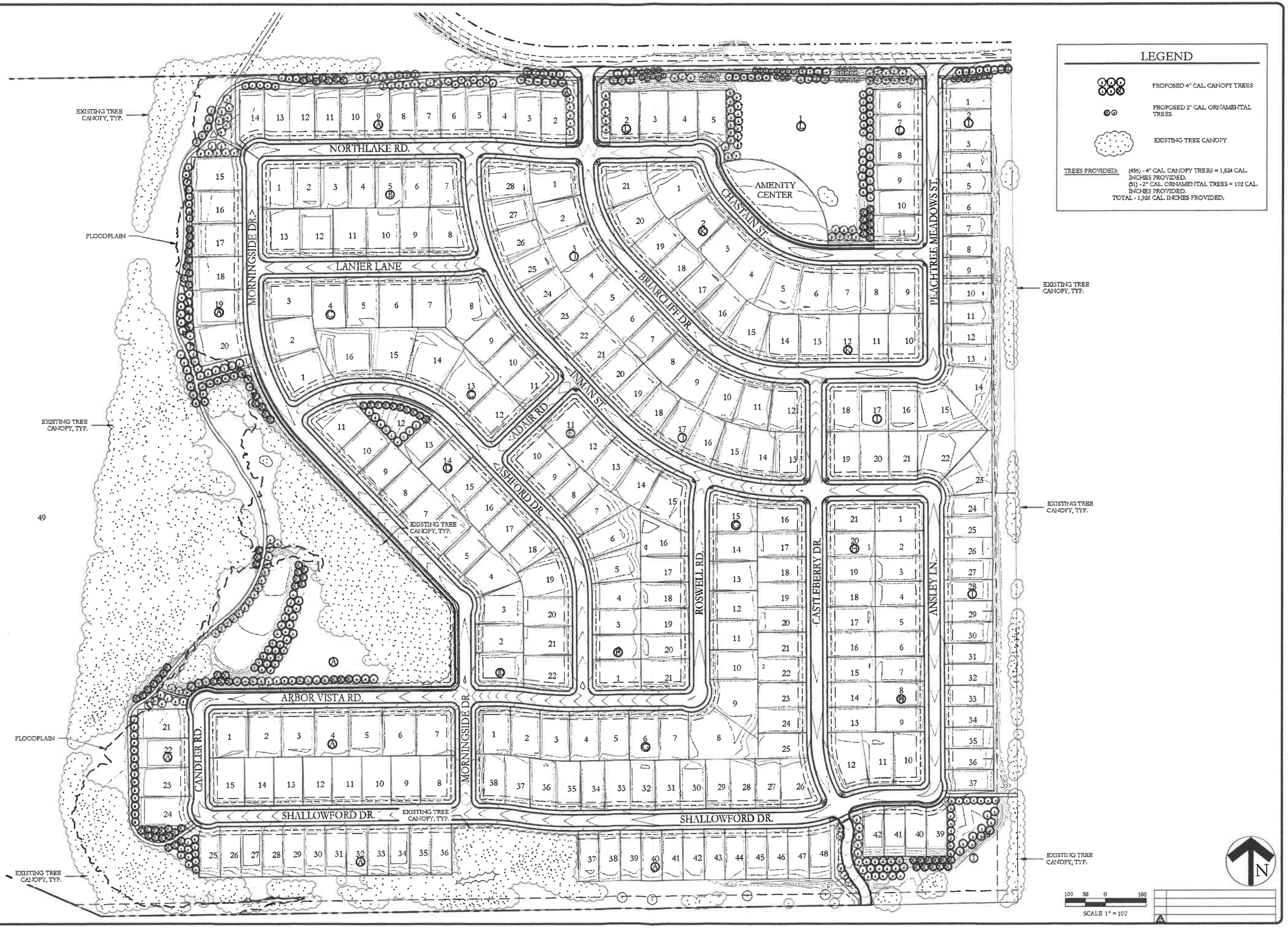
OCTOBER 17, 2023

| LAND USE | AREA (AC) | PERCENT OF TOTAL |
|---|---|---|
| RESIDENTIAL | 75.3 | 53.6% |
| OPEN SPACE | | |
| Private Open Space | 20.1 | 14.3% |
| Amenity Center | 1.0 | 0.7% |
| Floodplain | 44.1 | 31.4% |
| OPEN SPACE TOTAL | 65.2 | 46.4% |
| TOTAL ACREAGE | 140.5 | 100.0% |

Open Space Required (20%) = 140.5 x 20% = 28.1 acres
Open Space Provided (Including 1/2 of Floodplain) = 43.1

150 75 0 150
SCALE: 1" = 150'

ZONING CASE # Z2023-003




JOHNSON VOLK CONSULTING
TBPELS Engineering Firm No. 11962 / Land Surveying Firm No. 10194033
704 Central Parkway East | Suite 1200 | Plano, TX 75074 | 972.201.2100

PEACHTREE MEADOWS
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

TREESCAPE PLAN
OVERALL TREE PLANTING PLAN

REGISTERED LANDSCAPE ARCHITECT
CORY L. JOHNSON
2833
STATE OF TEXAS
October 17, 2023

SCALE:
1" = 100'
One Inch
JVC No QC0501

TP1 of 1

**CITY OF ROCKWALL**

**RESOLUTION NO. 23-10**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING FOR THE CASTING OF VOTES AND SUBMISSION OF THE OFFICIAL VOTING BALLOT TO THE ROCKWALL CENTRAL APPRAISAL DISTRICT (CAD) FOR THE 2024-2025 APPRAISAL DISTRICT BOARD OF DIRECTORS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** Texas Property Code Sec. 6.03 (a) provides that a board of directors governs the central appraisal district (CAD); and

**WHEREAS,** state law requires board of director appointments to the Rockwall CAD Board every odd numbered year to take office in even numbered years; and

**WHEREAS,** the City of Rockwall, an eligible taxing unit, has participated in the appointment process by nominating up to five candidates for service consideration; and

**WHEREAS,** the chief appraiser then prepared a ballot of all nominees and mailed it to the City of Rockwall and other taxing units for voting; and

**WHEREAS,** the City of Rockwall's entitlement has been determined by dividing the total dollar amount of property taxes imposed in the district by the taxing unit for the preceding tax year by the sum of the total dollar amount of property taxes imposed in the district for that year by each taking unit entitled to vote, by multiplying the quotient by 1,000; and

**WHEREAS,** according to information provided to the City of Rockwall by the appraisal district, the City of Rockwall has 380 votes to cast for 2024-2025.

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

**Section 1.** the Rockwall City Council, as a result of the Executive Session held at its regular city council meeting on the 6th day of November, 2023 hereby casts and submits its ballot to the Rockwall Central Appraisal District Board as specified in and attached hereto as **"Exhibit A;"**

**Section 2.** this Resolution shall become effective from and after its adoption and it is so resolved.

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

**ATTEST:** **Trace Johannesen, Mayor**

**Kristy Teague, City Secretary**

**“EXHIBIT A”**

# 2023 Board of Directors Ballot

| 2024-2025 Rockwall Central Appraisal District Board of Directors | | |
|---|---|---|
| **Nominee** | **Name of Voting Entity** | **Number of Votes Cast** |
| Tim Hartley | City of Rockwall | |
| John Hohenshelt | City of Rockwall | |
| Lorne Liechty | City of Rockwall | |
| Russell Summers | City of Rockwall | |
| Vicki Wallace | City of Rockwall | |
| | | |
| | | |
| **Ballots must be returned before December 15, 2023** | | |

City of Rockwall
*The New Horizon*

# Building Inspections Department
# *Monthly Report*

## September 2023

### *Permits*

| | |
|---|---|
| **Total Permits Issued:** | **335** |
| Building Permits: | 15 |
| Contractor Permits: | 320 |
| **Total Commercial Permit Values:** | **$8,472,220.10** |
| Building Permits: | $7,200,000.00 |
| Contractor Permits: | $1,272,220.10 |
| **Total Fees Collected:** | **$129,729.04** |
| Building Permits: | $92,394.05 |
| Contractor Permits: | $37,334.99 |

### *Board of Adjustment*

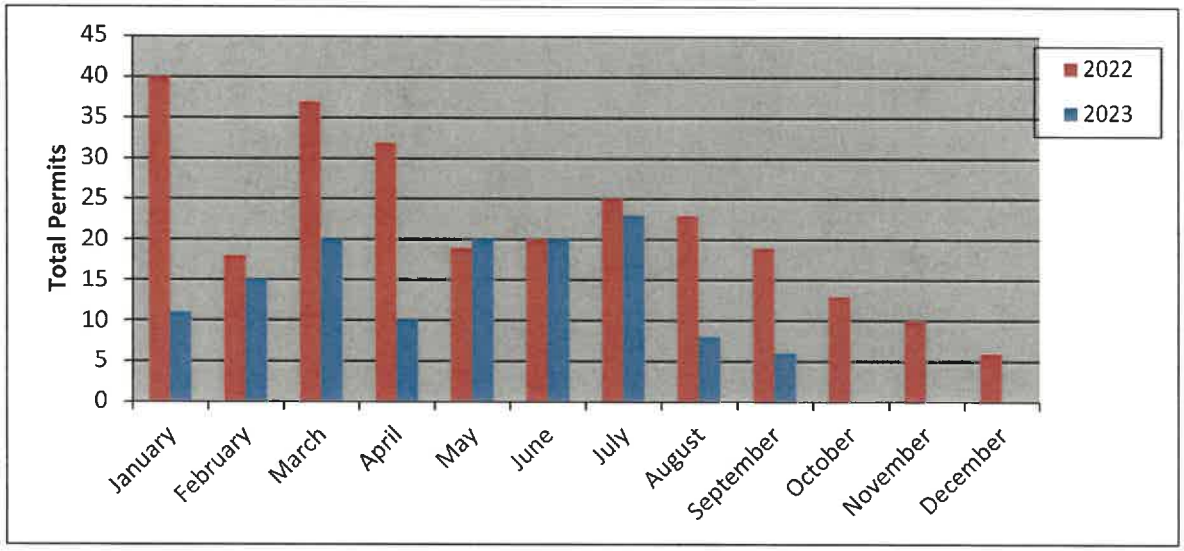
| | |
|---|---|
| **Board of Adjustment Cases:** | **1** |

City of Rockwall
PERMITS ISSUED - Summary by Type and Subtype
For the Period 9/1/2023 to 9/30/2023

| Type/Subtype | # of Permits Issued | Valuation of Work | Fees Charged |
|---|---|---|---|
| Commercial Building Permit | 39 | $8,472,220.10 | $84,542.52 |
| Backflow Permit | 4 | 7,177.67 | $365.11 |
| Certificate of Occupancy | 6 | | $454.50 |
| Electrical Permit | 4 | 50,000.00 | $229.50 |
| Fence Permit | 3 | 5,084.00 | $153.00 |
| Irrigation Permit | 3 | 25,000.00 | $487.31 |
| New Construction | 1 | 7,200,000.00 | $72,322.80 |
| Plumbing Permit | 5 | 160,425.28 | $1,729.44 |
| Remodel | 3 | 778,000.00 | $5,974.81 |
| Roofing Permit | 1 | 81,118.00 | $76.50 |
| Sign Permit | 7 | 57,966.65 | $1,602.00 |
| Solar Panel Permit | 1 | 107,448.50 | $1,071.05 |
| Temporary Certificate of Occupancy | 1 | | $76.50 |
| Residential Building Permit | 296 | | $45,186.52 |
| Accessory Building Permit | 6 | | $997.71 |
| Carport Permit | 1 | | $50.00 |
| Concrete Permit | 7 | | $969.16 |
| Electrical Permit | 3 | | $204.00 |
| Fence Permit | 52 | | $2,631.00 |
| Generator | 2 | | $459.00 |
| Irrigation Permit | 25 | | $1,908.00 |
| Mechanical Permit | 16 | | $1,880.50 |
| New Single Family Residential | 6 | | $18,412.58 |
| Patio Cover/Pergola | 7 | | $774.17 |
| Plumbing Permit | 55 | | $4,186.50 |
| Pool | 10 | | $1,671.00 |
| Remodel | 3 | | $1,136.48 |
| Retaining Wall Permit | 3 | | $152.00 |
| Roofing Permit | 83 | | $6,330.00 |
| Solar Panel Permit | 5 | | $2,257.46 |
| Takeline - Boat House | 2 | | $660.96 |
| Window & Door Permit | 10 | | $506.00 |
| Totals: | 335 | | $129,729.04 |

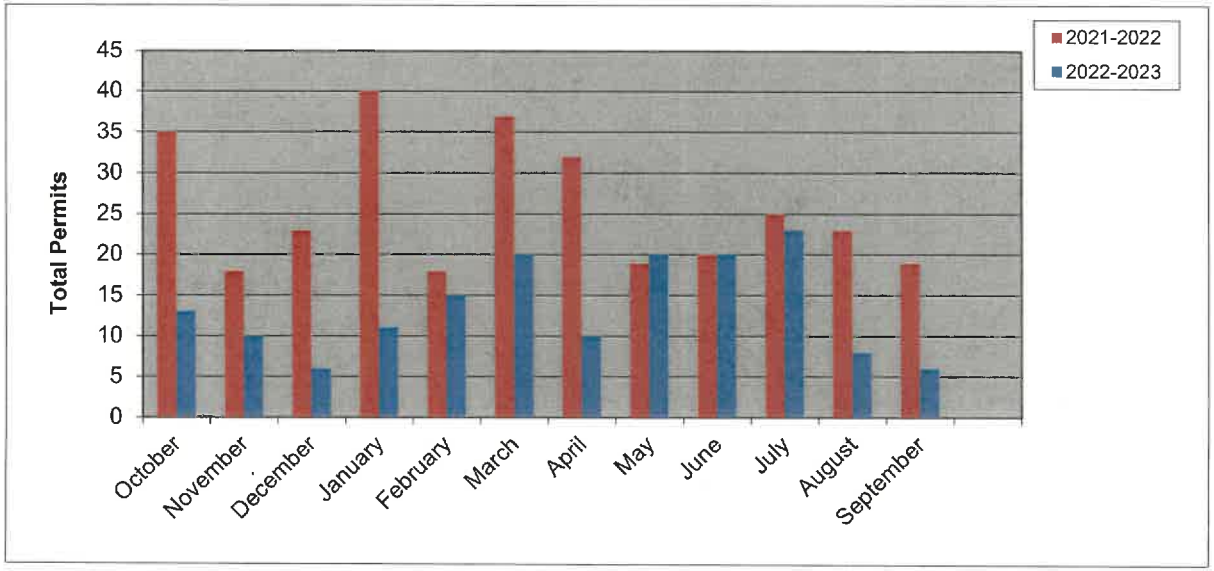
# New Residential Permits Calendar Year

| | Year | |
|---|---|---|
| | 2022 | 2023 |
| January | 40 | 11 |
| February | 18 | 15 |
| March | 37 | 20 |
| April | 32 | 10 |
| May | 19 | 20 |
| June | 20 | 20 |
| July | 25 | 23 |
| August | 23 | 8 |
| September | 19 | 6 |
| October | 13 | |
| November | 10 | |
| December | 6 | |
| **Totals** | 262 | 133 |



