AGENDA

ROCKWALL CITY COUNCIL MEETING

Monday, April 1, 2024 - 5:30 PM

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

I. Call Public Meeting to Order

II. Executive Session

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

1. Discussion regarding (re)appointments to city regulatory boards and commissions, including the N. TX. Municipal Water District (NTMWD) Board, pursuant to Section, §551.074 (Personnel Matters)

III. Adjourn Executive Session

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

V. Invocation and Pledge of Allegiance - Councilmember Lewis

VI. Proclamations / Awards / Recognitions

1. Child Abuse Prevention Month Proclamation

2. Theater in Our Schools 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 March 18, 2024, city council meeting, and take any action necessary.

2. **Z2024-006** - Consider approval of an **ordinance** for a Text Amendment to Article 04, Permissible Uses, and Article 13, Definitions, of the Unified Development Code (UDC) and to establish Chapter 13, Rental Housing, of the Municipal Code of Ordinances for the purpose of creating requirements for Short-Term Rentals, and take any action necessary. **(2nd Reading)**

3. Consider approval of an **ordinance** for the temporary reduction of the current 70 miles per hour speed limit along IH-30 to 65 miles per hour from MP 69.27 to MP 71.23 (approximately 300 feet east of T.L. Townsend to the eastern City limits) during (re)construction of IH-30, and take any action necessary. **(1st reading)**

4. Consider approval of an **ordinance** amending the Code of Ordinances in Ch. 44 "Utilities," Article V. "Water," Division 6 and Division 7 to combine and update the Water Conservation Plan and the Water Resource and Emergency Management Plan, and take any action necessary. **(1st reading)**

X. Public Hearing Items

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

1. **Z2024-003** - Hold a public hearing to discuss and consider a request by Michael Twichell of Michael F. Twichell, LP on behalf of Jim Duggan of NEC John King & 552, LP for the approval of an **ordinance** for a *Zoning Change* and *PD Development Plan* amending Planned Development District 74 (PD-74) [*Ordinance No. 17-60*] being a 17.3750-acre portion of a larger 405.184-acre Planned Development District situated within the J. Strickland Survey, Abstract No. 187; T. R. Bailey Survey, Abstract No. 30; and, J. Simmons Survey, Abstract No. 190, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for limited General Retail (GR) District land uses, situated within the SH-205 By-Pass Overlay (BY-OV) District, generally located at the northeast corner of the intersection of John King Boulevard and FM-552, and take any action necessary **(1st Reading)**.

XI. Action Items

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

1. Discuss and consider filling a vacant seat on the city's Main Street Advisory Board, and take any action necessary.

XII. 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. Fire Department Monthly Report

3. Parks & Recreation Department Monthly Report

4. Police Department Monthly Report

5. Sales Tax Historical Comparison

6. Water Consumption Historical Statistics

XIII. Adjournment

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

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

I, Kristy Teague, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 28th day of March 2024, at 5 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, child abuse and neglect is a serious problem that, unfortunately, affects every segment of our community, causing psychological, emotional and physical impacts that can have lifelong consequences for victims of abuse; and

Whereas, each year the month of April is set aside to recognize dedicated professionals across our state who meet families upstream – before crisis occurs – to offer them accessible lifelines to mitigate their challenges; and

Whereas, a collaborative, multifaceted endeavor, child abuse prevention involves the diligent work of families, friends, neighbors, houses of faith, advocacy groups, non-profits, schools, healthcare providers, social workers, law enforcement and other government agencies; and

Whereas, the Child Advocacy Center of Rockwall County provides a multi-agency, coordinated approach to the investigation, prosecution, and treatment of child abuse victims while providing a safe, child-friendly environment to effectively seek justice and promote healing for our community's most vulnerable citizens; and

Whereas, Court Appointed Special Advocates - CASA volunteers - are assigned by the court to speak on behalf of a child's best interests, serving as a voice to ensure that children have the opportunity to grow up in a safe, loving, permanent home; and

Whereas, the Rainbow Room is an emergency item resource center for abused children in the CPS system and is accessible 24-hours a day, 7 days a week to provide clothing, shoes and toys to children who need extra support.

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

CHILD ABUSE AWARENESS AND PREVENTION MONTH

in the City of Rockwall and encourage all citizens to applaud and support the work these groups do together to promote awareness and take meaningful actions that benefit children and families in our community.

In Witness Whereof, I hereunto set my hand and official seal on this 1st day of April, 2024.

Trace Johannesen, Mayor

Rockwall, Texas

Proclamation

Whereas, the International Thespian Society is an affiliate of the Educational Theatre Association and is a high school honor society that recognizes students in theatre; and

Whereas, the State Thespian Officer Board oversees planning and coordinating the State Thespian Festival and advocating for theatre education in the State of Texas; and

Whereas, theater education has many benefits, with the *Journal for Learning Through the Arts*, publicizing that "High-Poverty K-2 English Language learners who receive weekly drama lessons demonstrate increased listening and speaking skills on standardized tests;" and

Whereas, according to *The College Board*, "In 2015, students who took four years of arts classes in high school scored an average of 92 points higher on their SATs than students who took only one-half year or less;" and

Whereas, in 2020 the *Creativity Research Journal* found that applied theater techniques in the classroom increase students' self-esteem and develop their ability to empathize with others; and

Whereas, Texas Thespians believe that increased awareness of arts education encourages further advocacy on behalf of the Arts in our schools, resulting in positive change for students throughout Texas in everything that they participate in, including academic achievement.

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

Theatre in Our Schools Month

in the City of Rockwall and encourage all citizens to show enthusiastic support for local thespians and for all arts-related programming within our school district.

In Witness Whereof, I hereunto set my hand and official seal on this 1st day of April, 2024.

Trace Johannesen, Mayor

MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, March 18, 2024 - 6:00 PM

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

I. Call Public Meeting to Order

Mayor Johannesen called the meeting to order at 6:00 p.m. Present were Mayor Trace Johannesen, Mayor Pro Tem Anna Campbell, and Councilmembers Sedric Thomas, Mark Moeller, Clarence Jorif, Dennis Lewis and Tim McCallum. Also present were City Manager Mary Smith, Assistant City Manager Joey Boyd and City Attorney Frank Garza.

II. Invocation and Pledge of Allegiance - Mayor Pro Tem Campbell

Mayor Pro Tem Campbell delivered the invocation and led the Pledge of Allegiance.

III. Proclamations / Awards / Recognitions

1. Pastor Steve & Brenda Swofford Appreciation Day Proclamation
2. Severe Weather Awareness Week Proclamation
3. Red Cross Month Proclamation (March)

Mayor Johannesen called representatives up, one-by-one, regarding each of the above named proclamations. He then read and presented each one. Not listed above but also presented was one for "Surveyor's Week."

IV. Appointment Items

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

This item was not addressed, as the Chairman was not present.

V. Open Forum

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

Mike Rasmussen
507 Park Place Blvd.
Rockwall, TX

Mr. Rasmussen came forth and explained that he moved to Park Place (subdivision) in 2017. He showed

photographs to the Council as he explained concerns related to the company called "SPR," whose property and building are located behind his residential neighborhood. He explained that SPR recently constructed a large building just behind Park Place (right behind his home). Mr. Rasmussen thanked city staff, and in particular Parks Director Travis Sales, who he explained has been instrumental in trying to mitigate issues he's currently experiencing related to SPR. He shared that a representative from the SPR company did recently contact him and ask to meet with him. He explained that he knew SPR was going to purchase this property and something would be built; however, he believed that whatever building that got constructed would have reasonable height restrictions on it and it likely would not be visible, especially considering trees were going to be placed alongside it to provide screening. He shared that trees were in fact planted; however, they died during past freezes (temperature/weather-related). He explained that the photo he shared was taken from his residential backyard. He shared that he's been repeatedly told that what was built was "within (city)code." He understands this but is wondering if things can be done in order to mitigate his concerns (seemingly about the unsightliness of the building and its close proximity to his subdivision). He shared brief details about a recent meeting that was scheduled and held with him, city staff and SPR. He is hoping SPR will plant new trees – hopefully more than a minimum number required. He went on to make several suggestions regarding what he would like the city to do and not do in the future pertaining to these sorts of concerns. He urged that 'planting season is now,' so he's hoping these trees will be planted very soon, that they will be mature trees, and that they will be watered and cared for so that they do not die. He also urged for more trees in hopes they will mitigate lighting that will soon go up on the building and that he fears will be visible from his home.

Herb Podina
1014 Saint Charles Court
Rockwall, TX

Mr. Podina came forth and also expressed concerns about SPR and its tall, large structure that's been built behind his subdivision, Park Place. He relayed details regarding a recent meeting that was held with SPR representatives, and he believes they lied / were dishonest. He expressed strong dissatisfaction for the city having allowed this building to be built, explaining his belief that the city should have let residents know in advance. He seemed very upset about the city having allowed this structure to be built.

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

VI. Consent Agenda

1. Consider approval of the minutes from the March 4, 2024 city council meeting, and take any action necessary.

2. Consider authorizing the City Manager to execute a contract with SLM Landscaping for grounds maintenance in the amount of $639,023 to be funded by the Parks Operations budget, and take any action necessary.

3. **P2024-006** - Consider a request by Brad Boswell and Asher Hamilton of RIV Properties for the approval of a *Final Plat* of Lots 1, 2 & 3, Block A, George Morton Estates Addition being a 3.59-acre tract of land identified as Lots 1 & 2, Block 1; Lots 1, 2, 3, & 4, Block 2; Lots 1, 2, 3, & 4, Block 3; Lots 1, 2, 3, & 4, Block 5; Lots 1 & 2 and a portion of Lots 3 & 4, Block 6; Lots 2, 3, & 4, Block 7; Lots 1 & 2, Block 8; and Lots 1, 2, 3, & 4, Block 9, Moton Addition, City of Rockwall, Rockwall County, Texas, situated within the Hillside Mixed Use Subdistrict and the Horizon/Summer Lee Subdistrict of Planned Development District 32 (PD-32), generally located at the southwest corner of the intersection of Horizon Road and Summer Lee Drive, and take any action necessary.

Councilmember McCallum pulled item #3 for discussion. Councilmember Lewis moved to approve items #1 and 2. Councilmember McCallum seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Regarding Consent Agenda item #3, Councilmember McCallum shared that this item is related to a multifamily development. For that reason, he will not be voting in favor of it because he does not support 'multifamily' in the City. Mayor Johannesen pointed out that this item is related to the last of the entitlements at The Harbor. Mr. Miller, Planning Director, confirmed that the entitlements were granted back in the year 2010, and this the last of those units within that district. Councilmember Moeller went on to make a motion to approve Consent Agenda item #3 (P2024-006). Councilmember Thomas seconded the motion, which passed by a vote of 5 ayes with 2 nays (McCallum and Jorif).

VII. Public Hearing Items

1. **Z2024-003** - Hold a public hearing to discuss and consider a request by Michael Twichell of Michael F. Twichell, LP on behalf of Jim Duggan of NEC John King & 552, LP for the approval of an **ordinance** for a *Zoning Change* and *PD Development Plan* amending Planned Development District 74 (PD-74) [*Ordinance No. 17-60*] being a 17.3750-acre portion of a larger 405.184-acre Planned Development District situated within the J. Strickland Survey, Abstract No. 187; T. R. Bailey Survey, Abstract No. 30; and, J. Simmons Survey, Abstract No. 190, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for limited General Retail (GR) District land uses, situated within the SH-205 By-Pass Overlay (BY-OV) District, generally located at the northeast corner of the intersection of John King Boulevard and FM-552, and take any action necessary **(1st Reading)**.

Mayor Johannesen announced that this item has been continued to the Monday, April 1 regular city council meeting.

2. **Z2024-008** - Hold a public hearing to discuss and consider a request by Marisol Ortiz on behalf of Ricardo Alonso for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* on a 0.121-acre parcel of land identified as Lot 49 of the Canup's Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 302 E. Bourn Street, and take any action necessary **(1st Reading)**.

Mayor Johannesen announced that this item has been continued to the Monday, April 15 regular city council meeting.

3. **Z2024-009** - Hold a public hearing to discuss and consider a request by Harold Fetty of H. D. Fetty Land Surveyor, LLC on behalf of Antonio Borjas for the approval of an **ordinance** for a *Zoning Change* from an Agricultural (AG) District to a Single-Family Estate 1.5 (SFE-1.5) District and a Light Industrial (LI) District for a 9.4411-acre tract of land identified as Tract 3-4 of the J. H. Bailey Survey, Abstract No. 45, City of Rockwall, Rockwall, Texas, zoned Agricultural (AG) District, situated in the SH-276 Overlay (SH-276 OV) District, addressed 172 Zollner Road, and take any action necessary **(1st Reading)**.

Planning Director, Ryan Miller provided background information related to this agenda item. He explained the applicant is asking to change the zoning of the property from an Agricultural (AG) District to a Single-Family Estate 1.5 (SFE-1.5) and Light Industrial (LI) District. The purpose of this request is to facilitate the future conveyance of a portion of the subject property. According to the Land Use Plan contained in the

city's OURHometown Vision 2040 Comprehensive Plan, the subject property is located within the South Central Estates District, which -- based on the District Description for the South Central Estates District -- "…has the potential to have a mixture of land uses, but is currently relatively undeveloped." The Land Use Plan for this district designates the portion of the subject property that fronts SH-276 for Technology/Employment land uses, which is "…characterized by employment-oriented businesses, which are generally situated in larger centers (i.e. Rockwall Technology Park) with access to key transportation networks." In addition, the Light Industrial (LI) District is one of the two zoning districts permitted under this Land Use Plan Designation. The remaining portion of the property where the single-family home is situated, is designated as Commercial/Retail based on the Land Use Plan. In this case, the applicant is requesting this portion of the subject property to be zoned Single-Family Estate 1.5 (SFE-1.5) District, which is not consistent with the Land Use Plan; however, it is consistent with the current land use on the subject property. Furthermore, the area has not started to transition as expected, and the proposed zoning does appear to be appropriate with the current use of the subject property and adjacent land. It is staff's opinion that the Land Use Plan does not need to be changed if the proposed zoning is approved, and the Commercial/Retail land use designation is still an appropriate designation for the future development of the area. Based on this, the applicant's request to change the zoning of the subject property from Agricultural (AG) District to a Single-Family Estate 1.5 (SFE-1.5) District and Light Industrial (LI) District appears to conform to the Comprehensive Plan. On March 12, 2024 the Planning and Zoning Commission approved a motion to recommend approval of the zoning change by a vote of 4-0, with Commissioners Deckard, Womble, and Hustings being absent.

On February 22, 2024, staff mailed 24 notices to property owners and occupants within 500-feet of the subject property. There are no Homeowner's Associations (HOAs) or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property and advertised the public hearings in the Rockwall Herald Banner, as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received one notice in opposition of the applicant's request.

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

Councilmember McCallum spoke, generally expressing he believes the zoning should not be changed at this time. He generally expressed a strong belief that it should be left as an "AG" zoned property until which time as it is actually ready to be developed.

Mr. Miller shared that the applicant is wanting to change the zoning now because he would like to sell the property, and he cannot do so easily with a residential property located on it currently. He explained that if the zoning change were to be approved now, it will allow for the property owner to market it differently.

Councilmember McCallum went on to make a motion to deny Z2024-009, again explaining the various reasons why he's wanting to deny this rezoning request at this time. Councilmember Jorif seconded the motion.

Discussion ensued, with City Attorney Frank Garza sharing that the city is not allowed to consider the "future land use" of this parcel at this time. Council is only allowed, at this point, to consider its (re)zoning. Mr. Miller, Planning Director, provided further explanations regarding how zoning and rezoning works, including how the city has a Comprehensive Plan in place to help guide planning and zoning-related decisions throughout the city. Lengthy discussion ensued among various councilmembers, with the city

attorney also weighing in regarding how this rezoning request is in alignment with the city's Comprehensive (Master) Plan. Mr. Garza shared that it sounds like some council members want to know the future "use" of the property right now, prior to granting a (re)zoning request, and – he conveyed - that is not how the zoning process works.

Mayor Pro Tem Campbell generally expressed that she is not in favor of 'big government' and/or of telling a private land owner what he can or cannot do with his property. Councilmember Moeller pointed out that this request is in alignment with the city's Comp Plan, and he wishes the applicant were here to speak for himself. However, since he is not here, Council does have to make a discretionary decision. He supports property owner rights.

Councilmember McCallum again expressed various concerns about this request, encouraging the Council to vote in favor of denying rezoning of the property. Brief clarification was discussed regarding potential 'denial' of the rezoning request, or 'denial with (or without) prejudice.'

Councilmember McCallum went on to amend his original motion, moving at this point to deny this case without prejudice. Councilmember Jorif seconded the motion, which – after brief discussion – passed by a vote of four in favor with three against (Moeller, Johannesen, and Lewis).

4. **Z2024-006** - Hold a public hearing to discuss and consider approval of an **ordinance** for a *Text Amendment* to Article 04, *Permissible Uses*, and Article 13, *Definitions*, of the Unified Development Code (UDC) and to establish Chapter 13, *Rental Housing*, of the Municipal Code of Ordinances for the purpose of creating requirements for *Short-Term Rentals*, and take any action necessary.

Planning Director, Ryan Miller provided background information concerning this agenda item. Specifically, the proposed amendment makes the following changes to the Unified Development Code (UDC) and Municipal Code of Ordinances:

- **Defines Short-Term Rental as "…a residential dwelling unit, apartment, condominium, or Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit in which the entire structure or a portion thereof is offered for rent for a period exceeding 12-hours, but less than 30 consecutive days, to a particular occupant." This definition goes on to define a Short-Term Rental as a residential land use in accordance with the definition contained in the Tax Code and in conformance with previous Texas court decisions.**

- **Creates three (3) distinct categories of Short-Term Rentals, which are as follows:**

(1) Short-Term Rental (Owner-Occupied Single-Family Home, Townhome, or Duplex). A single-family home, townhome, or duplex -- or portion thereof -- in which the property owner or operator, as reflected in a valid lease agreement, is a resident (i.e. occupies the primary structure) and is present during the rental. This includes when a Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit is detached from the primary structure and either the primary or secondary structure is rented, but the owner or operator resides on the property.

(2) Short-Term Rental (Non-Owner-Occupied Single-Family Home, Townhome, or Duplex). A single-family home, townhome, or duplex -- or a portion thereof -- in which the property owner or operator does not occupy the dwelling unit during the rental, or that the owner or property owner does not occupy another dwelling unit -- or portion thereof -- on the same property (i.e. the

property owner or operator is not on-site as an occupant during the rental of the property).

(3) Short-Term Rental (Apartment or Condominium). An apartment or condominium (or similar multi-family structure, excluding duplexes, but including triplexes or quadplexes, as defined in this Unified Development Code [UDC]) -- or a portion thereof -- in which the property owner or operator may or may not be an occupant of the dwelling unit during the rental.

- **Amends the Permissible Land Use Charts contained in Article 04, Permissible Uses, of the Unified Development Code (UDC) to allow Short-Term Rentals in all of the City's Single-Family zoning districts and in the Two-Family (2F) District and Multi-Family 14 (MF-14) District. Specific Use Permits (SUPs) are required for the Downtown (DT) District and Residential-Office (RO) District. The purpose of requiring a Specific Use Permit (SUP) in these districts is to acknowledge that since these districts are transitional or mixed-use districts that a Short-Term Rental may or may not be appropriate depending on the specific location of the proposed use. The amendment also specifically prohibits the Short- Term Rental land use within all of the City's non-residential zoning district, which is consistent with the definitions established above.**

- **Establishes enforcement and penalty procedures for Short-Term Rentals. Specifically, the ordinance establishes specific violations and a penalty that can range from $500.00 to $2,000.00 per violation. In addition, if a STR accrues three (3) violations in any consecutive 12-month period, the Short-Term Rental Permit and Registration for the STR is revoked and the property owner would be prohibited from reapplying for a new Short-Term Rental Permit and Registration for a period of 12 months.**

- **Requires a Responsible Party as part of the Short-Term Rental Permit and Registration. A Responsible Party is a "…local representative that resides in Rockwall County and who is available at all time the rental is in use." The purpose of this requirement is to discourage absentee ownership, and ensure there is a point of contact that is local and can remedy any issues or violations for the City or the occupants of the STR during a rental.**

- **Creates Conditional Land Use Standards for each type of Short-Term Rental that regulates the location and types of land uses that can be established with the STR. With regard to Non-Owner Occupied STR's, a proximity requirement of 500- feet was chosen by the City Council to prevent the proliferation of Non-Owner Occupied STR's in residential subdivisions; however, the Planning and Zoning Commission approved a motion to recommend a 1,000-foot proximity requirement, and staff has made the appropriate changes to the draft ordinance. In addition, the ordinance does allow the Planning and Zoning Commission and City Council to consider a Specific Use Permit (SUP) to allow closer proximity on a case-by-case basis. In addition, a percentage of units was established to regulate the number of STR's (i.e. both owner occupied and non-owner occupied) permitted in an apartment or condominium building. Staff should note that there is precedence for the use of both of these methods to restricting STR's in other City's STR ordinances (i.e. the City of Waco uses a 500-foot proximity requirement and the City of San Antonio uses a percentage of units requirement). In addition, staff should note that proximity requirements are already used for several land uses within the City's Unified Development Code (UDC).**

- **Creates a Short-Term Rental Permit and Registration Program. In conjunction with the proposed ordinance, staff has also created a permit application and registration form that shows the information that would be collected as part of the proposed program. Based on the proposed ordinance, a $500.00 application fee would be required to register a STR and the registration and permit would be valid for a period of three (3) years once issued.**

- **Creates General Standards for Short-Term Rentals that include requirements associated with advertising, parking, temporary structures, trash, signage, life safety requirements, conduct on premises, tenant notification requirements, and payment of hotel occupancy taxes. The applicant of a Short-Term Rental Permit would be required to certify current and continued compliance with these requirements. In addition, an initial inspection would be required to ensure compliance with all of the General Standards prior to the issuance of a Short-Term Rental Permit.**

- **Requires that each Short-Term Rental property shall be required to have general commercial insurance (or an equivalent) coverage of a minimum of $500,000.00 per occurrence coverage and an aggregate of $1,000,000.00.**

- **Creates an appeal process for any administrative decisions made by staff as required by the ordinance. Since this would be an appeal to an administrative decision, the ordinance requires all appeals to be heard by the city's Board of Adjustments (BOA) in accordance with existing procedures.**

- **Establishes Non-Conforming Rights for properties that are able to prove they have been operating as a Short-Term Rental prior to the adoption of the proposed ordinance. This includes exemptions to certain zoning requirements (i.e. the proximity requirements and the permissible use zoning districts). With this being said, under the proposed program these existing STR's would still be required to register and apply for a permit through the proposed program by a specified date (i.e. the Grace Period which is June 30, 2024 or 90-days after the anticipated approval date of this ordinance of April 1, 2024).**

In establishing these requirements, staff researched other cities' ordinances to ensure that what was being proposed was not atypical in regulating Short-Term Rentals. Staff should note that the majority of the cities that were surveyed had more restrictive ordinances than what is currently being proposed. With this being said, the proposed ordinance is an example of a program that can be adopted to regulate Short-Term Rentals, and staff can make any adjustments, additions, or omissions desired by the City Council. In addition, if approved, the proposed ordinance would be implemented in accordance with the following process:

(1) Property Owner Notifications. After the first reading of the ordinance, staff will prepare a property owner notification list of all Short-Term Rental properties that are able to be identified within the community. Once this list is complete, and the ordinance is adopted staff will mail out a letter outlining the program, a copy of the proposed/approved ordinance, and the Short-Term Rental Permit Application and Registration form to all the Short-Term Rental addresses in the City and their corresponding property owner's addresses. In addition, staff will include information notifying property owners of the Short-Term Rental Registration Program in the water bill that will go out the week of ordinance adoption. This should be sent out to all property owners in the City. Finally, staff will prepare a summary of the Short-Term Rental Program and links to the Short-Term Rental Permit Application and Registration form, and post this information on social media sites.

(2) Applications for Existing Short-Term Rentals. From April 1, 2024 to June 30, 2024, staff will accept Short-Term Rental Permit Application and Registration forms for existing Short-Term Rentals only. These would be defined by the program as Short-Term Rentals that were in operation prior to the adoption of the program. To be eligible to register as an existing Short-Term Rental the applicant will need to be able to demonstrate the following: [1] that the property was purchased prior to April

1, 2024, AND [2] proof that the property was used as a Short-Term Rental (i.e. a listing, proof of rental, etc.) OR proof of payment of hotel occupancy tax to the City of Rockwall. During this time period the proximity requirements will not apply to applicants of existing Short-Term Rentals. No new permits for Short-Term Rentals will be accepted during the grace period.

(3) Applications for New Short-Term Rentals. After June 30, 2024, applications for new Short-Term Rentals may be submitted to the City of Rockwall. These applications will be subject to the proximity requirements stipulated in the text amendment. No applications for existing Short-Term Rentals will be accepted after the grace period and all applications will be deemed to be for new Short-Term Rentals.

(4) Other Procedural Items. In addition to the procedures list above, staff will also be: [1] creating a separate permitting classification for Short-Term Rentals (i.e. STR2024-XXX) that will help track the Short-Term Rental Registrations and Permits, [2] creating an online map service that will show all Short-Term Rentals that register with the City and the 1,000-foot proximity requirement for non-owner occupied Short-Term Rentals, and [3] creating an FAQ website on the City's website that can provide general information concerning the program.

To assist the City Council in making a decision regarding the text amendment, staff provided a map showing the proximity requirements at 500-feet and 1,000-feet. In addition, staff provided a copy of the proposed draft ordinance and a copy of the Short-Term Rental Permit and Registration application form.

In accordance with Subsection 02.01(C) of Article 11, Development Applications and Review Procedures, of the Unified Development Code (UDC), staff brought the proposed changes to the Planning and Zoning Commission for a recommendation to the City Council, and -- on March 12, 2024 -- the Planning and Zoning Commission approved a motion to recommend approval of the text amendment (with the change of the proximity requirements from 500-feet to 1,000-feet) by a vote of 4-0 (with Commissioners Deckard, Womble, and Hustings being absent). In addition, staff has sent out a 15-day notice to the Rockwall Herald Banner in accordance with all applicable state laws and Section 02.03(A)(3) of Article 11, Development Applications and Review Procedures, of the Unified Development Code (UDC).

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

Stan Jeffus
2606 Cypress Drive
Rockwall, TX

Mr. Jeffus thanked the Council and staff for all of its work on this topic. He pointed out the "5 percent rule" pertaining to apartments. He suggested that Council consider having a limitation of "5 percent of the housing area" as pertaining to allowance of STRs within the city.

Wilson Murphy
209 Tanya Drive
Rockwall, TX

Mr. Murphy pointed out that the draft information refers to "owner occupied" properties, and he does not believe this is a proper characterization since a lot of times they are vacant properties, and there is no one there at the premises. He has concerns about a 'responsible party' associated with a property potentially not responding until 10:00 in the morning regarding an issue that happens at 3:00 AM. He went on to mention a website that estimates there are over 270 "Air B&Bs" in existence in Rockwall today; however,

that number may be greater. He pointed out that the city is likely already over populated for these types of properties. He thanked Council for listening to his concerns and respecting existing property owners. He also encouraged Council to adopt the 1,000 foot proximity rule (rather than 500 feet).

Brian Busch
2218 Randas Way
Rockwall, TX

Mr. Busch shared his belief that the influx of illegal immigrants into our nation and state will begin to impact short-term rentals in our city. Corporations will begin funding the housing of immigrants within these sorts of properties soon, as it's already happening on the west coast in states such as California.

Joy Bounds Murphy
209 Tanya Drive
Rockwall, TX

Mrs. Murphy strongly encouraged Council to consider the sanctity of our residential neighborhoods and consider these sorts of properties on an individual, case-by-case basis. She urged Council to be cognizant of what Mr. Busch shared and the 'storm' that is soon coming pertaining to these types of properties. She shared that currently, in her neighborhood, there are already short-term rentals side-by-side with three or four of them operating in close proximity to her own home. She urged Council to vote "for" a 1,000 proximity buffer, sharing that it will not solve the problem, but it will help.

Ronnie Howell
434 Jordan Farms Circle (in Park Place)
Rockwall, TX

Mr. Howell came forth and shared that he personally owns a short-term rental within the city (in addition to his permanent residential home in the Park Place subdivision). He generally explained that he has had this rental property for several years now, and he closely monitors it and manages it. He is not against what is being brought forth this evening regarding regulation of these properties; however, he does believe that someone needs to come forth and be a voice for business owners in the community who do own these sorts of properties and who do closely and responsibly monitor these sorts of properties. He is not against Council adopting these regulations, and it will cost him $500 once every three years.

Melba Jeffus
2606 Cypress Drive
Rockwall, TX

Mrs. Jeffus shared that at the recent Planning & Zoning Commission meeting, a man who spoke pointed out that the World Cup is coming to this area soon. As a result, people from all over the world will be coming from everywhere and will be staying in these sorts of rentals, and this greatly scares her. It in fact has awakened her with nightmares at night when she's been sleeping.

Bob Wacker
309 Featherstone
Rockwall, TX

Mr. Wacker came forth and provided various comments, encouraging Council to place these regulations

along with regulations that govern 'Bed and Breakfasts' within the city. He went on to encourage the Council to require approval of a Specific Use Permit (SUP) for each and every one of these properties. He has concerns about the definition of 'responsible party' and its placement within the draft language. He has concerns about what the city will do if it cannot reach / get in contact with the property owner and/or the 'responsible party' that's designated. He wonders what penalties would be invoked if the owner or responsible cannot be found.

Mr. Miller, Planning Director went on to provide various clarifications to Mr. Wacker in an effort to help him better understand what the draft ordinance language is proposing and what the associated fines will be if regulations are violated.

Terri Nevitt
201 Becky Lane
Rockwall, TX

Mrs. Nevitt came forth and expressed various concerns about STRs, including noise and possible fireworks being set off. She sought and received clarification on the fee of $500 every three years. She thanked Council and staff for all the work that's been put into this topic, as she views that great progress has been made, as is evident and reflected in what's now being proposed.

Frank Tyminski
643 Windy Ridge Lane
Rockwall, TX

Mr. Tyminski thanked staff for being helpful and responsive to him in previously answering some of his questions. He wonders if Homeowners Associations (HOAs) can help regulate STRs in cooperation with the City. Mr. Miller shared that the city cannot enforce deed restrictions in place on residential properties. Indication was given that an HOA can pursue enforcement.