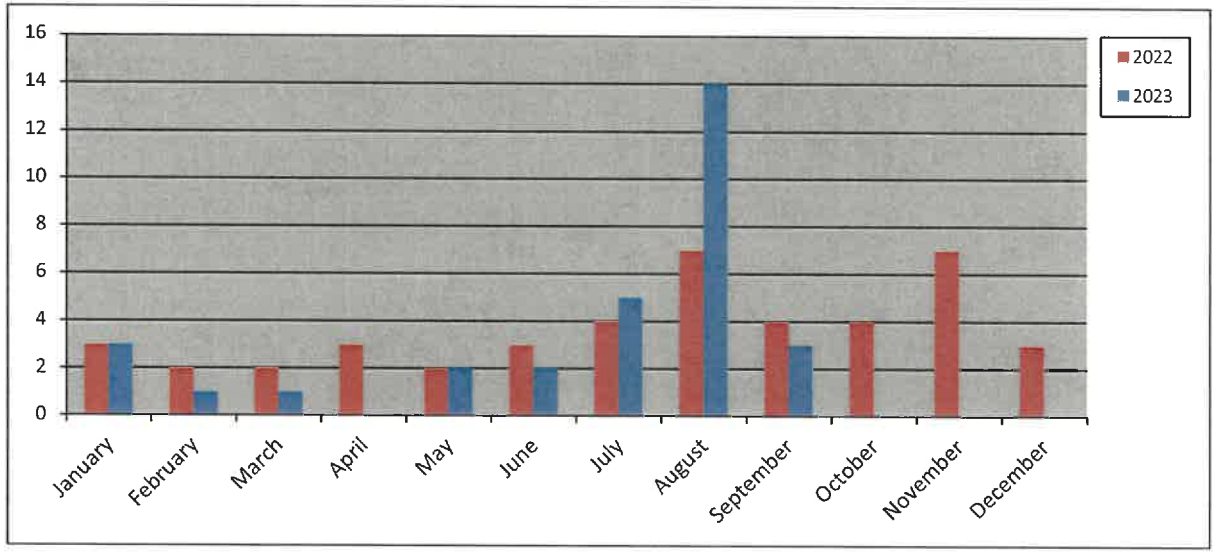

# New Residential Permits Fiscal Year

| | Year | |
|---|---|---|
| | 2021-2022 | 2022-2023 |
| October | 35 | 13 |
| November | 18 | 10 |
| December | 23 | 6 |
| January | 40 | 11 |
| February | 18 | 15 |
| March | 37 | 20 |
| April | 32 | 10 |
| May | 19 | 20 |
| June | 20 | 20 |
| July | 25 | 23 |
| August | 23 | 8 |
| September | 19 | 6 |
| **Totals** | **309** | **162** |



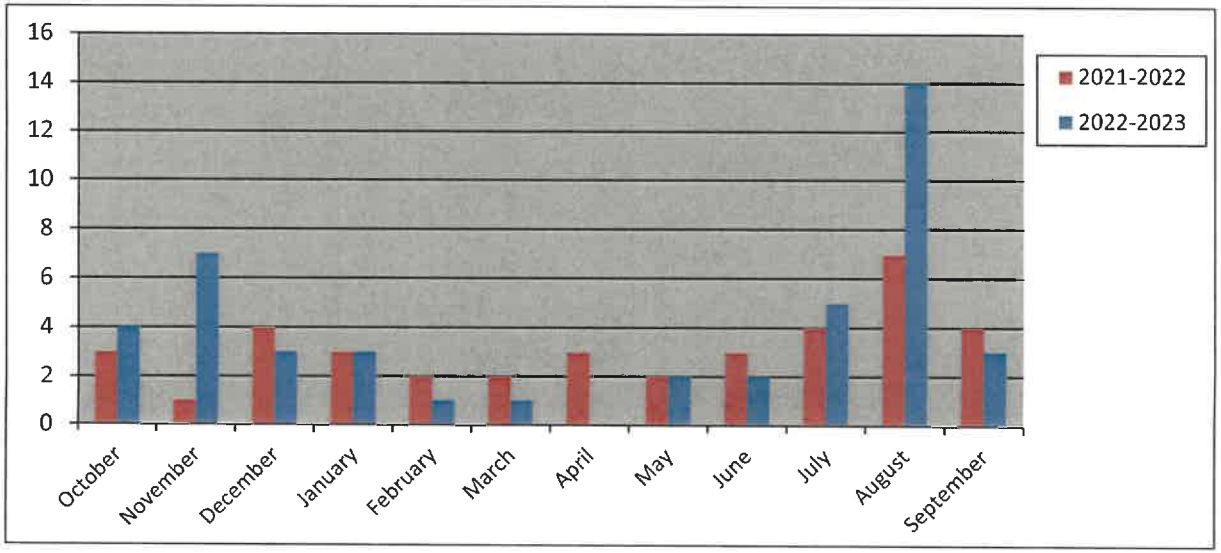
# Residential Remodel Permits Calendar Year

| | Year | |
|---|---|---|
| | 2022 | 2023 |
| January | 3 | 3 |
| February | 2 | 1 |
| March | 2 | 1 |
| April | 3 | 0 |
| May | 2 | 2 |
| June | 3 | 2 |
| July | 4 | 5 |
| August | 7 | 14 |
| September | 4 | 3 |
| October | 4 | |
| November | 7 | |
| December | 3 | |
| **Totals** | 44 | 31 |



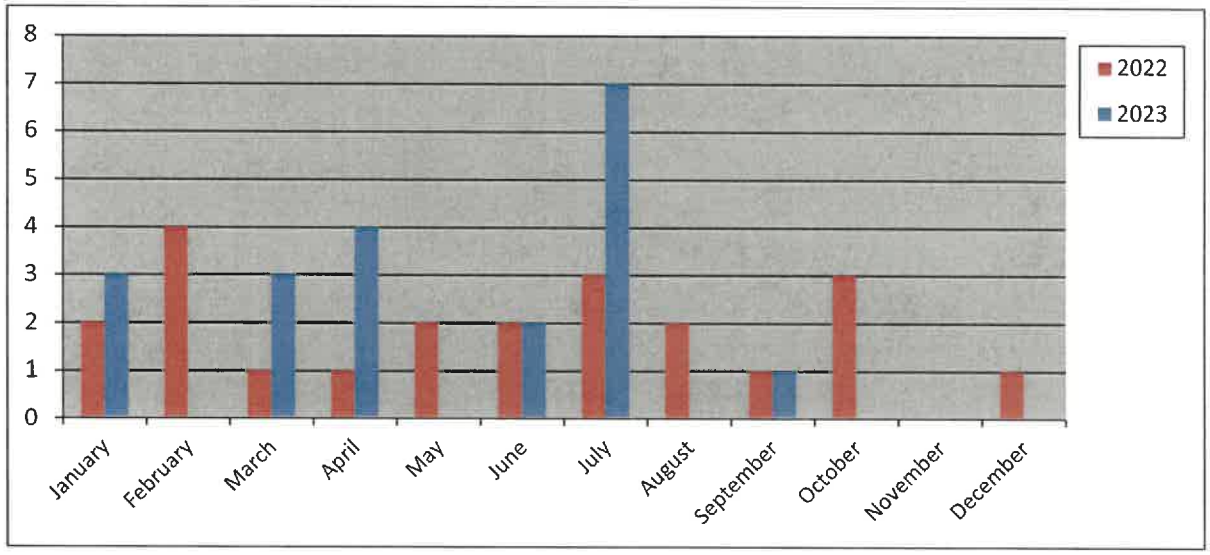

# Residential Remodel Permits Fiscal Year

| | Year | |
|---|---|---|
| | 2021-2022 | 2022-2023 |
| October | 3 | 4 |
| November | 1 | 7 |
| December | 4 | 3 |
| January | 3 | 3 |
| February | 2 | 1 |
| March | 2 | 1 |
| April | 3 | 0 |
| May | 2 | 2 |
| June | 3 | 2 |
| July | 4 | 5 |
| August | 7 | 14 |
| September | 4 | 3 |
| **Totals** | **38** | **45** |



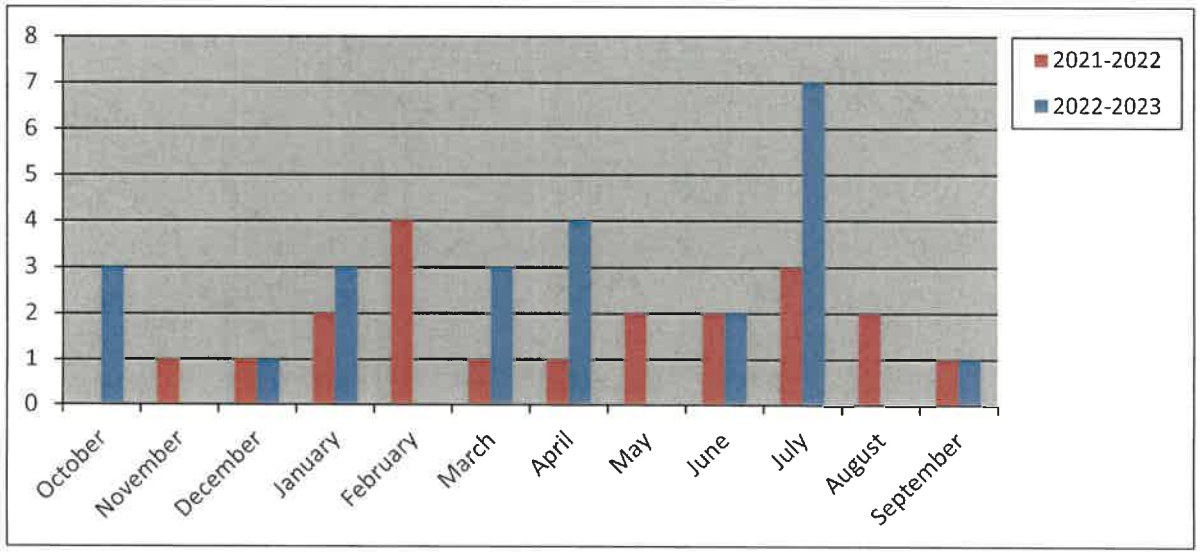
# New Commercial Permits Calendar Year

| | Year | |
|---|---|---|
| | 2022 | 2023 |
| January | 2 | 3 |
| February | 4 | 0 |
| March | 1 | 3 |
| April | 1 | 4 |
| May | 2 | 0 |
| June | 2 | 2 |
| July | 3 | 7 |
| August | 2 | 0 |
| September | 1 | 1 |
| October | 3 | |
| November | 0 | |
| December | 1 | |
| **Totals** | **22** | **20** |



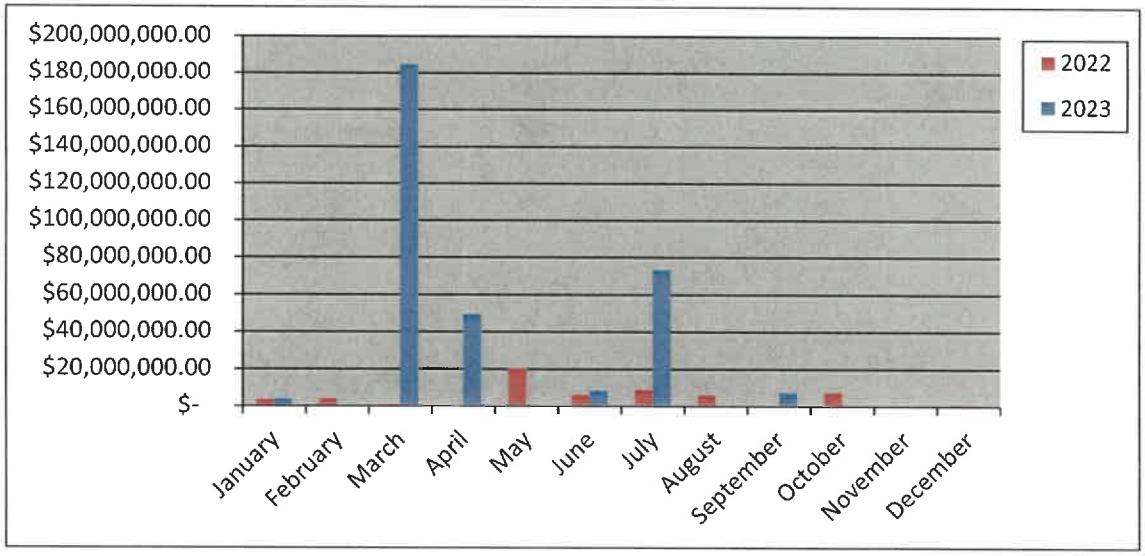

# New Commercial Permits Fiscal Year

| | Year | |
|---|---|---|
| | 2021-2022 | 2022-2023 |
| October | 0 | 3 |
| November | 1 | 0 |
| December | 1 | 1 |
| January | 2 | 3 |
| February | 4 | 0 |
| March | 1 | 3 |
| April | 1 | 4 |
| May | 2 | 0 |
| June | 2 | 2 |
| July | 3 | 7 |
| August | 2 | 0 |
| September | 1 | 1 |
| **Totals** | **20** | **24** |



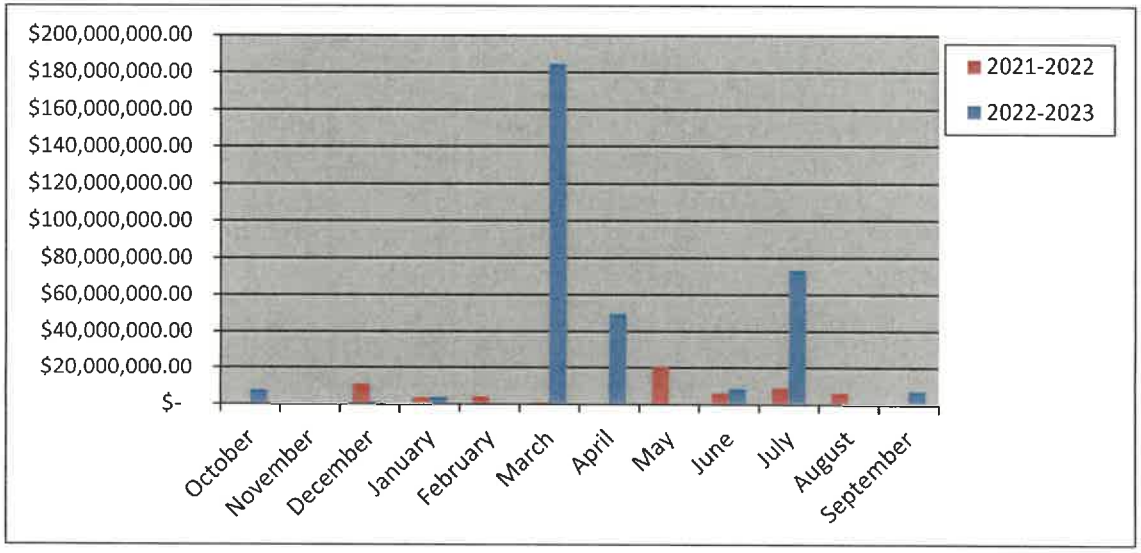
## New Commercial Value Calendar Year

| Year | 2022 | 2023 |
|---|---|---|
| January | $ 3,625,000.00 | $ 3,684,500.00 |
| February | $ 4,186,300.00 | $ - |
| March | $ 1,200,000.00 | $ 184,834,500.00 |
| April | $ 250,000.00 | $ 49,466,652.00 |
| May | $ 20,400,000.00 | $ - |
| June | $ 6,300,000.00 | $ 8,450,000.00 |
| July | $ 9,075,000.00 | $ 73,254,209.00 |
| August | $ 6,244,700.00 | $ - |
| September | $ 550,000.00 | $ 7,200,000.00 |
| October | $ 7,472,450.00 | |
| November | $ - | |
| December | $ 1,000,000.00 | |
| **Totals** | **$ 60,303,450.00** | **$ 326,889,861.00** |