There being no one else wishing to come forth and speak, Mayor Johannesen closed the Public Hearing.

Councilmember Jorif shared that a lot of STR owners are doing 'the right thing' and are essentially not causing problems; however, unfortunately, there are some STRs and associated owners who are causing concerns. Jorif then asked for and received various clarification from Mr. Miller regarding enforcement and other aspects of the draft ordinance language.

Councilmember Jorif moved to approve Z2024-006. Mayor Pro Tem Campbell seconded the motion.

She thanked the staff and city attorney for all of their extensive research and hard work on this topic of STRs. She went on to ask and receive clarification on several points about the proposed ordinance and associated program. She did point out that she likes and is in favor of what is essentially the 'three strikes and you're out' provision included in the draft regulations being proposed for consideration this evening. Councilmember Lewis shared that he also is thankful to staff and the city attorney for all their hard work. He clarified that the 1,000 distance is property line to property line, and enforcement of violations of the provisions will be handled by the city's Municipal Court Judge.

Councilmember Moeller provided comments about the World Cup having come to the area back in the mid-1980s when he worked for Dallas Police Department. He and his staff had concerns at the time that there could be riots and whatnot; however, that did not occur because questionable people who were prone to

riot were not in a position to financially afford to travel around the world to Dallas to attend the World Cup. So, the travelers who did end up coming to Dallas at the time were actually pretty good, decent folks. He went on to express concerns regarding 'grandfathering' of some STRs that are already in existence, specifically related to STRs that are currently operating and have not been paying state law-required hotel/motel taxes. He wonders if the city could recognize them as 'non-conforming' (already) since they've been failing to abide by state law and haven't been paying their taxes. Mr. Garza shared that staff researched this but was unable to locate any case law on this matter. He shared that a city can 'go after' one of these properties "civilly' for not paying taxes in the past; however, a city will likely make attempts to retroactively collect on taxes the property owed for past years if/when they do come to register and apply. If they do not come forth and apply / register, the city can use these new ordinance provisions to 'go after them' and disallow them from continuing to utilize the property as a STR.

Councilmember McCallum thanked staff for all of the work and time invested in this topic. He went on to thank the citizens who have taken time to bring forth these concerns and push for these concerns to be addressed. He applauded citizens who've come forth and spoken for all of their hard work and for time invested in pushing for regulations to be developed and put into place. He thanked them for their work, pointing out that they've really made a difference.

Councilmember Thomas shared that the efforts have been commendable on the part of staff and the citizens. He believes there has been a good balance between trying to have 'limited government' while also trying to be a good neighbor. He thanked the citizens who have come forth to try and get some things put into place, and he also thanked the one STR owner who came forth and spoke this evening. He respectfully encouraged residents to not lose faith in people (humanity, essentially), asking them to consider scaling back their fears and having some faith instead, pointing out that some people who do own these sorts of properties do actually do the right thing. He went on to express that he does support these proposed regulations, including the 1,000 foot rule. He also encouraged residents to have faith in the Council, believing that they will do their very best to 'do right' by the citizens they serve.

Mayor Johannesen shared that he is normally not in favor of 'big government,' and he recognizes that it does sometimes take a long time to get regulations put into place. It taking a long time is probably a good thing, as once they are in place, you probably have to live with those things and be okay with them for a long time. Again, he believes the Council / city should be taking their time and doing things right because everyone will have to live with the choices that are made. Regarding Councilmember McCallum having said that prior Councils had 'kicked these issues down the road' – he disagrees, sharing that a hotel owner had previously come forth to express concerns about STRs, and the city was also waiting in anticipation of the State legislature perhaps addressing some of the STR-related concerns. So, at that time, there were other more pressing matters, and it was likely not a good use of staff time at that time. Furthermore, in general, he is also not in favor of 'big government, and he believes that, in some ways, these regulations are representative of a 'punishment of the masses' due to the (unfavorable) actions of a few. He believes most STR owners do the right thing. Although this was a long process, it did involve a lot of citizen input, legal research, and is representative of doing things the right way.

The ordinance caption was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 24-____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE MUNICIPAL CODE OF ORDINANCES AND THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL,

AS HERETOFORE AMENDED, BY CREATING CHAPTER 13, RENTAL HOUSING, OF THE MUNICIPAL CODE OF ORDINANCES AND AMENDING ARTICLE 04, PERMISSIBLE USES, AND ARTICLE 13, DEFINITIONS, OF THE UNIFIED DEVELOPMENT CODE (UDC) AS DEPCITED IN EXHIBITS 'A', 'B', & 'C' OF THIS ORDINANCE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion to approve the ordinance passed unanimously (7 ayes to 0 nays).

VIII. Action Items

1. Discuss and consider presentation by Pattillo, Brown & Hill LLP, of the Annual Comprehensive Financial Report, FY2023, and take any action necessary

City Manager Mary Smith provided brief comments, introducing Paula Lowell with Pattillo, Brown & Hill, who recently conducted the city's annual audit. She explained this is the first opportunity her company has had to conduct the city's audit. She shared that the city manager and her staff are all doing a very good job managing the city's finances and ensuring that monies are being spent in accordance with the city's approved budget(s). She went on to provide additional details related to the findings associated with the audit and the Annual Financial Report. She shared that they are issuing an 'unmodified opinion' as a result of the audit, which – she explained – is the highest ranking that can possibly be issued associated with an audit.

Indication was given that Council did not need to take any action concerning this matter. So, no action was taken.

IX. Adjournment

Mayor Johannesen adjourned the meeting at 7:57 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS 1st DAY OF APRIL, 2024.

_____
TRACE JOHANNESEN, MAYOR

ATTEST:

_____
KRISTY TEAGUE, CITY SECRETARY

CITY OF ROCKWALL

ORDINANCE NO. 24-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE MUNICIPAL CODE OF ORDINANCES AND THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY CREATING CHAPTER 13, *RENTAL HOUSING*, OF THE MUNICIPAL CODE OF ORDINANCES AND AMENDING ARTICLE 04, *PERMISSIBLE USES*, AND ARTICLE 13, *DEFINITIONS*, OF THE UNIFIED DEVELOPMENT CODE (UDC) AS DEPCITED IN *EXHIBITS 'A', 'B', & 'C'* OF THIS ORDINANCE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council has determined that regulations are needed to address regulations for *Short-Term Rentals*; and,

WHEREAS, the operation of *Short-Term Rentals* should not negatively affect property values and the *Short-Term Rentals* should be required to pay Hotel Occupancy Taxes; and,

WHEREAS, the City Council has determined that regulations needed are intended to protect the health, safety, morals, and general welfare of the general public; and,

WHEREAS, an amendment to the City of Rockwall's Municipal Code of Ordinances and the Unified Development Code [*Ordinance No. 20-02*] has been initiated by the City Council of the City of Rockwall to establish Chapter 13, *Rental Housing*, of the Municipal Code of Ordinances and amend Article 04, *Permissible Uses*, and Article 13, *Definitions*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] for the purpose of establishing definitions, regulations, and requirements for *Short-Term Rentals*; 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 city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Municipal Code of Ordinances and the Unified Development Code (UDC) [*Ordinance No. 20-02*] should be amended as follows:

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

SECTION 1. That Chapter 13, *Rental Housing*, of the Municipal Code of Ordinances of the City of Rockwall, as heretofore amended, be and the same is established and hereby amended as specifically described in *Exhibit 'A'* of this ordinance;

SECTION 2. That Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'B'* of this ordinance;

SECTION 3. That Article 13, *Definitions*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'C'* of this ordinance;

SECTION 4. 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 5. 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 Municipal Code of Ordinances and/or 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 6. 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 1ST DAY OF APRIL, 2024.

_____
Trace Johannesen, Mayor

ATTEST:

_____
Kristy Teague, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: March 18, 2024

2nd Reading: April 1, 2024

CHAPTER 13. *RENTAL HOUSING*

ARTICLE 1. *IN GENERAL*

SECTIONS 13-1 – 13-20. *RESERVED*

ARTICLE 2. *SHORT-TERM RENTALS*

SECTION 13-21. *PURPOSE*

The purpose of this *article* is to minimize the impacts of *Short-Term Rentals* on the City of Rockwall's existing residential neighborhoods and buildings, and to provide regulations to preserve and protect the integrity of the City's residential districts while continuing to support the rights or property owners. In addition, the following sections are intended to provide a logical process for the registration, permitting, and inspection of *Short-Term Rentals*. The requirements of this *Article* apply only to the regulation of *Short-Term Rentals*, as defined herein; however, nothing in this *Article* shall be construed to be a waiver of the requirement to assess and collect the required *Hotel Occupancy Taxes* for any *Short-Term Rental* for less than 30 consecutive days, or any applicable provision of the City of Rockwall's Municipal Code of Ordinances.

SECTION 13-22. *DEFINITIONS*

Hotel Occupancy Tax. The *Hotel Occupancy Tax* as defined Article IV, *Hotel Occupancy Tax*, of Chapter 40, *Taxation*, of the City's of Rockwall's Municipal Code of Ordinance and Chapter 3, *Tax Administration*, of the Texas Tax Code.

Responsible Party. An individual other than the applicant, who resides within Rockwall County, and who is designated by the owner/applicant to act as the owner's authorized agent if the owner has traveled outside of the immediate area or is otherwise unavailable. The local emergency contact should be available on a 24-hour basis, have access to the *Short-Term Rental* property, and be authorized by the owner to act in the owner's absence to address any complaints, disturbances, emergencies and property conditions.

Short-Term Rental. A *Short-Term Rental* is a residential dwelling unit, apartment, condominium, *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit* in which the entire structure or a portion thereof is offered for rent for a period exceeding 12-hours, but less than 30 consecutive days, to a particular occupant. The term does not include: [*1*] a *Bed and Breakfast;* [*2*] a *Motel*, *Limited Service Hotel*, *Full-Service Hotel*, or *Residence Hotel*; [*3*] a *Boarding House*; [*4*] a place for residence or use as a licensed health care or *Assisted Living Facility*.

Single-Family Residence. As defined by the Municipal Code of Ordinances and in this *Article*, which includes the following:

(1) *Single-Family Dwelling (Detached)*. A dwelling designed and constructed for occupancy by one (1) family and located on a lot or separate building tract and having no physical connection to a building located on any other lot or tract, and which is located in a single-family zoning district or Planned Development District.

(2) *Single-Family Dwelling (Attached)*. A dwelling which is joined to another dwelling at one (1) or more sides by a party wall or abutting separate wall and which is designed for occupancy by one (1) family and which is located on a separate platted lot, delineated by front, side, and rear lot lines.

(3) *Two Family Dwelling*: A single structure designed a constructed with two (2) dwelling units under a single roof for occupancy by two (2) families, one (1) in each unit.

(4) *Condominium*. The separate ownership of single dwelling units in a multiple unit structure/structures with common elements.

(5) *Multi-Family Dwelling or Apartment*. Any building or portion of a building, which is designed, built, rented, leased, or let to be occupied as three (3) or more dwelling units or apartments or which is occupied as a home or place of residence by three (3) or more families living in independent dwelling units.

SECTION 13-23. *AUTHORITY*

The Director of Planning and Zoning and/or the Building Official shall implement and enforce the requirements of this *Article* and may by written order establish such procedures, rules, and or regulations -- *not inconsistent with the requirements of this Article or other City ordinances* -- necessary to implement the intent of this *Article*.

SECTION 13-24. *TYPES OF SHORT-TERM RENTALS*

The three (3) classifications of *Short-Term Rentals* shall be consistent with the definitions contained in Article 13, *Definitions*, of the Unified Development Code (UDC), and are further defined as follows:

(a) *Owner-Occupied Single-Family Home, Townhome, or Duplex*. A *Short-Term Rental* under this classification shall be subject to the following conditions:

(1) The *Short-Term Rental* shall be for a period of time that is less than 30 consecutive days.

(2) A sleeping area must -- *at a minimum* -- include the shared use of a full bathroom.

(3) The property owner or *Responsible Party* is generally present on-site at the *Short-Term Rental Property* during the entire term of the rental.

(4) The *Short-Term Rental* may *not* operate without a *Short-Term Rental Permit* as required by Section 13-25, *Permit and Registration Requirements* of this *Article*.

(b) *Non-Owner-Occupied Single-Family Home, Townhome, or Duplex*. A *Short-Term Rental* under this classification shall be subject to the following conditions:

(1) The *Short-Term Rental* shall be for a period of time that is less than 30 consecutive days.

(2) The *Short-Term Rental* shall be for the entire dwelling unit.

(3) The property owner or responsible party is *not* present on-site during the term of the rental of the *Short-Term Rental Property*.

(4) The *Short-Term Rental* may *not* operate without a *Short-Term Rental Permit* as required by Section 13-25, *Permit and Registration Requirements* of this *Article*.

(c) *Apartment or Condominium Unit*. A *Short-Term Rental* under this classification shall be subject to the following conditions:

(1) The *Short-Term Rental* may be owner-occupied or non-owner-occupied.

(2) The *Short-Term Rental* shall be for a period of time that is less than 30 consecutive days.

(3) A sleeping area must -- *at a minimum* -- include the shared use of a full bathroom.

(4) The property owner or responsible party may or may not be generally present on-site during the entire term of the rental of the *Short-Term Rental Property*.

(5) The *Short-Term Rental* may *not* operate without a *Short-Term Rental Permit* as required by Section 13-25, *Permit and Registration Requirements* of this *Article*.

SECTION 13-25. *PERMIT AND REGISTRATION REQUIREMENTS*

(a) *Applicability*. No person shall advertise, offer for rent or lease, establish or operate a *Short-Term Rental* on any property within the City of Rockwall without registering and being approved for a *Short-Term Rental Permit*. A *Short-Term Rental Permit* shall be required for each physical address, regardless of the ownership of the property or the physical attributes of the structure situated on the property (*e.g. the number of bedrooms, bathrooms, cooking facilities, etc.*).

(b) *Short-Term Rental Permit*. An application for a *Short-Term Rental Permit* shall be submitted on a form provided by the City of Rockwall. A *Short-Term Rental Permit* shall be accompanied by an application fee of $500.00, and shall include the following information:

(1) *Ownership Information*. The name, street address, email address, and telephone number of the owner of the *Short-Term Rental*, and verification if the *Short-Term Rental* is owner occupied (*i.e. the applicant's residence*). If the owner of the property is a partnership, a corporation, or limited liability company, the application shall list the names of all partners, directors, members, or officers -- *as applicable* -- of ownership entity.

(2) *Responsible Party*. The name, street address, email address, and telephone number of the *Responsible Party* (*see Section 13-28, Enforcement or Penalty*).

(3) *Site Plan*. A *Site Plan* showing the location of the *Short-Term Rental* and the parking areas provided for the *Short-Term Rental*.

(4) *Pictures*. Pictures of the subject property showing the rear, front, and side yards of the subject property shall be provided. In addition, pictures of all structures -- *one (1) per each façade of a structure* -- and any on-site amenities shall be provided.

(5) *Self-Certification of Compliance*. A sworn self-certification that the owner of the *Short-Term Rental* is in compliance with and will continue to comply with the standards and other requirements of this *Article*.

(6) *Acknowledgement of this Article*. Acknowledgement of receipt of a copy of this *Article* and agreement to comply with all provisions contained within this *Article* as a condition to receiving and consent to inspection while maintaining a *Short-Term Rental Permit*.

(7) *Commercial Insurance*. Each *Short-Term Rental* property shall be required to have general commercial insurance (*or an equivalent*) coverage of a minimum of $500,000.00 per occurrence coverage and an aggregate of $1,000,000.00. The applicant for a *Short-Term Rental* shall provide a copy of the certificate of insurance which shows the name insured, any additional insureds, the location address, the effective date, the coverage limit and type. The owner must notify the City of Rockwall within 30 days if the insurance status changes and provide the City with the updated insurance information. The *Short-Term Rental Permit* shall be revoked in accordance with Section 13-29, *Revocation or Suspension of a Short-Term Rental Permit*, of this *Article* if updated insurance information is not provided.

(c) *Completeness of Short-Term Rental Permit Application*. Applications for a *Short-Term Rental Permit* shall *not* be considered complete until all documentation required by this *Article* has been submitted and accepted. Incomplete applications will not be accepted.

(d) *Acknowledgement by Applicant*. As part of the submission of an application for a *Short-Term Rental Permit*, the property owner shall acknowledge that a *Short-Term Rental Permit* granted by the City of Rockwall under this *Article* does not supersede any property specific restrictions against *Short-Term Rentals* that may exist under law, agreement, lease, covenant, or deed restriction.

(e) *Expiration of a Short-Term Rental Permit*. Unless revoked by the City of Rockwall in accordance with Section 13-29, *Revocation, Suspension, or Denial of a Short-Term Rental Permit*, of this *Article*, permits shall be valid for a period of three (3) years from the date the permit is issued.

(f) *Renewal of a Short-Term Rental Permit*. 30-days prior to the expiration of a *Short-Term Rental Permit*, the property owner shall apply for the renewal of the *Short-Term Rental Permit* on a form provided by the City of Rockwall. Failure to submit an application 30-days prior to the expiration of the *Short-Term Rental*, shall cause all nonconforming rights to lapse and the application shall be treated as a new application subject to the requirements of this *Article* and Article 04, *Permissible Uses*, of the Unified Development Code (UDC).

(g) *Records*. A property owner or operator of a *Short-Term Rental* shall keep detailed records showing each booking and the fees paid for each rental for at least three (3) years and make this information available to the City of Rockwall upon request.

(h) *Non-Transferability*. A *Short-Term Rental Permit* is not transferable to another property owner or operator, or address or property. Any attempt to transfer the *Short-Term Rental Permit* shall result in the termination of the permit.

SECTION 13-26. *GENERAL STANDARDS FOR SHORT-TERM RENTALS*

All *Short-Term Rentals* permitted pursuant to this *Article* and the requirements of Article 04, *Permissible Uses*, of the Unified Development Code (UDC) shall be subject to the following general standards:

(a) *Advertising*. All advertisements for a *Short-Term Rental* -- *including online or on a proprietary website, application, or other technology* -- shall include the *Short-Term Rental Permit Number* within the description or body of the advertisement for public reference.

(b) *Parking*. Parking shall comply with the requirements of *Table 5: Parking Requirement Schedule* of Article 06, *Parking and Loading*, of the Unified Development Code (UDC); however, all parking shall be on an improved surface (*i.e. gravel, pavers, asphalt, or concrete*) and no parking shall be permitted on an unimproved surface (*e.g. grass, vegetation, soil, etc.*).

(c) *Evacuation Plan*. For all *Short-Term Rentals* that are located within an apartment or condominium building that does not have direct access to the exterior of the building through the front door (*i.e. the primary exit exits to a shared hallway*), shall post an evacuation plan on the front door showing how to exit the building.

(d) *Temporary Structures*. Temporary structures including -- *but not limited to* -- recreational vehicles/campers, vehicles intended for occupancy, tents, canopies/shade structures (*not permitted by the City of Rockwall*), or similar structures/vehicles shall *not* be utilized as *Short-Term Rentals*.

(e) *Trash/Rubbish/Solid Waste*. All trash, rubbish, and/or solid waste shall be completely contained within a City approved container (*i.e. a polycart or approved garbage can*), and no trash, rubbish, and/or solid waste -- *bagged or otherwise* -- shall be placed on the ground.

(f) *Signage*. No external signage shall be installed or constructed on the property indicating or advertising the property as a *Short-Term Rental*. In addition, the property shall maintain compliance with Chapter 32, *Signs*, of the Municipal Code of Ordinances.

(g) *Life Safety*. The *Short-Term Rental* shall comply with the following *Life Safety* requirements:

(1) A standard five (5) pound fire extinguisher (*i.e. 2A:10B:C*) shall be properly mounted within 75-feet of all portions of the *Short-Term Rental* on each floor.

(2) Operable smoke and carbon monoxide detectors shall be installed and conform to all applicable city codes.

(3) All bedrooms/sleeping areas shall have at least one (1) operable emergency point of ingress/egress for rescue and escape (*i.e. windows and/or doors*) in accordance with the City's adopted codes, regulations, and ordinances.

(h) *Conduct On-Premises*.

(1) The property owner and/or *Responsible Party* shall be responsible for informing all occupants of all relevant City of Rockwall codes and the occupants' liability for violating the City's codes.

(2) Excessive noise or other disturbance outside of the *Short-Term Rental* that are in violation of Article IV, *Noise*, of Chapter 16, *Environment*, of the Municipal Code of Ordinances shall be prohibited.

(3) No overnight sleeping outdoors or outdoor sleeping spaces shall be provided as part of the *Short-Term Rental*.

(i) *Tenant Notification*. At a minimum, the property owner and/or responsible party shall post in a visible and obvious location of the *Short-Term Rental* the following information:

(1) The property owner and/or responsible party's contact information and telephone number.

(2) Pertinent information -- *conforming to the general standards of this Article* – including, but not limited to, the location of the required off-street parking or other available parking; the schedule, location and requirements regarding trash/rubbish/solid waste; and information regarding the conduct of guests on-premise.

(3) Information to assist guests in the case of an emergency that poses a threat to personal safety or property. This information should include emergency and non-emergency telephone numbers for police, fire, and medical services.

(4) A notice that failure to conform to the above listed requirements is a violation of the City of Rockwall's Municipal Code of Ordinances and that an owner, occupant, or visitor can be cited for violations of these requirements.

(j) *Hotel Occupancy Tax*. The property owner or *Responsible Party* shall remit all applicable state, county and local hotel occupancy taxes in a timely manner pursuant to all applicable laws and this *Article*.

SECTION 13-27. *INSPECTIONS*

To ensure compliance with the requirements of this *Article* a *Short-Term Rental* may be inspected under the following circumstances:

(1) *Initial Inspection*. As part of the issuance of a new *Short-Term Rental Permit* -- *and any reapplication thereof* --, the City shall conduct inspections to verify compliance with the requirements of this *Article*.

(2) *Inspections Upon Complaint or Suspicion of a Violation*. The City of Rockwall may perform inspections when a violation is reported or suspected in accordance with the established code enforcement procedures.

(3) *Inspections for Owner Occupied Short-Term Rentals*. If only a portion of the premises is offered for rent, then that portion plus any shared amenities and points of access shall be inspected.

(4) *Violations Resulting from Inspections*. If upon completion of an inspection, the premises are found to be in violation of one (1) or more provisions of the applicable City codes and ordinances, the City shall provide written notice of such violations and shall set up a subsequent inspection and date for the violation to be corrected prior to its occupancy.

SECTION 13-28. *ENFORCEMENT OR PENALTY*

(a) *Operation without a Short-Term Rental Permit*. A person commits an offense under this *Article* if a person owns or operates a *Short-Term Rental* without a valid *Short-Term Rental Permit*.

(b) *Responsible Party*. The property owner or operator of the *Short-Term Rental* shall designate a *Responsible Party* for each *Short-Term Rental*. The *Responsible Party* is a local representative that resides in Rockwall County and who is available at all times the rental is in use. Should a law enforcement or Neighborhood Improvement Services (NIS) representative respond to a suspected violation at a *Short-Term Rental* and issue a citation, the *Responsible Party* shall be contacted. If applicable, the *Responsible Party* shall contact the occupants within one (1) hour of the issuance of a citation to notify them of the citation and attempt to remedy the situation. Should multiple citations or violations be issued this could result in the revocation of a *Short-Term Rental Permit* in accordance with Section 13-29, *Revocation or Suspension of a Short-Term Rental Permit*, of this *Article*. Failure to update the *Responsible Party* information associated with a *Short-Term Rental Permit* shall be a violation of this *Article*.

(c) *Admission to Premises*. The Building Official or their designee may enforce the provisions of this *Article* upon presentation of proper identification to the occupant in charge of the *Short-Term Rental* and may enter -- *with the occupant's permission* -- any *Short-Term Rental* between the hours of 8:00 AM and 6:00 PM; provided, however, that in cases of emergency where extreme hazards are know to exist, which may involve imminent injury to persons, loss of life, or sever property damage, the Building Official or their designee may enter the *Short-Term Rental* at any time and upon presentation of identification and the occupant's permission shall not apply. Whenever the Building Official is denied admission to inspect any *Short-Term Rental* under this provision, inspection shall be made only under the authority of a warrant issued by a magistrate authorizing the inspection.

(d) *Violations*. Violation of the terms and conditions for *Short-Term Rentals* contained under this *Article* shall be punishable by a fine of not less than $500.00, but not more than $2,000.00 per offense. Penalties for other violations of the City of Rockwall's codes shall be as applicable. Each day a violation of this *Article* continues shall be considered a separate offense, and -- *upon conviction* -- shall be subject to a fine of $500.00 to a maximum of $2,000.00 per violation, per day. In addition, violations of any section of this article or any of the City of Rockwall's codes are deemed to be a

violation and may result in the revocation of a *Short-Term Rental Permit* in accordance with Section 13-29, *Revocation or Suspension of a Short-Term Rental Permit*, of this *Article*.

(e) *Failure to Pay Hotel Occupancy Tax*. Failure to timely pay any applicable hotel occupancy tax is a violation of this *Article*. If arrearage is not paid within 90-days of the issuance of a delinquency notice the *Short-Term Rental Permit* shall be revoked in accordance with Section 13-29, *Revocation or Suspension of a Short-Term Rental Permit*, of this *Article*.

SECTION 13-29. *REVOCATION OR SUSPENSION OF A SHORT-TERM RENTAL PERMIT*

(a) *Revocation or Suspension Due to Error or False Information*. The Director of Planning and Zoning and/or the Building Official is authorized to suspend or revoke a *Short-Term Rental Permit* issued under the provisions of this *Article* if it is found that the *Short-Term Rental Permit* was issued in error, the property owner fails to pay hotel occupancy tax, or if it is determined that the property owner or applicant of a *Short-Term Rental Permit* made a false statement of material fact on an application for the permit.

(b) *Revocation Due to Violation*. The Director of Planning and Zoning and/or the Building Official is authorized to revoke a *Short-Term Rental Permit* after three (3) violations have occurred in any consecutive 12-month period *or* when a property owner fails to correct a violation within the specified time period. For the purposes of this section, a violation shall be defined as any violation of the requirements of this *Article* or Article XII, *Property Maintenance Code*, of the Municipal Code of Ordinance.

(c) *Revocation Process*. Upon a determination to revoke a *Short-Term Rental Permit*, the Director of Planning and Zoning and/or the Building Official shall notify the property owner of the decision to revoke and the effective date of the revocation in writing within ten (10) days of the determination.

(d) *Reapplication After Revocation*. If a *Short-Term Rental Permit* is revoked, the property owner may not submit a new application for a *Short-Term Rental Permit* for the same property for a period of 12-months from the date of revocation.

(e) *Permanent Revocation*. A *Short-Term Rental Permit* holder may be subject to permanent revocation if their *Short-Term Rental Permit* is revoked two (2) times due to violations of this *Article* or other violations to the City's safety, health, and general welfare ordinances.

SECTION 13-30. *APPEALS*

If the Director of Planning and Zoning and/or the Building Official denies the issuance or renewal of a *Short-Term Rental Permit* or revokes or suspends an existing *Short-Term Rental Permit* issued under this *Article*, the property owner may appeal the decision to the Board of Adjustments (BOA) in accordance Subsection 04.03(A)(1) of Article 02, *Development Review Authority*, of the Unified Development Code (UDC).

SECTION 13-31. *NONCONFORMING RIGHTS*

Short-Term Rentals existing prior to April 1, 2024 shall be considered vested or legally nonconforming (*see the requirements of Subsection 06.05, Non-Conforming Short-Term Rentals, of Article 04, Permissible Uses, of the Unified Development Code [UDC]*) if they register as such through the *Short-Term Rental Permit* process outlined in this *Article* by June 30, 2024. *Short-Term Rental Permits* and registration is not transferable to another property owner or operator, or address or location. Nonconforming rights also shall not transfer with change of ownership, and any *Short-Term Rental Permit* shall be void upon change of ownership. Notwithstanding the foregoing, the conveyance or

transfer of a unit or property ownership to a legal entity controlled by or providing equitable ownership of the prior owner shall not constitute a change in ownership, provided that the new property owner: [*1*] apply for a new *Short-Term Rental Permit* in accordance with the terms of this *Article*, and [*2*] provide evidence to satisfactorily prove that the ownership did not change. Under this circumstance the property owner may maintain the nonconforming rights.

Exhibit 'B'
Article 04, Permissible Uses, of the
Unified Development Code (UDC)

See Next Page ...

Exhibit 'B'
Article 04, Permissible Uses, of the
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(E) A Bed and Breakfast shall be subject to an annual inspection by the Fire Department.

(F) All applicable hotel/motel taxes shall be paid.

(G) The maximum length of a guests stay is shall be limited to 14 consecutive days in any 30-day period.

(H) A Specific Use Permit (SUP) for a Bed and Breakfast shall be reviewed six (6) months after the adoption of the Specific Use Permit (SUP) and annually thereafter unless otherwise stipulated by the Specific Use Permit (SUP) ordinance.

(3) *Duplex.*

(A) Duplexes shall be limited to two (2) dwelling units (i.e. two [2] families) per lot or parcel of land.

(B) See the standards for the Two-Family (2F) District Subsection 07.01, *Residential District Development Standards*, of Article 05, *District Development Standards*.

(4) *Attached Garage.*

(A) See Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*.

(5) *Detached Garage.*

(A) See Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*.

(6) *Guest Quarters/Secondary Living Unit.*

(A) Guest Quarters or Secondary Living Units may be allowed on a property in a residential zoning district provided that it is ancillary to a single-family home.

(B) The area of such quarters shall not exceed 30% of the area of the main structure.

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

(D) Guest Quarters or Secondary Living Units not meeting the requirements stated above shall require a Specific Use Permit (SUP).

(7) *Home Occupation.*

(A) The Home Occupation use must clearly be incidental and secondary to the primary use of the property as a residence.

(B) No person outside the family may be employed in the Home Occupation use.

(C) There shall be no exterior display, signage, exterior storage of materials, and/or other exterior indication of the Home Occupation use or variation from the residential character of the principal building.

(D) No traffic shall be generated by such Home Occupation than would normally be expected in the neighborhood.

(E) No nuisance, offensive noise, vibration, smoke, dust, odors, heat, glare, or electrical disturbance shall be generated.

(F) A Home Occupation may not be interpreted to include facilities for the repair of motor vehicles, repair of small motors, or a daycare center.