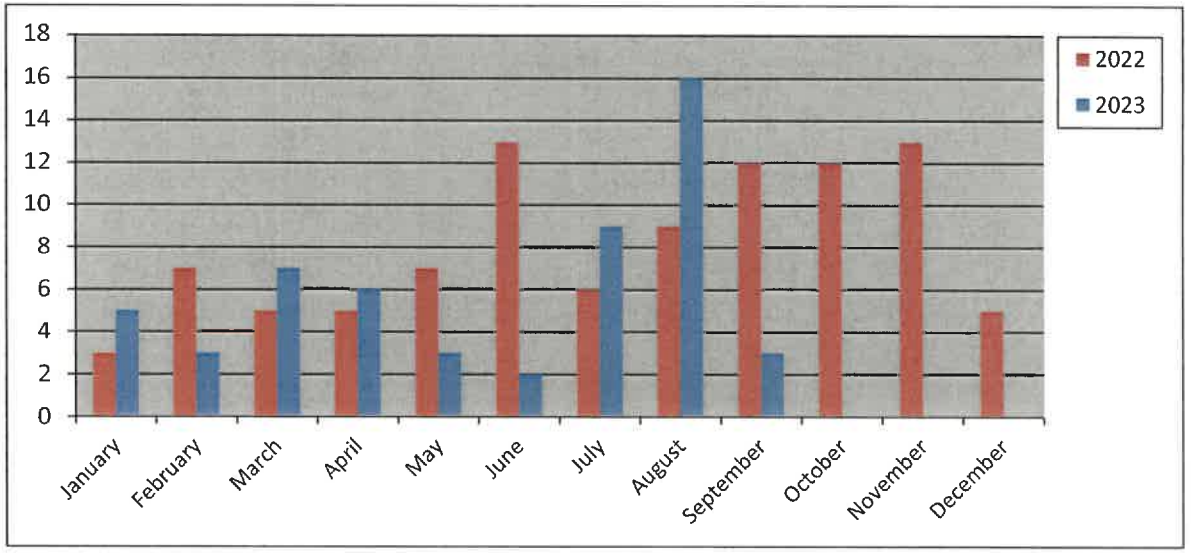

## New Commercial Value Fiscal Year

| Year | 2021-2022 | 2022-2023 |
|---|---|---|
| October | $ - | $ 7,472,450.00 |
| November | $ 750,000.00 | $ - |
| December | $ 11,000,000.00 | $ 1,000,000.00 |
| January | $ 3,625,000.00 | $ 3,684,500.00 |
| February | $ 4,186,300.00 | $ - |
| March | $ 1,200,000.00 | $ 184,834,500.00 |
| April | $ 250,000.00 | $ 49,466,652.00 |
| May | $ 20,400,000.00 | $ - |
| June | $ 6,300,000.00 | $ 8,450,000.00 |
| July | $ 9,075,000.00 | $ 73,254,209.00 |
| August | $ 6,244,700.00 | $ - |
| September | $ 550,000.00 | $ 7,200,000.00 |
| **Totals** | **$ 63,581,000.00** | **$ 335,362,311.00** |



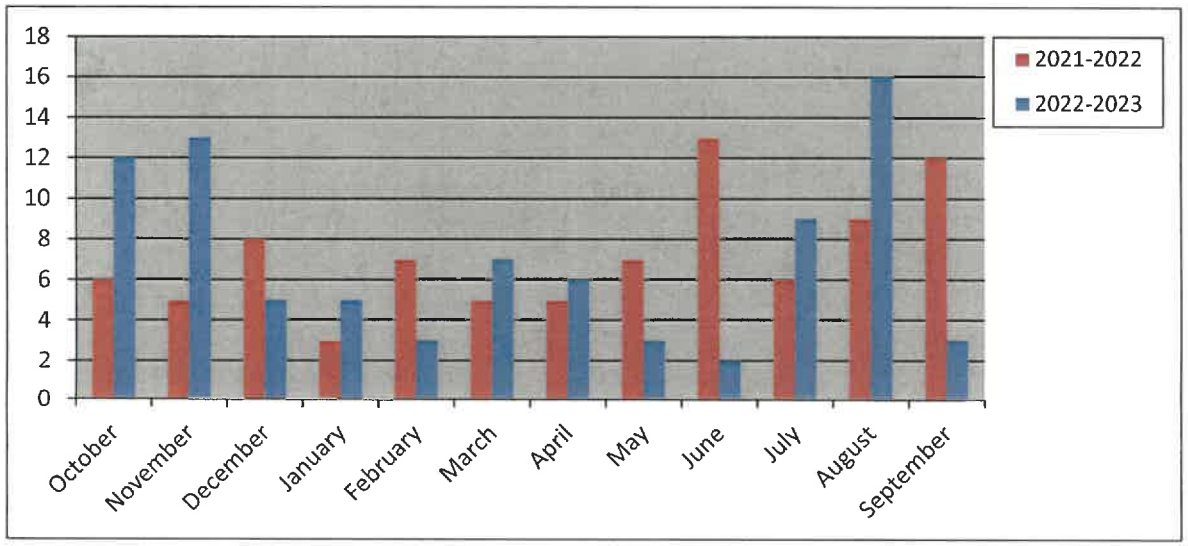
# Commercial Remodel Permits Calendar Year

| | Year | |
|---|---|---|
| | 2022 | 2023 |
| January | 3 | 5 |
| February | 7 | 3 |
| March | 5 | 7 |
| April | 5 | 6 |
| May | 7 | 3 |
| June | 13 | 2 |
| July | 6 | 9 |
| August | 9 | 16 |
| September | 12 | 3 |
| October | 12 | |
| November | 13 | |
| December | 5 | |
| **Totals** | **97** | **54** |



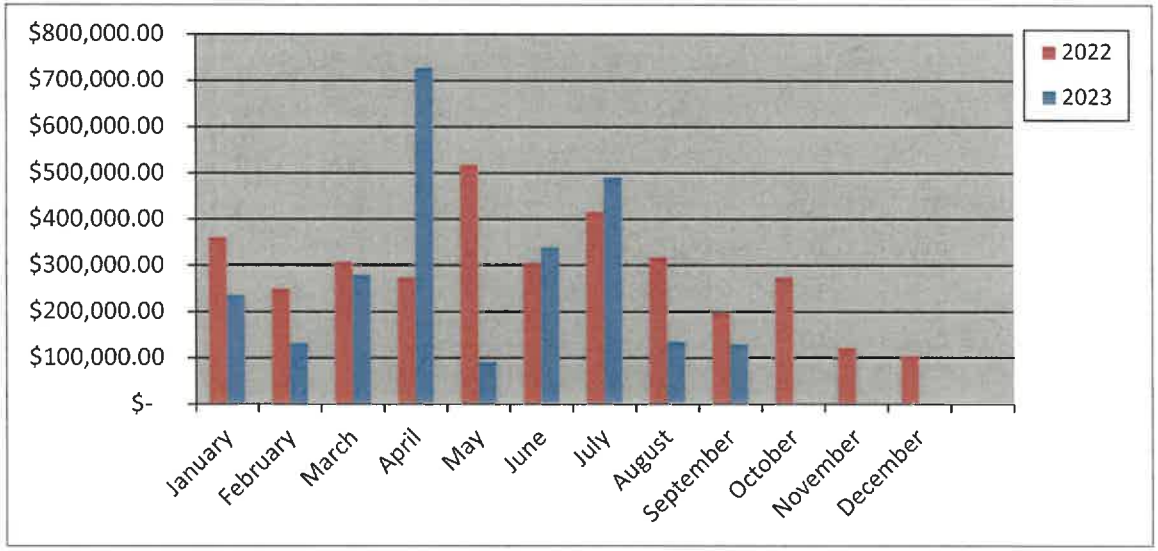

# Commercial Remodel Permits Fiscal Year

| | Year | |
|---|---|---|
| | 2021-2022 | 2022-2023 |
| October | 6 | 12 |
| November | 5 | 13 |
| December | 8 | 5 |
| January | 3 | 5 |
| February | 7 | 3 |
| March | 5 | 7 |
| April | 5 | 6 |
| May | 7 | 3 |
| June | 13 | 2 |
| July | 6 | 9 |
| August | 9 | 16 |
| September | 12 | 3 |
| **Totals** | **86** | **84** |



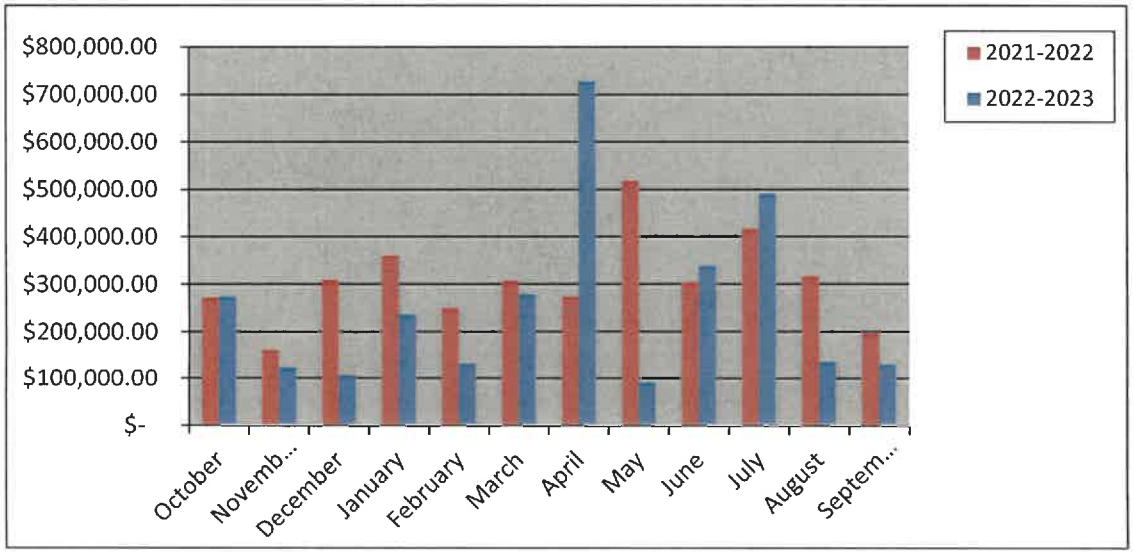
## Total Fees Collected Calendar Year

| | Year | |
|---|---|---|
| | 2022 | 2023 |
| January | $ 361,270.18 | $ 235,769.45 |
| February | $ 250,094.89 | $ 131,295.33 |
| March | $ 307,866.69 | $ 278,577.39 |
| April | $ 274,768.54 | $ 727,627.76 |
| May | $ 518,725.96 | $ 91,036.40 |
| June | $ 304,895.03 | $ 338,892.45 |
| July | $ 416,616.46 | $ 491,588.49 |
| August | $ 317,170.14 | $ 135,201.61 |
| September | $ 197,419.77 | $ 129,729.04 |
| October | $ 274,314.07 | |
| November | $ 122,821.42 | |
| December | $ 105,480.50 | |
| **Totals** | **$ 3,451,443.65** | **$ 2,559,717.92** |




## Total Fees Collected Fiscal Year

| | Year | |
|---|---|---|
| | 2021-2022 | 2022-2023 |
| October | $ 273,670.22 | $ 274,314.07 |
| November | $ 163,206.06 | $ 122,821.42 |
| December | $ 310,002.73 | $ 105,480.50 |
| January | $ 361,270.18 | $ 235,769.45 |
| February | $ 250,094.89 | $ 131,295.33 |
| March | $ 307,866.69 | $ 278,577.39 |
| April | $ 274,768.54 | $ 727,627.76 |
| May | $ 518,725.96 | $ 91,036.40 |
| June | $ 304,895.03 | $ 338,892.45 |
| July | $ 416,616.46 | $ 491,588.49 |
| August | $ 317,170.14 | $ 135,201.61 |
| September | $ 197,419.77 | $ 129,729.04 |
| **Totals** | **$ 3,695,706.67** | **$ 3,062,333.91** |



| Permit Number / Application Date / Issue Date | Permit Type / Subtype / Status of Permit / Business Name | Site Address / Parcel Number / Subdivision Name / Plan Number | Valuation | Total Fees / Total SQFT | Fees Paid |
|---|---|---|---|---|---|
| COM2023-1325<br>03/30/2023<br>09/29/2023 | Commercial Building Permit<br>Certificate of Occupancy<br>ISSUED<br>YUZU JAPANESE RESTAURANT AND BAR | 2101 SUMMER LEE DR, SUITE 105, ROCKWALL, TX 75032 | | $76.50<br>4,067.00 | $76.50 |

| Contact Type | Contact Name / Business Phone | Contact Address | | | |
|---|---|---|---|---|---|
| Business Owner | PRAEMIKA WIN<br>909-618-3878 | 2101 SUMMER LEE DR, SUITE 105 | ROCKWALL | TX | 75032 |
| Property Owner | PA HARBOR RETAIL LLC | 8222 DOUGLAS AVE. SUITE 390 | DALLAS | TX | 75225 |

**Contractors**

| Permit Number / Application Date / Issue Date | Permit Type / Subtype / Status of Permit / Business Name | Site Address / Parcel Number / Subdivision Name / Plan Number | Valuation | Total Fees / Total SQFT | Fees Paid |
|---|---|---|---|---|---|
| COM2023-1750<br>04/20/2023<br>09/28/2023 | Commercial Building Permit<br>Temporary Certificate of Occupancy<br>ISSUED<br>Spirit Halloween | 1023 E INTERSTATE 30, ROCKWALL, 75087 | | $76.50<br>4,800.00 | $76.50 |

| Contact Type | Contact Name / Business Phone | Contact Address | | | |
|---|---|---|---|---|---|
| Business Owner | Spirit Halloween<br>609-645-3300 | 6826 Black Horse Pike | Egg Harbor Town | NJ | 08234 |
| Property Owner | ShopCore Properties | 233 S. Wicker Dr. #4700 | Chicago | IL | 60606 |
| Manager | Wayne Martin | 1023 E Interstate 30 | Rockwall | TX | 75032 |
| Manager | Janet Mlynski, Zone Manager | Spirit Halloween | Egg Harbor Town | NJ | 08234 |
| Inspection Report C | Jonathan Cervantes | | | | |

**Contractors**

| Permit Number / Application Date / Issue Date | Permit Type / Subtype / Status of Permit / Business Name | Site Address / Parcel Number / Subdivision Name / Plan Number | Valuation | Total Fees / Total SQFT | Fees Paid |
|---|---|---|---|---|---|
| COM2023-2430<br>05/23/2023<br>09/08/2023 | Commercial Building Permit<br>Certificate of Occupancy<br>ISSUED<br>RD Moorman Inc. | 259 RANCH TRL, ROCKWALL, TX 75032 | | $75.00<br>2,797.00 | $75.00 |

| Contact Type | Contact Name / Business Phone | Contact Address | | | |
|---|---|---|---|---|---|
| Business Owner | Ryan Mooreman<br>972-722-2408 | 417 Wyndemere Blvd | Heath | TX | 75032 |
| Property Owner | Troman Heights | 259 Ranch Trail | Rockwall | TX | 75032 |

**Contractors**

| Permit Number / Application Date / Issue Date | Permit Type / Subtype / Status of Permit / Business Name | Site Address / Parcel Number / Subdivision Name / Plan Number | Valuation | Total Fees / Total SQFT | Fees Paid |
|---|---|---|---|---|---|
| COM2023-3295 | Commercial Building Permit | | | | |
| 07/12/2023 | Certificate of Occupancy | 716 E INTERSTATE 30 | | $75.00 | $75.00 |
| 09/14/2023 | ISSUED | | | 4,999.00 | |
| | Edohana Hibachi & Sushi | | | | |

| Contact Type | Contact Name / Business Phone | Contact Address | | | |
|---|---|---|---|---|---|
| Business Owner | Kyung Won Yoon<br>469-644-3989 | 716 E I-30 | Rockwall | TX | 75087 |
| Property Owner | Gary Hammer | 7557 Rambler Rd | The Colony | TX | 75056 |

**Contractors**

| Permit Number / Application Date / Issue Date | Permit Type / Subtype / Status of Permit / Business Name | Site Address / Parcel Number / Subdivision Name / Plan Number | Valuation | Total Fees / Total SQFT | Fees Paid |
|---|---|---|---|---|---|
| COM2023-4047 | Commercial Building Permit | | | | |
| 08/21/2023 | Certificate of Occupancy | 5853 HORIZON RD, ROCKWALL, 75032 | | $76.50 | $76.50 |
| 09/13/2023 | ISSUED | | | 2,805.00 | |
| | Viva World School LLC | | | | |

| Contact Type | Contact Name / Business Phone | Contact Address | | | |
|---|---|---|---|---|---|
| Business Owner | Hely Gonzalez | 1784 Amalfi Dr | Rockwall | TX | 75032 |
| Property Owner | Dennis Hardin | 165 Llano Bend | Hawkins | TX | 75765 |
| Inspection Report C | Hely Gonzalez | | | | |