(8) *Full-Service Hotel.*

(A) The minimum room count for a Full-Service Hotel shall be 250-rooms.

(B) Each guestroom shall have a minimum square footage of 380 SF.

(C) A Full-Service Hotel shall have a full-service restaurant and kitchen that provides service to the general public.

(D) A Full-Service Hotel shall have staff that is present 24-hours a day, seven (7) days a week.

(E) A Full-Service Hotel shall have the following minimum amenities: [1] a minimum 10,000 SF meeting or conference room, and [2] a swimming pool with a minimum area of 1,000 SF.

(9) *Multi-Family Structure or Development.*

(A) See Subsection 07.02, *Multi-Family District Development Standards*, of Article 05, *District Development Standards*.

(10) *Portable Building.*

(A) See Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*.

(11) *Residential Infill in or Adjacent to an Established Subdivision.*

(A) For the purposes of this Article, an Established Subdivision shall be defined as a subdivision that consists of five (5) or more lots, that is 90% or more developed, and that has been in existence for more than ten (10) years.

(B) All proposed residential infill housing that is located within an Established Subdivision or a lot or tract of land that is located with 500-feet of an Established Subdivision shall be required to apply for a Specific Use Permit (SUP).

(C) As part of the Specific Use Permit (SUP) request the applicant shall be required to submit a residential plot plan or site plan, landscape plans, and building elevations of the proposed home.

(D) In reviewing the proposed Specific Use Permit (SUP), the Planning and Zoning Commission and City Council shall consider the proposed size, location, and architecture of the home compared to the existing housing in the Established Subdivision.

(E) All housing proposed under this section shall be constructed to be architecturally and visually similar or complimentary to the existing housing in the Established Subdivision.

(12) *Short-Term Rental (Owner-Occupied Single-Family Home, Townhome, or Duplex).*

(A) The *Short-Term Rental* shall not incorporate accessory land uses that are not permitted within the underlying zoning district (*e.g. Banquet Facility/Event Hall which*

includes meeting halls and wedding venues) as stipulated by the *Permissible Use Charts* contained within this *Article*.

(B) In order to establish and operate a *Short-Term Rental (Owner Occupied Single-Family Home, Townhome, or Duplex)* in the City of Rockwall, a permit and registration shall be required in accordance with the requirements of Article 2, *Short-Term Rentals*, of Chapter 13, *Rental Housing*, of the Municipal Code of Ordinances.

(13) *Short-Term Rental (Non-Owner-Occupied Single-Family Home, Townhome, or Duplex).*

(A) *Short-Term Rentals* that are *Non-Owner-Occupied* shall not be located within 1,000-feet of another *Short-Term Rental* that is *Non-Owner Occupied*; however, *Short-Term Rentals* that were in existence prior to April 1, 2024 that [*1*] meet the criteria established in Subsection 06.05, *Non-Conforming Short-Term Rentals*, of this *Article*, and [2] received a valid permit and registration -- *in accordance with Article 2, Short-Term Rentals, of Chapter 13, Rental Housing, of the Municipal Code of Ordinances* -- prior to June 30, 2024 shall be exempted from the proximity requirements.

(B) *Short-Term Rentals* that are *Non-Owner-Occupied* that do not meet proximity requirements may be considered on a *case-by-case* basis by the Planning and Zoning Commission and City Council through a Specific Use Permit (SUP). In considering a Specific Use Permit (SUP) for a *Short-Term Rental* that is *Non-Owner-Occupied* the Planning and Zoning Commission and City Council shall consider the size, location, and impact of the proposed and existing *Short-Term Rentals* on the adjacent residential properties and their occupants.

(C) The *Short-Term Rental* shall not incorporate accessory land uses that are not permitted within the underlying zoning district (*e.g. Banquet Facility/Event Hall which includes meeting halls and wedding venues*) as stipulated by the *Permissible Use Charts* contained within this *Article*.

(D) In order to establish and operate a *Short-Term Rental (Non-Owner-Occupied Single-Family Home, Townhome, or Duplex)* in the City of Rockwall, a permit and registration shall be required in accordance with the requirements of Article 2, *Short-Term Rentals*, of Chapter 13, *Rental Housing*, of the Municipal Code of Ordinances.

(14) *Short-Term Rental (Apartment or Condominium).*

(A) The number of *Short-Term Rentals* permitted within an *Apartment Complex, Condominium Building*, or any other multi-family structure -- *as defined by this land use in Article 13, Definitions, of this Unified Development Code (UDC)* -- shall be limited to a total of five (5) percent of the total units situated on a single parcel of land. For example, if a *Condominium Building* consisted of 100-units on a single parcel of land, a total of five (5) of the units could be established as *Short-Term Rentals*. In cases where there is a remainder in the number of units, the number of units shall round up (*e.g. 25-Units x 5.00% = 1.25-Units or 2-Units*).

(B) In order to establish and operate a *Short-Term Rental (Apartment or Condominium)* in the City of Rockwall, a permit and registration shall be required in accordance with the requirements of Article 2, *Short-Term Rentals*, of Chapter 13, *Rental Housing*, of the Municipal Code of Ordinances.

~~(12)~~(15) *Single-Family Attached Structure.*

(A) See Section 03, *Residential Districts*, of Article 05, *District Development Standards*.

(B) See Subsection 07.01, *Residential District Development Standards*, of Article 05, *District Development Standards*.

~~(13)~~(16) *Single-Family Detached Structure.*

(A) See Section 03, *Residential Districts*, of Article 05, *District Development Standards*.

(B) See Subsection 07.01, *Residential District Development Standards*, of Article 05, *District Development Standards*.

~~(14)~~(17) *Single-Family Zero Lot Line Structure.*

(A) A five (5) foot maintenance easement is required on the non-zero-lot-line side of the structure.

(B) See Section 03, *Residential Districts*, of Article 05, *District Development Standards*.

(C) See Subsection 07.01, *Residential District Development Standards*, of Article 05, *District Development Standards*.

~~(15)~~(18) *Townhouse.*

(A) See Section 03, *Residential Districts*, of Article 05, *District Development Standards*.

(B) See the standards for the Two-Family (2F) District Subsection 07.01, *Residential District Development Standards*, of Article 05, *District Development Standards*.

~~(16)~~(19) *Urban Residential.*

(A) Urban Residential includes residential development that at least partly face streets, public sidewalks, or common open space, and/or which are located above retail, office or service uses.

(B) Ground floor urban residential should have direct access to a sidewalk via a stoop or landing, and a majority of parking should be located in a structure.

(C) *Institutional and Community Service Land Uses.*

(1) *Assisted Living Facility.*

(A) These facilities shall include establishments that accommodate seven (7) or more residents. For facilities with six (6) or fewer residents see Group or Community Home in Subsection 02.03(C)(5).

(2) *Church/House of Worship.*

designated use of any development, structure, or part thereof, where official approval and the required building permits were granted before the enactment of this Unified Development Code (UDC), or any amendment thereto, where construction, conforming with the plans, shall have been started prior to the effective date of the ordinance from which this Unified Development Code is derived or such amendment, and where such construction shall have been completed in a normal manner within the subsequent 12-month period, with no interruption, except for reasons beyond the builder's control.

(D) *Damage Due to Acts of God*. Any non-conforming structure which is damaged more than 75% of its then appraised tax value above the foundation, by fire, flood, explosion, wind, earthquake, war, riot or other calamity or act of God, shall not be restored or reconstructed and used as it was before the damaging event. If such structure is damaged less than 75% of its then appraised tax value above the foundation, it may be restored, reconstructed, or used as before, provided that the restoration or reconstruction is completed within 12 months of the damaging event. The 12-month period does not include any necessary litigation.

(E) *Repair of Unsafe Buildings, Structures and Sites*. Nothing in this Unified Development Code (UDC) shall be construed to prohibit the strengthening or repair of any part of any building or structure declared unsafe by proper authority, unless such repairs exceed 50% of the replacement cost of the building. If the repairs exceed 50%, the building shall be brought into conformity with all requirements of the zoning district in which it is located.

(F) *General Repairs and Maintenance*.

(1) On any non-conforming structure or portion of a structure containing a non-conforming use, no work may be done in any period of 12 consecutive months on ordinary repairs, or on repair or replacement of non-load-bearing walls, fixture, wiring, or plumbing to an extent exceeding ten (10) percent of the current replacement cost of the non-conforming structure or non-conforming portion of the structure as the case may be.

(2) If 50% or more of a non-conforming structure containing a non-conforming use becomes physically unsafe or unlawful due to lack of repairs or maintenance, and is declared by a duly authorized official to be unsafe or unlawful by reason of physical condition, it shall not thereafter be restored, repaired or rebuilt except in conformity with the regulations of the district in which it is located.

(G) *Moving of a Non-conforming Building or Structure*. No non-conforming building or structure shall be moved in whole or in part to any other location on the lot, or on any other lot, unless every portion of the building or structure is made to conform to all the regulations of the district.

(H) *Non-conforming Lot Sizes*. All lots used for storage that do not require a building and the use of such lot is made non-conforming by this Unified Development Code (UDC) or amendments thereto shall cease to be used for such storage within six months of the date of adoption of the ordinance from which this Unified Development Code (UDC) is derived, or amendments [*thereto*].

SUBSECTION 06.05: NON-CONFORMING SHORT-TERM RENTALS

Short-Term Rentals, as defined in Article 13, *Definitions*, of this Unified Development Code (UDC), shall be considered to be legally in existence for the purpose of establishing vested or non-conforming rights regarding the zoning requirements if all of the following criteria is met by the owner of a *Short-Term Rental*:

(A) The owner of a property provides a property deed or proof of ownership showing that the property was purchased prior to April 1, 2024.

(B) The owner of the property can provide proof that the property was used as a *Short-Term Rental* (*i.e. a listing, proof of rental, etc.*) *OR* proof of payment of hotel occupancy tax to the City of Rockwall.

LAND USE SCHEDULE

LEGEND:

- Land Use *NOT* Permitted
- P — Land Use Permitted *By-Right*
- P — Land Use Permitted with Conditions
- S — Land Use Permitted Specific Use Permit (SUP)
- X — Land Use Prohibited by Overlay District
- A — Land Use Permitted as an Accessory Use

LAND USES	LAND USE DEFINITION REFERENCE [Reference Article 13, *Definitions*]	CONDITIONAL USE REFERENCE Reference [Article 04, *Permissible Uses*]	RESIDENTIAL DISTRICTS												MIXED USE DISTRICTS		NON-RESIDENTIAL DISTRICTS						OVERLAY DISTRICTS		
			Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District
Residential Garage	(7)	(4) & (5)	A	A	A	A	A	A	A	A	A	A	A	A	A	A									
Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit	(8)	(6)	A	A	A	A	A	A	A	S	S	S	S	P											
Home Occupation	(9)	(7)	P	P	P	P	P	P	P	P	P	P	P	P	P	P									
Limited-Service Hotel	(10)														S			S	S		S				
Full-Service Hotel	(11)	(8)													S			S	S		S				
Residence Hotel	(12)														S			S	S		S				
Motel	(13)														S			S	S		S				
Multi-Family Development or Structure	(14)	(9)												P											
Portable Building	(15)	(10)		P	P	P	P	P	P	P	P	P	P												
Residential Infill in an Established Subdivision	(16)	(11)	S	S	S	S	S	S	S	S	S	S	S	S	S	S									
Short-Term Rental (Owner-Occupied, Single-Family Home, Townhome, or Duplex)	(17)	(12)		P	P	P	P	P	P	P	P	P	P	P	S	S									
Short-Term Rental (Non-Owner-Occupied, Single-Family Home, Townhome, or Duplex)	(17)	(13)		P	P	P	P	P	P	P	P	P	P	P	S	S									
Short-Term Rental (Apartment or Condominium)	(17)	(14)		P	P	P	P	P	P	P	P	P	P	P	S	S									
Single-Family Attached Structure	~~(1718)~~	~~(4215)~~										P	P	P											
Single-Family Detached Structure	~~(1819)~~	~~(4316)~~	P	P	P	P	P	P	P	P	P	P	P	P		P									
Single-Family Zero Lot Line Structure	~~(1920)~~	~~(4417)~~										P	P	P		P									
Private Swimming Pool	~~(2021)~~		A	A	A	A	A	A	A	A	A	A	A	A	A	A									
Private Tennis Court	~~(2122)~~		A	S	S	S	S	S	S	S	S	S	S	S		S									
Townhouse	~~(2223)~~	~~(4518)~~												P		P									
Urban Residential	~~(2324)~~	~~(4619)~~												S	S										
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES	2.02(C)	2.03(C)																							
Assisted Living Facility	(1)	(1)												P	P	P	P	P	P		P				
Blood Plasma Donor Center	(2)																P	P	P	P	P	P			
Cemetery/Mausoleum	(3)		S														S	S	S	S	S	S			

Exhibit 'C'
Article 13, Definitions, of the
Unified Development Code (UDC)

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vehicles are kept for remuneration, hire, or sale and where a retail service station may be maintained as a secondary use.

(7) *Residential Garage*. A residential accessory building used for the storage motor vehicles. These structures are typically attached to the primary structure; however, they may also be a detached structure.

(8) *Guest Quarters/Secondary Living Unit*. An accessory building designed for the temporary occupancy of guests of the primary dwelling for which there is no remuneration and is not rented or otherwise used as a separate domicile.

(9) *Home Occupation*. A commercial use customarily carried on in the home by members of the occupant family without structural alterations in the principal building or any of its rooms, without offering any commodity or service for sale on premises, without the installations of machinery or additional equipment other than that customary to normal household operations, without the employment of additional persons, without the use of a sign to advertise the occupations, and which does not cause the generation of other than normal noise, and pedestrian and vehicular traffic.

(10) *Limited-Service Hotel*. A building or group of buildings used as a temporary dwelling place for individuals in exchange of financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Hotel room units are accessed through doorways into an internal hallway, courtyard, or lobby. Financial consideration for hotel room units is generally calculated on a nightly basis.

(11) *Full-Service Hotel*. A building or group of buildings designed for and occupied as a temporary dwelling place. Access to guestrooms shall be restricted exclusively to interior corridors, that shall be accessed via the main lobby of the building or entryways individually equipped with some form of security-controlled access system. Customary hotel services such as linen, maid service, telephone, and other guest amenities are provided and may also contain various personal service shops.

(12) *Residence Hotel*. A building or group of buildings used as a temporary dwelling place for individuals in exchange for financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Residence hotel room units are designed to be suitable for long-term occupancy with financial consideration being calculated on a nightly, weekly, and/or monthly basis. Typical residence hotel attributes include, but are not limited to, kitchen facilities, two-story design, and external doorways into room units.

(13) *Motel*. A building or group of buildings used as a temporary dwelling place for individuals in exchange for financial consideration where customary hotel services such as linen, maid service, and telephone are provided. Each motel room unit has direct access to the outside. Financial consideration for motel room units is generally calculated on a nightly basis.

(14) *Multi-Family Structure or Development*. A development consisting of at least three (3) single-family dwelling units grouped into a single building or multiple buildings on an individual parcel of land. Examples of a *Multi-Family Development* include Triplexes, Quad or Fourplexes, apartments, condominiums, and etcetera.

(15) *Portable Building*. A temporary building that may or may not have a foundation and is transportable.

(16) *Residential Infill in or Adjacent to an Established Subdivision*. The new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out.

(17) *Short-Term Rental*. A *Short-Term Rental* is a residential dwelling unit, apartment, condominium, or *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit* in which the entire structure or a portion thereof is offered for rent for a period exceeding 12-hours, but less than 30 consecutive days, to a particular occupant. In practice, a *Short-Term Rental* is considered to be a residential land use, and is *not* considered to be a *Limited-Service Hotel*, *Full-Service Hotel*, *Residence Hotel*, *Motel*, or *Bed and Breakfast* as defined in this Unified Development Code (UDC). *Short-Term Rentals* can be further defined based on the following three (3) categories:

(a) *Short-Term Rental (Owner-Occupied Single-Family Home, Townhome, or Duplex)*. A single-family home, townhome, or duplex -- *or portion thereof* -- in which the property owner or operator, as reflected in a valid lease agreement, is a resident (*i.e. occupies the primary structure*) and is present during the rental. This includes when a *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit* is detached from the primary structure and either the primary or secondary structure is rented, but the owner or operator resides on the property.

(b) *Short-Term Rental (Non-Owner-Occupied Single-Family Home, Townhome, or Duplex)*. A single-family home, townhome, or duplex -- *or a portion thereof* -- in which the property owner or operator does *not* occupy the dwelling unit during the rental, or that the owner or property owner does *not* occupy another dwelling unit -- *or portion thereof* -- on the same property (*i.e. the property owner or operator is not on-site as an occupant during the rental of the property*).

(c) *Short-Term Rental (Apartment or Condominium)*. An *Apartment* or *Condominium* (*or similar multi-family structure, excluding duplexes, but including triplexes or quadplexes, as defined in this Unified Development Code [UDC]*) -- *or a portion thereof* -- in which the property owner or operator may or may not be an occupant of the dwelling unit during the rental.

~~(17)~~(18) *Single-Family Attached Structure*. A single-family residential structure that is occupied by one (1) family and shares a common wall or walls with another single-family residential structure, but that is on an individual lot and can be conveyed individually (*i.e. one [1] dwelling unit per lot*).

~~(18)~~(19) *Single-Family Detached Structure*. A single-family residential structure that is occupied by one (1) family, is situated on a single parcel of land, does not share a common

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* Joey Boyd, *Assistant City Manager*
FROM:	Amy Williams, *City Engineer and Director of Public Works*
DATE:	April 1, 2024
SUBJECT:	IH-30 Temporary Speed Limit Reduction

Staff received a request from the Texas Department of Transportation (TXDOT) Area Office, requesting the City adopt a reduction of the speed limit along Interstate 30 (IH-30) from MP (mile point) 69.27 to MP 71.23 (see attachment for limits). TXDOT is concerned with safety during the Interstate 30 construction.

TXDOT has requested the speed be temporarily reduced from 70 miles per hour (mph) to 65 mph during the construction of IH-30. Once the project construction is complete, the speed limit will revert back to 70 mph.

Staff requests the City Council consider adoption of the attached ordinance for the temporary reduction of the current 70 mph speed limit along IH-30 to 65 mph during construction and take any action necessary. Should the City Council have any questions concerning the proposed ordinance staff will be available at the *April 1, 2024* City Council meeting.

CITY OF ROCKWALL

ORDINANCE NO. 24-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL TEXAS, ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON INTERSTATE HIGHWAY NO. 30 OR PARTS THEREOF, WITHIN THE INCORPORATE LIMITS OF THE CITY OF ROCKWALL, TEXAS, AS SET OUT IN THIS ORDINANCE; PROVIDING A PENALTY OF A FINE NOT TO EXCEED $200.00 FOR THE VOILATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 545.356 of the Texas Transportation Code, provides that whenever the governing body of the City shall determine upon the basis of an engineering and traffic investigation that any prima facie speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the City, taking into consideration that width and condition of the pavement and other circumstances such portion of said street or highway, as well as the traffic thereon, said governing body may determine and declare a reasonable and safe prima facie speed limit thereat or thereon by the passage of an ordinance, which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or part of the street or highway;

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

SECTION 1. Upon the basis of an engineering and traffic investigation heretofore made as authorized by the provisions of Transportation Code, Section 545.356, the following prima facie speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe; and

SECTION 2. Such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described within this ordinance; and

SECTION 3. That from and after the date of the passage of this speed zone ordinance, no motor vehicle shall be operated along and upon Interstate Highway No. 30 within the corporate limits of the City of Rockwall in excess of speeds now set forth in Exhibit "A" of this ordinance until the completion and/or acceptance of the project shall make this ordinance null and void. At such time, the speed limit shall revert to the originally posted prima facie speed limit.

SECTION 4. The Mayor of Rockwall or their designee is hereby authorized to cause to be erected, appropriated signs indicating such speed zones; and

SECTION 5. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not to exceed Two Hundred Dollars ($200.00).

SECTION 6. 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 15TH DAY OF April, 2024.

Trace Johannesen, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: *April 1, 2024*

2nd Reading: *April 15, 2024*

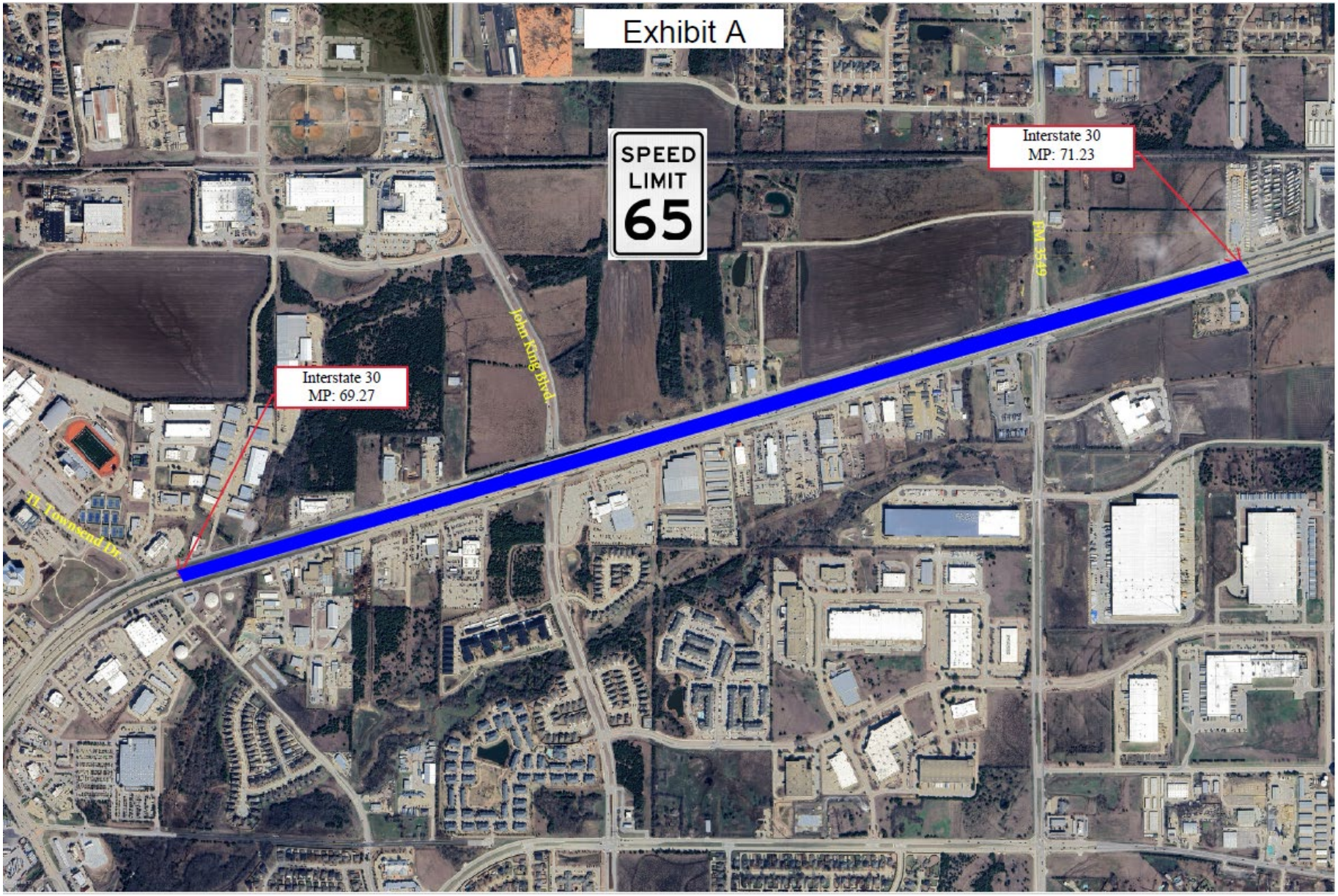
Exhibit A
SPEED LIMIT 65
Interstate 30
MP: 71.23
Interstate 30
MP: 69.27
John King Blvd.
FM 3549
TL Townsend Dr.

City of Rockwall
The New Horizon

MEMORANDUM

TO: Mary Smith, City Manager

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

DATE: March 28, 2024

SUBJECT: Water Conservation/Water Resource and Emergency Management Plan

The Texas Commission on Environmental Quality (TCEQ) requires every water provider to revise and submit their Water Conservation and Water Resource and Emergency Management Plan every five years. Our existing Water Emergency Response Plan and the Water Conservation Plan was adopted by City Council on August 3, 2009, July 6, 2009, April 21, 2014, and April 15, 2019. The staff has revised our current plans and will submit these documents to the TCEQ by May 1, 2024 after City Council approves the ordinance.

Changes to the Water Conservation include the addition of some definitions and abbreviations. The table shown in Sec. 3.01 - Five and Ten Year Goals (RE: per capita water use) have been updated to reflect current and future water use projections. NTMWD requires a new section that calls for a regulated irrigation property to obtain an evaluation of any permanently installed irrigation system on a five-year basis. A regulated irrigation property is a commercial property that uses one million gallons of water or more for irrigation in a year or is more significant than an acre in size.

Changes to the Water Resource and Emergency Management Plans include additional definitions and abbreviations. In Stage 2, the reduction water use goal has decreased from 10% to 5%, with the addition of a 30% reduction goal for Stage 3.

Staff requests the City Council consider approval of the Ordinance adopting the revised Water Resource Emergency Management and Water Conservation Plans to ensure that the City remains in compliance with TCEQ requirements.

AJW:em

Cc:
Joey Boyd, Assistant City Manager
Rick Sherer, Manager of Water and Wastewater
File

CITY OF ROCKWALL

ORDINANCE NO. 24-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 44. UTILITIES; ARTICLE V. WATER; DIVISION 6 "WATER CONSERVATION PLAN" AND DIVISION 7 "WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN" TO REPEAL DIVISION 6. AND DIVISION 7 IN THEIR ENTIRETY AND REPLACE THEM WITH ONE NEW DIVISION 6 TO REFLECT AN UPDATED WATER CONSERVATION PLAN AND AN UPDATED WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING AN EFFECTVE DATE.

WHEREAS, the Rockwall City Council previously adopted a Water Conservation Plan through passage of Ordinance No. 19-18, "Exhibit A" and previously adopted a Water Resource and Emergency Management Plan through passage of Ordinance No.19-28, "Exhibit A;" and

WHEREAS, the City Council has determined the need to repeal the plans in their entirety for the purpose of updating them.

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

SECTION 1. The Code of Ordinances in Chapter 44. "Utilities," Article V. "Water," Division 6. "Water Conservation" and Division 7. "Water Resource and Emergency Management Plan" are hereby repealed in their entirety and a new "Water Conservation Plan" and a new "Water Resource and Emergency Management Plan" are hereby adopted as Division 6. as reflected in **"Exhibit A"** of this ordinance; and

SECTION 2. That the two plans are hereby adopted as set forth herein below:

Sec. 44-412. PLAN ADOPTED

(a) The city council hereby approves and adopts the City of Rockwall Water Conservation Plan and City of Rockwall Water Resource and Emergency Management Plan, attached to Ordinance No. 24-___ as "Exhibit A," which is incorporated as if fully set forth in this division and on file in the city secretary's office.

As contained in Section 8.02, Subsections F, G, H, and I of the Water Conservation Plan, the following conservation strategies are adopted and required by the City of Rockwall:

F. YEAR-ROUND OUTDOOR WATERING SCHEDULES

A mandatory weekly watering schedule has been gradually gaining acceptance in the region and the state. NTMWD requires all Member Cities and Customers to adhere to a permanent outdoor watering schedule.

- **Summer (April 1 – October 31)** –Spray irrigation with sprinklers or irrigation systems at each service address must be limited to no more than **two days per week**. Additionally, prohibit lawn irrigation watering from **10 a.m. to 6 p.m.** Education should be provided that irrigation should only be used when needed, which is often less than twice per week, even in the heat of summer.

- **Winter (November 1 – March 31)** – Spray irrigation with sprinklers or irrigation systems at each service address must be limited to no more than **one day per week** with education that less than once per week (or not at all) is usually adequate.

Additional irrigation may be provided by hand-held hose with shutoff nozzle, use of dedicated irrigation drip zones, and/or soaker hose provided no runoff occurs. Many North Texas horticulturists have endorsed twice-weekly watering as more than sufficient for landscapes in the region, even in the heat of summer.

G. TIME OF DAY WATERING SCHEDULE

NTMWD requires that during the summer months (April 1 – October 31) under normal conditions, spray irrigation with an irrigation system or sprinkler is only permitted on authorized watering days, before 10 a.m. or after 6 p.m. The primary purpose of this measure is to reduce wind drift and evaporation losses during the active growing season. The time-of-day watering schedule requirement increases watering efficiency by eliminating outdoor irrigation use when climatic factors negatively impact irrigation system efficiencies. Midday irrigation is not an optimal time to irrigate because evapotranspiration rates are higher, and plants are more susceptible to stress associated with factors such as higher temperatures and lower relative humidity.

H. IRRIGATION SYSTEM REQUIREMENTS FOR NEW AND COMMERCIAL SYSTEMS

In 2007, the 80th Texas Legislature passed House Bill 1656, Senate Bill 3, and House Bill 4 related to regulating irrigation systems and irrigators by adopting minimum standards and specifications for designing, installing, and operating irrigation systems. The Texas legislation required cities with a population over 20,000 to develop a landscape irrigation program that includes permitting, inspection, and enforcement of water conservation for new irrigation systems.

NTMWD requires all Member Cities and Customers adhere to a minimum set of irrigation standards:

1) Require that all new irrigation systems comply with state design and installation regulations (Texas Administrative Code Title 30, Chapter 344).

2) Require operational rain and freeze sensors and/or ET or Smart controllers on all new irrigation systems. Rain and freeze sensors and/or ET or Smart controllers must be properly maintained to function properly.

3) Require that irrigation systems be inspected at the same time as initial backflow preventer inspection.

I. WATER WASTE PROVISIONS

NTMWD requires all Member Cities and Customers prohibit activities that waste water. The main purpose of a water waste ordinance is to provide for a means to enforce that water waste is prevented during lawn and landscape irrigation, that water resources are conserved for their most beneficial and vital uses, and that public health is protected. It provides a defined enforcement mechanism for

exceptional neglect related to the proper maintenance and efficient use of water fixtures, pipes, and irrigation systems. The ordinance can provide additional assistance or enforcement actions if no corrective action has been taken after a certain number of correspondences.