**Contractors**

| Permit Number / Application Date / Issue Date | Permit Type / Subtype / Status of Permit / Business Name | Site Address / Parcel Number / Subdivision Name / Plan Number | Valuation | Total Fees / Total SQFT | Fees Paid |
|---|---|---|---|---|---|
| COM2023-4121 | Commercial Building Permit | | | | |
| 08/24/2023 | Certificate of Occupancy | 316 S GOLIAD ST, SUITE 115, ROCKWALL, TX 75087 | | $75.00 | $75.00 |
| 09/25/2023 | ISSUED | | | 1,550.00 | |
| | Trend Health Center LLC dba Endo Dispensary & Wellness | | | | |

| Contact Type | Contact Name / Business Phone | Contact Address | | | |
|---|---|---|---|---|---|
| Business Owner | Clifton Dean | 316 S Goliad St, Suite 115 | Rockwall | TX | 75087 |
| Property Owner | DJ Rockwall LLC | 12900 Preston Rd | Dallas | TX | 75230 |
| Inspection Report C | Clifton Dean | | | | |

**Contractors**

| Permit Number / Application Date / Issue Date | Permit Type / Subtype / Status of Permit / Business Name | Site Address / Parcel Number / Subdivision Name / Plan Number | Valuation | Total Fees / Total SQFT | Fees Paid |
|---|---|---|---|---|---|
| COM2023-4494<br>09/12/2023<br>09/19/2023 | Commercial Building Permit<br>Certificate of Occupancy<br>ISSUED<br>Always On Top Roofing | 1905 ALPHA DR, SUITE 180, ROCKWALL, TX 75087 | | $76.50<br>3.00 | $76.50 |

| Contact Type | Contact Name / Business Phone | Contact Address | | | |
|---|---|---|---|---|---|
| Business Owner | Ricky Crossley | 1905 Alpha Dr, Suite 180 | Rockwall | TX | 75087 |
| Property Owner | ROCKWALL URBAN INDUSTRIAL LP | 13150 COIT RDM STE 205 | Dallas | TX | 75240 |
| Inspection Report ( | Ricky Crossley | 1905 Alpha Dr, Suite 180 | Rockwall | TX | 75087 |

**Contractors**

7

**Total Valuation:**
**Total Fees: $531.00**
**Total Fees Paid: $531.00**

**CITY OF ROCKWALL**
**REPORT OF REVENUES**
**FOR THE PERIOD ENDED SEPTEMBER 30, 2023**
**WITH COMPARATIVE TOTAL FROM PRIOR YEAR**

**GENERAL FUND**

| | Fiscal Year 2022 | | | Fiscal Year 2023 | | |
|---|---|---|---|---|---|---|
| | Amended | Actual | Percentage | Amended | Actual | Percentage |
| **00 REVENUES** | | | | | | |
| 311 - PROPERTY TAXES | | | | | | |
| 4100 - CURRENT PROPERTY TAXES | 13,528,800 | 13,609,455 | 100.60% | 13,910,850 | 13,643,454 | 98.08% |
| 4105 - DELIQUENT PROPERTY TAX | 80,000 | 87,822 | 109.78% | 80,000 | 64,198 | 80.25% |
| 4110 - PENALTY AND INTEREST | 60,000 | 75,223 | 125.37% | 60,000 | 62,121 | 103.54% |
| **311 - PROPERTY TAXES Total** | **13,528,800** | **13,772,500** | **101.80%** | **14,050,850** | **13,769,773** | **98.00%** |
| **313 - SALES TAXES** | | | | | | |
| 4150 - CITY SALES TAX | 25,800,000 | 25,720,309 | 99.69% | 26,820,000 | 26,742,879 | 99.71% |
| 4155 - BEVERAGE TAXES | 200,000 | 344,053 | 172.03% | 250,000 | 452,613 | 181.05% |
| **313 - SALES TAXES Total** | **26,000,000** | **26,064,362** | **100.25%** | **27,070,000** | **27,195,492** | **100.46%** |
| **315 - FRANCHISE FEES** | | | | | | |
| 4201 - ELECTRIC FRANCHISE FEES | 1,960,000 | 2,182,951 | 111.38% | 2,265,000 | 2,245,133 | 99.12% |
| 4203 - TELEPHONE FRANCHISE FEES | 95,000 | 75,186 | 79.14% | 63,000 | 62,509 | 99.22% |
| 4205 - GAS FRANCHISE FEES | 70,500 | 706,315 | 1001.87% | 900,000 | 898,277 | 99.81% |
| 4207 - CABLE TV FRANCHISE FEE | 295,000 | 281,667 | 95.48% | 285,000 | 270,832 | 95.03% |
| 4209 - GARBAGE FRANCHISE FEE | 350,000 | 403,234 | 115.21% | 395,000 | 368,312 | 93.24% |
| **315 - FRANCHISE FEES Total** | **2,770,500** | **3,649,353** | **131.72%** | **3,908,000** | **3,845,063** | **98.39%** |
| **318 - FEES** | | | | | | |
| 4250 - PARK & RECREATION FEES | 15,000 | 30,353 | 202.35% | 28,000 | 35,845 | 128.02% |
| 4251 - MUNICIPAL POOL FEES | 22,000 | 11,074 | 50.34% | 22,000 | 9,939 | 45.18% |
| 4253 - CENTER RENTALS-7% | 10,000 | 26,037 | 260.37% | 15,000 | 22,725 | 151.50% |
| 4255 - HARBOR RENTALS | 1,000 | 7,290 | 729.00% | 1,000 | 13,700 | 1370.00% |
| 4270 - CODE ENFORCEMENT FEES | 10,000 | 54,525 | 545.25% | 45,000 | 49,819 | 110.71% |
| 4280 - PLANNING AND ZONING FEES | 88,000 | 108,412 | 123.20% | 75,000 | 64,093 | 85.46% |
| 4283 - CONSTRUCTION INSPECTION | 1,300,000 | 1,307,276 | 100.56% | 1,200,000 | 1,165,885 | 97.16% |
| 4288 - MIXED BEVERAGE PERMIT FEE | 15,000 | 10,855 | 72.37% | 15,000 | 15,520 | 103.47% |
| 4295 - FIRE-PLAN REVIEW FEES | 4,500 | 10,855 | 241.22% | 4,500 | 4,950 | 110.00% |
| **318 - FEES Total** | **1,465,500** | **1,566,677** | **106.90%** | **1,405,500** | **1,382,476** | **98.36%** |
| **321 - PERMITS** | | | | | | |
| 4300 - BUILDING PERMITS | 1,150,000 | 1,123,763 | 97.72% | 900,000 | 926,509 | 102.95% |
| 4302 - FENCE PERMITS | 20,000 | 28,225 | 141.13% | 20,000 | 24,950 | 124.75% |
| 4304 - ELECTRICAL PERMITS | 25,000 | 60,141 | 240.56% | 40,000 | 53,527 | 133.82% |
| 4306 - PLUMBING PERMITS | 50,000 | 73,640 | 147.28% | 60,000 | 74,622 | 124.37% |
| 4308 - MECHANICAL PERMITS | 55,000 | 28,665 | 52.12% | 35,000 | 30,575 | 87.36% |
| 4310 - DAY CARE CENTER PERMITS | 5,500 | 4,643 | 84.42% | 5,500 | 5,120 | 93.09% |
| 4312 - HEALTH PERMITS | 132,000 | 117,096 | 88.71% | 122,000 | 117,606 | 96.40% |
| 4314 - SIGN PERMITS | 20,000 | 17,425 | 87.13% | 20,000 | 19,175 | 95.88% |
| 4320 - MISC. PERMITS | 50,000 | 108,083 | 216.17% | 100,000 | 129,062 | 129.06% |
| **321 - PERMITS Total** | **1,507,500** | **1,561,681** | **103.59%** | **1,302,500** | **1,381,146** | **106.04%** |

| | | | | | | |
|---|---|---|---|---|---|---|
| **322 - MUNICIPAL COURT** | | | | | | |
| 4400 - COURT FINES | 250,000 | 233,761 | 93.50% | 275,000 | 238,190 | 86.61% |
| 4402 - COURT FEES | 50,000 | 58,485 | 116.97% | 60,000 | 50,528 | 84.21% |
| 4404 - WARRANT FEES | 30,000 | 21,333 | 71.11% | 30,000 | 23,180 | 77.27% |
| 4406 - COURT DEFERRAL FEES | 80,000 | 94,394 | 117.99% | 90,000 | 94,834 | 105.37% |
| 4408 - ANIMAL REGISTRATION FEE | 5,000 | 4,716 | 94.32% | 5,000 | 5,154 | 103.08% |
| 4414 - ALARM FEES AND FINES | 59,000 | 65,982 | 111.83% | 62,000 | 43,029 | 69.40% |
| **322 - MUNICIPAL COURT Total** | **474,000** | **478,671** | **100.99%** | **522,000** | **454,915** | **87.15%** |
| **323 - MISCELLANEOUS REVENUE** | | | | | | |
| 4001 - INTEREST EARNINGS | 50,000 | 5,077 | 10.15% | 800,000 | 1,773,597 | 221.70% |
| 4007 - SALE OF SUPPLIES | 500 | 55 | 11.00% | 500 | - | 0.00% |
| 4010 - AUCTION /SCRAP PROCEEDS | 20,000 | 13,636 | 68.18% | 20,000 | - | 0.00% |
| 4019 - MISCELLANEOUS REVENUE | 245,000 | 269,247 | 109.90% | 70,000 | 84,272 | 120.39% |
| **323 - MISCELLANEOUS REVENUE Total** | **315,500** | **288,015** | **91.29%** | **890,500** | **1,857,869** | **208.63%** |
| **330 - INTERGOVERNMENTAL REVENUES** | | | | | | |
| 4500 - GRANT PROCEEDS | 1,013,850 | 5,977,109 | 589.55% | 1,013,150 | 800,219 | 78.98% |
| 4510 - SCHOOL PATROLS | 621,850 | 82,357 | 13.24% | 771,200 | 882,805 | 114.47% |
| 4520 - COUNTY CONTRACTS | 1,000 | 240 | 24.00% | 1,000 | 1,120 | 112.00% |
| 4530 - CITY CONTRACTS | 525,650 | 635,149 | 120.83% | 594,700 | 594,704 | 100.00% |
| **330 - INTERGOVERNMENTAL REVENUES Tot** | **2,162,350** | **6,694,855** | **309.61%** | **2,380,050** | **2,278,848** | **95.75%** |
| 391 - OPERATING TRANSFERS | | | | | | |
| 4902 - TRANSFER IN - W/S | 300,000 | 300,000 | 100.00% | 400,000 | 400,000 | 100.00% |
| **391 - OPERATING TRANSFERS Total** | **300,000** | **300,000** | | **400,000** | **400,000** | **100.00%** |
| **NON - NON-OPERATING REVENUES** | | | | | | |
| 4480 - TOWER LEASES | 25,000 | 23,516 | 94.06% | 25,000 | 23,591 | 94.36% |
| 4680 - DEVELOPER CONTRIBUTIONS | 65,050 | 65,050 | 100.00% | 30,000 | - | 0.00% |
| **NON - NON-OPERATING REVENUES Total** | **90,050** | **88,566** | **98.35%** | **55,000** | **23,591** | **42.89%** |
| **00 REVENUES Total** | **48,614,200** | **54,464,680** | **112.03%** | **51,984,400** | **52,589,173** | **101.16%** |

**CITY OF ROCKWALL**
**REPORT OF EXPENDITURES**
**FOR THE PERIOD ENDED SEPTEMBER 30, 2023**
**WITH COMPARATIVE TOTAL FROM PRIOR YEAR**

**GENERAL FUND**

| | Fiscal Calendar 2022 | | | Fiscal Calendar 2023 | | |
|---|---|---|---|---|---|---|
| | Amended Budget | Actual | Percentage | Amended Budget | Actual | Percentage |
| **01 MAYOR/COUNCIL** | | | | | | |
| 10 - PERSONNEL SERVICES | 24,200 | 24,183 | 99.93% | 24,200 | 24,221 | 100.09% |
| 20 - CONTRACTUAL | 42,100 | 57,172 | 135.80% | 69,700 | 69,956 | 100.37% |
| 30 - SUPPLIES | 1,250 | 742 | 59.36% | 1,250 | 923 | 73.84% |
| 40 - OPERATIONS | 58,000 | 46,538 | 80.24% | 36,200 | 33,944 | 93.77% |
| **01 MAYOR/COUNCIL Total** | **125,550** | **128,635** | **102.46%** | **131,350** | **129,044** | **98.24%** |
| **05 ADMINISTRATION** | | | | | | |
| 10 - PERSONNEL SERVICES | 1,030,550 | 1,028,198 | 99.77% | 1,255,800 | 1,133,537 | 90.26% |
| 20 - CONTRACTUAL | 895,150 | 896,076 | 100.10% | 916,800 | 879,357 | 95.92% |
| 30 - SUPPLIES | 19,500 | 23,104 | 118.48% | 31,500 | 35,801 | 113.65% |
| 391 - OPERATING TRANSFERS | 4,086,500 | 4,112,695 | 100.64% | 3,300,450 | 3,300,450 | 100.00% |
| 40 - OPERATIONS | 70,750 | 68,991 | 97.51% | 61,000 | 45,867 | 75.19% |
| 50 - UTILITIES | 8,300 | 5,720 | 68.92% | 8,300 | 6,017 | 72.49% |
| **05 ADMINISTRATION Total** | **6,110,750** | **6,134,784** | **100.39%** | **5,573,850** | **5,401,029** | **96.90%** |
| **06 ADMINISTRATIVE SERVICES** | | | | | | |
| 10 - PERSONNEL SERVICES | 436,350 | 427,468 | 97.96% | 411,850 | 408,464 | 99.18% |
| 20 - CONTRACTUAL | 6,500 | 6,919 | 106.45% | 7,500 | 7,508 | 100.10% |
| 30 - SUPPLIES | 2,000 | 550 | 27.50% | 1,500 | 1,119 | 74.60% |
| 40 - OPERATIONS | 52,250 | 42,705 | 81.73% | 49,450 | 31,191 | 63.08% |
| 50 - UTILITIES | 3,500 | 2,119 | 60.54% | 3,500 | 1,543 | 44.09% |
| **06 ADMINISTRATIVE SERVICES Total** | **500,600** | **479,761** | **95.84%** | **473,800** | **449,825** | **94.94%** |
| **07 INFORMATION TECHNOLOGY** | | | | | | |
| 10 - PERSONNEL SERVICES | 540,100 | 459,348 | 85.05% | 497,300 | 476,993 | 95.92% |
| 20 - CONTRACTUAL | 402,950 | 358,684 | 89.01% | 510,500 | 447,234 | 87.61% |
| 30 - SUPPLIES | 22,100 | 20,774 | 94.00% | 22,200 | 17,141 | 77.21% |
| 40 - OPERATIONS | 17,500 | 4,593 | 26.25% | 17,500 | 2,946 | 16.83% |
| 50 - UTILITIES | 6,150 | 5,623 | 91.43% | 6,150 | 5,505 | 89.51% |
| 60 - CAPITAL | 233,960 | 215,870 | 92.27% | - | - | - |
| **07 INFORMATION TECHNOLOGY Total** | **1,222,760** | **1,064,892** | **87.09%** | **1,053,650** | **949,819** | **90.15%** |
| **09 INTERNAL OPERATIONS** | | | | | | |
| 10 - PERSONNEL SERVICES | 689,400 | 686,842 | 99.63% | 755,000 | 748,932 | 99.20% |
| 20 - CONTRACTUAL | 937,100 | 941,720 | 100.49% | 1,489,750 | 1,365,371 | 91.65% |
| 30 - SUPPLIES | 84,900 | 81,512 | 96.01% | 93,900 | 89,481 | 95.29% |
| 40 - OPERATIONS | 3,100 | 1,238 | 39.94% | 3,100 | 461 | 14.87% |
| 50 - UTILITIES | 435,100 | 480,701 | 110.48% | 460,100 | 481,118 | 104.57% |
| 60 - CAPITAL | 1,396,350 | 918,900 | 65.81% | 459,900 | 416,875 | 0.00% |
| **09 INTERNAL OPERATIONS Total** | **3,545,950** | **3,110,913** | **87.73%** | **3,261,750** | **3,102,238** | **95.11%** |
| **15 FINANCE** | | | | | | |
| **11 FINANCE** | | | | | | |
| 10 - PERSONNEL SERVICES | 397,450 | 355,810 | 89.52% | 608,800 | 412,280 | 67.72% |
| 20 - CONTRACTUAL | 417,300 | 351,390 | 84.21% | 480,900 | 462,999 | 96.28% |
| 30 - SUPPLIES | 71,250 | 54,201 | 76.07% | 64,250 | 58,408 | 90.91% |
| 40 - OPERATIONS | 9,000 | 5,866 | 65.18% | 9,000 | 8,629 | 95.88% |
| 50 - UTILITIES | 1,250 | 1,222 | 97.76% | 1,250 | 1,175 | 94.00% |
| **11 FINANCE Total** | **896,250** | **768,489** | **85.74%** | **1,164,200** | **943,491** | **81.04%** |

| | | | | | | |
|---|---|---|---|---|---|---|
| **15 MUNICIPAL COURT** | | | | | | |
| 10 - PERSONNEL SERVICES | 360,450 | 354,823 | 98.44% | 425,900 | 365,352 | 85.78% |
| 20 - CONTRACTUAL | 130,300 | 128,182 | 98.37% | 128,500 | 129,728 | 100.96% |
| 30 - SUPPLIES | 4,750 | 4,295 | 90.42% | 4,750 | 4,176 | 87.92% |
| 40 - OPERATIONS | 5,000 | 4,224 | 84.48% | 5,000 | 3,239 | 64.78% |
| **15 MUNICIPAL COURT Total** | **500,500** | **491,524** | **98.21%** | **564,150** | **502,495** | **89.07%** |
| **20 FIRE** | | | | | | |
| **25 OPERATIONS** | | | | | | |
| 10 - PERSONNEL SERVICES | 5,889,650 | 5,748,110 | 97.60% | 6,416,200 | 6,220,934 | 96.96% |
| 20 - CONTRACTUAL | 305,500 | 315,742 | 103.35% | 293,000 | 311,572 | 106.34% |
| 30 - SUPPLIES | 148,650 | 134,742 | 90.64% | 161,650 | 121,041 | 74.88% |
| 40 - OPERATIONS | 53,100 | 41,329 | 77.83% | 49,500 | 56,142 | 113.42% |
| 50 - UTILITIES | 4,300 | 3,900 | 90.70% | 4,300 | 3,750 | 87.21% |
| 60 - CAPITAL | - | - | | 560,000 | - | 0.00% |
| **25 OPERATIONS Total** | **6,401,200** | **6,243,823** | **97.54%** | **7,484,650** | **6,713,439** | **89.70%** |
| **29 FIRE MARSHAL** | | | | | | |
| 10 - PERSONNEL SERVICES | 607,200 | 601,608 | 99.08% | 640,000 | 634,219 | 99.10% |
| 20 - CONTRACTUAL | 32,900 | 29,507 | 89.69% | 29,000 | 23,218 | 80.06% |
| 30 - SUPPLIES | 63,100 | 55,523 | 87.99% | 76,900 | 49,007 | 63.73% |
| 40 - OPERATIONS | 23,000 | 13,978 | 60.77% | 28,000 | 27,505 | 98.23% |
| 50 - UTILITIES | 5,000 | 4,888 | 97.76% | 5,000 | 4,653 | 93.06% |
| 60 - CAPITAL | 47,000 | 1,700 | 3.62% | 110,650 | 45,442 | 41.07% |
| **29 FIRE MARSHAL Total** | **778,200** | **707,204** | **90.88%** | **889,550** | **784,044** | **88.14%** |
| **30 POLICE** | | | | | | |
| 31 POLICE ADMINISTRATION | | | | | | |
| 10 - PERSONNEL SERVICES | 1,340,000 | 1,305,220 | 97.40% | 1,346,600 | 1,294,768 | 96.15% |
| 20 - CONTRACTUAL | 112,100 | 96,659 | 86.23% | 126,300 | 100,245 | 79.37% |
| 30 - SUPPLIES | 24,000 | 26,349 | 109.79% | 31,500 | 15,781 | 50.10% |
| 40 - OPERATIONS | 76,750 | 61,357 | 79.94% | 89,150 | 46,327 | 51.97% |
| 50 - UTILITIES | 9,000 | 7,153 | 79.48% | 9,000 | 6,823 | 75.81% |
| 60 - CAPITAL | 76,520 | 2,517 | 3.29% | - | 34,673 | 0.00% |
| **31 POLICE ADMINISTRATION Total** | **1,638,370** | **1,499,255** | **91.51%** | **1,602,550** | **1,498,617** | **93.51%** |
| **32 COMMUNICATIONS** | | | | | | |
| 10 - PERSONNEL SERVICES | 1,124,500 | 1,104,517 | 98.22% | 1,272,700 | 1,275,779 | 100.24% |
| 20 - CONTRACTUAL | 337,100 | 341,105 | 101.19% | 415,300 | 367,355 | 88.46% |
| 30 - SUPPLIES | 5,950 | 4,839 | 81.33% | 7,450 | 4,574 | 61.40% |
| 40 - OPERATIONS | 15,150 | 12,532 | 82.72% | 13,150 | 8,024 | 61.02% |
| 50 - UTILITIES | 3,700 | 3,226 | 87.19% | 49,000 | 3,483 | 7.11% |
| 60 - CAPITAL | 4,600 | 4,096 | 89.04% | - | - | 0.00% |
| **32 COMMUNICATIONS Total** | **1,491,000** | **1,470,315** | **98.61%** | **1,757,600** | **1,659,215** | **94.40%** |
| **33 PATROL** | | | | | | |
| 10 - PERSONNEL SERVICES | 6,348,550 | 6,151,947 | 96.90% | 6,768,250 | 6,421,983 | 94.88% |
| 20 - CONTRACTUAL | 197,800 | 208,333 | 105.33% | 157,000 | 162,859 | 103.73% |
| 30 - SUPPLIES | 472,800 | 415,270 | 87.83% | 547,550 | 466,754 | 85.24% |
| 40 - OPERATIONS | 51,900 | 98,278 | 189.36% | 86,000 | 58,152 | 67.62% |
| 50 - UTILITIES | 15,950 | 14,043 | 88.04% | 15,950 | 12,911 | 80.95% |
| 60 - CAPITAL | 954,150 | 738,883 | 77.44% | 691,000 | 546,666 | 79.11% |
| **33 PATROL Total** | **8,041,150** | **7,626,754** | **94.85%** | **8,265,750** | **7,669,325** | **92.78%** |

| | | | | | | |
|---|---|---|---|---|---|---|
| **34 CRIMINAL INVESTIGATIONS** | | | | | | |
| 10 - PERSONNEL SERVICES | 1,841,450 | 1,721,263 | 93.47% | 2,092,200 | 1,958,667 | 93.62% |
| 20 - CONTRACTUAL | 104,300 | 88,855 | 85.19% | 132,100 | 75,287 | 56.99% |
| 30 - SUPPLIES | 46,800 | 46,729 | 99.85% | 53,300 | 39,044 | 73.25% |
| 40 - OPERATIONS | 13,700 | 23,743 | 173.31% | 17,800 | 13,108 | 73.64% |
| 50 - UTILITIES | 19,550 | 12,298 | 62.91% | 19,550 | 12,826 | 65.61% |
| 60 - CAPITAL | 108,700 | 108,636 | 99.94% | 101,500 | 136,567 | 134.55% |
| **34 CRIMINAL INVESTIGATIONS Total** | **2,134,500** | **2,001,524** | **93.77%** | **2,416,450** | **2,235,499** | **92.51%** |
| **35 COMMUNITY SERVICES** | | | | | | |
| 10 - PERSONNEL SERVICES | 1,597,500 | 1,569,729 | 98.26% | 1,950,650 | 1,825,935 | 93.61% |
| 20 - CONTRACTUAL | 195,900 | 199,234 | 101.70% | 189,750 | 199,217 | 104.99% |
| 30 - SUPPLIES | 97,550 | 64,657 | 66.28% | 106,550 | 65,112 | 61.11% |
| 40 - OPERATIONS | 9,900 | 7,212 | 72.85% | 9,900 | 1,640 | 16.57% |
| 50 - UTILITIES | 4,900 | 3,887 | 79.33% | 4,900 | 3,432 | 70.04% |
| 60 - CAPITAL | - | - | 0.00% | 111,000 | 40,335 | 36.34% |
| **35 COMMUNITY SERVICES Total** | **1,905,750** | **1,844,719** | **96.80%** | **2,372,750** | **2,135,671** | **90.01%** |
| **36 WARRANTS** | | | | | | |
| 10 - PERSONNEL SERVICES | 252,850 | 250,364 | 99.02% | 276,500 | 266,657 | 96.44% |
| 20 - CONTRACTUAL | 2,600 | 844 | 32.46% | 2,600 | 794 | 30.54% |
| 30 - SUPPLIES | 2,700 | 1,223 | 45.30% | 3,150 | 1,212 | 38.48% |
| 50 - UTILITIES | 900 | - | 0.00% | - | - | - |
| **36 WARRANTS Total** | **259,950** | **252,431** | **97.11%** | **282,250** | **268,663** | **95.19%** |
| **37 POLICE RECORDS** | | | | | | |
| 10 - PERSONNEL SERVICES | 327,050 | 333,818 | 102.07% | 357,400 | 358,136 | 100.21% |
| 20 - CONTRACTUAL | 7,150 | 4,298 | 60.11% | 3,900 | 3,026 | 77.59% |
| 30 - SUPPLIES | 2,450 | 2,277 | 92.94% | 5,100 | 2,534 | 49.69% |
| 40 - OPERATIONS | 5,100 | 708 | 13.88% | 5,100 | 1,571 | 30.80% |
| 50 - UTILITIES | 1,750 | 637 | 36.40% | - | - | - |
| **37 POLICE RECORDS Total** | **343,500** | **341,738** | **99.49%** | **371,500** | **365,267** | **98.32%** |
| **40 COMMUNITY DEVELOPMENT** | | | | | | |
| **41 PLANNING** | | | | | | |
| 10 - PERSONNEL SERVICES | 687,350 | 680,533 | 99.01% | 777,800 | 774,022 | 99.51% |
| 20 - CONTRACTUAL | 99,150 | 92,445 | 93.24% | 87,600 | 62,178 | 70.98% |
| 30 - SUPPLIES | 4,400 | 3,056 | 69.45% | 4,400 | 3,373 | 76.66% |
| 40 - OPERATIONS | 35,000 | 25,321 | 72.35% | 36,700 | 25,465 | 69.39% |
| 50 - UTILITIES | 1,300 | 1,222 | 94.00% | 1,300 | 1,175 | 90.38% |
| **41 PLANNING Total** | **827,200** | **802,577** | **97.02%** | **907,800** | **866,213** | **95.42%** |
| **42 NEIGHBORHOOD IMPROVEMENT** | | | | | | |
| 10 - PERSONNEL SERVICES | 380,900 | 339,396 | 89.10% | 380,900 | 371,357 | 97.49% |
| 20 - CONTRACTUAL | 174,900 | 137,988 | 78.90% | 175,700 | 157,885 | 89.86% |
| 30 - SUPPLIES | 19,050 | 14,524 | 76.24% | 21,500 | 12,591 | 58.56% |
| 40 - OPERATIONS | 9,650 | 4,964 | 51.44% | 9,650 | 5,103 | 52.88% |
| 50 - UTILITIES | 4,100 | 3,415 | 83.29% | 3,750 | 2,538 | 67.68% |
| **42 NEIGHBORHOOD IMPROVEMENT Total** | **588,600** | **500,287** | **85.00%** | **591,500** | **549,474** | **92.90%** |
| 43 BUILDING INSPECTIONS | | | | | | |
| 10 - PERSONNEL SERVICES | 739,450 | 739,647 | 100.03% | 787,350 | 761,403 | 96.70% |
| 20 - CONTRACTUAL | 95,400 | 86,177 | 90.33% | 129,000 | 111,923 | 86.76% |
| 30 - SUPPLIES | 17,500 | 14,246 | 81.41% | 19,800 | 9,315 | 47.05% |
| 40 - OPERATIONS | 13,250 | 11,891 | 89.74% | 13,250 | 6,567 | 49.56% |
| 50 - UTILITIES | 6,400 | 6,154 | 96.16% | 6,400 | 5,613 | 87.70% |
| **43 BUILDING INSPECTIONS Total** | **872,000** | **858,115** | **98.41%** | **955,800** | **894,821** | **93.62%** |

| | | | | | | |
|---|---|---|---|---|---|---|
| **45 PARKS AND RECREATION** | | | | | | |
| **45 PARKS** | | | | | | |
| 10 - PERSONNEL SERVICES | 1,459,250 | 1,364,586 | 93.51% | 1,477,800 | 1,471,386 | 99.57% |
| 20 - CONTRACTUAL | 876,700 | 855,343 | 97.56% | 1,020,000 | 1,007,996 | 98.82% |
| 30 - SUPPLIES | 587,550 | 536,043 | 91.23% | 611,500 | 579,994 | 94.85% |
| 40 - OPERATIONS | 18,250 | 18,507 | 101.41% | 18,250 | 10,069 | 55.17% |
| 50 - UTILITIES | 342,500 | 309,018 | 90.22% | 342,500 | 234,597 | 68.50% |
| 60 - CAPITAL | 80,350 | 81,625 | 101.59% | 185,000 | 124,993 | 67.56% |
| **45 PARKS Total** | **3,364,600** | **3,165,122** | **94.07%** | **3,655,050** | **3,429,035** | **93.82%** |
| **46 HARBOR O & M** | | | | | | |
| 10 - PERSONNEL SERVICES | 129,850 | 134,163 | 103.32% | 144,550 | 142,983 | 98.92% |
| 20 - CONTRACTUAL | 240,300 | 197,275 | 82.10% | 343,685 | 220,280 | 64.09% |
| 30 - SUPPLIES | 99,500 | 71,584 | 71.94% | 101,000 | 48,570 | 48.09% |
| 40 - OPERATIONS | 1,050 | - | 0.00% | 1,050 | 320 | 30.48% |
| 50 - UTILITIES | 123,600 | 145,227 | 117.50% | 123,600 | 148,090 | 119.81% |
| 60 - CAPITAL | 47,500 | - | - | - | - | - |
| **46 HARBOR O & M Total** | **641,800** | **548,249** | **85.42%** | **713,885** | **560,243** | **78.48%** |
| **47 RECREATION** | | | | | | |
| 10 - PERSONNEL SERVICES | 870,100 | 771,399 | 88.66% | 882,000 | 798,393 | 90.52% |
| 20 - CONTRACTUAL | 43,300 | 40,656 | 93.89% | 50,500 | 37,333 | 73.93% |
| 30 - SUPPLIES | 66,250 | 65,144 | 98.33% | 66,750 | 65,922 | 98.76% |
| 40 - OPERATIONS | 83,250 | 73,454 | 88.23% | 83,250 | 75,448 | 90.63% |
| 50 - UTILITIES | 79,000 | 89,849 | 113.73% | 79,000 | 96,027 | 121.55% |
| 60 - CAPITAL | 37,500 | - | 0.00% | 20,000 | 63,016 | 315.08% |
| **47 RECREATION Total** | **1,179,400** | **1,040,502** | **88.22%** | **1,181,500** | **1,136,139** | **96.16%** |
| **48 ANIMAL SERVICES** | | | | | | |
| 10 - PERSONNEL SERVICES | 229,700 | 202,986 | 88.37% | 199,200 | 201,634 | 101.22% |
| 20 - CONTRACTUAL | 426,000 | 422,994 | 99.29% | 426,000 | 420,659 | 98.75% |
| 30 - SUPPLIES | 19,050 | 16,098 | 84.50% | 20,750 | 13,263 | 63.92% |
| 40 - OPERATIONS | 5,250 | 4,316 | 82.21% | 5,250 | 3,241 | 61.73% |
| 50 - UTILITIES | 5,500 | 5,107 | 92.85% | 5,500 | 2,941 | 53.47% |
| 60 - CAPITAL | 69,000 | - | 0.00% | - | - | - |
| **48 ANIMAL SERVICES Total** | **754,500** | **651,501** | **86.35%** | **656,700** | **641,738** | **97.72%** |
| **50 PUBLIC WORKS** | | | | | | |
| **53 ENGINEERING** | | | | | | |
| 10 - PERSONNEL SERVICES | 929,900 | 886,306 | 69.08% | 977,750 | 944,388 | 96.59% |
| 20 - CONTRACTUAL | 318,400 | 332,823 | 93.45% | 203,100 | 116,186 | 57.21% |
| 30 - SUPPLIES | 31,850 | 25,080 | 88.01% | 33,850 | 20,573 | 60.78% |
| 40 - OPERATIONS | 23,700 | 14,588 | 59.00% | 23,700 | 14,750 | 62.24% |
| 50 - UTILITIES | 12,500 | 7,451 | 41.88% | 12,500 | 9,001 | 72.01% |
| 60 - CAPITAL | - | - | - | 70,000 | - | 0.00% |
| **53 ENGINEERING Total** | **1,316,350** | **1,266,248** | **96.19%** | **1,320,900** | **1,104,898** | **83.65%** |
| **59 STREETS** | | | | | | |
| 10 - PERSONNEL SERVICES | 827,350 | 748,093 | 59.90% | 977,000 | 856,515 | 87.67% |
| 20 - CONTRACTUAL | 278,450 | 185,121 | 46.84% | 289,000 | 249,548 | 86.35% |
| 30 - SUPPLIES | 3,239,600 | 2,532,288 | 55.11% | 3,034,600 | 2,538,527 | 83.65% |
| 40 - OPERATIONS | 11,500 | 1,234 | 9.73% | 11,500 | 8,524 | 74.12% |
| 50 - UTILITIES | 542,300 | 536,551 | 68.23% | 486,000 | 547,909 | 112.74% |
| 60 - CAPITAL | 790,900 | 677,854 | 247.55% | 143,500 | 158,460 | 110.43% |
| **59 STREETS Total** | **5,690,100** | **4,681,141** | **82.27%** | **4,941,600** | **4,359,483** | **88.22%** |
| **Grand Total** | **52,590,535** | **48,349,724** | **91.94%** | **52,590,535** | **48,349,724** | **91.94%** |