NTMWD requires that the following water waste ordinance offenses include:

1) The use of irrigation systems that water impervious surfaces. (Wind-driven water drift will be taken into consideration.)

2) Outdoor watering during precipitation or freeze events.

3) The use of poorly maintained sprinkler systems that waste water.

4) Excess water runoff or other obvious waste.

5) Overseeding, sodding, sprigging, broadcasting or plugging with cool season grasses or watering cool season grasses, except for golf courses and athletic fields.

6) The use of potable water to fill or refill residential, amenity, and any other natural or manmade ponds. A pond is considered to be a still body of water with a surface area of 500 square feet or more. This does not include recreational swimming pools.

7) Non-commercial car washing that does not use a water hose with an automatic shut-off valve.

8) Hotels and motels that do not offer a linen reuse water conservation option to customers.

9) Restaurants, bars, and other commercial food or beverage establishments that provide drinking water to customers unless a specific request is made by the customer for drinking water.

(b) Any person or customer, defined pursuant to 30 Tex. Admin. Code Ch. 291, failing to comply with the provisions of the plan shall be subjected to a fine of up $2,000.00 and/or discontinuance of water service by the city. Proof of a culpable mental state is not required for a conviction of an offense under this section. Each day a customer fails to comply with the plan is a violation. The city's authority to seek injunctive or other relief available under the law is not limited by this section.

SECTION 3. The City Manager or his designee is hereby directed to file a copy of the Plans and this Ordinance with the Texas Commission on Environmental Quality in accordance with Title 30, Chapter 288 of the Texas Administrative Code and that said Plans meet all the requirements of Section 288.2 of the Texas Administrative Code; and

SECTION 4. Any person, firm or corporation violating any of the provisions of this ordinance shall be punished by a penalty fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense and each day such offense shall continue shall be deemed to constitute a separate offense; and

SECTION 5. 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; and

SECTION 6. The City Council does hereby find and declare that sufficient written notice of the date, hour, place and subject of the meeting adopting this Ordinance was posted at a designated place convenient to the public for the time required by law preceding the meeting, that such place of posting was readily accessible at all times to the general public, and that all of the foregoing was done as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the posting thereof; and

SECTION 7. All ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed, and the balance of such ordinance is hereby saved from repeal; and

SECTION 8. The ordinance shall become effective immediately following its approval upon second reading and publication in accordance with the City Charter.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 15TH DAY OF APRIL, 2024.

_____
Trace Johannesen, Mayor

ATTEST:

_____
Kristy Teague, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: 04/01/2024

2nd Reading: 04/15/2024

"EXHIBIT A"

2024

WATER CONSERVATION

&

WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN

City of Rockwall

The New Horizon

City of Rockwall 2024 Water Conservation and Water Resource and Emergency Management Plan

Adopted on 4/15/2024

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APPENDIX C	TCEQ Water Utility Profile
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DEFINITIONS

AQUATIC LIFE means a vertebrate organism dependent upon an aquatic environment to sustain its life.

ATHLETIC FIELD means a public sports competition field, the essential feature of which is turf grass, used primarily for organized sports practice, competition or exhibition events for schools, professional sports and league play sanctioned by the utility providing retail water supply.

BEST MANAGEMENT PRACTICES (BMPs) are voluntary efficiency measures that save a quantifiable amount of water, either directly or indirectly, and that can be implemented within a specific time frame.

COMMERCIAL VEHICLE WASH FACILITY means a permanently located business that washes vehicles or other mobile equipment with water or water-based products, including but not limited to self-service car washes, full-service car washes, roll-over/in-bay style car washes, and facilities managing vehicle fleets or vehicle inventory.

COMMERCIAL FACILITY means business or industrial buildings and the associated landscaping, but does not include the fairways, greens, or tees of a golf course.

CONSERVATION includes those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water, or increase the recycling and reuse of water so that a water supply is made available for future or alternative uses.

COOL SEASON GRASSES are varieties of turf grass that grow best in cool climates primarily in northern and central regions of the U.S. Cool season grasses include but are not limited to perennial and annual rye grass, Kentucky blue grass and fescues.

CUSTOMERS include those entities to whom NTMWD provides wholesale water that are not member cities of NTMWD.

DESIGNATED OUTDOOR WATER USE DAY means a day prescribed by a rule on which a person is permitted to irrigate outdoors.

DRIP IRRIGATION is a type of micro-irrigation system that operates at low pressure and delivers water in slow, small drips to individual plants or groups of plants through a network of plastic conduits and emitters; also called trickle irrigation.

DROUGHT, for the purposes of this report, means an extended period of time when an area receives insufficient amounts of rainfall to replenish the water supply, causing water supply sources (in this case reservoirs) to be depleted.

ET/SMART CONTROLLERS are irrigation controllers that adjust their schedule and run times based on weather (ET) data. These controllers are designed to replace the amount of water lost to evapotranspiration.

EVAPOTRANSPIRATION (ET) represents the amount of water lost from plant material to evaporation and transpiration. The amount of ET can be estimated based on the temperature, wind, and relative humidity.

EXECUTIVE DIRECTOR means the Executive Director of NTMWD and includes a person the Executive Director has designated to administer or perform any task, duty, function, role, or action related to this Plan or on behalf of the Executive Director.

FOUNDATION WATERING means an application of water to the soils directly abutting (within 2 feet of) the foundation of a building or structure.

INTERACTIVE WATER FEATURES means water sprays, dancing water jets, waterfalls, dumping buckets, shooting water cannons, inflatable pools, temporary splash toys or pools, slip-n-slides, or splash pads that are maintained for recreation.

IRRIGATION SYSTEM means a permanently installed, custom-made, site-specific system of delivering water generally for landscape irrigation via a system of pipes or other conduits installed below ground.

LANDSCAPE means any plant material on a property, including any tree, shrub, vine, herb, flower, succulent, ground cover, grass or turf species, that is growing or has been planted out of doors.

MEMBER CITIES include the cities of Allen, Farmersville, Forney, Frisco, Garland, McKinney, Mesquite, Plano, Princeton, Richardson, Rockwall, Royse City, and Wylie, Texas, which are members of NTMWD.

MUNICIPAL USE means the use of potable water provided by a public water supplier as well as the use of treated wastewater effluent for residential, commercial, industrial, agricultural, institutional, and wholesale uses.

NEW LANDSCAPE means: (a) vegetation installed at the time of the construction of a residential or commercial facility; (b) installed as part of a governmental entity's capital improvement project; or (c) installed to stabilize an area disturbed by construction.

ORNAMENTAL FOUNTAIN means an artificially created structure from which a jet, stream, or flow of treated water emanates and is not typically utilized for the preservation of aquatic life.

POND is considered to be a still body of water with a surface area of 500 square feet or more. This does not include recreational swimming pools.

PUBLIC WATER SUPPLIER is an individual or entity that supplies water to the public for human consumption.

REGIONAL WATER PLANNING GROUP is a group established by the Texas Water Development Board to prepare a regional water plan under Texas Water Code §16.053.

REGULATED IRRIGATION PROPERTY means any property of a designated customer class (i.e., commercial) that uses one million gallons of water or more for irrigation purposes in a single calendar year or is greater than one acre in size.

RESIDENTIAL GALLONS PER CAPITA PER DAY (RESIDENTIAL GPCD) means the total gallons sold for retail residential use by a public water supplier divided by the residential population served and then divided by the number of days in the year.

RETAIL CUSTOMERS include those customers to whom the utility provides retail water from a water meter.

REUSE is the authorized use for one or more beneficial purposes of use of water that remains unconsumed after the water is used for the original purpose of use and before that water is either disposed of or discharged or otherwise allowed to flow into a watercourse, lake, or other body of state-owned water.

SOAKER HOSE means a perforated or permeable garden-type hose or pipe that is laid above ground that provides irrigation at a slow and constant rate.

SPRINKLER/SPRAY IRRIGATION is the method of applying water in a controlled manner that is similar to rainfall. The water is distributed through a network that may consist of pumps, valves, pipes, and sprinklers.

SPRINKLER means an above-ground water distribution device that may be attached to a garden hose.

RECREATIONAL/SWIMMING POOL is defined as a body of water that involves contact recreation. This includes activities that are presumed to involve a significant risk of ingestion of water (e.g. wading by children, swimming, water skiing, diving, tubing, surfing, etc.)

TOTAL GALLONS PER CAPITA PER DAY (TOTAL GPCD) means the total amount of water diverted and/or pumped for potable use less wholesale sales divided by the total permanent population divided by the days of the year. Diversion volumes of reuse as defined in TAC §288.1 shall be credited against total diversion volumes for the purposes of calculating GPCD for targets and goals.

WATER CONSERVATION COORDINATOR is the person designated by a retail public water supplier that is responsible for implementing a water conservation plan.

WATER CONSERVATION PLAN means the Member City or Customer water conservation plan approved and adopted by the utility.

WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN means a plan for temporary supply management and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies required by Texas Administrative Code Title 30, Chapter 288, Subchapter B. This is sometimes called a drought contingency plan.

ABBREVIATIONS

Ac-Ft/Yr ..... Acre-Feet per Year
BMP ..... Best Management Practices
CDC ..... Centers for Disease Control and Prevention
DWU ..... Dallas Water Utilities
E&O ..... Education and Outreach
ED ..... Executive Director
EPA ..... Environmental Protection Agency
ET ..... Evapotranspiration
FNI ..... Freese and Nichols, Inc.
gpf ..... Gallons per Flush
gpm ..... Gallons per Minute
LAMP ..... Linear Asset Management Plan
LRWSP ..... Long Range Water Supply Plan
FWSD ..... Fresh Water Supply District
GPCD ..... Gallons per Capita per Day
ICIM ..... Industrial, Commercial, Institutional and Multifamily
MGD ..... Million Gallons per Day
MUD ..... Municipal Utility District
NCTCOG ..... North Central Texas Council of Governments
NTMWD ..... North Texas Municipal Water District
SUD ..... Special Utility District
TCEQ ..... Texas Commission on Environmental Quality
TRWD ..... Tarrant Regional Water District
TWDB ..... Texas Water Development Board
UTRWD ..... Upper Trinity Regional Water District
UD ..... Utility District
WCAC ..... Water Conservation Advisory Council
WCP ..... Water Conservation Plan
WREMP ..... Water Resource and Emergency Management Plan
WSC ..... Water Supply Corporation
WENNT ..... Water Efficiency Network of North Texas
WTP ..... Water Treatment Plant
WWTP ..... Wastewater Treatment Plant

2024 Water Conservation Plan

This Water Conservation Plan has been developed in accordance with the requirements of 30 Texas Administrative Code (TAC) Chapter 288. A copy of the version of 30 TAC Chapter 288 in place at the time of this Plan preparation is included in Appendix B.

1.00 INTRODUCTION

City of Rockwall is a Member City of the North Texas Municipal Water District (NTMWD). This Plan was developed following TCEQ guidelines and requirements governing the development of water conservation plans.

The goal of the Water Conservation Plan is to serve as good stewards of water resources by preserving water supplies for essential uses and the protection of public health. The objectives to achieve this goal are as follows:

- To reduce the loss and waste of water.
- To improve efficiency in both indoor and outdoor water use.
- To maximize the level of recycling and reuse.
- To protect and preserve environmental resources.
- To extend the life of current water supplies.
- To raise public awareness of water conservation and encourage responsible personal behavior through public education programs.

1.01 MINIMUM REGULATORY REQUIREMENTS CHECKLIST

A water conservation plan is defined as "[a] strategy or combination of strategies for reducing the volume of water withdrawn from a water supply source, for reducing the loss or waste of water, for maintaining or improving the efficiency in the use of water, for increasing the recycling and reuse of water, and for preventing the pollution of water. A water conservation plan may be a separate document identified as such or may be contained within another water management document". Recognizing the need for efficient use of existing water supplies, TCEQ has developed guidelines and requirements governing the development of water conservation and drought contingency plans. The minimum TCEQ requirements and where they are addressed within this document are included in **Appendix B**.

1.02 ADDITIONAL REQUIREMENTS AND GUIDANCE

In addition to TCEQ rules regarding water conservation, this Plan also incorporates both minimum requirements as required from NTMWD and elements from several conservation initiatives.

- **2024 NTMWD Water Conservation Plan** – Member Cities and Customers of the NTMWD are required to implement water conservation strategies as designated in the NTMWD Water Conservation Plan. These strategies represent minimum measures to be implemented and enforced to promote water conservation and are to remain in effect on a permanent basis.
- **Guidance and Methodology for Reporting on Water Conservation and Water Use** - Developed by TWDB and TCEQ in consultation with the Water Conservation Advisory

Council (the Guidance). The Guidance was developed in response to a charge by the 82nd Texas Legislature to develop water use and calculation methodology and guidance for preparation of water use reports and water conservation plans in accordance with TCEQ rules.

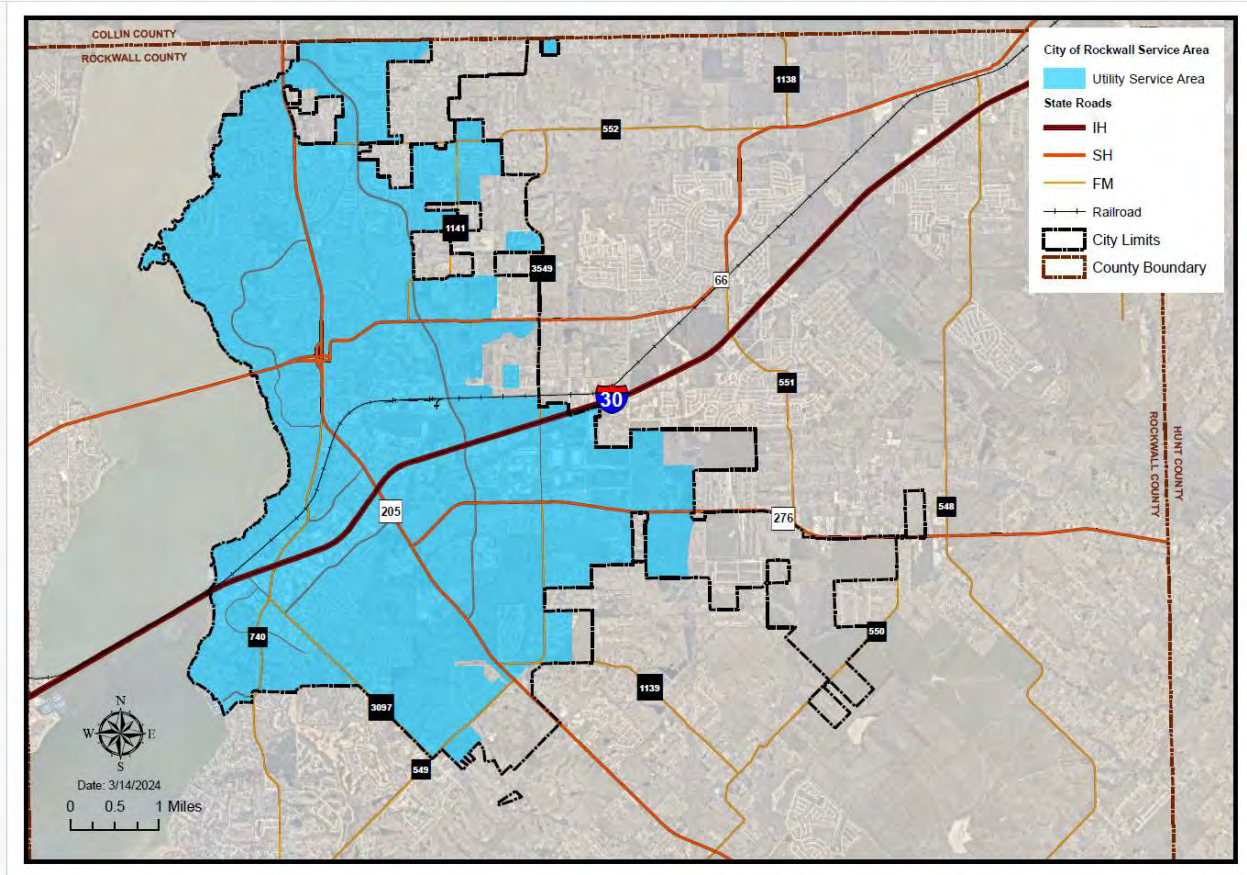
- **North Texas Regional Landscape Initiative –** The North Texas regional water providers (NTMWD, DWU and TRWD) collaborated to create the Regional Landscape Initiatives. This document was developed as a resource of best management practices for municipal staff to help reduce water waste and encourage long-term water conservation in the North Texas region. Information consists of the background, importance, and benefits of each BMP and key talking points to consider when implementing the strategy. Several of the optional water management measures included in this Plan are from this collaborative initiative.

2.00 WATER UTILITY PROFILE

This section contains a description of City of Rockwall's service area and water system. This information can also be reviewed in **Appendix C**, which contains a completed TCEQ Water Utility Profile.

2.01 DESCRIPTION OF THE SERVICE AREA

The City of Rockwall purchases treated potable water from NTMWD and provides treatable water from NTMWD to the City of Heath, Blackland, and RCH Water Supply Companies. The figure below shows Rockwall's service area of 24.95 square miles with a population of 57,518.



2.02 WATER UTILITY PROFILE

City of Rockwall's existing water supply is composed of the following sources.

- Purchased Treated Water from NTMWD

3.00 WATER CONSERVATION GOALS

TCEQ rules require the adoption of specific 5-year and 10-year water conservation goals for a water conservation plan.

3.01 5- AND 10-YEAR GOALS

Per capita water use varies from year to year based on several factors including weather conditions, changing demographics and other variables. The TWDB requires specific 5- and 10-year goals which are summarized in **Table 1**.

Table 1: Five- and 10-Year Per Capita Water Use Goals

	Historic 5-Year Average	Baseline	5-Year Goal 2029	10-Year Goal 2034
Total (GPCD)[1]	169	171	192	185
Residential (GPCD)[2]	100	105	113	110
ICIM (GPCD)[3]	48.5	50	52	62
Water Loss (GPCD)[4]	21	15	14	12
Water Loss (Percentage)[5]	8	6	7	5

[1]Total GPCD = (Total Gallons in System / Permanent Population) / 365
[2]Residential GPCD = (Gallons Used for Residential Use / Residential Population) / 365
[3]ICIM GPCD = (Gallons Used for Industrial, Commercial, Institutional and Multi-family Use / Permanent Population) / 365
[4]Water Loss GPCD = (Total Water Loss / Permanent Population) / 365
[5]Water Loss Percentage = (Total Water Loss / Total Gallons in System) x 100; or (Water Loss GPCD / Total GPCD) x 100

3.02 METHOD FOR TRACKING

NTMWD requires Member Cities and Customers to complete annual conservation reports by March 31 of the following year and submit them to NTMWD. A copy of the form is included as **Appendix D**.

The completion of this Annual Water Conservation Report allows the City of Rockwall to track the effectiveness of its water conservation programs over time and reassess those programs that are not providing water savings, ensuring maximum water use efficiency and greater levels of conservation.

4.00 METERING, RECORDS AND WATER LOSS CONTROL

4.01 METERING PROGRAM

One of the key elements in water conservation is careful tracking of water use and control of losses. Careful metering of water deliveries and water use, detection and repair of leaks in the distribution system, and regular monitoring of unaccounted water are important in controlling losses.

ACCURATE METERING OF TREATED WATER DELIVERIES FROM NTMWD

Accurate metering of water diversions and deliveries, detection, and repair of leaks in the raw water transmission and potable water distribution systems and regular monitoring of nonrevenue water are important elements of NTMWD's program to control losses. Water deliveries from NTMWD are metered by NTMWD using meters with accuracy of ±2%. These meters are calibrated on an annual basis by NTMWD to maintain the required accuracy.

METERING OF CUSTOMER AND PUBLIC USES

The City of Rockwall will continue to meter water for all customers, including public and governmental users. It will test and replace residential customers' meters on a regular basis. Additionally, large meters will be regularly tested and either repaired or replaced when their flow is more than a 3 percent difference from the actual flow.

METER TESTING, REPAIR AND REPLACEMENT

The City of Rockwall is currently replacing water meters older than ten years with Automated Meter Reading (AMR) technology and following a ten-year replacement program. AMR will help identify water leaks and waste issues while improving customer service. All wholesale meters are checked for accuracy every quarter and either repaired or replaced.

4.02 MONITORING AND RECORD MANAGEMENT PROGRAM

As required by TAC Title 30, Chapter 288, a record management system should allow for the separation of water sales and uses into residential, commercial, public/institutional, and industrial categories. This information is included in the NTMWD annual water conservation report that is included in **Appendix D**.

4.03 WATER LOSS CONTROL PROGRAM

DETERMINATION AND CONTROL OF WATER LOSS

Total water loss is the difference between treated water pumped and authorized consumption or metered deliveries to customers. Authorized consumption includes billed metered uses, unbilled metered uses, and unbilled unmetered uses such as firefighting and releases for flushing of lines.

Water losses include two categories:

- Apparent losses such as inaccuracies in customer meters. (Customer meters tend to run more slowly as they age and under-report actual use). Unauthorized consumption due to illegal connections and theft.
- Real losses due to water main breaks and leaks in the water distribution system and unreported losses.

LEAK DETECTION AND REPAIR

The City of Rockwall uses subsurface leak detection correlators and loggers deployed throughout the system, typically on valves or hydrants. City staff also uses acoustic listening devices to locate leaks. City crews and personnel look for and report evidence of leaks in the water distribution systems. Areas of the water distribution system in which numerous leaks and line breaks occur will be targeted for replacement as funds are available.

5.00 CONTRACT REQUIREMENTS FOR WHOLESALE CUSTOMERS

Every water supply contract entered into or renewed after official adoption of this water conservation plan, including any contract extension, will include a requirement that each wholesale customer of the City of Rockwall must develop and implement a water conservation plan and water conservation

measures. If the customer intends to resell the water, then the contract between the initial supplier and customer must specify that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with the provisions of Title 30 TAC Chapter 288.

6.00 RESERVOIR SYSTEM OPERATIONS PLAN

The City of Rockwall purchases treated water from NTMWD and does not have surface water supplies for which to implement a reservoir system operations plan. NTMWD operates multiple sources of water supply as a system. The operation of the reservoir system is intended to optimize the use of the District's sources (within the constraints of existing water rights) while minimizing energy use cost for pumping, maintaining water quality, minimizing potential impacts on recreational users of the reservoirs and fish and wildlife.

7.00 CONSERVATION PLAN ADOPTION AND ENFORCEMENT

7.01 MEANS OF IMPLEMENTATION AND ENFORCEMENT

Staff will implement the Plan in accordance with adoption of the Plan. **Appendix G** contains a copy of the ordinance adopted regarding this Plan. The document designates responsible officials to implement and enforce the Plan.

Appendix G is a copy of the Water Conservation and Water Resource and Emergency Management Plans Ordinance and enforcement actions. Appendix H includes a copy of the ordinance's adoption regarding enforcing illegal connections and water theft. Appendix I contains a copy of the Irrigation Ordinance, including enforcement information.

7.02 REVIEW AND UPDATE OF WATER CONSERVATION PLAN

TCEQ requires that the water conservation plan be updated every five years. This Plan will be updated as required and as appropriate based on new or updated information.

7.03 REGIONAL WATER PLANNING GROUP AND NTMWD NOTIFICATION

In accordance with TCEQ regulations, a copy of this water conservation plan was provided to the Region C Water Planning Group. In accordance with NTMWD contractual requirements, a copy of this water conservation plan was also sent to NTMWD. **Appendix F** includes a copy of the letters sent.

8.00 WATER CONSERVATION PROGRAM

8.01 PUBLIC EDUCATION PROGRAM

A. NTMWD PUBLIC EDUCATION PROGRAM AND TECHNICAL ASSISTANCE

The City of Rockwall obtains water conservation support from the NTMWD. This includes several public education and outreach efforts such as:

- Beginning in 2006 and continuing through 2018, NTMWD invested in the development and implementation of the "Water IQ: Know Your Water" campaign, including newspaper ads, radio spots, billboards, a website, and other forms of communication all intended to educate the public regarding water use and water conservation. During the 2017 campaign, over a quarter of a million people were reached by the program through media relations, outreach and interactive media. The total audience reached through the campaign in 2017 was over 88 million impressions.

- In 2013, NTMWD participated in the "Water My Yard" program to install weather stations throughout its service area to provide consumers with a weekly email or text message and information through the Water My Yard website recommending the adequate amount of supplemental water that is needed to maintain healthy grass in specific locations. This service represents the largest network of weather stations providing ET-based irrigation recommendations in the state of Texas and provides the public with advanced information regarding outdoor irrigation needs, thereby reducing water use. Through a series of selections on the type of irrigation system a consumer has, a weekly email or text message is provided that will recommend how long (in minutes) that an irrigation system needs to run based on the past seven days of weather. This recommendation provides the actual amount of supplemental water that is required for a healthy lawn based on research of the Texas A&M Agrilife Extension Service and proven technologies.

- "Water4Otter" is a water conservation campaign for kids launched by NTMWD in 2014. It is based on the insight that most parents agree they would listen if their kids asked them to conserve water. The TWDB awarded the NTMWD a conservation grant to develop Water4Otter as a model program that could be used throughout the state. The 2023 program included 22 performances at 11 schools in eight different ISDs including stops at elementary schools in Wylie, Garland, Mesquite, Plano, Princeton, Richardson, and Royse City.

- "Love Lavon Lake" is a water conservation campaign designed to help North Texans know their primary water source. The campaign launched in 2018 with a call to action to, "Conserve your water source. Love Lavon Lake". The campaign was based on market research showing the more people know the source of their drinking water, the more likely they are to use it wisely and efficiently.

- NTMWD implemented the "#PledgetoPlantSmart" initiative that seeks to inspire positive change in water conservation by encouraging North Texas residents to do their part and plant smart by selecting native or adapted plants for their garden and landscaping.

NTMWD also participates in a regional outreach campaign called "Water is Awesome" partnering with the City of Dallas and Tarrant Regional Water District. NTMWD Member Cities and Customers have access to the campaign materials which include:

- In 2019, an additional tagline, "Keep Texas Water on Tap", was incorporated to promote the Water is Awesome brand and direct traffic to waterisawesome.com.

- In 2020, a "customer city toolkit" provided customizable resources allowing cities to incorporate their logos with the campaign brand for their website, social media, and print. Cities are encouraged to use campaign resources to advance conservation efforts.

- In 2021, the regional water providers collaborated to create the Regional Landscape Initiatives. This document was developed as a resource of best management practices for municipal staff to help reduce water waste and encourage long-term water conservation in the North Texas region. Information consists of the background, importance, and benefits of each BMP and key talking points to consider when implementing the strategy. Several of the optional water management measures included in this Plan are from this collaborative initiative.

- The 2023 campaign will include a focus on short HGTV-style web series about converting yards into drought-resistant, water-conservative yardscapes.

Conservation materials and more are made available to Member Cities and Customers through an online portal that is hosted by NTMWD. In addition to the portal the NTMWD actively provides technical assistance through the following:

- NTMWD holds **Regularly Scheduled Meetings** with Member Cities and Customers for water supply updates, public campaign strategies, and legislative activities related to water and water conservation.

- NTMWD purchases **American Water Works Association Research Foundation Publications** for use by Member Cities and Customers to further enhance resources for water efficiency, water rate structures, etc. Additionally, NTMWD pays for Member City and Customer membership to the **Alliance for Water Efficiency**.

- To assist its Member Cities and Customers in the development of their own water conservation plans, NTMWD has developed a **Model Water Conservation Plan for NTMWD Member Cities and Customers.** The Model Water Conservation Plan addresses TCEQ requirements for water conservation plans for municipal use by public water suppliers and includes advanced water conservation strategies beyond TCEQ requirements that mirror the NTMWD plan. This is available online at https://www.ntmwd.com/login/portal/.

- Since 2003, NTMWD has held **Water Conservation Workshops** for staff of its Member Cities and Customers. These workshops have covered several conservation-related topics, including TCEQ requirements for water conservation and drought contingency plans, advanced water conservation strategies, current NTMWD water conservation efforts, water conservation programs of the cities, current drought status, progress on future water supplies, and related topics. These workshops also provide training and education regarding water use accounting, irrigation evaluations, industrial, commercial, and institutional audits, and other procedures. Additional examples include workshops on Water Loss Audit Training as well as on the TWDB Water Conservation Planning Tool.

- Based on the annual reporting data collected from Member Cities and Customers from 2022, approximately 24% of the District's treated water sales went to supply ICIM users within their service area. To target programs for this customer base, the District hired Plummer Associates,

Inc. to create the **Industrial, Commercial, Institutional and Multifamily Program**. The ICIM program provides NTMWD Member City and Customer staff with the knowledge and tools necessary to identify ICIM customers with high water usage. This program was created to categorize water use data to find outliers and identify areas to concentrate water conservation efforts. This program can help Member Cities and Customers' ICIM water customers develop targeted methods for increasing water efficiency as an alternative to a traditional voluntary approach for water consumption improvement.

- As part of the ICIM program, the District is currently engaging with the Member and Customer Cities to encourage their ICIM customers to participate in **Water Efficiency Opportunity Surveys**. These surveys encompass a building audit that recommends various water conservation measures that can be implemented to save both money and water. Items addressed include toilet retrofits, urinal retrofits, showerhead retrofits, lavatory retrofits, non-lavatory faucet retrofits, leak repair, water cooled ice machine retrofit, commercial disposer, food steam, cooling tower efficiency and irrigation system efficiency. As of June 2023, NTMWD has utilized the ICIM program to audit four buildings resulting in an estimated annual water savings of 87.4 million gallons.

- As part of its wastewater system, NTMWD has developed **Industrial Pretreatment Programs** for the cities of Allen, Forney, Frisco, McKinney, Mesquite, Murphy, Plano, Richardson, Rockwall, Terrell, and Wylie. The pretreatment programs developed by NTMWD are adopted and implemented by the cities, which are also responsible for enforcement of the programs. By reducing allowable volumes of specific pollutants and encouraging pretreatment of industrial wastes, this joint effort by NTMWD and the cities has improved water quality in the region's streams and reservoirs. NTMWD industrial pretreatment personnel are also available to assist cities on request in the review or design of systems to allow industrial recycling and reuse of wastewater. Such systems have reduced water use by some industries, while also reducing wastewater volumes and saving money for the industries.

- NTMWD encourages its Member Cities and Customers to develop and implement **Rebate and Bulk Purchasing Programs** that help the Member Cities and Customers achieve overall water savings. Further, NTMWD provides technical assistance to those Member Cities and Customers who wish to implement rebate and bulk purchasing programs.