**CITY OF ROCKWALL**
**REPORT OF REVENUES**
**FOR THE PERIOD ENDED SEPTEMBER 30, 2023**
**WITH COMPARATIVE TOTAL FROM PRIOR YEAR**

**WATER & SEWER**

| | Fiscal Year 2022 | | | Fiscal Year 2023 | | |
|---|---|---|---|---|---|---|
| | Amended Budget | Actual | Percentage | Amended Budget | Actual | Percentage |
| **00 REVENUES** | | | | | | |
| **323 - MISCELLANEOUS REVENUE** | | | | | | |
| 4001 - INTEREST EARNINGS | 30,000 | 8,926 | 29.75% | 230,000 | 711,400 | 309.30% |
| 4010 - AUCTION /SCRAP PROCEEDS | 15,000 | 16,176 | 107.84% | 15,000 | 6,924 | 46.16% |
| 4019 - MISCELLANEOUS REVENUE | 15,000 | 167,063 | 1113.75% | 55,000 | 43,702 | 79.46% |
| **323 - MISCELLANEOUS REVENUE Total** | **60,000** | **192,165** | **320.28%** | **300,000** | **762,026** | **254.01%** |
| **340 - UTILITY SALES** | | | | | | |
| 4601 - RETAIL WATER SALES | 16,662,000 | 17,546,807 | 105.31% | 17,025,000 | 17,876,645 | 105.00% |
| 4603 - SEWER CHARGES | 9,675,000 | 9,476,006 | 97.94% | 11,500,000 | 9,472,114 | 82.37% |
| 4605 - PRETREATMENT CHARGES | 90,000 | 93,696 | 104.11% | 100,000 | 91,621 | 91.62% |
| 4609 - HOUSE HAZARDOUS WASTE FEE | 176,000 | 149,210 | 84.78% | 176,000 | 189,499 | 107.67% |
| 4610 - PENALTIES | 305,000 | 344,567 | 112.97% | 350,000 | 344,858 | 98.53% |
| 4611 - PORTABLE METER WATER SALES | 115,000 | 176,408 | 153.40% | 125,000 | 234,354 | 187.48% |
| **340 - UTILITY SALES Total** | **27,023,000** | **27,786,694** | **102.83%** | **29,276,000** | **28,209,091** | **96.36%** |
| **CONT - TOTAL CONTRACT SALES** | | | | | | |
| 4622 - RCH WATER CORP-WATER SALE | 1,857,800 | 1,704,877 | 91.77% | 2,045,950 | 1,680,218 | 82.12% |
| 4632 - BLACKLAND-WATER SALES | 921,200 | 950,362 | 103.17% | 1,018,250 | 895,635 | 87.96% |
| 4640 - MCLENDON CHISHOLM SEWER CHARG | 345,000 | 343,092 | 99.45% | 480,000 | 398,545 | 83.03% |
| 4650 - CITY OF HEATH-WATER SALES | 2,814,200 | 2,858,071 | 101.56% | 3,335,000 | 3,660,356 | 109.76% |
| **TOTAL CONTRACT SALES Total** | **5,938,200** | **5,856,402** | **98.62%** | **6,879,200** | **6,634,754** | **96.45%** |
| **NON - NON-OPERATING REVENUES** | | | | | | |
| 4480 - TOWER LEASES | 275,000 | 295,624 | 107.50% | 275,000 | 306,705 | 111.53% |
| 4670 - WATER IMPACT FEES | 650,000 | 715,778 | 110.12% | 800,000 | 539,786 | 67.47% |
| 4672 - SEWER IMPACT FEES | 650,000 | 701,432 | 107.91% | 650,000 | 502,589 | 77.32% |
| 4676 - WATER PRO RATA | - | - | 0.00% | - | 6,434 | 0.00% |
| 4678 - SEWER PRO RATA | - | - | 0.00% | - | 163,447 | 0.00% |
| **NON-OPERATING REVENUES Total** | **1,575,000** | **1,712,834** | **108.75%** | **1,725,000** | **1,533,546** | **88.90%** |
| **OTHE - TOTAL OTHER RECEIPTS** | | | | | | |
| 4660 - WATER TAPS | 105,000 | 98,949 | 94.24% | 85,000 | 56,319 | 66.26% |
| 4662 - SEWER TAPS | 33,000 | 32,988 | 99.96% | 10,000 | 6,200 | 62.00% |
| 4665 - METER RENTAL FEES | 40,000 | 51,797 | 129.49% | 40,000 | 73,980 | 184.95% |
| **OTHER RECEIPTS Total** | **178,000** | **183,734** | **103.22%** | **135,000** | **136,499** | **101.11%** |
| **00 REVENUES Total** | **34,774,200** | **35,731,829** | **102.75%** | **38,315,200** | **37,275,916** | **97.29%** |

**CITY OF ROCKWALL**
**REPORT OF EXPENDITURES**
**FOR THE PERIOD ENDED SEPTEMBER 30, 2023**
**WITH COMPARATIVE TOTAL FROM PRIOR YEAR**

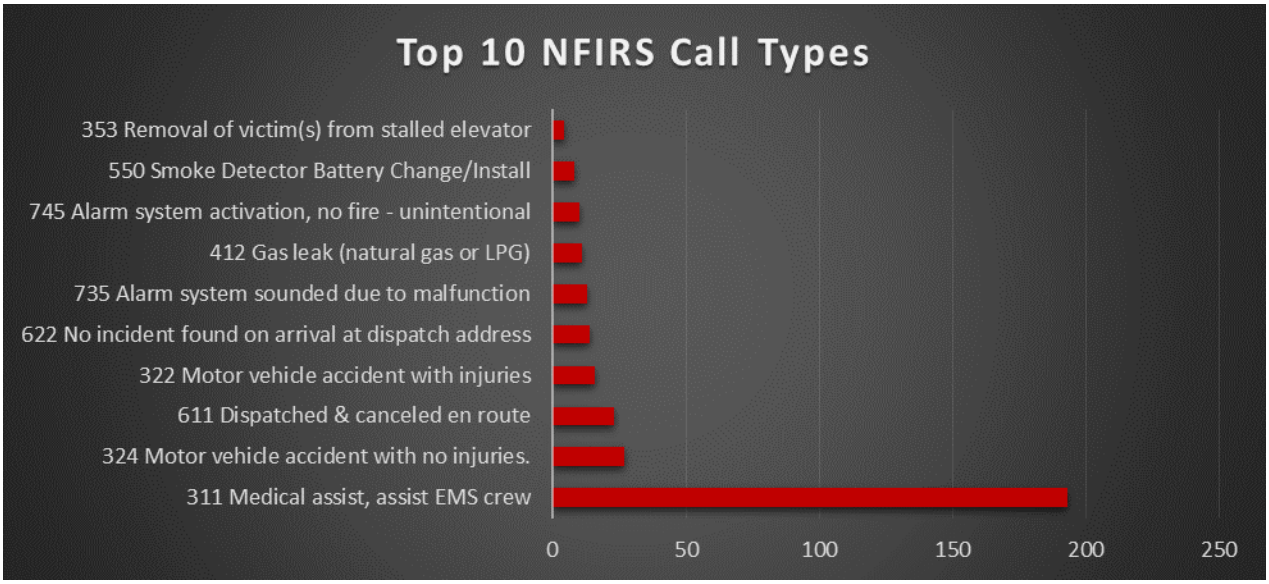
**WATER & SEWER FUND**

| | Fiscal Calendar 2022 | | | Fiscal Calendar 2023 | | |
|---|---|---|---|---|---|---|
| | Amended Budget | Actual | Percentage | Amended Budget | Actual | Percentage |
| **10 GENERAL GOVERNMENT** | | | | | | |
| **05 ADMINISTRATION** | | | | | | |
| 391 - OPERATING TRANSFERS | 1,310,400 | 1,310,400 | 100.00% | 1,313,750 | 1,313,750 | 100.00% |
| **05 ADMINISTRATION Total** | **1,310,400** | **1,310,400** | **100.00%** | **1,313,750** | **1,313,750** | **100.00%** |
| **60 UTILITY SERVICES** | | | | | | |
| **61 BILLING SERVICES** | | | | | | |
| 10 - PERSONNEL SERVICES | 581,950 | 597,954 | 102.75% | 701,500 | 680,342 | 96.98% |
| 20 - CONTRACTUAL | 574,950 | 581,865 | 101.20% | 566,150 | 568,401 | 100.40% |
| 30 - SUPPLIES | 90,800 | 126,131 | 138.91% | 93,300 | 118,356 | 126.86% |
| 40 - OPERATIONS | 205,900 | 246,869 | 119.90% | 205,900 | 200,063 | 97.17% |
| **61 BILLING SERVICES Total** | **1,353,600** | **1,042,151** | **76.99%** | **1,566,850** | **1,567,162** | **70.81%** |
| **62 DEBT SERVICE** | | | | | | |
| 70 - DEBT SERVICE | 5,207,300 | 3,933,459 | 75.54% | 4,764,000 | 4,697,865 | 98.61% |
| **62 DEBT SERVICE Total** | **5,207,300** | **914,251** | **17.56%** | **4,764,000** | **4,697,865** | **98.61%** |
| **63 WATER OPERATIONS** | | | | | | |
| 10 - PERSONNEL SERVICES | 1,285,100 | 931,113 | 72.45% | 1,371,850 | 1,345,852 | 98.10% |
| 20 - CONTRACTUAL | 14,331,700 | 9,940,591 | 69.36% | 16,927,250 | 16,842,304 | 99.50% |
| 30 - SUPPLIES | 894,200 | 682,694 | 76.35% | 947,700 | 809,545 | 85.42% |
| 40 - OPERATIONS | 23,250 | 7,192 | 30.93% | 23,250 | 19,998 | 86.01% |
| 50 - UTILITIES | 268,500 | 183,979 | 68.52% | 293,500 | 370,704 | 126.30% |
| 60 - CAPITAL | 286,300 | 180,630 | 63.09% | 375,000 | 238,279 | 63.54% |
| **63 WATER OPERATIONS Total** | **17,089,050** | **11,926,201** | **69.79%** | **19,938,550** | **19,626,682** | **98.44%** |
| **67 SEWER OPERATIONS** | | | | | | |
| 10 - PERSONNEL SERVICES | 1,135,000 | 893,062 | 78.68% | 1,419,650 | 1,343,378 | 94.63% |
| 20 - CONTRACTUAL | 8,046,050 | 6,803,930 | 84.56% | 10,358,700 | 10,083,826 | 97.35% |
| 30 - SUPPLIES | 242,950 | 173,913 | 71.58% | 251,450 | 224,338 | 89.22% |
| 40 - OPERATIONS | 17,200 | 8,694 | 50.55% | 17,700 | 12,988 | 73.38% |
| 50 - UTILITIES | 105,500 | 79,951 | 75.78% | 120,500 | 136,448 | 113.23% |
| 60 - CAPITAL | 318,450 | 366,758 | 115.17% | 288,300 | 425,942 | 147.74% |
| **67 SEWER OPERATIONS Total** | **9,865,150** | **8,326,308** | **84.40%** | **12,456,300** | **12,226,920** | **98.16%** |
| **Grand Total** | **34,825,500** | **23,519,311** | **67.53%** | **40,039,450** | **39,432,379** | **98.48%** |




# September 2023

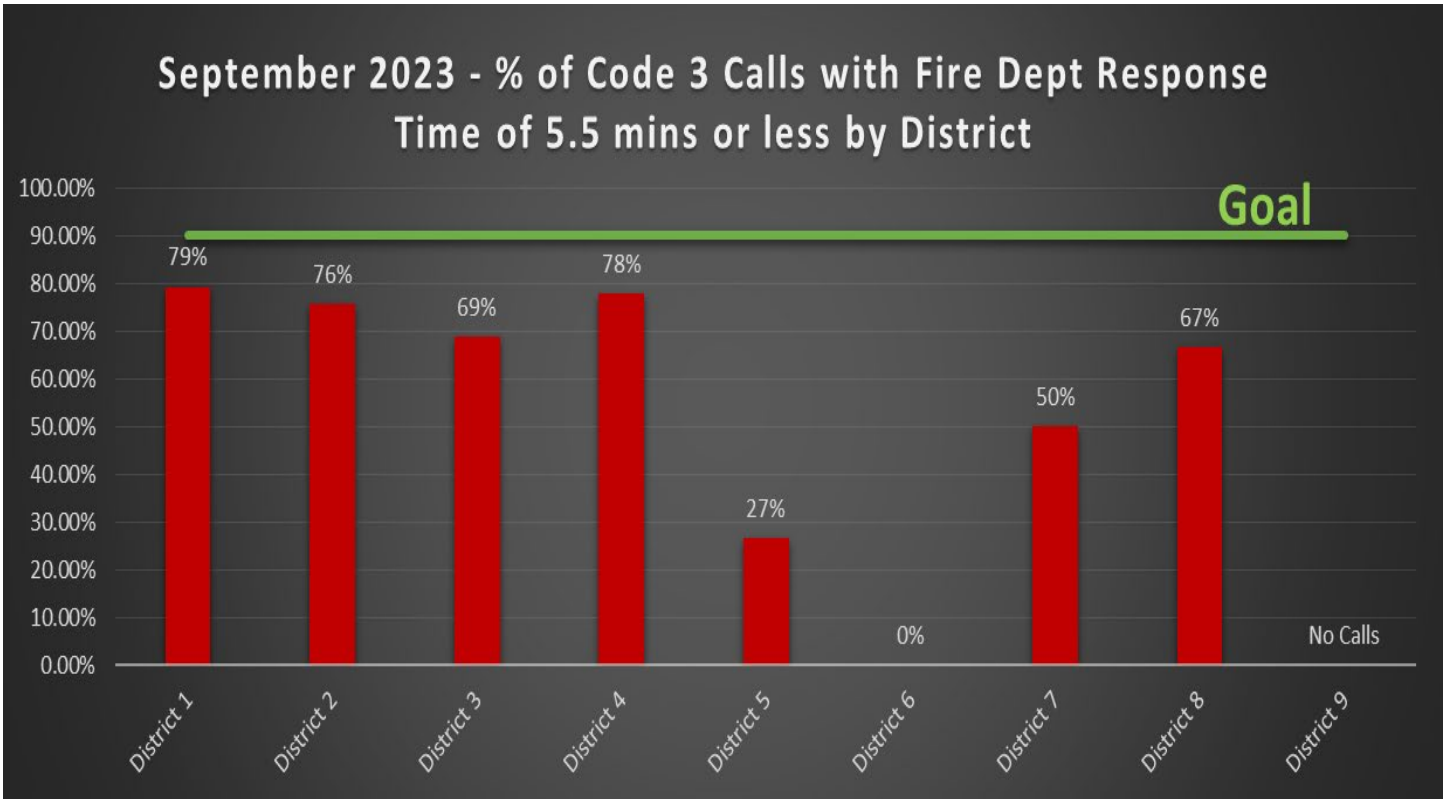
# Monthly Report




| All Calls By NFIRS Call Type | Incident Count |
|---|---|
| 100 Fire, other | 1 |
| 113 Cooking fire, confined to container | 1 |
| 131 Passenger vehicle fire (cars, pickups, SUV's) | 2 |
| 143 Grass fire | 1 |
| 150 OTHER Outside rubbish fire | 1 |
| 151 Outside rubbish, trash or waste fire | 1 |
| 152 Garbage dump or sanitary landfill fire | 1 |
| 300 Rescue, EMS incident, other | 1 |
| 311 Medical assist, assist EMS crew | 193 |
| 322 Motor vehicle accident with injuries | 16 |
| 323 Motor vehicle/pedestrian accident (MV Ped) | 3 |
| 324 Motor vehicle accident with no injuries. | 27 |
| 331 Lock-in (if lock out , use 511 ) | 1 |
| 342 Search for person in water | 2 |
| 350 Extrication, rescue, other | 1 |
| 353 Removal of victim(s) from stalled elevator | 4 |
| 365 Watercraft rescue | 1 |
| 412 Gas leak (natural gas or LPG) | 11 |
| 421 Chemical hazard (no spill or leak) | 1 |
| 424 Carbon monoxide incident | 1 |
| 440 Electrical wiring/equipment problem, other | 1 |
| 443 Breakdown of light ballast | 1 |
| 445 Arcing, shorted electrical equipment | 4 |
| 512 Ring or jewelry removal | 2 |
| 520 Water problem, other | 4 |
| 522 Water or steam leak | 1 |
| 550 Smoke Detector Battery Change/Install | 8 |
| 553 Public service | 3 |
| 600 Good intent call, other | 1 |
| 611 Dispatched & canceled en route | 23 |
| 622 No incident found on arrival at dispatch address | 14 |
| 651 Smoke scare, odor of smoke | 4 |
| 711 Municipal alarm system, malicious false alarm | 1 |
| 733 Smoke detector activation due to malfunction | 1 |
| 735 Alarm system sounded due to malfunction | 13 |
| 736 CO detector activation due to malfunction | 1 |
| 743 Smoke detector activation, no fire - unintentional | 2 |
| 745 Alarm system activation, no fire - unintentional | 10 |
| **Grand Total** | **364** |

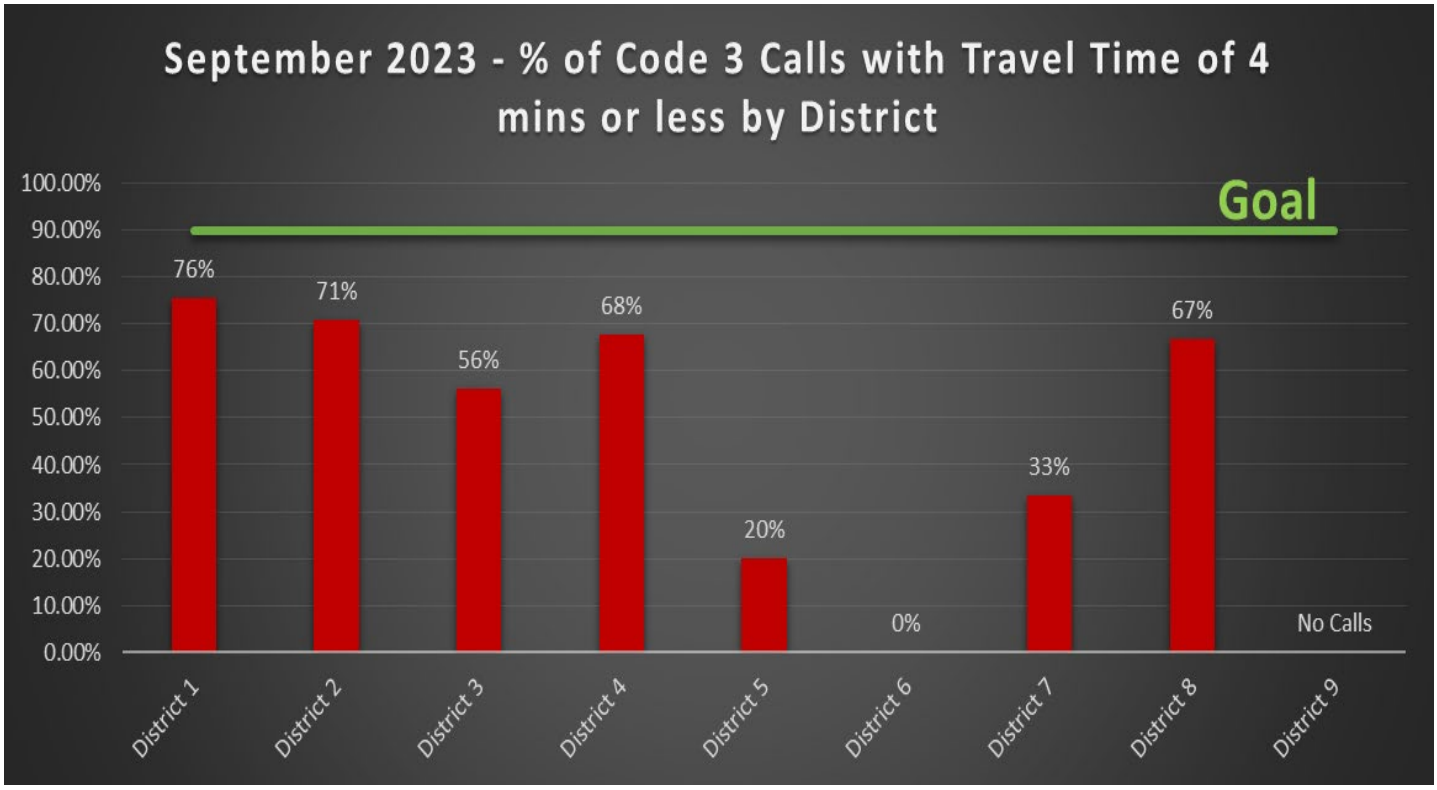
# September 2023 Dispatch to Arrival Analysis

| District | Total Number of Calls | Percent of Runs per District | Number of Calls in 5.5 mins or Less | Average FD Response Time Minutes | % in 5.5 min or less | Goal of 90% |
|---|---|---|---|---|---|---|
| District 1 | 82 | 27% | 65 | 0:05:11 | 79% | 90% |
| District 2 | 82 | 27% | 62 | 0:05:11 | 76% | 90% |
| District 3 | 32 | 11% | 22 | 0:05:04 | 69% | 90% |
| District 4 | 59 | 20% | 46 | 0:04:47 | 78% | 90% |
| District 5 | 15 | 5% | 4 | 0:06:55 | 27% | 90% |
| District 6 | 5 | 2% | 0 | 0:10:26 | 0% | 90% |
| District 7 | 24 | 8% | 12 | 0:06:53 | 50% | 90% |
| District 8 | 3 | 1% | 2 | 0:04:21 | 67% | 90% |
| District 9 | 0 | 0% | 0 | 0:00:00 | No Calls | 90% |
| Department | 302 | 100% | 213 | 0:05:24 | 71% | 90% |



# September 2023 Travel Time by District

| District | Total Number of Calls | Percent of Runs per District | Number of Calls in 4 or Less | Average Travel Time Minutes | % in 4 min or less | Goal of 90% |
|---|---|---|---|---|---|---|
| District 1 | 82 | 27% | 62 | 0:04:24 | 76% | 90% |
| District 2 | 82 | 27% | 58 | 0:04:10 | 71% | 90% |
| District 3 | 32 | 11% | 18 | 0:04:05 | 56% | 90% |
| District 4 | 59 | 20% | 40 | 0:03:55 | 68% | 90% |
| District 5 | 15 | 5% | 3 | 0:05:56 | 20% | 90% |
| District 6 | 5 | 2% | 0 | 0:09:30 | 0% | 90% |
| District 7 | 24 | 8% | 8 | 0:05:59 | 33% | 90% |
| District 8 | 3 | 1% | 2 | 0:03:40 | 67% | 90% |
| District 9 | 0 | 0% | 0 | 0:00:00 | No Calls | 90% |
| Department | 302 | 100% | 191 | 0:04:29 | 63% | 90% |



# Total Dollar Losses

September 2023

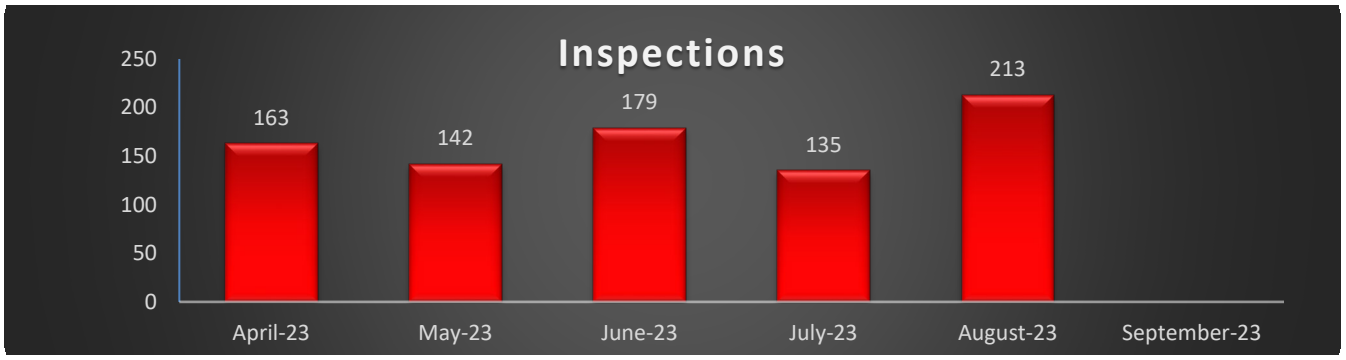
**Print Date/Time:** 10/06/2023 09:06
**Login ID:** rck\dgang
**Layer:** All
**Areas:** All

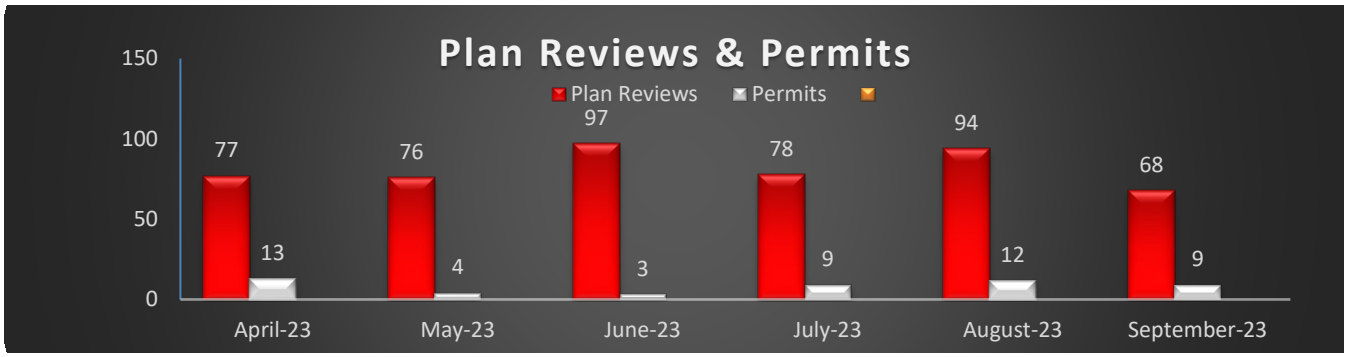
Rockwall Fire Department

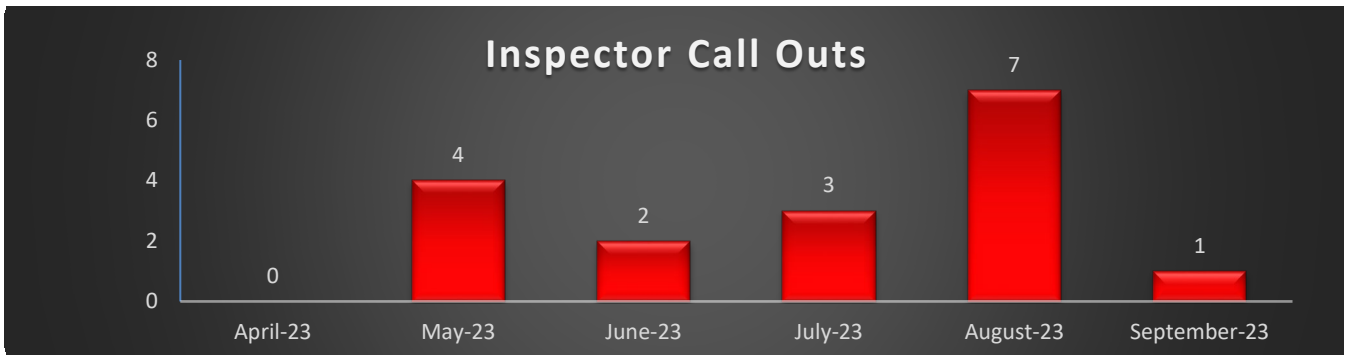
**ORI Number:** TX504
**Incident Type:** All
**Station:** All

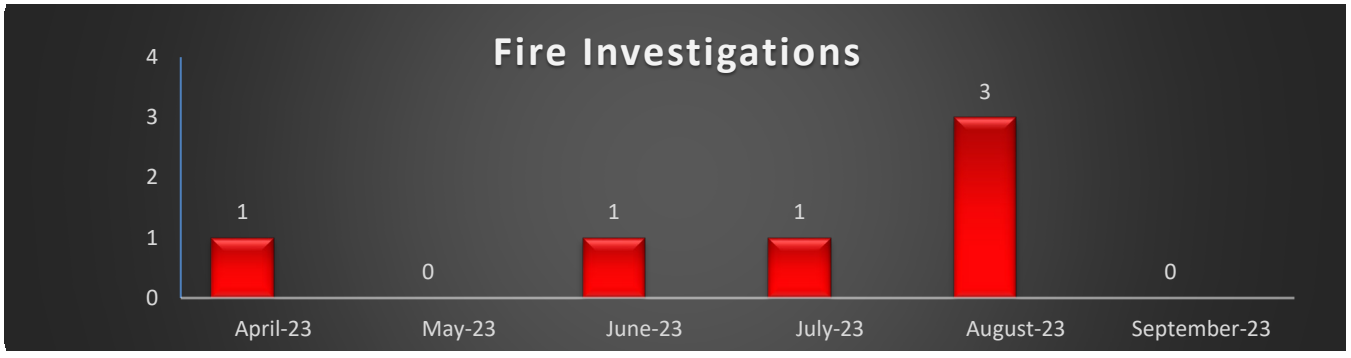
| | Current Month | Last Month | Same Month Last Year | Year To Date | Last Year To Date |
|---|---|---|---|---|---|
| **Total Property Loss:** | $0.00 | $50,000.00 | $32,500.00 | $1,637,750.32 | $1,001,220.00 |
| **Total Content Loss:** | $0.00 | $50,000.00 | $500.00 | $2,049,173.75 | $870,500.00 |
| **Total Property Pre-Incident Value:** | $0.00 | $288,320.00 | $1,057,710.00 | $117,249,418.32 | $62,042,320.00 |
| **Total Contents Pre-Incident Value** | $0.00 | $100,000.00 | $200,000.00 | $24,728,920.19 | $21,996,975.00 |
| **Total Losses:** | $.00 | $100,000.00 | $33,000.00 | $3,686,924.07 | $.00 |
| **Total Value:** | $.00 | $388,320.00 | $1,257,710.00 | $141,978,338.51 | $84,039,295.00 |