B. PUBLIC EDUCATION PROGRAM

- Insert water conservation information with water bills. Inserts will include material developed by the City of Rockwall and material obtained from the TWDB, the TCEQ, and other sources.

- Encourage local media coverage of water conservation issues and the importance of water conservation.

- Notify local organizations, schools, and civic groups that the City of Rockwall staff and the NTMWD staff are available to make presentations on the importance of water conservation and ways to save water.

- Promote the Texas Smartscape website (www.txsmartscape.com) and make water conservation brochures and other materials available to the public at City Hall and other public places.

- Make information on water conservation available on the City's website and include links to the Know Your Water website, the Texas Smartscape website, and the TWDB and TCEQ websites.

- Encourage customers to subscribe to weekly watering updates through Water My Yard or another similar program to reduce outdoor water consumption.

8.02 REQUIRED CONSERVATION STRATEGIES

The following water conservation strategies are required. These strategies represent minimum measures to be implemented and enforced to promote water conservation and are to remain in effect on a permanent basis.

A. TCEQ CONSERVATION PLAN REQUIREMENTS

The preceding sections cover the regulatory requirements identified in TAC Title 30, Part 1, Chapter 288, Subchapter B, Rule 288. These rules are included in **Appendix B**.

B. CONSERVATION COORDINATOR

The designation of a Conservation Coordinator is required by House Bill 1648, effective September 1, 2017 for all retail public water utilities with 3,300 service connections or more. The NTMWD requires that all Member Cities and Customers, regardless of number of connections, appoint a Conservation Coordinator who will serve as the primary point of contact between the entity and the District on conservation matters.

The duties of the Conservation Coordinator are as follows:

- Submit an annual conservation report to NTMWD by March 31. This is referred to as the 'Appendix D Report'. NTMWD will provide a blank workbook for each Member City and Customer to fill out prior to the deadline.

- Submit an adopted water conservation and water resource and emergency management plan by May 1, 2024 (and every five years afterwards). These plans must be submitted to NTMWD, the applicable Regional Water Planning Group, TCEQ and TWDB. The conservation coordinator is also responsible for submitting a copy of the Plan if it is updated after initial adoption and submission.

The City of Rockwall's Conservation Coordinator is identified below. The City of Rockwall will notify NTMWD if this changes at any point before the water conservation plan is updated.

Stacy Dean
972.771.7730
sdean@rockwall.com

C. WATER CONSERVATION PRICING

Each Member City and Customer must adopt an increasing block rate water structure that is intended to encourage water conservation and to discourage excessive use and waste of water.

City of Rockwall's water rate structure is as follows:

Residential / Commercial / Industrial / Wholesale Rates

	Meter size		Water Rates
Monthly Minimum Bills:			
Residential:	0.75	$	25.75
	1.00		31.00
	1.50		35.50
	2.00		44.50
Non-residential:	0.75	$	29.75
	1.00		34.00
	1.50		38.00
	2.00		47.00
	3.00		64.75
	4.00		81.75
	6.00		99.50
Irrigation Meters:	0.75	$	29.75
	1.00		34.00
	1.50		38.00
	2.00		47.00
	3.00		64.75
	4.00		81.75
	6.00		99.50

Rate per TH Gallons - Water:	Residential 2,001-8,000 gallons	$	4.11
	Residential 8,001-16,000 gallons		5.09
	Residential over 16,000 gallons		6.98
	Irrigation over 2,000 gallons		6.98
	Non-residential over 2,000 gallons		6.03
	Wholesale Contract Rate		4.67

D. ORDINANCES, PLUMBING CODES, OR RULES ON WATER-CONSERVING FIXTURES

The City of Rockwall's plumbing code standards encourages water conservation and meets the minimum statutory requirements. The state has required water-conserving fixtures in new construction and renovations since 1992. The state standards call for flows of no more than 2.5 gallons per minute (gpm)

for faucets, 2.5 gpm for showerheads. As of January 1, 2014, the state requires maximum average flow rates of 1.28 gallons per flush (gpf) for toilets and 0.5 gpf for urinals. Similar standards are now required under federal law. These state and federal standards assure that all new construction and renovations will use water-conserving fixtures.

E. REUSE AND RECYCLING OF WASTEWATER

NTMWD currently has the largest wastewater reuse program in the state. NTMWD has water rights allowing reuse of up to 71,882 acre-feet per year (64 MGD) of treated wastewater discharges from the Wilson Creek Wastewater Treatment Plant for municipal purposes. Additionally, NTMWD has permitted and is currently constructing the Sister Grove Regional Water Resource Recovery Facility (WRRF) in the Lavon Lake watershed. This facility will have an initial capacity of 16 MGD and an ultimate capacity of 64 MGD.

NTMWD has also developed the East Fork Water Reuse Project which can divert treated wastewater discharges by NTMWD and purchased wastewater return flows from TRA via Main Stem Pump Station. NTMWD also provides treated effluent from its wastewater treatment plants available for direct reuse for landscape irrigation and industrial use.

The City of Rockwall has contracts with NTMWD to operate its wastewater treatment plants. NTMWD selects reuse arrangements for recycled wastewater effluent.

F. YEAR-ROUND OUTDOOR WATERING SCHEDULES

A mandatory weekly watering schedule has been gradually gaining acceptance in the region and the state. NTMWD requires all Member Cities and Customers to adhere to a permanent outdoor watering schedule.

- **Summer (April 1 – October 31)** –Spray irrigation with sprinklers or irrigation systems at each service address must be limited to no more than **two days per week**. Additionally, prohibit lawn irrigation watering from **10 a.m. to 6 p.m.** Education should be provided that irrigation **should only be used when needed**, which is often less than twice per week, even in the heat of summer.

- **Winter (November 1 – March 31)** – Spray irrigation with sprinklers or irrigation systems at each service address must be limited to no more than ***one day per week*** with education that less than once per week (or not at all) is usually adequate.

Additional irrigation may be provided by hand-held hose with shutoff nozzle, use of dedicated irrigation drip zones, and/or soaker hose provided no runoff occurs. Many North Texas horticulturists have endorsed twice-weekly watering as more than sufficient for landscapes in the region, even in the heat of summer.

G. TIME OF DAY WATERING SCHEDULE

NTMWD requires that during the summer months (April 1 – October 31) under normal conditions, spray irrigation with an irrigation system or sprinkler is only permitted on authorized watering days, before 10 a.m. or after 6 p.m. The primary purpose of this measure is to reduce wind drift and evaporation losses

during the active growing season. The time-of-day watering schedule requirement increases watering efficiency by eliminating outdoor irrigation use when climatic factors negatively impact irrigation system efficiencies. Midday irrigation is not an optimal time to irrigate because evapotranspiration rates are higher, and plants are more susceptible to stress associated with factors such as higher temperatures and lower relative humidity.

H. IRRIGATION SYSTEM REQUIREMENTS FOR NEW AND COMMERCIAL SYSTEMS

In 2007, the 80th Texas Legislature passed House Bill 1656, Senate Bill 3, and House Bill 4 related to regulating irrigation systems and irrigators by adopting minimum standards and specifications for designing, installing, and operating irrigation systems. The Texas legislation required cities with a population over 20,000 to develop a landscape irrigation program that includes permitting, inspection, and enforcement of water conservation for new irrigation systems.

NTMWD ***requires*** all Member Cities and Customers adhere to a minimum set of irrigation standards:

1) Require that all new irrigation systems comply with state design and installation regulations (Texas Administrative Code Title 30, Chapter 344).

2) Require operational rain and freeze sensors and/or ET or Smart controllers on all new irrigation systems. Rain and freeze sensors and/or ET or Smart controllers must be properly maintained to function properly.

3) Require that irrigation systems be inspected at the same time as initial backflow preventer inspection.

4) Require the owner of a regulated irrigation property to obtain an evaluation of any permanently installed irrigation system on a five-year basis. The irrigation evaluation shall be conducted by a licensed irrigator in the state of Texas and be submitted to the local water provider (i.e., city, water supply corporation).

I. WATER WASTE PROVISIONS

NTMWD requires all Member Cities and Customers prohibit activities that waste water. The main purpose of a water waste ordinance is to provide for a means to enforce that water waste is prevented during lawn and landscape irrigation, that water resources are conserved for their most beneficial and vital uses, and that public health is protected. It provides a defined enforcement mechanism for exceptional neglect related to the proper maintenance and efficient use of water fixtures, pipes, and irrigation systems. The ordinance can provide additional assistance or enforcement actions if no corrective action has been taken after a certain number of correspondences.

NTMWD ***requires*** that the following water waste ordinance offenses include:

1) The use of irrigation systems that water impervious surfaces. (Wind-driven water drift will be taken into consideration.)

2) Outdoor watering during precipitation or freeze events.

3) The use of poorly maintained sprinkler systems that waste water.

4) Excess water runoff or other obvious waste.

5) Overseeding, sodding, sprigging, broadcasting or plugging with cool season grasses or watering cool season grasses, except for golf courses and athletic fields.

6) The use of potable water to fill or refill residential, amenity, and any other natural or manmade ponds. A pond is considered to be a still body of water with a surface area of 500 square feet or more. This does not include recreational swimming pools.

7) Non-commercial car washing that does not use a water hose with an automatic shut-off valve.

8) Hotels and motels that do not offer a linen reuse water conservation option to customers.

9) Restaurants, bars, and other commercial food or beverage establishments that provide drinking water to customers unless a specific request is made by the customer for drinking water.

8.03 ADDITIONAL CONSERVATION STRATEGIES

In addition, the City of Rockwall recommends the following measures:

1) Retrofit existing irrigation systems with rain and freeze sensors or evapo-transpiration capable of multiple programing.

2) Prohibition planting or watering areas that have been overseeded with cool season grasses (such as rye grass or other similar grasses), except for golf courses and public athletic f fields.

3) Rehabilitate poorly maintained irrigation systems that waste water to comply with the current Irrigation Ordinance.

4) Install separate zones for areas adjacent to athletic fields.

5) Plant only native, drought tolerant or adaptive plants.

6) Install drip irrigation systems, when applicable.

7) Water audits should be performed to find ways in which water can be used more efficiently at a specific location.

A. USE OF ET-BASED WEEKLY WATERING ADVICE/RECOMMENDATIONS

NTMWD requires that Member Cities and Customers adhere to a year-round outdoor watering schedule. However, this conservation practice can be improved with the use of ET-based weekly watering advice and recommendations. Landscapes frequently require less watering than the year-round water schedule allows. This measure can be particularly useful for entities with a significant percentage of customers using automated landscape irrigation systems.

Water providers in the Dallas-Fort Worth (DFW) area (including NTMWD) sponsor weather stations to collect daily weather data and provide the most accurate watering recommendations. Many cities in the DFW area can already take advantage of these ET-based recommendations and incorporate them into their water conservation programs, at no cost to the city. Examples of such a service are shown below.

- Water My Yard – An online platform where homeowners can sign up to receive weekly watering recommendations based on their location and a few specifications about their sprinkler system. Users can then choose to accept the recommendations by email, text, or both. Recommendations are available for select cities in Collin, Dallas, Denton, Fannin, Hunt, Kaufman, and Rockwall Counties. Sponsored by NTMWD and Texas A&M AgriLife Extension Service (WaterMyYard.org).

- Water Is Awesome Weekly Watering Advice – Weekly watering recommendations for most of North Texas based on data from weather stations scattered throughout the DFW area. The recommendations are distributed by email and text every week and are provided in inches of water needed and the number of minutes necessary to apply that amount of water for spray, rotor, and multi-stream sprinklers. Advice service is available for all of North Central Texas and sponsored by DWU and TRWD. (https://waterisawesome.com/weekly-watering-advice).

Providing evapotranspiration (ET)-based weekly watering recommendations can reduce the amount of water applied for outdoor watering if customers follow the guidance. A drawback with this BMP is the adoption rate. Since these recommendations may change every week, it requires customers to adjust their controllers more often.

B. WATER EFFICIENT LANDSCAPE INITIATIVES

A water-efficient landscape is designed and maintained according to basic sound horticultural principles that allow for a beautiful, healthy landscape with minimal or no supplemental irrigation and no adverse runoff from the landscape property. Water-efficient landscapes limit or exclude non-functional turf where possible. Section 05.05 of the City of Rockwall's Unified Development Code addresses xeriscaping/smartscaping standards. Section 05.05 aims to promote the establishment of water-conscious landscaping by implementing xeriscaping/smartscaping principles. Acceptable xeriscaping/smartscaping standards are in Appendix I of this document.

There are several programs available that offer a wealth of information on designing and implementing water-efficient landscapes.

- Water Wise (http://urbanlandscapeguide.tamu.edu/waterwise.html)

- Texas SmartScapeTM (http://www.txsmartscape.com/)

- EARTH-KINDTM (https://aggie-horticulture.tamu.edu/earthkind/publications/#water)

C. REBATES

A $100 rebate will be applied to the purchase and installation of high-efficiency cards or coin-operated commercial clothes washers at commercial laundromats.

2024 Water Resource and Emergency Management Plan

Under Texas Water Code Chapter 11 and Title 30 Texas Administrative Code Chapter 288, Retail, Irrigation and Wholesale Public Water Suppliers are required to develop, implement and submit updated Drought Contingency Plans to TCEQ every five years.

1.00 INTRODUCTION

The City of Rockwall is a Member City of the North Texas Municipal Water District (NTMWD). This Plan was developed following TCEQ guidelines and requirements governing the development of drought contingency plans.

The goal of the water resource and emergency management plan is to prepare for potential water shortages and to preserve water for essential uses and the protection of public health. The objectives to achieve this goal are as follows:

- To save water during droughts, water shortages, and emergencies.
- To save water for domestic use, sanitation, and fire protection.
- To protect and preserve public health, welfare, and safety.
- To reduce the adverse impacts of shortages.
- To reduce the adverse impacts of emergency water supply conditions.

Note: NTMWD refers to their drought contingency plan (DCP) as the water resource and emergency management plan (WREMP) and should be considered synonymous with a DCP.

1.01 MINIMUM REGULATORY REQUIREMENTS

A drought contingency plan is defined as “a strategy or combination of strategies for temporary supply and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies”. Recognizing the need for efficient use of existing water supplies, TCEQ has developed guidelines and requirements governing the development of water conservation and drought contingency plans.

The minimum TCEQ requirements and where they are addressed within this document are described in **Appendix B.**

2.00 IMPLEMENTATION AND ENFORCEMENT

2.01 PROVISIONS TO INFORM THE PUBLIC AND OPPORTUNITY FOR INPUT

The City of Rockwall provided opportunity for public input in the development of this Plan by the following means:

- Providing written notice of the proposed Plan and the opportunity to comment on the Plan by newspaper and posted notice.
- Posting the draft Plan on the community website and/or social media.
- Providing the draft Plan to anyone requesting a copy.
- Holding a public meeting regarding the Plan on 4/1/2024 Public notice of this meeting was provided on the community website and in local newspapers.

- Approving the Plan at a public Board meeting on 4/15/2024. Public notices of this meeting were provided on the community website and live audio was available during the meeting.

2.02 PROGRAM FOR CONTINUING PUBLIC EDUCATION AND INFORMATION

The City of Rockwall informs and educates the public about the Plan by the following means:

- Preparing a bulletin describing the plan and making it available at City Hall and/or other appropriate locations.
- Including information and making the Plan available to the public through the community website and/or social media.
- Notifying local organizations, schools, and civic groups that utility staff are available to make presentations on the Plan (usually in conjunction with presentations on water conservation programs).
- At any time that the Plan is activated or changes, the City of Rockwall will notify local media of the issues, the water resource management stage (if applicable), and the specific actions required of the public. The information will also be publicized on the community website and/or social media. Billing inserts will also be used as appropriate.

2.03 COORDINATION WITH THE REGIONAL WATER PLANNING GROUPS AND NTMWD

Appendix F of this Plan includes copies of letters sent to the Chairs of the appropriate regional water planning groups as well as NTMWD.

2.04 INITIATION AND TERMINATION OF WATER RESOURCE MANAGEMENT STATGES

A. INITITATION OF A WATER RESOURCE MANAGEMENT STAGE

The City Manager may order the implementation of a water resource management stage when one or more of the trigger conditions for that stage is met.

- NTMWD has initiated a water resource management stage. (Stages imposed by NTMWD action ***must*** be initiated by Member Cities and Customers.)
- The City Manager may implement restrictions as required due to emergencies experienced with the water system operations when water storage for pumping capacity is restricted such that normal demand cannot be met.
- The City Manager may implement restrictions anytime if the Texas State governor has issued a drought disaster declaration for Rockwall or the neighboring counties. The following actions will be taken when a water resource management stage is initiated:
- The public will be notified through local media and the supplier's website.

- Wholesale customers and NTMWD will be notified by email that provides details of the reasons for initiation of the water resource management stage.
- If any mandatory provisions of the Plan are activated, the City of Rockwall will notify TCEQ and the NTMWD Executive Director within five business days. Instructions to report drought contingency plan water use restrictions to TCEQ is available online at https://www.tceq.texas.gov/drinkingwater/homeland_security/security_pws.

B. TERMINATION OF A WATER RESOURCE MANAGEMENT STAGE

Water resource management stages initiated by NTMWD may be terminated after NTMWD has terminated the stage. For stages initiated by the City Manager, they may order the termination of a water resource management stage when the conditions for termination are met or at their discretion.

The following actions will be taken when a water resource management stage is terminated:

- The public will be notified through local media and the supplier's website.
- Wholesale customers and NTMWD will be notified by email.
- If any mandatory provisions of the Plan that have been activated are terminated, City of Rockwall will notify TCEQ Executive Director and the NTMWD Executive Director within five business days. Instructions to report drought contingency plan water use restrictions to TCEQ is available online at https://www.tceq.texas.gov/drinkingwater/homeland_security/security_pws.

The City Manager may decide not to order the termination of a water resource management stage even though the conditions for termination of the stage are met. Factors which could influence such a decision include, but are not limited to, the time of the year, weather conditions, or the anticipation of potentially changed conditions that warrant the continuation of the water resource management stage. The reason for this decision should be documented.

2.05 PROCEDURES FOR CURTAILMENT OF WATER SUPPLIES

Any imposed reduction in water availability, the City Manager is hereby authorized to initiate allocation of water supplies on a pro rata basis in accordance with Texas Water Code Section §11.039. In addition, every wholesale water supply contract entered into or renewed after the adoption of this plan, including contract extensions, shall include a provision that water will be distributed in accordance with Texas Water Code §11.039 in case of a water shortage resulting from drought or water emergency.

2.06 PROCEDURE FOR GRANTING VARIANCES TO THE PLAN

The City Manager may grant temporary variances for existing water uses otherwise prohibited under this Plan if one or more of the following conditions are met:

- Failure to grant such a variance would cause an emergency condition adversely affecting health, sanitation, or fire safety for the public or the person or entity requesting the variance.

- Compliance with this Plan cannot be accomplished due to technical or other limitations.
- Alternative methods that achieve the same level of reduction in water use can be implemented.

Variances shall be granted or denied at the discretion of the City Manager. All petitions for variances should be in writing and should include the following information:

- Name and address of the petitioners.
- Purpose of water use.
- Specific provisions from which relief is requested.
- Detailed statement of the adverse effect of the provision from which relief is requested.
- Description of the relief requested.
- Period of time for which the variance is sought.
- Alternative measures that will be taken to reduce water use and the level of water use reduction.
- Other pertinent information.

2.07 PROCEDURES FOR ENFORCING MANDATORY WATER USE RESTRICTIONS

Mandatory water use restrictions may be imposed in Stage 1, Stage 2, and Stage 3 by adopting this Water Resource and Emergency Management Plan by Ordinance of the City of Rockwall. Appendix G contains the ordinance adopted by the city council approving the Plan, including enforcement and penalties for noncompliance.

2.08 REVIEW AND UPDATE OF WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN

As required by TCEQ rules, the City of Rockwall must review their respective Plan every five years. The plan will be updated as appropriate based on new or updated information.

3.00 WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN

Initiation and termination criteria for water management stages include general, demand, supply, and emergency criteria. One of the major indicators of approaching or ongoing drought conditions is NTMWD's combined reservoir storage, defined as storage at Lavon Lake plus storage in Bois d'Arc Lake. Percent storage is determined by dividing the current storage by the total conservation storage when the lakes are full. **Table 1** summarizes the water management stages by triggers based on percent combined storage and associated demand reduction goals and outdoor watering restrictions. The following sections go into more detail on the three water management stages.

TCEQ requires notification when mandatory restrictions are placed on a customer. NTMWD must notify TCEQ when they impose mandatory restrictions on Member Cities and Customers. Member Cities and Customers must likewise notify TCEQ when they impose mandatory restrictions on their customers (wholesale or retail). Measures that impose mandatory requirements on customers are denoted with **"requires notification to TCEQ"**.

NTMWD and the utilities must notify TCEQ within five business days if these measures are implemented (https://www.tceq.texas.gov/response/drought/drought-and-public-water-systems).

Table 2: Water Management Plan Stages Summary

Drought Stage		April to October	November to March	Demand Reduction Goal	Outdoor Watering Restrictions
		Percent Combined Storage			
Stage 1	Initiation	70%	60%	2%	2X per week (Apr-Oct) 1X per week (Nov-Mar)
	Termination	75%	65%		
Stage 2	Initiation	55%	45%	5%	1X per week (Apr-Oct) 1X every other week (Nov-Mar)
	Termination	70%	60%		
Stage 3	Initiation	30%	20%	30%	No outdoor watering
	Termination	55%	45%		

3.01 WATER RESOURCE MANAGEMENT – STAGE 1

A. INITIATION AND TERMINATION CRITERIA FOR STAGE 1

NTMWD has initiated Stage 1, which may be initiated when one or more of the following criteria is met:

- **General Criteria**
    - The Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 1.
    - One or more source(s) is interrupted, unavailable, or limited due to contamination, invasive species, equipment failure or other cause.
    - The water supply system is unable to deliver needed supplies due to the failure or damage of major water system components.
    - Part of the system has a shortage of supply or damage to equipment. (NTMWD may implement measures for only that portion of the system impacted.)
    - A portion of the service area is experiencing an extreme weather event or power grid/supply disruptions.
- **Demand Criteria**

- Water demand has exceeded or is expected to exceed 90% of maximum sustainable production or delivery capacity for an extended period.

- **Supply Criteria**
  - The combined storage in Lavon and Bois d'Arc Lake, as published by the TWDB, is less than:
    - 70% of the combined conservation pool capacity during any of the months of April through October
    - 60% of the combined conservation pool capacity during any of the months of November through March
  - The Sabine River Authority (SRA) has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in a Stage 1 drought.
  - NTMWD is concerned that Lake Texoma, Jim Chapman Lake, the East Fork Water Reuse Project, Main Stem Pump Station, and/or some other NTMWD water source may be limited in availability within the next six months.

Stage 1 may terminate when one or more of the following criteria is met:

- **General Criteria**
  - The Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the termination of Stage 1.
  - The circumstances that caused the initiation of Stage 1 no longer prevail.

- **Supply Criteria**
  - The combined storage in Lavon and Bois d'Arc Lakes, as published by the TWDB, is greater than:
    - 75% of the combined conservation pool capacity during any of the months of April through October
    - 65% of the combined conservation pool capacity during any of the months of November through March

B. GOAL FOR USE REDUCTION UNDER STAGE 1

The goal for water use reduction under Stage 1 is an annual reduction of 2% in the use that would have occurred in the absence of water management measures. Because discretionary water use is highly concentrated in the summer months, savings should be higher than 5% in summer to achieve an annual savings goal of 2%. **If circumstances warrant, the Executive Director can set a goal for greater or less water use reduction.**

C. WATER MANAGEMENT MEASURES AVAILABLE UNDER STAGE 1

The actions listed below are provided as potential measures to reduce water demand. NTMWD may choose to implement any or all of the available restrictions in Stage 1.

- **Requires notification to TCEQ by NTMWD.** Require Member Cities and Customers (including indirect Customers) to initiate Stage 1 restrictions in their respective, independently adopted water resource management plans.
- Continue actions described in the water conservation plan.
- Increase enforcement of landscape watering restrictions from the water conservation plan.
- Initiate engineering studies to evaluate alternative actions that can be implemented if conditions worsen.
- Accelerate public education efforts on ways to reduce water use.
- Halt non-essential NTMWD water use.
- Encourage the public to wait until the current drought or water emergency situation has passed before establishing new landscaping.
- Encourage all users to reduce the frequency of draining and refilling swimming pools.
- **Requires notification to TCEQ by Member Cities and Customers and/or NTMWD.** Initiate a rate surcharge for all water use over a certain level.
- **Requires notification to TCEQ by Member Cities and Customers.** Parks, golf courses, and athletic fields using potable water for landscape watering are required to meet the same reduction goals and measures outlined in this stage. As an exception, golf course greens and tee boxes may be hand watered as needed.

3.02 WATER RESOURCE MANAGEMENT – STAGE 2

A. INITIATION AND TERMINATION CRITERIA FOR STAGE 2

NTMWD has initiated Stage 2, which may be initiated due to one or more of the following criteria is met:

- **General Criteria**
    - The Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 2.
    - One or more supply source(s) is interrupted, unavailable, or limited due to contamination, invasive species, equipment failure or other cause.
    - The water supply system is unable to deliver needed supplies due to the failure or damage of major water system components.
    - Part of the system has a shortage of supply or damage to equipment. (NTMWD may implement measures for only that portion of the system impacted.)
    - A portion of the service area is experiencing an extreme weather event or power grid/supply disruptions.
- **Demand Criteria**

- Water demand has exceeded or is expected to exceed 95% of maximum sustainable production or delivery capacity for an extended period.

- **Supply Criteria**
  - The combined storage in Lavon and Bois d'Arc Lake, as published by the TWDB, is less than
    - 55% of the combined conservation pool capacity during any of the months of April through October
    - 45% of the combined conservation pool capacity during any of the months of November through March
  - SRA has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in a Stage 2 drought.
  - NTMWD is concerned that Lake Texoma, Jim Chapman Lake, the East Fork Water Reuse Project, the Main Stem Pump Station, and/or some other NTMWD water source may be limited in availability within the next three months.

Stage 2 may terminate when one or more of the following criteria is met:

- **General Criteria**
  - The Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the termination of Stage 2.
  - The circumstances that caused the initiation of Stage 2 no longer prevail.
- **Supply Criteria**
  - The combined storage in Lavon and Bois d'Arc Lake, as published by the TWDB, is greater than
    - 70% of the combined conservation pool capacity during any of the months of April through October
    - 60% of the combined conservation pool capacity during any of the months of November through March

B. GOAL FOR USE REDUCTION UNDER STAGE 2

The goal for water use reduction under Stage 2 is an annual reduction of 5% in the use that would have occurred in the absence of water resource management measures. Because discretionary water use is highly concentrated in the summer months, savings should be higher than 5% in summer to achieve an annual savings goal of 5%. **If circumstances warrant, the Executive Director can set a goal for greater or less water use reduction.**

C. WATER MANAGEMENT MEASURES AVAILABLE UNDER STAGE 2

The actions listed below are provided as potential measures to reduce water demand. NTMWD may choose to implement any or all of the available restrictions in Stage 2.

- Continue or initiate any actions available under the water conservation plan and Stage 1.
- Implement viable alternative water supply strategies.
- **Requires notification to TCEQ by NTMWD.** Require Member Cities and Customers (including indirect Customers) to initiate Stage 2 restrictions in their respective, independently adopted water resource management plans.
- **Requires notification to TCEQ by NTMWD and/or Member Cities and Customers.** Limit landscape watering with sprinklers or irrigation systems at each service address to once per week on designated days between April 1 and October 31. Limit landscape watering with sprinklers or irrigation systems at each service address to once every other week on designated days between November 1 and March 31. Exceptions are as follows:
    - New construction may be watered as necessary for 30 days from the installation of new landscape features.
    - Foundation watering (within 2 feet), watering of new plantings (first year) of shrubs, and watering of trees (within a 10-foot radius of its trunk) for up to two hours on any day by a hand-held hose, a soaker hose, or a dedicated zone using a drip irrigation system, provided no runoff occurs.
    - Athletic fields may be watered twice per week.
    - Locations using alternative sources of water supply only for irrigation may irrigate without day-of-the-week restrictions provided proper signage is employed to notify the public of the alternative water source(s) being used. However, irrigation using alternative sources of supply is subject to all other restrictions applicable to this stage. If the alternative supply source is a well, proper proof of well registration with your local water supplier (e.g., city, water supply corporation) is required. Other sources of water supply may not include imported treated water.
    - An exemption is for drip irrigation systems from the designated outdoor water use day limited to no more than one day per week. Drip irrigation systems are, however, subject to all other restrictions applicable under this stage.
- **Requires notification to TCEQ by Member Cities and Customers.** Prohibit overseeding, sodding, sprigging, broadcasting or plugging with or watering, except for golf courses and athletic fields.
- **Requires notification to TCEQ by NTMWD.** Institute a mandated reduction in water deliveries to all Member Cities and Customers. Such a reduction will be distributed as required by Texas Water Code Section 11.039 (**Appendix E**).
    - A wholesale customer's monthly allocation shall be a percentage of the customer's water usage baseline. The percentage will be set by the City Manager or his/her designee based on the assessment of the severity of the water shortage condition and the need to curtail water diversions and/or deliveries and may be adjusted periodically by the City Manager or his/her designee as conditions warrant. Once pro rata allocations are in effect, water diversions by or deliveries to each wholesale customer shall be limited to the allocation established for each month.

- A monthly water usage allocation shall be established by the City Manager or his/her designee for each wholesale customer. The wholesale customer's water usage baseline will be computed on the average water usage by month for the past five years. If the wholesale customer's billing history is less than five (5) years, the monthly average for the period for which there is a record shall be used for any monthly period for which no billing history exists.
- The City Manager or his/her designee shall provide notice, by certified mail, to each wholesale customer informing them of their monthly water usage allocations and shall notify the news media, the Texas Natural Resource Conservation Commission, and the Texas Water Development Board upon initiation of pro rata water allocations.
- Upon request of the customer, a request for a temporary variance to the pro rata water allocation may be requested.
- At the initiative of the City Manager or his/her designee, the allocation may be reduced if, (a) the customer agrees to transfer part of its allocation to another wholesale customer, or (2) other objective evidence demonstrates that the designated allocation is inaccurate under present conditions.
- City wholesale water users will be advised to continue all relevant actions from the previous stages including appropriate public water use restrictions and to implement the next stage of their own individual Retail Water Supplier Resource and Emergency Management Plan.

- **Requires notification to TCEQ by Member Cities and Customers and/or NTMWD.** Initiate a rate surcharge for all water use over a certain level.
- **Requires notification to TCEQ by Member Cities and Customers.** Parks and golf courses using potable water for landscape watering are required to meet the same reduction goals and measures outlined in this stage. As an exception, golf course greens and tee boxes may be hand watered as needed.

3.03 WATER RESOURCE MANAGEMENT – STAGE 3

A. INITIATION AND TERMINATION CRITERIA FOR STAGE 3

NTMWD has initiated Stage 3, which may be initiated due to one or more of the following criteria is met:

- **General Criteria**
  - The Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 3.
  - One or more supply source(s) is interrupted, unavailable, or limited due to contamination, invasive species, equipment failure, or other cause.
  - The water supply system is unable to deliver needed supplies due to the failure or damage of major water system components.

- Part of the system has a shortage of supply or damage to equipment. (NTMWD may implement measures for only that portion of the system impacted.)
- A portion of the service area is experiencing an extreme weather event or power grid/supply disruptions.

- **Demand Criteria**
  - Water demand has exceeded or is expected to exceed maximum sustainable production or delivery capacity for an extended period.

- **Supply Criteria**
  - The combined storage in Lavon and Bois d'Arc Lake, as published by the TWDB, is less than
    - 30% of the combined conservation pool capacity during any of the months of April through October
    - 20% of the combined conservation pool capacity during any of the months of November through March

- SRA has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in a drought and have significantly reduced supplies available to NTMWD.
- The supply from Lake Texoma, Jim Chapman Lake, the East Fork Water Reuse Project, the Main Stem Pump Station, and/or some other NTMWD water source has become limited in availability.

Stage 3 may terminate when one or more of the following criteria is met:

- **General Criteria**
  - The Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the termination of Stage 3.
  - Other circumstances that caused the initiation of Stage 3 no longer prevail.

- **Supply Criteria**
  - The combined storage in Lavon and Bois d'Arc Lake, as published by the TWDB, is greater than:
    - 55% of the combined conservation pool capacity during any of the months of April through October
    - 45% of the combined conservation pool capacity during any of the months of November through March

B. GOAL FOR USE REDUCTION UNDER STAGE 3

The goal for water use reduction under Stage 3 is an annual reduction of 30% in the use that would have occurred in the absence of water resource management measures, or the goal for water use reduction is whatever reduction is necessary. Because discretionary water use is highly concentrated in the summer months, savings should be higher than 30% in summer to achieve an annual savings goal of 30%. **If circumstances warrant, the Executive Director can set a goal for greater or less water use reduction.**

C. WATER MANAGEMENT MEASURES AVAILABLE UNDER STAGE 3

The actions listed below are provided as potential measures to reduce water demand. NTMWD may choose to implement any or all of the available restrictions in Stage 3.

- Continue or initiate any actions available under the water conservation plan and Stages 1 and 2.
- Implement viable alternative water supply strategies.
- **Requires notification to TCEQ by NTMWD.** Require Member Cities and Customers (including indirect Customers) to initiate Stage 3 restrictions in their respective, independently adopted water resource management plans.
- **Requires notification to TCEQ by Member Cities and Customers.** Initiate mandatory water use restrictions as follows:
    - Hosing and washing of paved areas, buildings, structures, windows or other surfaces is prohibited except by variance and performed by a professional service using high efficiency equipment.
    - Prohibit operation of ornamental fountains or ponds that use potable water except where supporting aquatic life.
- **Requires notification to TCEQ by Member Cities and Customers.** Prohibit new sod, overseeding, sodding, sprigging, broadcasting or plugging with or watering.
- **Requires notification to TCEQ by Member Cities and Customers.** Prohibit the use of potable water for the irrigation of new landscape.
- **Requires notification to TCEQ by NTMWD and/or Member Cities and Customers.** Prohibit all commercial and residential landscape watering, except foundations (within 2 feet) and trees (within a 10-foot radius of its trunk) may be watered for two hours one day per week with a hand-held hose, a soaker hose, or a dedicated zone using a drip irrigation system provided no runoff occurs. Drip irrigation systems are not exempt from this requirement.
- **Requires notification to TCEQ by Member Cities and Customers.** Prohibit washing of vehicles except at a commercial vehicle wash facility.
- **Requires notification to TCEQ by Member Cities and Customers.** Landscape watering of parks, golf courses, and athletic fields with potable water is prohibited. As an exception, golf course greens and tee boxes may be hand watered as needed. Variances may be granted by the water provider under special circumstances.
- **Requires notification to TCEQ by Member Cities and Customers.** Prohibit the filling, draining, and/or refilling of existing swimming pools, wading pools, Jacuzzi and hot tubs except to maintain structural integrity, proper operation and maintenance or to alleviate a public safety risk. Existing pools may add water to replace losses from normal use and evaporation. Permitting of new swimming pools, wading pools, Jacuzzi and hot tubs is prohibited.
- **Requires notification to TCEQ by Member Cities and Customers.** Prohibit the operation of interactive water features such as water sprays, dancing water jets, waterfalls, dumping

buckets, shooting water cannons, inflatable pools, temporary splash toys or pools, slip-n-slides, or splash pads that are maintained for recreation.

- **Requires notification to TCEQ by Member Cities and Customers.** Require all commercial water users to reduce water use by a set percentage.
- **Requires notification to TCEQ by NTMWD.** Institute a mandated reduction in deliveries to all Member Cities and Customers. Such a reduction will be distributed as required by Texas Water Code Section 11.039.
    - A wholesale customer's monthly allocation shall be a percentage of the customer's water usage baseline. The percentage will be set by the City Manager or his/her designee based on the assessment of the severity of the water shortage condition and the need to curtail water diversions and/or deliveries and may be adjusted periodically by the City Manager or his/her designee as conditions warrant. Once pro rata allocations are in effect, water diversions by or deliveries to each wholesale customer shall be limited to the allocation established for each month.
    - A monthly water usage allocation shall be established by the City Manager or his/her designee for each wholesale customer. The wholesale customer's water usage baseline will be computed on the average water usage by month for the past five years. If the wholesale customer's billing history is less than five (5) years, the monthly average for the period for which there is a record shall be used for any monthly period for which no billing history exists.
    - The City Manager or his/her designee shall provide notice, by certified mail, to each wholesale customer informing them of their monthly water usage allocations and shall notify the news media, the Texas Natural Resource Conservation Commission, and the Texas Water Development Board upon initiation of pro rata water allocations.
    - Upon request of the customer, a request for a temporary variance to the pro rata water allocation may be requested.
    - At the initiative of the City Manager or his/her designee, the allocation may be reduced if, (a) the customer agrees to transfer part of its allocation to another wholesale customer, or (2) other objective evidence demonstrates that the designated allocation is inaccurate under present conditions.
    - City wholesale water users will be advised to continue all relevant actions from the previous stages including appropriate public water use restrictions and to implement the next stage of their own individual Retail Water Supplier Resource and Emergency Management Plan.
- **Requires notification to TCEQ by NTMWD and/or Member Cities and Customers.** Initiate a rate surcharge over normal rates for all water use or for water use over a certain level

Appendix A
List of References

The following appendix contains a list of references used throughout the plans.

APPENDIX A

LIST OF REFERENCES

1. Texas Commission on Environmental Quality Water Conservation Implementation Report. https://www.tceq.texas.gov/assets/public/permitting/forms/20645.pdf

2. Title 30 of the Texas Administrative Code, Part 1, Chapter 288, Subchapter A, Rules 288.1 and 288.5, and Subchapter B, Rule 288.22, downloaded from http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=288, April 2023.

3. Water Conservation Implementation Task Force: "Texas Water Development Board Report 362, Water Conservation Best Management Practices Guide," prepared for the Texas Water Development Board, Austin, November 2004.

4. Texas Water Development Board, Texas Commission on Environmental Quality, Water Conservation Advisory Council: Guidance and Methodology for Reporting on Water Conservation and Water Use, December 2012

5. Freese and Nichols, Inc.: Model Water Conservation Plan for NTMWD Members Cities and Customers, prepared for the North Texas Municipal Water District, Fort Worth, January 2019.

6. Freese and Nichols, Inc.: Model Water Resource and Emergency Management Plan for NTMWD Members Cities and Customers, prepared for the North Texas Municipal Water District, Fort Worth, January 2019.

7. Freese and Nichols Inc, Alan Plummer Associates, Inc., CP & Y Inc., Cooksey Communications. "2021 Region C Water Plan"

Appendix B

Texas Administrative Code Title 30 Chapter 288

The following appendix contains the Texas Administrative Code that regulates both water conservation and drought contingency plans. Prior to the code, a summary is given that outlines where each requirement is fulfilled within the plans.

APPENDIX B

TEXAS ADMINISTRATIVE CODE TITLE 30 CHAPTER 288

TCEQ rules governing development of water conservation plans are contained in Title 30, Chapter 288, Subchapter A of the Texas Administrative Code, which is included in this Appendix for reference.

The water conservation plan elements required by TCEQ water conservation rules that are covered in this water conservation plan are listed below.

Minimum Conservation Plan Requirements for Public Water Suppliers

- 288.2(a)(1)(A) – Utility Profile – Section 2
- 288.2(a)(1)(B) – Record Management System – Section 4
- 288.2(a)(1)(C) – Specific, Quantified Goals – Section 3
- 288.2(a)(1)(D) – Accurate Metering – Section 4
- 288.2(a)(1)(E) – Universal Metering – Section 4
- 288.2(a)(1)(F) – Determination and Control of Water Loss – Section 4
- 288.2(a)(1)(G) – Public Education and Information Program – Section 8
- 288.2(a)(1)(H) – Non-Promotional Water Rate Structure – Section 8
- 288.2(a)(1)(I) – Reservoir System Operation Plan – Section 6
- 288.2(a)(1)(J) – Means of Implementation and Enforcement – Section 7
- 288.2(a)(1)(K) – Coordination with Regional Water Planning Group – Section 7
- 288.2(c) – Review and Update of Plan – Section 7

Additional Requirements for Public Water Suppliers (Population over 5,000)

- 288.2(a)(2)(A) – Leak Detection, Repair, and Water Loss Accounting – Section 4
- 288.2(a)(2)(B) – Requirement for Water Conservation Plans by Wholesale Customers – Section 5

Minimum Conservation Plan Requirements for Wholesale Water Suppliers

- 288.5(1)(A) – Description of Service Area – Section 2
- 288.5(1)(B) – Specific, Quantified Goals – Section 3
- 288.5(1)(C) – Measure and Account for Water Diverted – Section 4
- 288.5(1)(D) – Monitoring and Record Management Program – Section 4
- 288.5(1)(E) – Program of Metering and Leak Detection and Repair – Section 4

- 288.5(1)(F) – Requirement for Water Conservation Plans by Wholesale Customers – Section 5
- 288.5(1)(G) – Reservoir System Operation Plan – Section 6
- 288.5(1)(H) – Means of Implementation and Enforcement – Section 7
- 288.5(1)(I) – Documentation of Coordination with Regional Water Planning Group – Section 7
- 288.5(3) – Review and Update of Plan – Section 7

TITLE 30	ENVIRONMENTAL QUALITY
PART 1	TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 288	WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS
SUBCHAPTER A	WATER CONSERVATION PLANS
RULE §288.1	**Definitions**

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

(1) Agricultural or Agriculture--Any of the following activities:

(A) cultivating the soil to produce crops for human food, animal feed, or planting seed or for the production of fibers;

(B) the practice of floriculture, viticulture, silviculture, and horticulture, including the cultivation of plants in containers or non-soil media by a nursery grower;

(C) raising, feeding, or keeping animals for breeding purposes or for the production of food or fiber, leather, pelts, or other tangible products having a commercial value;

(D) raising or keeping equine animals;

(E) wildlife management; and

(F) planting cover crops, including cover crops cultivated for transplantation, or leaving land idle for the purpose of participating in any governmental program or normal crop or livestock rotation procedure.

(2) Agricultural use--Any use or activity involving agriculture, including irrigation.

(3) Best management practices--Voluntary efficiency measures that save a quantifiable amount of water, either directly or indirectly, and that can be implemented within a specific time frame.

(4) Conservation--Those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water, or increase the recycling and reuse of water so that a water supply is made available for future or alternative uses.

(5) Commercial use--The use of water by a place of business, such as a hotel, restaurant, or office building. This does not include multi-family residences or agricultural, industrial, or institutional users.

(6) Drought contingency plan--A strategy or combination of strategies for temporary supply and demand management responses to temporary and potentially recurring water supply shortages and

other water supply emergencies. A drought contingency plan may be a separate document identified as such or may be contained within another water management document(s).

(7) Industrial use--The use of water in processes designed to convert materials of a lower order of value into forms having greater usability and commercial value, and the development of power by means other than hydroelectric, but does not include agricultural use.

(8) Institutional use--The use of water by an establishment dedicated to public service, such as a school, university, church, hospital, nursing home, prison or government facility. All facilities dedicated to public service are considered institutional regardless of ownership.

(9) Irrigation--The agricultural use of water for the irrigation of crops, trees, and pastureland, including, but not limited to, golf courses and parks which do not receive water from a public water supplier.

(10) Irrigation water use efficiency--The percentage of that amount of irrigation water which is beneficially used by agriculture crops or other vegetation relative to the amount of water diverted from the source(s) of supply. Beneficial uses of water for irrigation purposes include, but are not limited to, evapotranspiration needs for vegetative maintenance and growth, salinity management, and leaching requirements associated with irrigation.

(11) Mining use--The use of water for mining processes including hydraulic use, drilling, washing sand and gravel, and oil field re-pressuring.

(12) Municipal use--The use of potable water provided by a public water supplier as well as the use of sewage effluent for residential, commercial, industrial, agricultural, institutional, and wholesale uses.

(13) Nursery grower--A person engaged in the practice of floriculture, viticulture, silviculture, and horticulture, including the cultivation of plants in containers or nonsoil media, who grows more than 50% of the products that the person either sells or leases, regardless of the variety sold, leased, or grown. For the purpose of this definition, grow means the actual cultivation or propagation of the product beyond the mere holding or maintaining of the item prior to sale or lease, and typically includes activities associated with the production or multiplying of stock such as the development of new plants from cuttings, grafts, plugs, or seedlings.

(14) Pollution--The alteration of the physical, thermal, chemical, or biological quality of, or the contamination of, any water in the state that renders the water harmful, detrimental, or injurious to humans, animal life, vegetation, or property, or to the public health, safety, or welfare, or impairs the usefulness or the public enjoyment of the water for any lawful or reasonable purpose.

(15) Public water supplier--An individual or entity that supplies water to the public for human consumption.

(16) Regional water planning group--A group established by the Texas Water Development Board to prepare a regional water plan under Texas Water Code §16.053.

(17) Residential gallons per capita per day--The total gallons sold for residential use by a public water supplier divided by the residential population served and then divided by the number of days in the year.

(18) Residential use--The use of water that is billed to single and multi-family residences, which applies to indoor and outdoor uses.

(19) Retail public water supplier--An individual or entity that for compensation supplies water to the public for human consumption. The term does not include an individual or entity that supplies water to itself or its employees or tenants when that water is not resold to or used by others.

(20) Reuse--The authorized use for one or more beneficial purposes of use of water that remains unconsumed after the water is used for the original purpose of use and before that water is either disposed of or discharged or otherwise allowed to flow into a watercourse, lake, or other body of state-owned water.

(21) Total use--The volume of raw or potable water provided by a public water supplier to billed customer sectors or nonrevenue uses and the volume lost during conveyance, treatment, or transmission of that water.

(22) Total gallons per capita per day (GPCD)--The total amount of water diverted and/or pumped for potable use divided by the total permanent population divided by the days of the year. Diversion volumes of reuse as defined in this chapter shall be credited against total diversion volumes for the purposes of calculating GPCD for targets and goals.

(23) Water conservation coordinator--The person designated by a retail public water supplier that is responsible for implementing a water conservation plan.

(24) Water conservation plan--A strategy or combination of strategies for reducing the volume of water withdrawn from a water supply source, for reducing the loss or waste of water, for maintaining or improving the efficiency in the use of water, for increasing the recycling and reuse of water, and for preventing the pollution of water. A water conservation plan may be a separate document identified as such or may be contained within another water management document(s).

(25) Wholesale public water supplier--An individual or entity that for compensation supplies water to another for resale to the public for human consumption. The term does not include an individual or entity that supplies water to itself or its employees or tenants as an incident of that employee service or tenancy when that water is not resold to or used by others, or an individual or entity that conveys water to another individual or entity, but does not own the right to the water which is conveyed, whether or not for a delivery fee.

(26) Wholesale use--Water sold from one entity or public water supplier to other retail water purveyors for resale to individual customers.

Source Note: The provisions of this §288.1 adopted to be effective May 3, 1993, 18 TexReg 2558; amended to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25

TexReg 3544; amended to be effective August 15, 2002, 27 TexReg 7146; amended to be effective October 7, 2004, 29 TexReg 9384; amended to be effective January 10, 2008, 33 TexReg 193; amended to be effective December 6, 2012, 37 TexReg 9515; amended to be effective August 16, 2018, 43 TexReg 5218

TITLE 30	ENVIRONMENTAL QUALITY
PART 1	TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 288	WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS
SUBCHAPTER A	WATER CONSERVATION PLANS
RULE §288.2	**Water Conservation Plans for Municipal Uses by Public Water Suppliers**

(a) A water conservation plan for municipal water use by public water suppliers must provide information in response to the following. If the plan does not provide information for each requirement, the public water supplier shall include in the plan an explanation of why the requirement is not applicable.

(1) Minimum requirements. All water conservation plans for municipal uses by public water suppliers must include the following elements:

(A) a utility profile in accordance with the Texas Water Use Methodology, including, but not limited to, information regarding population and customer data, water use data (including total gallons per capita per day (GPCD) and residential GPCD), water supply system data, and wastewater system data;

(B) a record management system which allows for the classification of water sales and uses into the most detailed level of water use data currently available to it, including, if possible, the sectors listed in clauses (i) - (vi) of this subparagraph. Any new billing system purchased by a public water supplier must be capable of reporting detailed water use data as described in clauses (i) - (vi) of this subparagraph:

(i) residential;

(I) single family;

(II) multi-family;

(ii) commercial;

(iii) institutional;

(iv) industrial;

(v) agricultural; and,

(vi) wholesale.

(C) specific, quantified five-year and ten-year targets for water savings to include goals for water loss programs and goals for municipal use in total GPCD and residential GPCD. The goals established by a public water supplier under this subparagraph are not enforceable;

(D) metering device(s), within an accuracy of plus or minus 5.0% in order to measure and account for the amount of water diverted from the source of supply;

(E) a program for universal metering of both customer and public uses of water, for meter testing and repair, and for periodic meter replacement;

(F) measures to determine and control water loss (for example, periodic visual inspections along distribution lines; annual or monthly audit of the water system to determine illegal connections; abandoned services; etc.);

(G) a program of continuing public education and information regarding water conservation;

(H) a water rate structure which is not "promotional," i.e., a rate structure which is cost-based and which does not encourage the excessive use of water;

(I) a reservoir systems operations plan, if applicable, providing for the coordinated operation of reservoirs owned by the applicant within a common watershed or river basin in order to optimize available water supplies; and

(J) a means of implementation and enforcement which shall be evidenced by:

(i) a copy of the ordinance, resolution, or tariff indicating official adoption of the water conservation plan by the water supplier; and

(ii) a description of the authority by which the water supplier will implement and enforce the conservation plan; and

(K) documentation of coordination with the regional water planning groups for the service area of the public water supplier in order to ensure consistency with the appropriate approved regional water plans.

(2) Additional content requirements. Water conservation plans for municipal uses by public drinking water suppliers serving a current population of 5,000 or more and/or a projected population of 5,000 or more within the next ten years subsequent to the effective date of the plan must include the following elements:

(A) a program of leak detection, repair, and water loss accounting for the water transmission, delivery, and distribution system;

(B) a requirement in every wholesale water supply contract entered into or renewed after official adoption of the plan (by either ordinance, resolution, or tariff), and including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using the applicable elements in this chapter. If the customer intends to resell

the water, the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with the provisions of this chapter.

(3) Additional conservation strategies. Any combination of the following strategies shall be selected by the water supplier, in addition to the minimum requirements in paragraphs (1) and (2) of this subsection, if they are necessary to achieve the stated water conservation goals of the plan. The commission may require that any of the following strategies be implemented by the water supplier if the commission determines that the strategy is necessary to achieve the goals of the water conservation plan:

(A) conservation-oriented water rates and water rate structures such as uniform or increasing block rate schedules, and/or seasonal rates, but not flat rate or decreasing block rates;

(B) adoption of ordinances, plumbing codes, and/or rules requiring water-conserving plumbing fixtures to be installed in new structures and existing structures undergoing substantial modification or addition;

(C) a program for the replacement or retrofit of water-conserving plumbing fixtures in existing structures;

(D) reuse and/or recycling of wastewater and/or graywater;

(E) a program for pressure control and/or reduction in the distribution system and/or for customer connections;

(F) a program and/or ordinance(s) for landscape water management;

(G) a method for monitoring the effectiveness and efficiency of the water conservation plan; and

(H) any other water conservation practice, method, or technique which the water supplier shows to be appropriate for achieving the stated goal or goals of the water conservation plan.

(b) A water conservation plan prepared in accordance with 31 TAC §363.15 (relating to Required Water Conservation Plan) of the Texas Water Development Board and substantially meeting the requirements of this section and other applicable commission rules may be submitted to meet application requirements in accordance with a memorandum of understanding between the commission and the Texas Water Development Board.

(c) A public water supplier for municipal use shall review and update its water conservation plan, as appropriate, based on an assessment of previous five-year and ten-year targets and any other new or

updated information. The public water supplier for municipal use shall review and update the next revision of its water conservation plan every five years to coincide with the regional water planning group.

Source Note: The provisions of this §288.2 adopted to be effective May 3, 1993, 18 TexReg 2558; amended to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective October 7, 2004, 29 TexReg 9384; amended to be effective December 6, 2012, 37 TexReg 9515

TITLE 30	ENVIRONMENTAL QUALITY
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CHAPTER 288	WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS
SUBCHAPTER A	WATER CONSERVATION PLANS
RULE §288.5	**Water Conservation Plans for Wholesale Water Suppliers**

A water conservation plan for a wholesale water supplier must provide information in response to each of the following paragraphs. If the plan does not provide information for each requirement, the wholesale water supplier shall include in the plan an explanation of why the requirement is not applicable.

(1) Minimum requirements. All water conservation plans for wholesale water suppliers must include the following elements:

(A) a description of the wholesaler's service area, including population and customer data, water use data, water supply system data, and wastewater data;

(B) specific, quantified five-year and ten-year targets for water savings including, where appropriate, target goals for municipal use in gallons per capita per day for the wholesaler's service area, maximum acceptable water loss, and the basis for the development of these goals. The goals established by wholesale water suppliers under this subparagraph are not enforceable;

(C) a description as to which practice(s) and/or device(s) will be utilized to measure and account for the amount of water diverted from the source(s) of supply;

(D) a monitoring and record management program for determining water deliveries, sales, and losses;

(E) a program of metering and leak detection and repair for the wholesaler's water storage, delivery, and distribution system;

(F) a requirement in every water supply contract entered into or renewed after official adoption of the water conservation plan, and including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using the applicable elements of this chapter. If the customer intends to resell the water, then the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with applicable provisions of this chapter;

(G) a reservoir systems operations plan, if applicable, providing for the coordinated operation of reservoirs owned by the applicant within a common watershed or river basin. The reservoir systems operations plans shall include optimization of water supplies as one of the significant goals of the plan;

(H) a means for implementation and enforcement, which shall be evidenced by a copy of the ordinance, rule, resolution, or tariff, indicating official adoption of the water conservation plan by the water supplier; and a description of the authority by which the water supplier will implement and enforce the conservation plan; and

(I) documentation of coordination with the regional water planning groups for the service area of the wholesale water supplier in order to ensure consistency with the appropriate approved regional water plans.

(2) Additional conservation strategies. Any combination of the following strategies shall be selected by the water wholesaler, in addition to the minimum requirements of paragraph (1) of this section, if they are necessary in order to achieve the stated water conservation goals of the plan. The commission may require by commission order that any of the following strategies be implemented by the water supplier if the commission determines that the strategies are necessary in order for the conservation plan to be achieved:

(A) conservation-oriented water rates and water rate structures such as uniform or increasing block rate schedules, and/or seasonal rates, but not flat rate or decreasing block rates;

(B) a program to assist agricultural customers in the development of conservation pollution prevention and abatement plans;

(C) a program for reuse and/or recycling of wastewater and/or graywater; and

(D) any other water conservation practice, method, or technique which the wholesaler shows to be appropriate for achieving the stated goal or goals of the water conservation plan.

(3) Review and update requirements. The wholesale water supplier shall review and update its water conservation plan, as appropriate, based on an assessment of previous five-year and ten-year targets and any other new or updated information. A wholesale water supplier shall review and update the next revision of its water conservation plan every five years to coincide with the regional water planning group.

Source Note: The provisions of this §288.5 adopted to be effective May 3, 1993, 18 TexReg 2558; amended to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective October 7, 2004, 29 TexReg 9384; amended to be effective December 6, 2012, 37 TexReg 9515

APPENDIX B

TEXAS ADMINISTRATIVE CODE TITLE 30 CHAPTER 288

TCEQ rules governing development of water conservation plans are contained in Title 30, Chapter 288, Subchapter A of the Texas Administrative Code, which is included in this Appendix for reference.

The water conservation plan elements required by TCEQ water conservation rules that are covered in this drought contingency plan are listed below.

Minimum Drought Contingency Plan Requirements for Public Water Suppliers

- **288.20(a)(1)(A)** – Provisions to Inform Public and Provide Opportunity for Public Input - Section 2
- **288.20(a)(1)(B)** – Program for Continuing Public Education and Information – Section 2
- **288.20(a)(1)(C)** –Coordination with Regional Water Planning Groups – Section 2
- **288.20(a)(1)(D)** – Description of Information to Be Monitored and Criteria for the Initiation and Termination of Water Resource Management Stages – Sections 2
- **288.20(a)(1)(E)** – Stages for Implementation of Measures in Response to Situations – Section 3
- **288.20(a)(1)(F)** – Specific, Quantified Targets for Water Use Reductions During Water Shortages – Section 3
- **288.20(a)(1)(G)** – Specific Water Supply or Water Demand Measures to Be Implemented at Each Stage of the Plan – Section 3
- **288.20(a)(1)(H)** – Procedures for Initiation and Termination of Drought Contingency and Water Emergency Response Stages – Section 2
- **288.20(a)(1)(I)** – Description of Procedures to Be Followed for Granting Variances to the Plan – Section 2
- **288.20(a)(1)(J)** – Procedures for Enforcement of Mandatory Water Use Restrictions – Section 2
- **288.20(b)** – TCEQ Notification of Implementation of Mandatory Provisions – Sections 2 and 3
- **288.20(c)** – Review of Drought Contingency and Water Emergency Response Plan Every Five (5) Years – Section 2

Minimum Drought Contingency Plan Requirements for Wholesale Water Suppliers

- **288.22(a)(1)** – Provisions to Inform the Public and Provide Opportunity for Public Input – Section 2
- **288.22(a)(2)** – Coordination with the Regional Water Planning Groups – Section 2
- **288.22(a)(3)** – Criteria for Initiation and Termination of Drought Stages – Section 3
- **288.22(a)(4)** – Drought and Emergency Response Stages – Section 3
- **288.22(a)(5)** – Procedures for Initiation and Termination of Drought Stages – Section 2

- **288.22(a)(6)** – Specific, Quantified Targets for Water Use Reductions During Water Shortages – Section 3
- **288.22(a)(7)** – Specific Water Supply or Water Demand Management Measures to be Implemented during Each Drought Stage – Section 3
- **288.22(a)(8)** – Provision in Wholesale Contracts to Require Water Distribution According to Texas Water Code Section §11.039 – Sections 2 and 3
- **288.22(a)(9)** – Procedures for Granting Variances to the Plan - Section 2
- **288.22(a)(10)** - Procedures for Enforcement of Mandatory Restrictions – Section 2
- **288.22(b)** – TCEQ Notification of Implementation of Mandatory Measures – Sections 2 and 3
- **288.22(c)** – Review and Update of the Plan – Section 2

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SUBCHAPTER B	DROUGHT CONTINGENCY PLANS
RULE §288.20	**Drought Contingency Plans for Municipal Uses by Public Water Suppliers**

(a) A drought contingency plan for a retail public water supplier, where applicable, must include the following minimum elements.

(1) Minimum requirements. Drought contingency plans must include the following minimum elements.

(A) Preparation of the plan shall include provisions to actively inform the public and affirmatively provide opportunity for public input. Such acts may include, but are not limited to, having a public meeting at a time and location convenient to the public and providing written notice to the public concerning the proposed plan and meeting.

(B) Provisions shall be made for a program of continuing public education and information regarding the drought contingency plan.

(C) The drought contingency plan must document coordination with the regional water planning groups for the service area of the retail public water supplier to ensure consistency with the appropriate approved regional water plans.

(D) The drought contingency plan must include a description of the information to be monitored by the water supplier, and specific criteria for the initiation and termination of drought response stages, accompanied by an explanation of the rationale or basis for such triggering criteria.

(E) The drought contingency plan must include drought or emergency response stages providing for the implementation of measures in response to at least the following situations:

(i) reduction in available water supply up to a repeat of the drought of record;

(ii) water production or distribution system limitations;

(iii) supply source contamination; or

(iv) system outage due to the failure or damage of major water system components (e.g., pumps).

(F) The drought contingency plan must include specific, quantified targets for water use reductions to be achieved during periods of water shortage and drought. The entity preparing the plan shall establish the targets. The goals established by the entity under this subparagraph are not enforceable.

(G) The drought contingency plan must include the specific water supply or water demand management measures to be implemented during each stage of the plan including, but not limited to, the following:

(i) curtailment of non-essential water uses; and

(ii) utilization of alternative water sources and/or alternative delivery mechanisms with the prior approval of the executive director as appropriate (e.g., interconnection with another water system, temporary use of a non-municipal water supply, use of reclaimed water for non-potable purposes, etc.).