# Fire Prevention, Education, & Investigations Division Monthly Report September 2023



ROCKWALL PARKS & RECREATION

# Monthly Report
# September 2023

PLAYROCKWALL.COM

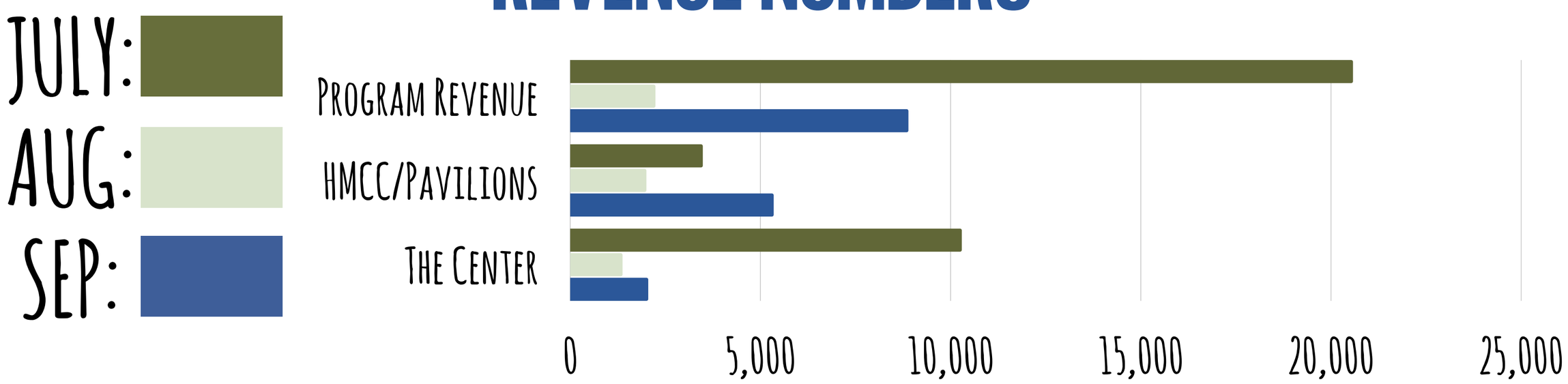



## Senior luncheon
## 70 attendees

## Senior health fair
## 200 attendees




## REVENUE NUMBERS




# Upcoming:

| | |
|---|---|
| **Fishing Derby** | **November 11, 2023** |
| **Christmas Tree Lighting** | **December 2, 2023** |
| **Breakfast with Santa** | **December 9, 2023** |

# PARKS PROJECT UPDATE – SEPTEMBER 2023



THE SQUARE BENCH RELCOCATION



HARRY MYERS BUTTERFLY GARDEN UPGRADE



CITY HALL BOX WOODS REMOVAL



66 CEMETERY GRAVE LEVELING

## Other Projects

HARRY MYERS MUSEIM FLATSTONE PATH REPAIR

BREEZY HILL WILDFLOWER PREP

# Rockwall Police Department

**Monthly Activity Report**

**September-2023**

| ACTIVITY | CURRENT MONTH SEPTEMBER | PREVIOUS MONTH AUGUST | YTD 2023 | YTD 2022 | YTD % CHANGE |
|---|---|---|---|---|---|
| **PART 1 OFFENSES** | | | | | |
| Homicide / Manslaughter | 0 | 0 | 0 | 0 | **0.00%** |
| Sexual Assault | 1 | 2 | 9 | 11 | **-18.18%** |
| Robbery | 0 | 0 | 8 | 12 | **-33.33%** |
| Aggravated Assault | 0 | 3 | 19 | 24 | **-20.83%** |
| Burglary | 3 | 2 | 30 | 26 | **15.38%** |
| Larceny | 42 | 54 | 437 | 531 | **-17.70%** |
| Motor Vehicle Theft | 3 | 10 | 61 | 46 | **32.61%** |
| **TOTAL PART I** | **49** | **71** | **564** | **650** | **-13.23%** |
| **TOTAL PART II** | **112** | **118** | **1078** | **1136** | **-5.11%** |
| **TOTAL OFFENSES** | **161** | **189** | **1642** | **1786** | **-8.06%** |
| **ADDITIONAL STATISTICS** | | | | | |
| FAMILY VIOLENCE | 6 | 10 | 85 | 71 | **19.72%** |
| D.W.I. | 15 | 15 | 118 | 131 | **-9.92%** |
| **ARRESTS** | | | | | |
| FELONY | 28 | 17 | 232 | 218 | **6.42%** |
| MISDEMEANOR | 43 | 59 | 451 | 491 | **-8.15%** |
| WARRANT ARREST | 6 | 7 | 65 | 63 | **3.17%** |
| JUVENILE | 3 | 7 | 44 | 60 | **-26.67%** |
| **TOTAL ARRESTS** | **80** | **90** | **792** | **832** | **-4.81%** |
| **DISPATCH** | | | | | |
| CALLS FOR SERVICE | 2264 | 2325 | 22352 | 17931 | **24.66%** |
| **ACCIDENTS** | | | | | |
| INJURY | 2 | 0 | 12 | 33 | **-63.64%** |
| NON-INJURY | 105 | 118 | 829 | 668 | **24.10%** |
| FATALITY | 1 | 0 | 2 | 2 | **0.00%** |
| **TOTAL** | **108** | **118** | **843** | **703** | **19.91%** |
| **FALSE ALARMS** | | | | | |
| RESIDENT ALARMS | 35 | 48 | 417 | 408 | **2.21%** |
| BUSINESS ALARMS | 158 | 174 | 1334 | 1432 | **-6.84%** |
| **TOTAL FALSE ALARMS** | **193** | **222** | **1751** | **1840** | **-4.84%** |
| **Estimated Lost Hours** | **127.38** | **146.52** | **1155.66** | **1214.4** | **-4.84%** |
| **Estimated Cost** | **$3,030.10** | **$3,485.40** | **$27,490.70** | **$28,888.00** | **-4.84%** |

**ROCKWALL NARCOTICS UNIT**

| | |
|---|---|
| **Number of Cases** | **2** |
| **Arrests** | **0** |
| **Arrest Warrants** | **0** |
| **Search Warrants** | **0** |
| **Seized** | |
| Methamphetamine | 1000 g |
| Heroin | 1000 g |
| | |
| | |
| | |
| | |

# Rockwall Police Department

## Dispatch and Response Times

September 2023

**Police Department**

| | Average Response Time | | |
|---|---|---|---|
| **Priority 1** | | Number of Calls | **202** |
| Call to Dispatch | 0:00:46 | | |
| Call to Arrival | 0:05:04 | | |
| % over 7 minutes | 22% | | |

| | Average Response Time | | |
|---|---|---|---|
| **Priority 2** | | Number of Calls | **906** |
| Call to Dispatch | 0:02:22 | | |
| Call to Arrival | 0:09:08 | | |
| % over 7 minutes | 16% | | |

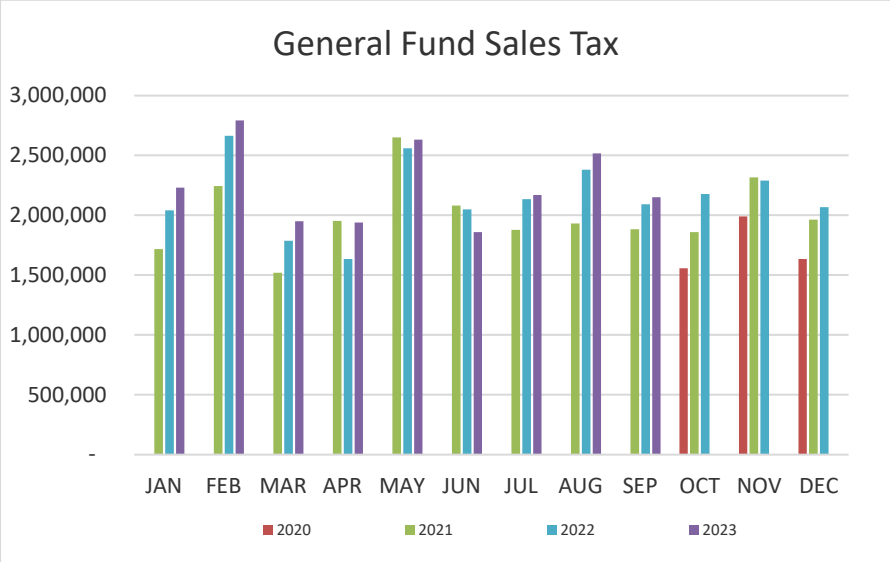
| | Average Response Time | | |
|---|---|---|---|
| **Priority 3** | | Number of Calls | **44** |
| Call to Dispatch | 0:02:59 | | |
| Call to Arrival | 0:08:01 | | |
| % over 7 minutes | 43% | | |

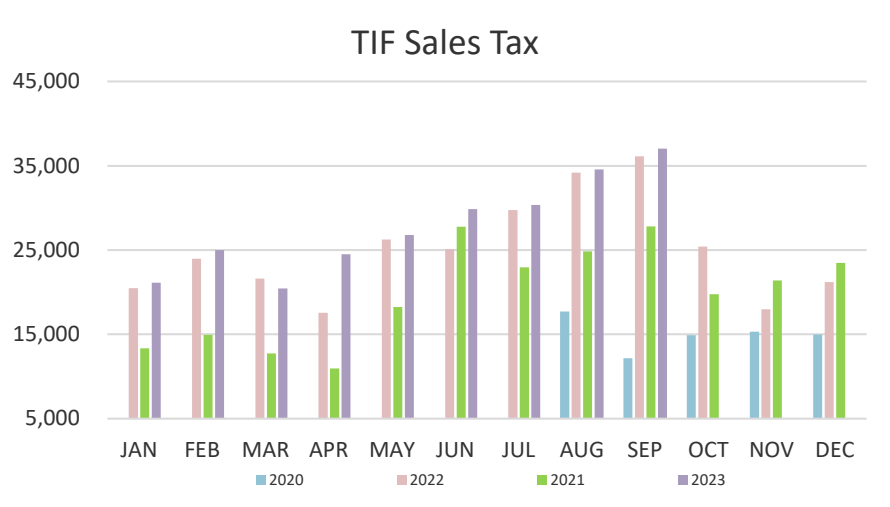
**Average dispatch response time goals are as follows:**

Priority 1: 1 Minute
Priority 2: 1 Minute, 30 Seconds
Priority 3: 3 Minutes

## Sales Tax Collections - Rolling 36 Months

| | General Fund Sales Tax | TIF Sales Tax |
|---|---|---|
| Sep-20 | 1,573,352 | 12,179 |
| Oct-20 | 1,558,570 | 14,888 |
| Nov-20 | 1,989,955 | 15,299 |
| Dec-20 | 1,634,280 | 14,994 |
| Jan-21 | 1,718,364 | 13,341 |
| Feb-21 | 2,244,778 | 14,935 |
| Mar-21 | 1,521,031 | 12,738 |
| Apr-21 | 1,952,165 | 10,954 |
| May-21 | 2,651,412 | 18,252 |
| Jun-21 | 2,080,645 | 27,773 |
| Jul-21 | 1,877,982 | 22,940 |
| Aug-21 | 1,930,521 | 24,860 |
| Sep-21 | 1,882,276 | 27,803 |
| Oct-21 | 1,860,016 | 19,744 |
| Nov-21 | 2,317,862 | 21,385 |
| Dec-21 | 1,963,345 | 23,464 |
| Jan-22 | 2,040,002 | 20,495 |
| Feb-22 | 2,664,185 | 23,976 |
| Mar-22 | 1,786,902 | 21,605 |
| Apr-22 | 1,633,850 | 17,548 |
| May-22 | 2,559,349 | 26,254 |
| Jun-22 | 2,050,066 | 25,127 |
| Jul-22 | 2,135,457 | 29,738 |
| Aug-22 | 2,381,510 | 34,190 |
| Sep-22 | 2,092,217 | 36,105 |
| Oct-22 | 2,177,040 | 25,420 |
| Nov-22 | 2,291,130 | 17,990 |
| Dec-22 | 2,068,593 | 21,213 |
| Jan-23 | 2,231,654 | 21,134 |
| Feb-23 | 2,792,696 | 24,982 |
| Mar-23 | 1,949,994 | 20,438 |
| Apr-23 | 1,938,490 | 24,487 |
| May-23 | 2,631,033 | 26,766 |
| Jun-23 | 1,859,485 | 29,862 |
| Jul-23 | 2,169,495 | 30,350 |
| Aug-23 | 2,517,879 | 34,558 |
| Sep-23 | 2,149,947 | 37,018 |




**Notes:**

**75% of total sales tax collected is deposited to the General Fund each month**

**Comptroller tracks sales tax generated in the TIF and reports it monthly**

**75% of TIF sales tax (city share) is pledged to the TIF**

## Monthly Water Consumption - Rolling 27 Months

| | Total Gallons | Daily Average | Maximum Day |
|---|---|---|---|
| Jul-21 | 446,687,809 | 14,409,284 | 17,918,524 |
| Aug-21 | 486,443,590 | 15,691,730 | 18,928,160 |
| Sep-21 | 377,898,464 | 17,173,544 | 19,016,086 |
| Oct-21 | 293,280,384 | 11,880,576 | 15,338,545 |
| Nov-21 | 280,398,508 | 9,346,618 | 12,584,820 |
| Dec-21 | 262,730,021 | 8,475,163 | 10,313,293 |
| Jan-22 | 245,557,172 | 7,921,199 | 10,742,941 |
| Feb-22 | 211,955,941 | 7,569,855 | 10,394,759 |
| Mar-22 | 256,035,618 | 8,529,214 | 10,544,988 |
| Apr-22 | 281,707,217 | 9,390,241 | 11,718,730 |
| May-22 | 356,050,664 | 11,485,506 | 15,634,756 |
| Jun-22 | 496,374,560 | 16,545,820 | 21,414,344 |
| Jul-22 | 679,705,160 | 21,925,974 | 24,474,168 |
| Aug-22 | 534,145,350 | 17,230,494 | 23,206,750 |
| Sep-22 | 434,247,536 | 14,474,915 | 17,617,728 |
| Oct-22 | 421,229,833 | 13,588,058 | 17,692,206 |
| Nov-22 | 228,795,657 | 7,626,522 | 11,187,251 |
| Dec-22 | 249,341,535 | 8,043,275 | 12,260,392 |
| Jan-23 | 243,528,725 | 7,855,765 | 11,040,666 |
| Feb-23 | 198,103,255 | 7,075,116 | 8,544,708 |
| Mar-23 | 220,326,930 | 7,107,320 | 10,825,669 |
| Apr-23 | 292,874,560 | 9,762,486 | 13,280,734 |
| May-23 | 355,482,851 | 11,467,189 | 16,032,988 |
| Jun-23 | 491,086,630 | 16,369,555 | 21,693,510 |
| Jul-23 | 587,439,800 | 18,949,672 | 23,599,534 |
| Aug-23 | 742,795,770 | 23,961,154 | 25,727,492 |
| Sep-23 | 637,062,410 | 21,235,410 | 31,876,280 |

**Source: SCADA Monthly Reports generated at the Water Pump Stations**