(H) The drought contingency plan must include the procedures to be followed for the initiation or termination of each drought response stage, including procedures for notification of the public.

(I) The drought contingency plan must include procedures for granting variances to the plan.

(J) The drought contingency plan must include procedures for the enforcement of mandatory water use restrictions, including specification of penalties (e.g., fines, water rate surcharges, discontinuation of service) for violations of such restrictions.

(2) Privately-owned water utilities. Privately-owned water utilities shall prepare a drought contingency plan in accordance with this section and incorporate such plan into their tariff.

(3) Wholesale water customers. Any water supplier that receives all or a portion of its water supply from another water supplier shall consult with that supplier and shall include in the drought contingency plan appropriate provisions for responding to reductions in that water supply.

(b) A wholesale or retail water supplier shall notify the executive director within five business days of the implementation of any mandatory provisions of the drought contingency plan.

(c) The retail public water supplier shall review and update, as appropriate, the drought contingency plan, at least every five years, based on new or updated information, such as the adoption or revision of the regional water plan.

Source Note: The provisions of this §288.20 adopted to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective October 7, 2004, 29 TexReg 9384

TITLE 30	ENVIRONMENTAL QUALITY
PART 1	TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 288	WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS
SUBCHAPTER B	DROUGHT CONTINGENCY PLANS
RULE §288.22	**Drought Contingency Plans for Wholesale Water Suppliers**

(a) A drought contingency plan for a wholesale water supplier must include the following minimum elements.

(1) Preparation of the plan shall include provisions to actively inform the public and to affirmatively provide opportunity for user input in the preparation of the plan and for informing wholesale customers about the plan. Such acts may include, but are not limited to, having a public meeting at a time and location convenient to the public and providing written notice to the public concerning the proposed plan and meeting.

(2) The drought contingency plan must document coordination with the regional water planning groups for the service area of the wholesale public water supplier to ensure consistency with the appropriate approved regional water plans.

(3) The drought contingency plan must include a description of the information to be monitored by the water supplier and specific criteria for the initiation and termination of drought response stages, accompanied by an explanation of the rationale or basis for such triggering criteria.

(4) The drought contingency plan must include a minimum of three drought or emergency response stages providing for the implementation of measures in response to water supply conditions during a repeat of the drought-of-record.

(5) The drought contingency plan must include the procedures to be followed for the initiation or termination of drought response stages, including procedures for notification of wholesale customers regarding the initiation or termination of drought response stages.

(6) The drought contingency plan must include specific, quantified targets for water use reductions to be achieved during periods of water shortage and drought. The entity preparing the plan shall establish the targets. The goals established by the entity under this paragraph are not enforceable.

(7) The drought contingency plan must include the specific water supply or water demand management measures to be implemented during each stage of the plan including, but not limited to, the following:

(A) pro rata curtailment of water deliveries to or diversions by wholesale water customers as provided in Texas Water Code, §11.039; and

(B) utilization of alternative water sources with the prior approval of the executive director as appropriate (e.g., interconnection with another water system, temporary use of a non-municipal water supply, use of reclaimed water for non-potable purposes, etc.).

(8) The drought contingency plan must include a provision in every wholesale water contract entered into or renewed after adoption of the plan, including contract extensions, that in case of a shortage of water resulting from drought, the water to be distributed shall be divided in accordance with Texas Water Code, §11.039.

(9) The drought contingency plan must include procedures for granting variances to the plan.

(10) The drought contingency plan must include procedures for the enforcement of any mandatory water use restrictions including specification of penalties (e.g., liquidated damages, water rate surcharges, discontinuation of service) for violations of such restrictions.

(b) The wholesale public water supplier shall notify the executive director within five business days of the implementation of any mandatory provisions of the drought contingency plan.

(c) The wholesale public water supplier shall review and update, as appropriate, the drought contingency plan, at least every five years, based on new or updated information, such as adoption or revision of the regional water plan.

Source Note: The provisions of this §288.22 adopted to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective October 7, 2004, 29 TexReg 9384

Appendix C
TCEQ Water Utility Profile

The following appendix contains the form TCEQ-10218 and/or TCEQ-20162.

Appendix D

NTMWD Member City and Customer Annual Water Conservation Report

The following appendix contains a blank copy of the NTMWD Member City and Customer Annual Water Conservation Report. This is updated and reviewed by NTMWD on an annual basis.

Appendix E

TCEQ Water Conservation Implementation Report

Appendix F

Letter to Region C Water Planning Group and NTMWD

[Enter Date]

Region C Water Planning Group
c/o Trinity River Authority
P.O. Box 60
Arlington, TX 76004

Dear Chair:

Enclosed please find a copy of the Water Conservation and Water Resource and Emergency Management Plan for the City of Rockwall. I am submitting a copy of this plan to the Region C Water Planning Group in accordance with the Texas Water Development Board and Texas Commission on Environmental Quality rules. The plans were adopted on 4/15/2024.

Sincerely,

Rick Sherer

City of Rockwall

Appendix G

Adoption of Plans

Appendix H

Illegal Water Connections and Theft of Water

APPENDIX H

ILLEGAL WATER CONNECTIONS AND THEFT OF WATER

MUNICIPAL ORDINANCE

PERTAINING TO ILLEGAL WATER CONNECTIONS AND THEFT OF WATER

Appendix I
Landscape Ordinance

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* Joey Boyd, *Assistant City Manager*
FROM:	Ryan Miller, *Director of Planning and Zoning*
DATE:	April 1, 2024
SUBJECT:	Z2024-003; *PD Development Plan and Amendment to Planned Development District 74 (PD-74)*

On March 28, 2024, the applicant -- *Michael Twichell* -- sent an email to staff requesting to withdraw *Case No. Z2024-003*. According to Subsection 01.03, *Application Withdrawal*, of the Article 11, *Development Application and Review Procedures*, of the Unified Development Code (UDC), "(i)f an application requires notice to be published in the newspaper and/or notifications of a public hearing sent to affected property owners, such request for withdrawal of an application must be placed on the public hearing agenda and acted upon by the applicable body." This means the City Council will need to vote on the applicant's request to withdraw. Should the City Council have any questions staff will be available at the *April 1, 2024* meeting.

From: Michael Twichell
To: Miller, Ryan
Cc: Jim Duggan; Howard Kollinger; L.J. Erickson
Subject: PD-74 Amendment Plan John King Blvd. and FM 552
Date: Thursday, March 28, 2024 9:27:22 AM

Ryan - After careful consideration , Ownership has decided to withdraw the Planning Amendment for PD-74 case from the City Council meeting on Monday , April 1 . Thank you for your time on this case ; hopefully , we will be back soon with a revised plan . If you should have any questions , please feel free to contact me . MT

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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:	April 1, 2024
APPLICANT:	Michael Twichell; *Michael F. Twichell, LP*
CASE NUMBER:	Z2024-003; *PD Development Plan and Amendment to Planned Development District 74 (PD-74)*

SUMMARY

Hold a public hearing to discuss and consider a request by Michael Twichell of Michael F. Twichell, LP on behalf of Jim Duggan of NEC John King & 552, LP for the approval of a *Zoning Change* and *PD Development Plan* amending Planned Development District 74 (PD-74) [*Ordinance No. 17-60*] being a 17.3750-acre portion of a larger 405.184-acre Planned Development District situated within the J. Strickland Survey, Abstract No. 187; T. R. Bailey Survey, Abstract No. 30; and, J. Simmons Survey, Abstract No. 190, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for limited General Retail (GR) District land uses, situated within the SH-205 By-Pass Overlay (BY-OV) District, generally located at the northeast corner of the intersection of John King Boulevard and FM-552, and take any action necessary.

BACKGROUND

The subject property was annexed by the City Council -- *along with the balance of the Breezy Hill Subdivision* -- on February 4, 2008 through the adoption of *Ordinance No. 08-12*. This annexation came after three (3) years of litigation that lead to the execution of a *Chapter 212 Development Agreement*. In accordance with this agreement, the 405.184-acres that makeup the Breezy Hill Subdivision -- *which includes the subject property* -- was rezoned to Planned Development District 74 (PD-74) [*Case No. Z2009-005; Ordinance No. 09-19*] on April 20, 2009 with the intention of being a master planned, residential community that offered tracts of land designated for retail/office, residential, and institutional land uses. The approval of this zoning change altered the existing *212 Development Agreement -- which originally permitted 810 single-family residential lots and did not contain any retail acreage* -- to include 658 single-family residential lots and a 59.40-acre tract of land designated for limited General Retail (GR) District land uses.

On October 1, 2012 the City Council approved an amendment to Planned Development District 74 (PD-74) [*Case No. Z2012-013; Ordinance No. 12-26*] modifying the *Concept Plan* to remove the institutional land uses (*i.e. public-school sites*) that were originally required by the *Facilities Agreement*, and to adjust the lot mix (*i.e. increasing the number of lots from 658 to 691*). The lot mix was again increased on July 7, 2014 [*Case No. Z2014-017; Ordinance No. 14-26*] from 691 lots to 742 lots for the purpose of incorporating two (2) additional phases (*i.e. Phases IXA & IXB*), and to reduce the land area designated for limited General Retail (GR) District land uses from 59.40-acres to 33.70-acres. On November 7, 2016, the City Council approved another amendment to Planned Development District 74 (PD-74) [*Case No. Z2016-032; Ordinance No. 16-59*] modifying the *Concept Plan* to further reduce the land area designated for limited General Retail (GR) District land uses from 33.70-acres to 19.49-acres. The purpose of this amendment was to: [*1*] add 40, 60' x 120' lots, [*2*] increase the overall lot count from 742 lots to 776 lots, and [*3*] to allow 50.00% of the 40, 60' x 120' lots (*i.e. 20 lots*) to incorporate *flat front entry garages* (*i.e. garage doors even with the front façade of the home*). On November 6, 2017, the City Council approved a subsequent amendment to Planned Development District 74 (PD-74) [*Case No. Z2017-049; Ordinance No. 17-60*] reducing the number of lots in the subdivision from 776 lots to 750 lots for the purpose of allowing additional 100' x 200' lots and 100' x 180' lots. As part of this request, the applicant was also granted the ability to have 50% of the then remaining 94, 70' x 120' lots to incorporate *flat front entry garages*.

Staff should also note, that the subject property (*i.e. the areas designated for limited General Retail [GR] District land uses*) has been further reduced from 19.49-acres to 17.375-acres through the dedication of right-of-way to the Texas Department of Transportation (TXDOT) for FM-552. The subject property has remained vacant since annexation.

PURPOSE

On January 19, 2024 the applicant -- *Michael Twichell of Michael Twichell, LP* -- submitted an application requesting a *Zoning Change* and *PD Development Plan* to amend Planned Development District 74 (PD-74) [*Ordinance No. 17-60*] to: [*1*] provide a *PD Development Plan* (*i.e. Concept Plan*) for the 17.375-acre tract of land at the northwest corner of the intersection of John King Boulevard and FM-552, and [*2*] to change the land uses permitted on this tract of land.

ADJACENT LAND USES AND ACCESS

The subject property is a 17.375-acre tract of vacant land located at the northwest corner of the intersection of John King Boulevard and FM-552. The land uses adjacent to the subject property are as follows:

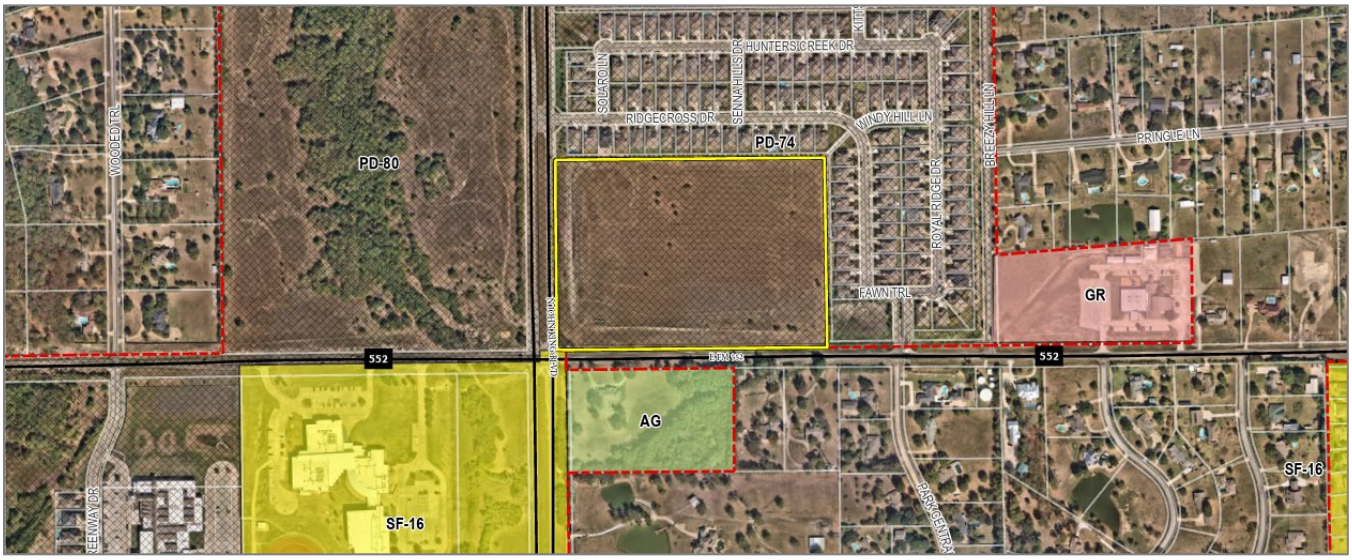
North: Directly north of the subject property is Phase 10 of the Breezy Hill Subdivision, which was established on March 6, 2018 and consists of 79 residential lots on 19.78-acres of land. Beyond this are Phases 2A & 2B of the Breezy Hill Subdivision, which were established on January 15, 2014 and consist of 128 residential lots on 35.817-acres of land. All of these areas are zoned Planned Development District 74 (PD-74) for Single-Family 10 (SF-10) District land uses.

South: Directly south of the subject property is FM-552, which is identified as a TXDOT4D (*i.e. Texas Department of Transportation, four [4], divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a single-family home situated on a 6.70-acre tract of land (*i.e. Tract 1-1 of the P. B. Harrison Survey, Abstract No.97*) that is zoned Agricultural (AG) District.

East: Directly east of the subject property is Phase 9 of the Breezy Hill Subdivision, which was established on January 29, 2016 and consists of 55 residential lots on 16.82-acres of land. This property is zoned Planned Development District 74 (PD-74) for Single-Family 10 (SF-10) District land uses. Beyond this is Breezy Hill Road, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. East of this roadway is the City limits of the City of Rockwall, followed by several single-family homes situated within the City's Extraterritorial Jurisdiction (ETJ).

West: Directly west of the subject property is John King Boulevard, which is identified as a P6D (*i.e. principal arterial, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a vacant 44.56-acre tract of land (*i.e. Tract 3 of the T. R. Bailey Survey, Abstract 30*) that is zoned Planned Development District 80 (PD-80) for Single-Family 8.4 (SF-8.4) District land uses.

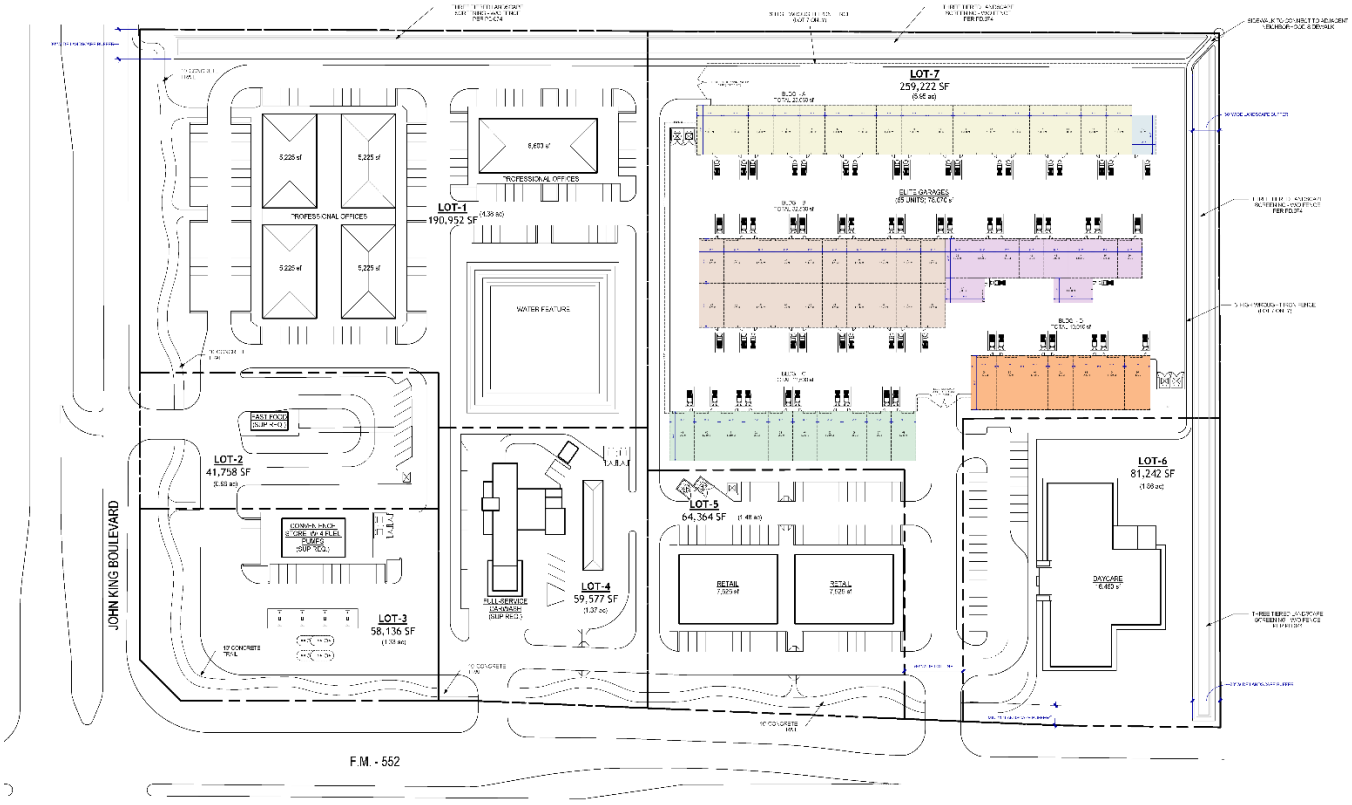
MAP 1: LOCATION MAP
YELLOW: SUBJECT PROPERTY



CHARACTERISTICS OF THE REQUEST

According to *Ordinance No. 17-60*, "(a) *PD Development Plan* must be approved for the area designated on the *Concept Plan* as *Retail* [*i.e. the subject property*] prior to the submittal of a *PD Site Plan* application and/or *Preliminary Plat*." In accordance with this requirement, the applicant has submitted a *PD Development Plan* (*i.e. Concept Plan*), land uses, and development standards for the proposed non-residential tract of land contained within Planned Development District 74 (PD-74). The proposed *Concept Plan* (*see Exhibit 1 below*) shows that the 17.375-acre tract of land will be subdivided into seven (7) parcels of land, and consist of the following land uses: [*1*] *Office*, [*2*] *Mini-Warehouse*, [*3*] *Daycare*, [*4*] *General Retail/General Personal Services* (*i.e. the retail strip center*), [*5*] *Carwash*, [*6*] *Retail Store with Gasoline Sales*, and [*7*] *Restaurant with Drive-Through or Drive-In*. Staff should note all of these land uses -- *with the exception of the Mini-Warehouse* -- are permitted land uses either *by-right* or through a Specific Use Permit (SUP) under the current regulating ordinance (*i.e. Ordinance No. 17-60*) for Planned Development District 74 (PD-74), and the applicant has chosen not to waive the Specific Use Permit (SUP) requirement for the *Carwash*, *Retail Store with Gasoline Sales*, and *Restaurant with Drive-Through or Drive-In*. Based on this, if the applicant's request is approved, the applicant will need to bring back additional discretionary requests to establish these land uses. In addition, the incorporation of the *Mini-Warehouse* land use requires that the original regulating ordinance (*i.e. Ordinance No. 17-60*) be amended to change the permitted land uses for the subject property.

EXHIBIT 1: PD DEVELOPMENT PLAN



According to the Unified Development Code (UDC), the *Mini-Warehouse* land use is only permitted *by-right* in the Light Industrial (LI), Heavy Industrial (HI), and Heavy Commercial (HC) Districts, and by Specific Use Permit (SUP) in the Commercial (C) District. It is currently not a permitted land use in the General Retail (GR) District. Based on the applicant's *Concept Plan* and development standards contained in the draft ordinance, the applicant is requesting that this land use be allowed *by-right -- as generally depicted on the Concept Plan* -- on the subject property. Specifically, the applicant is proposing four (4) mini-warehouse buildings that will have a total of 65 units that will be required to be a minimum of 960 SF in size; however, the applicant has stated that this type of *Mini-Warehouse* product is not intended to function as a traditional *Mini-Warehouse* land use. Specifically, the applicant has stated that these units will function as luxury garages that allow owners to customize the interiors and incorporate personal spaces in the units (*e.g. living rooms, theater rooms, kitchens, etc.*). With this being said. the applicant has acknowledged the close proximity of the proposed *Mini-Warehouse* land use to the existing residential land uses, and has included the following compensatory measures to try and mitigate any potential negative impacts: [*1*] the land uses permitted on the entire subject property have been further limited to remove any land uses

that could potentially be inconsistent with the adjacent residential land uses, [*2*] the buildings will be located a minimum of ~64-feet from the existing residential subdivision (*i.e. ~84-feet from the eastern property lines of the adjacent residential and ~93-feet from the northern property lines of the adjacent residential*), and [*3*] additional prohibitions have been added to the *Mini-Warehouse* land use (*e.g. business will be prohibited from being able to be established in the units, and outside storage will also prohibited*). These compensatory measures do appear to improve the applicant's request; however, the approval of a *PD Development Plan* and *Zoning Change* are discretionary decisions for the City Council pending a recommendation from the Planning and Zoning Commission.

INFRASTRUCTURE

Based on the applicant's *PD Development Plan* and the proposed amendments to Planned Development District 74 (PD-74), the following infrastructure is required to be constructed to provide adequate public services for the proposed development:

(1) *Roadways*. No right-of-way dedication will be required with the proposed development; however, permits from the Texas Department of Transportation (TXDOT) will be required for all connections to FM-552. In addition, a Traffic Impact Analysis (TIA) will be required for the proposed development. The City of Rockwall will reserve the right to require deacceleration lanes along FM-552 and John King Boulevard.

(2) *Water*. Any waterlines constructed by the applicant will be required to be a minimum of eight (8) inches, and be looped through the subject property in a minimum of a 20-foot easement. In addition, only one (1) *use* may be established off of a dead-end line (*i.e. domestic, irrigation, fire sprinkler, fire hydrant, etc.*).

(3) *Wastewater*. Any wastewater lines constructed by the applicant will be required to be a minimum of eight (8) inches, and be located within a minimum of a 20-foot easement with ten (10) feet of separation from all other utilities.

(4) *Drainage*. Detention will be required and sized per the Engineering Department's *Standards of Design and Construction Manual*. All drainage patterns consistent with the existing as-built plans for the adjacent subdivision and roadways.

CONFORMANCE TO THE CITY'S CODES

With the exception of allowing the *Mini-Warehouse* land use in a limited General Retail (GR) District, the applicant's request does appear to conform to the requirements of the Unified Development Code (UDC). Specifically, Subsection 05.03, *Landscape Screening*, of Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC) requires a minimum of a 20-foot landscape buffer with three (3) tiered screening (*i.e. small to mid-sized shrubs, large shrubs or accent trees, and canopy trees*) be established in between residential land uses and commercial land uses. In this case, the applicant has agreed to requirements in the proposed draft ordinance that will require a 30-foot landscape buffer, with a berm, and three (3) tiered screening adjacent to all property lines with residential adjacency (*i.e. the northern and eastern property lines*). This is being added in addition to the existing 20-foot landscape buffer that was provided with Phases 9 & 10 of the Breezy Hill Subdivision. This landscape buffer also has a row of cedar trees that were planted by the developer of this subdivision, and is being maintained by the Breezy Hill Homeowner's Association (HOA).

In addition, Subsection 02.03, *Minimum Standards for Non-Residential Planned Development Districts*, of Article 10, *Planned Development Regulations*, of the Unified Development Code (UDC) states, "(u)nless otherwise specified in the Planned Development (PD) District ordinance, the minimum standards for all non-residential development shall conform to the minimum standards for overlay districts, which are outlined in Subsection 06.02, *General Overlay District Standards*, of Article 05, *District Development Standards*." While this requirement was established after the current regulating ordinance for Planned Development District 74 (PD-74) [*Ordinance No. 17-60*] was adopted, the applicant has requested to amend the zoning ordinance, and -- *based on this* -- staff has added this as a requirement in the proposed draft ordinance. This will ensure that all of the development shown on the *PD Development Plan* will be subject to the *General Overlay District Standards*.

Beyond the requirements of the Unified Development Code (UDC), Planned Development District 74 (PD-74) states that, "(t)he retail area shall be designed to be pedestrian-oriented and easily accessible to adjacent residential neighborhoods. Additionally, the retail area shall be designed and constructed to be integrated with adjacent uses, not separated from them by screening walls or other physical barriers. This will be accomplished by creating paths from adjacent development into the

retail area and through the use of landscaping buffers, building design and other urban design elements to create compatibility with the surrounding residential neighborhood." Based on the *Concept Plan* provided by the applicant, the existing trail -- *that was stubbed out from Phase 9 of the Breezy Hill Subdivision (at the northeast corner of the subject property)* -- will be extended through the site and connect into the proposed eight (8) foot trail that will be constructed along FM-552. In addition, during the *PD Site Plan* review for all of the buildings, staff will ensure that the building design is consistent in height, scale, and architecture to the residential homes situated along the northern and eastern boundaries of the subject property.

Taking all of this into consideration the proposed amendment to Planned Development District 74 (PD-74) and the *PD Development Plan* provided by the applicant appear to be consistent with the existing standards of *Ordinance No. 17-60* and the Unified Development Code (UDC).

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the *Future Land Use Plan* contained in the OURHometown Vision 2040 Comprehensive Plan the subject property is located within the *Northern Estates District* and is designated for *Commercial/Retail* land uses. According to the *District Strategies* for the *Northern Estates District* the subject property is also designated for a future *Neighborhood/Convince Center*, which is "…intended to support the existing and proposed residential developments and should be compatible in scale with the adjacent residential structures. In addition, these properties should use berms, landscaping and large buffers to transition uses." In this case, the applicant's proposed *PD Development Plan* does not require any changes to the land use designation and appears to conform with the *District Strategies* for the *Northern Estates District*. Based on this, the applicant's request conforms with the *Future Land Use Plan*.

Looking at the *Goals* and *Policies* for commercial development contained in Chapter 09, *Commercial*, of the OURHometown Vision 2040 Comprehensive Plan, the applicant's proposal appears to conform to the majority of the applicable guidelines (*e.g. using landscape screening and buffers in lieu of masonry walls, parking areas are generally at the rear and sides of the buildings, trails and sidewalks linking residential and non-residential land uses, etc.*); however, staff has identified the following recommendations that could be added to the development to bring it closer into compliance with the Comprehensive Plan:

(1) *CH. 09 | Goal 01, Creating Distinctive Destinations | Policy #6.* Developments should incorporate pedestrian elements (*i.e. benches, trash receptacles, etc.*) at regular intervals to ensure that developments are created to a pedestrian scale.

Staff Response: There are opportunities to incorporate additional trails and pedestrian elements into the proposed development. This would specifically be beneficial around the proposed detention pond, which could function as a central greenspace for the proposed development.

(2) *CH. 09 | Goal 03, Commercial Building Design | Policy #3*. Non-residential buildings adjacent to residential properties should be designed to a residential scale to assist the transition of land uses, and mitigate any potential negative visual impacts or the commercial development.

Staff Response: The applicant has provided pictures of similar developments that show pedestrian scaled buildings that could be seen as being appropriate for the subject property and could create the desired transition of land uses. This aspect of the applicant's development will be reviewed by the Architectural Review Board (ARB) and Planning and Zoning Commission at the time of *PD Site Plan* for each of the proposed developments.

(3) *CH. 09 | Goal 07, Drainage and Detention | Policy #2*. Headwalls/retaining walls should be faced with cultured or natural cut stone.

Staff Response: Headwalls and/or retaining walls in the proposed detention pond should be finished in a natural cut stone that blends or compliments the building materials used on the adjacent buildings. This will be reviewed with the *PD Site Plan* for the proposed office buildings (*or at the time the proposed detention pond is being proposed for construction*).

Based on staff's findings above, staff has added several conditions of approval in the *Conditions of Approval* section of this case memo that should assist in better bringing the applicant's request into full conformance with the *Goals* and *Policies* of the OURHometown Vision 2040 Comprehensive Plan. With the exception of these items, however, the applicant's request does

appear to generally conform with the intent of the *Future Land Use Plan* and the *Goals* and *Policies* of the Comprehensive Plan.

STAFF ANALYSIS

Since the applicant is proposing a *PD Development Plan* in which the *Concept Plan* conforms to the majority of the land uses and development standards stipulated for the General Retail (GR) District -- *as required by Ordinance No. 17-60 and the Unified Development Code (UDC)* --, the applicant's request can be viewed as generally conforming to the intent of Planned Development District 74 (PD-74). This is furthered by the fact that the proposed *Carwash*, *Retail Store with Gasoline Sales*, and *Restaurant with Drive-Through or Drive-In* land uses will require a Specific Use Permit (SUP), which is a future discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. The only component of the applicant's request that appears to depart from the current intent of Planned Development District 74 (PD-74) is the incorporation of the *Mini-Warehouse* land use. This aspect of the applicant's request is why the Planned Development District ordinance is being amended. As part of the proposed amendment -- *and as compensatory measures for the allowance of the Mini-Warehouse land use* -- the applicant has agreed to the following: [*1*] requiring all development on the subject property to adhere to the *General Overlay District Standards* (*this is a requirement for non-residential Planned Development Districts per the Unified Development Code [UDC]*), [*2*] a larger separation of the proposed buildings from the existing residential parcels of land (*i.e. ~64.00-feet to ~73-feet from the property lines and ~84-feet to ~93-feet to the residential parcels*), [*3*] a 30-foot landscape buffer that incorporates three (3) tiered screening (*i.e. small to mid-sized shrubs, large shrubs or accent trees, and canopy trees*) be incorporated adjacent to all adjacent residential properties, and [*4*] a more limited set of land uses for the subject property (*i.e. a greater number of prohibited land uses*). With this being said, the applicant's request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

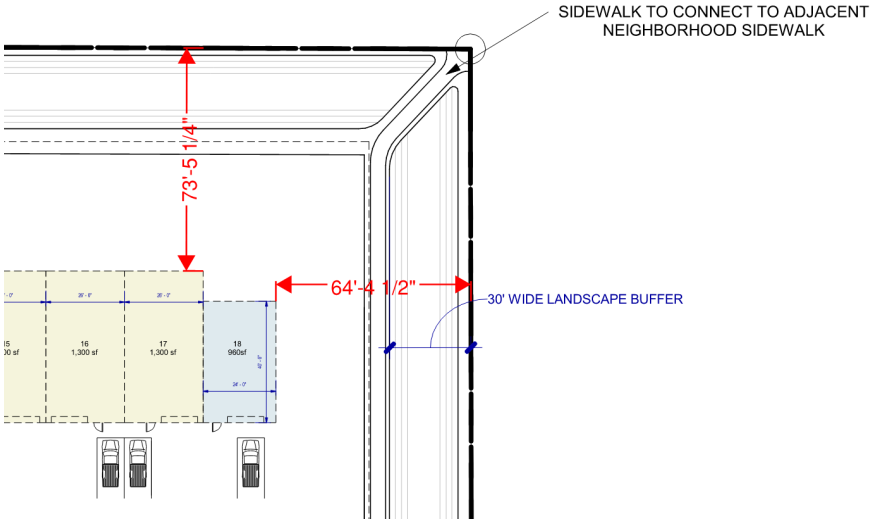


EXHIBIT 2: BUILDING CLOSEST TO THE ADJACENT RESIDENTIAL LAND USES

NOTIFICATIONS

On January 26, 2024, staff mailed 780 notices to property owners and occupants within 500-feet of the Planned Development District 74 (PD-74). Staff also notified the Stoney Hollow and Breezy Hill Homeowner's Associations (HOA's), which are the only Neighborhood Organizations or Homeowners Associations (HOA's) within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received 36 responses from 31 property owners, with two (2) being in favor of the applicant's request, 34 being opposed to the applicant's request, and one (1) indicating both being in favor and opposed to the applicant's request. These responses are as follows:

INSIDE THE NOTIFICATION AREA AND WITHIN 500-FEET OF THE SUBJECT PROPERTY

- Two (2) property owner notifications from two (2) property owners within the notification area and within 500-feet of the subject property indicating being opposed to the applicant's request.
- Three (3) responses from the City's *Online Zoning & Specific Use Permit Input Form* from two (2) property owners within the notification area and within 500-feet of the subject property indicating being opposed to the applicant's request.

- Six (6) emails from five (5) property owners within the notification area and within 500-feet of the subject property indicating being opposed to the applicant's request.

INSIDE THE NOTIFICATION AREA BUT MORE THAN 500-FEET FROM THE SUBJECT PROPERTY

- One (1) property owner notification from one (1) property owner within the notification area but more than 500-feet from the subject property indicating being in favor of the applicant's request.
- Seven (7) property owner notifications from six (6) property owners within the notification area but more than 500-feet from the subject property indicating being opposed to the applicant's request.
- One (1) response from the City's *Online Zoning & Specific Use Permit Input Form* from one (1) property owner within the notification area but more than 500-feet from the subject property indicating being in favor of the applicant's request.
- Five (5) responses from the City's *Online Zoning & Specific Use Permit Input Form* from four (4) property owners within the notification area but more than 500-feet from the subject property indicating being opposed to the applicant's request.
- Nine (9) emails from eight (8) property owners within the notification area but more than 500-feet from the subject property indicating being opposed to the applicant's request.

ADDITIONAL NOTICES RECEIVED IN THE NOTIFICATION AREA

- One (1) property owner notification from one (1) property owner with in the notification area but more than 500-feet from the subject property indicating both being in favor and opposed to the applicant's request.
- One (1) property owner notification delivered by the post office indicating that the property owner had been damaged. Based on only the corner of the property owner notification being delivered by the post office, staff was unable to verify the ownership of the notification or if the notification was in favor or opposed.

NOTICES, ONLINE NOTICES, AND EMAILS FROM OUTSIDE OF THE CITY LIMITS

- One (1) property owner notification from one (1) property owner outside of the City's Corporate Limits in the Extraterritorial Jurisdiction (ETJ).

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request to amend Planned Development District 74 (PD-74) [*Ordinance No. 17-60*] and adopt the proposed *PD Development Plan*, then staff would propose the following conditions of approval:

(1) The applicant shall be responsible for maintaining compliance with the *PD Development Plan* and development standards contained in the proposed Planned Development District ordinance.

(2) To better conform with the OURHometown Vision 2040 Comprehensive Plan, the following conditions of approval shall be incorporated into the *PD Site Plans* for development of the subject property:

(a) A detailed landscape and hardscape plan for the detention pond -- *incorporating a trail and pedestrian elements around the pond* -- will be required with the proposed development of the office buildings (*or at the time the detention pond is proposed*). In addition, the headwalls and any required retaining walls shall be finished in natural cut stone to match the materials used on the adjacent proposed buildings.

(b) The proposed buildings for the subject property shall be developed to a residential scale and will be required to be reviewed for conformance to this requirement by the Architectural Review Board (ARB) and Planning and Zoning Commission at the time of *PD Site Plan*.

(3) The sidewalk along FM-552 will be required to extend along the entire frontage of FM-552.

(4) Any construction resulting from the approval of this *Zoning Change* 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 March 26, 2024, the Planning and Zoning Commission approved a motion to recommend denial by a vote of 4-1, with Commissioner Hustings dissenting and Commissioners Odom and Conway absent. According to Subsection 02.03(G), *Protest of a Zoning Change*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "(i)f such change [*zoning change*] is recommended for denial by the Planning and Zoning Commission, such zoning change or Specific Use Permit (SUP) shall require a supermajority vote (*i.e. three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval."

DEVELOPMENT APPLICATION

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

STAFF USE ONLY
PLANNING & ZONING CASE NO.

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

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

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

ZONING APPLICATION FEES:
- ☐ ZONING CHANGE ($200.00 + $15.00 ACRE) [1]
- ☐ SPECIFIC USE PERMIT ($200.00 + $15.00 ACRE) [1 & 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					
SUBDIVISION	T.R. Bailey Survey Abstract No. 30	LOT		BLOCK	
GENERAL LOCATION	Northeast Corner of John King Boulevard & F.M. 552				

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING	PD-74 - General Retail		CURRENT USE	Vacant	
PROPOSED ZONING	Amending PD-74		PROPOSED USE	Retail, Medical Office	
ACREAGE	17.3 Acres	LOTS [CURRENT]	One (1)	LOTS [PROPOSED]	Seven (7)

☑ ***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	NEC John King & 552 LP	☐ APPLICANT	Michael F. Twichell, L.P.
CONTACT PERSON	Jim Duggan	CONTACT PERSON	Michael Twichell
ADDRESS	7500 San Jacinto Pl.	ADDRESS	3624 Oak Lawn Avenue
			Suite 320
CITY, STATE & ZIP	Plano, Texas 75024	CITY, STATE & ZIP	Dallas, Texas 75219
PHONE	214-801-9940	PHONE	214-521-3066
E-MAIL	jim@dugganrealty.com	E-MAIL	mtwichell@twichell.biz

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Jim Duggan [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."

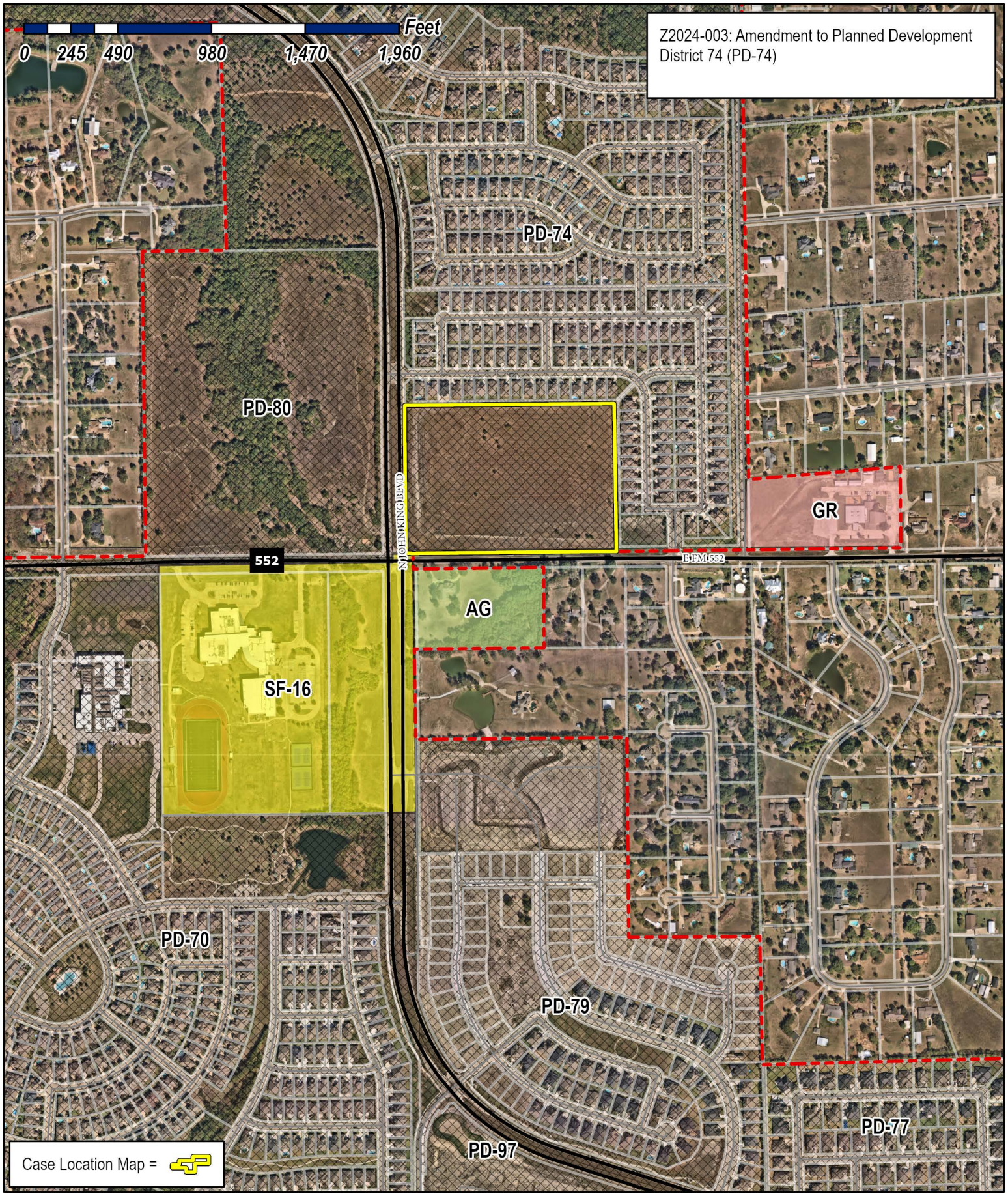
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 18th DAY OF January, 2024

OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SHARON A. WERTZ
My Notary ID # 3528301
Expires May 14, 2027

MY COMMISSION EXPIRES 5-14-2027



City of Rockwall

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

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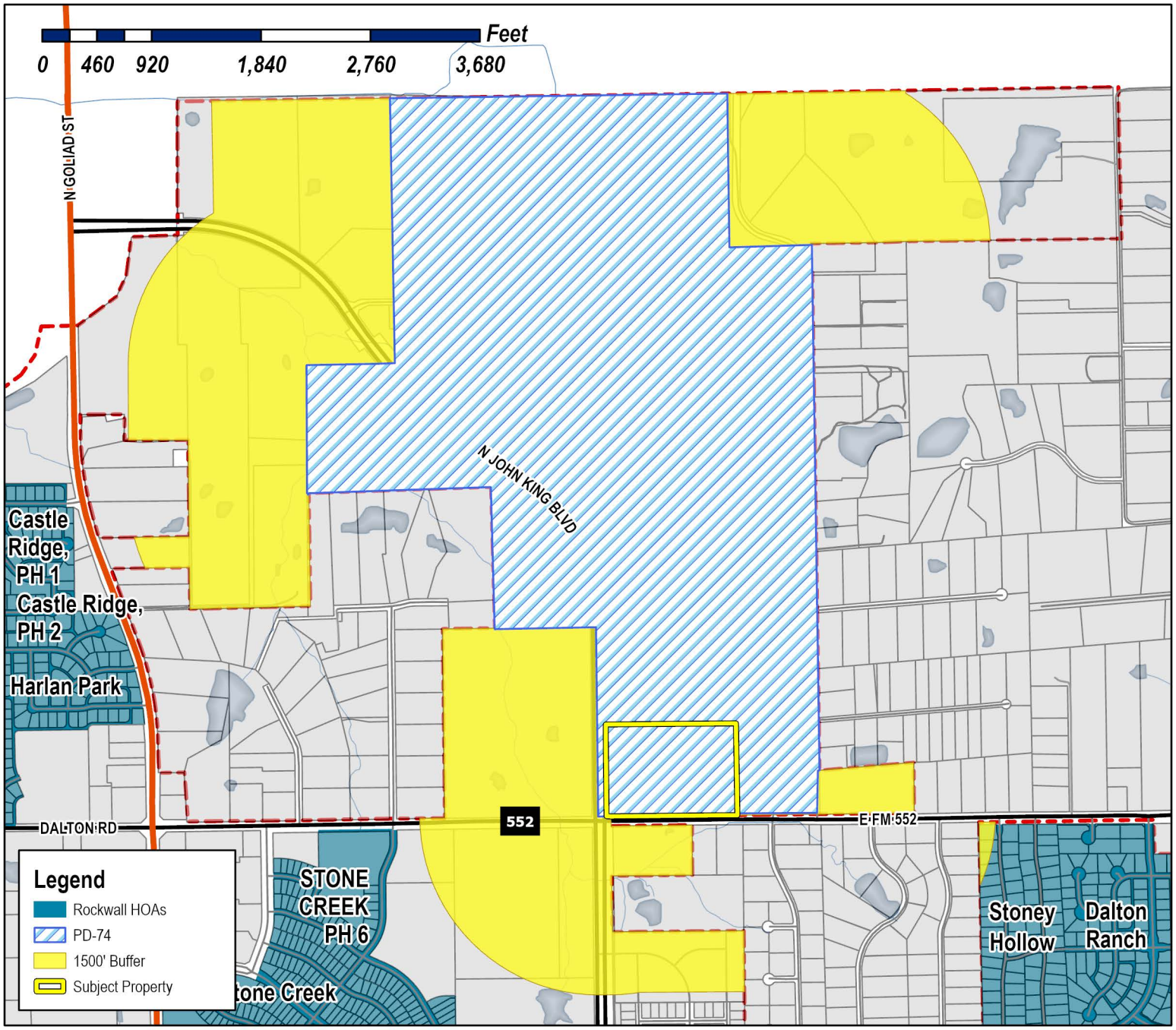
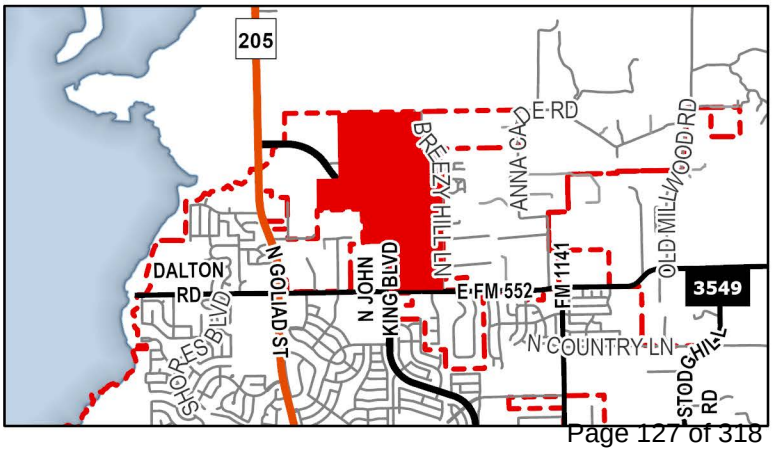


Case Number: Z2024-003
Case Name: Amendment to PD-74
Case Type: Zoning
Zoning: Planned Development District 74 (PD-74)
Case Address: NEC of John King Blvd. & FM 552



Date Saved: 1/19/2024
For Questions on this Case Call (972) 771-7745

From:	Zavala, Melanie
Cc:	Miller, Ryan; Guevara, Angelica; Lee, Henry
Subject:	Neighborhood Notification Program [Z2024-003]
Date:	Friday, January 26, 2024 8:30:29 AM
Attachments:	Z2024-003.pdf HOA Map (01.19.2024).pdf

HOA/Neighborhood Association Representative:

Per your participation in the Neighborhood Notification Program, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on Friday January 26, 2024. The Planning and Zoning Commission will hold a public hearing on Tuesday, February 13, 2024 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, February 20, 2024 at 6:00 PM. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

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

Z2024-003: Amendment to PD-74
Hold a public hearing to discuss and consider a request by Michael Twichell of Michael F. Twichell, LP on behalf of Jim Duggan of NEC John King & 552, LP for the approval of a Zoning Change and PD Development Plan amending Planned Development District 74 (PD-74) [Ordinance No. 17-60] being a 17.3750-acre portion of a larger 405.184-acre Planned Development District situated within the J. Strickland Survey, Abstract No. 187; T. R. Bailey Survey, Abstract No. 30; and, J. Simmons Survey, Abstract No. 190, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for limited General Retail (GR) District land uses, situated within the SH-205 By-Pass Overlay (BY-OV) District, generally located at the northeast corner of the intersection of John King Boulevard and FM-552, and take any action necessary.

.

Thank you,

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

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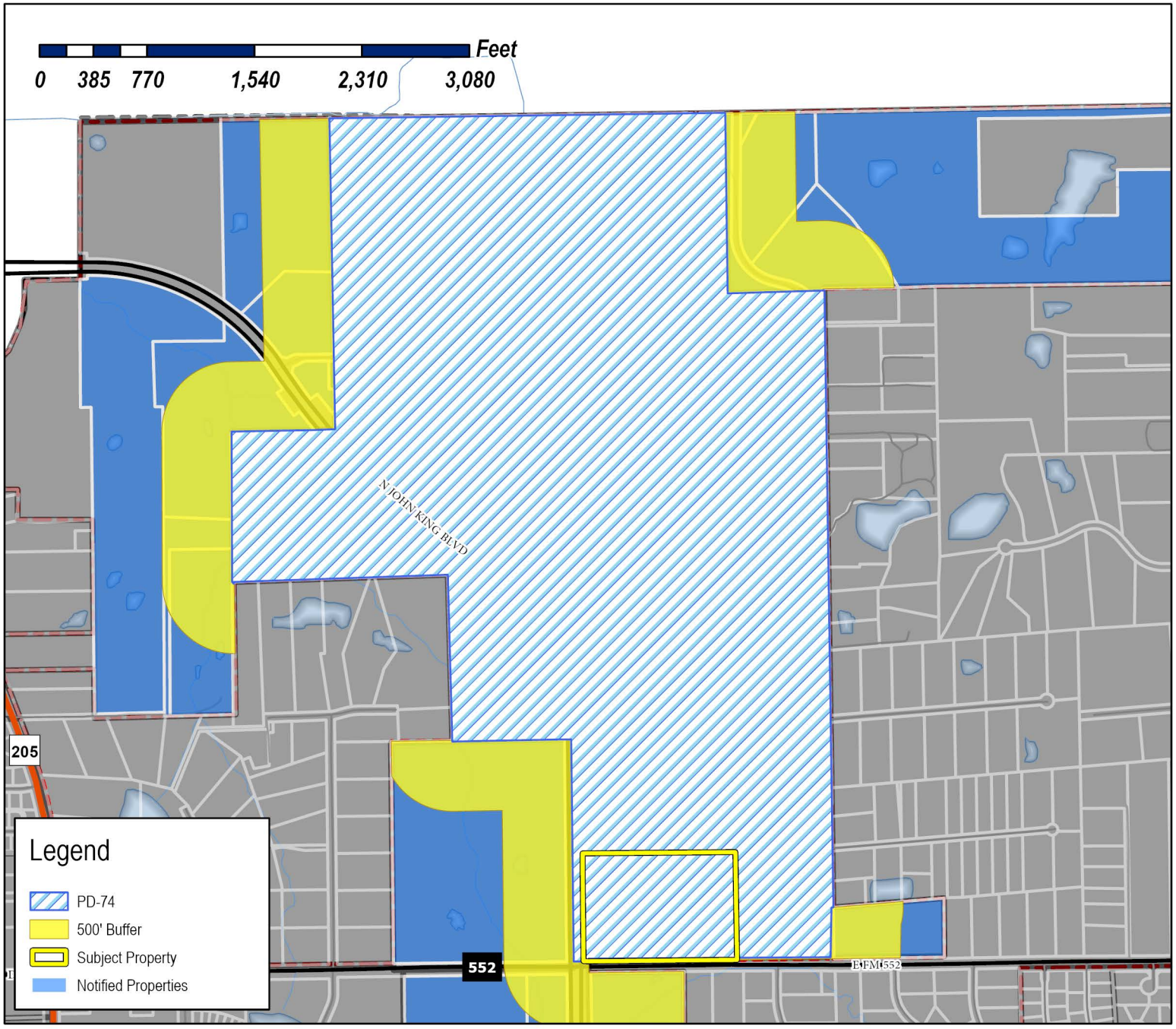

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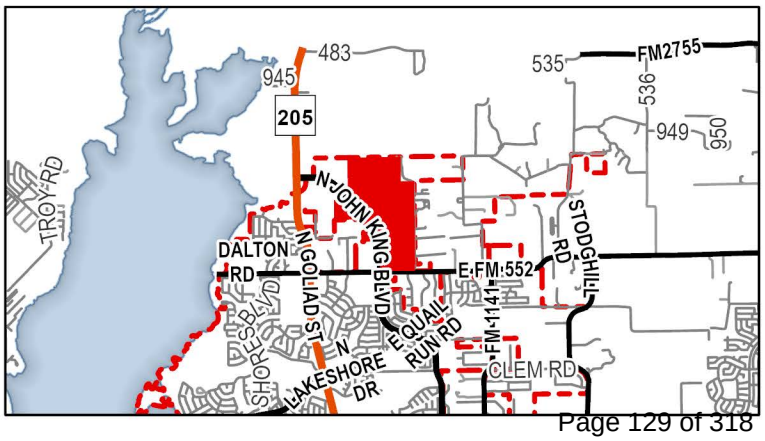

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WILEY WILLIAM J & DEBRA ANN
1 KIMBERLY LN
ROCKWALL, TX 75087

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1000 HEATHER FALLS DR
ROCKWALL, TX 75087

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MOCK GRETCHEN GAIL
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MCCALLUM
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ERIC J AND ANGIANI F BOWERMAN- TRUSTEES
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DAVID STROH - TRUSTEES
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ROCKWALL, TX 75087

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XIAOLING LI
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1024 S GREENVILLE AVE SUITE 230
ALLEN, TX 75002

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ALLEN, TX 75002

BREEZY HILL ESTATES HOMEOWNERS ASSOCIATION INC
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ALLEN, TX 75002

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1024 WINDY HILL LANE
ROCKWALL, TX 75087

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1025 CALM CREST DRIVE
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KOETJE TIMOTHY JON
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1025 FOXHALL DRIVE
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1027 SABLE DR
ROCKWALL, TX 75087

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1027 BREEZY HILL LN
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1028 CASCADING CREEK DR
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1033 AMER KNOLL DR
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SCHLEICHER CHARLES
1036 WINDY HILL LANE
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BUTLER MICHAEL GLENN AND THERESA LYNN
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ROCKWALL, TX 75087

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1037 HUNTERS CREEK DRIVE
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1049 HUNTERS CREEK DR
ROCKWALL, TX 75087

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1052 HUNTERS CREEK DR
ROCKWALL, TX 75087

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1055 HUNTERS CREEK DRIVE
ROCKWALL, TX 75087

DEGINETU KIDIST AND
AYELE ESHETE
1056 HUNTERS CREEK DR
ROCKWALL, TX 75087

EDWARDS CHARLES GORDON AND DEBBIE HALLY
1059 HUNTERS CREEK
ROCKWALL, TX 75087

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1060 HUNTERS CREEK DR
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AGOSU JOSEPH & OMOLOLA
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BRAY RUSSELL ALLEN AND JESSICA LEE
1064 HUNTERS CREEK DRIVE
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ROSA MARIA TORRES FUNES
1068 HUNTERS CREEK DR
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AKPENYI CHUKWUKA ANTHONY
1206 RYANN ROSE CREEK LN
KATY, TX 77494

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1313 FM552
ROCKWALL, TX 75087

HAQ NABEEL K AND ABIDA N
1321 UPLAND DR # 19858
HOUSTON, TX 77043

CARIKER KEVIN L AND LESLIE J
13307 SAINT CHARLES BLVD
LITTLE ROCK, AR 72211

PARKER MARK
1340 WATERSIDE DR
DALLAS, TX 75218

RIDGEVIEW CHURCH
1362 E FM 522
ROCKWALL, TX 75087

KNOWLTON COREY D
1460 ANNA CADE ROAD
ROCKWALL, TX 75087

GRAND HOMES 2014 LP
15455 DALLAS PARKWAY SUITE 1000

GRAND HOMES 2014 LP
15455 DALLAS PARKWAY SUITE 1000

GRAND HOMES 2014, LP
15455 DALLAS PKWY STE 1000
ADDISON, TX 75001

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ROCKWALL, TX 75087

RESIDENT
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ROCKWALL, TX 75087

CITY OF ROCKWALL
205 W RUSK ST
ROCKWALL, TX 75087

MEGATEL HOMES INC
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DALLAS, TX 75201

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EBONY CONTRERAS TRUST
BISHOP MERCEDES AND SIMMONS BANK-COTRUSTEES
2911 TURTLE CREEK BLVD STE 850
DALLAS, TX 75219

RESIDENT
313 SHENANDOAH
ROCKWALL, TX 75087

CLARK BRUCE A & ROSE R
313 SHENNENDOAH LN
ROCKWALL, TX 75087

CHERUBINI VICTOR & ASHLEY DOLLAR
3302 ROYAL RIDGE DR
ROCKWALL, TX 75087

KOPPANATI PRAVEEN KUMAR AND NIKITHA NUKALA
3303 RIDGECROSS DR
ROCKWALL, TX 75087

KIPE MICHAEL AND DIANA
3306 RIDGECROSS DR
ROCKWALL, TX 75087

DUNPHY JAMES AND KATHERINE
3306 ROYAL RIDGE DRIVE
ROCKWALL, TX 75087

RESIDENT
3307 RIDGECROSS DR
ROCKWALL, TX 75087

RESENDEZ ALYSSA RENEE AND REY JR
3307 ROYAL RIDGE DRIVE
ROCKWALL, TX 75087

HEUSS JEREMY D AND SHANNON N
3310 RIDGECROSS DRIVE
ROCKWALL, TX 75032

SHELTON DANA BLAIR AND ANNETTE COLAROCHIO
3310 ROYAL RIDGE DRIVE
ROCKWALL, TX 75087

SAMUEL JUSTIN AND ELIZABETH ANN
3311 RIDGECROSS DRIVE
ROCKWALL, TX 75087

HARDWARE PHILLIP L II
3311 ROYAL RIDGE
ROCKWALL, TX 75087

CONFIDENTIAL
3314 RIDGECROSS RD
ROCKWALL, TX 75087

SMITH CHRISTINE PIGG AND JAY RICHARD
3314 ROYAL RIDGE DRIVE
ROCKWALL, TX 75087

MASSE KENNETH ROGER AND CHERYL LYN
3315 RIDGECROSS DR
ROCKWALL, TX 75087

LUETKE SENECA L
3315 ROYAL RIDGE DRIVE
ROCKWALL, TX 75087

NGUYEN TIFFANY THAO AND HENRY HIEP VO
3318 RIDGECROSS DRIVE
ROCKWALL, TX 75087

PORTER KAREN CLAIBORNE AND RUSSELL WAYNE
3318 ROYAL RIDGE DRIVE
ROCKWALL, TX 75087

DANIELS RHONDA AND BRIAN
3319 RIDGECROSS DR
ROCKWALL, TX 75087

THOMAS JARROD M
3319 ROYAL RIDGE DRIVE
ROCKWALL, TX 75087

STANLEY SHANNON D AND CHARIDY LYNN
3322 RIDGECROSS DRIVE
ROCKWALL, TX 75087

WADE KENNETH KYLE AND
TRINH NGOC THUY TRAN
3322 ROYAL RIDGE
ROCKWALL, TX 75087

RESIDENT
3323 ROYAL RIDGE DR
ROCKWALL, TX 75087

HEFNER ELLEN AND
BRENNAN SMITH
3323 RIDGECROSS DRIVE
ROCKWALL, TX 75087

BARRETT OLAN DEAN
3326 ROYAL RIDGE DR
ROCKWALL, TX 75087

RESIDENT
339 ALL ANGELS HILL
ROCKWALL, TX 75087

DULICK JESSICA
3401 RIDGECROSS DR
ROCKWALL, TX 75087

COLEMAN EDWARD EARL SR AND
NIKITA NASHA COLEMAN
3401 ROYAL RIDGE DR
ROCKWALL, TX 75087

NGUYEN DIANE & HIEU TRUNG
3402 RIDGECROSS DRIVE
ROCKWALL, TX 75087

SOUTHERLAND AUSTIN & SHAYLEE
3402 ROYAL RIDGE DRIVE
ROCKWALL, TX 75087

AGARDY JIM AND CONNIE J
3405 RIDGECROSS DRIVE
ROCKWALL, TX 75087

JOHNSON CHRISTOPHER MAX AND ANGELA KAY
3405 ROYAL RIDGE DRIVE
ROCKWALL, TX 75087

GARVIN CARSON C AND JENNIFER S
3406 RIDGECROSS DRIVE
ROCKWALL, TX 75087

LIEBRUM CORY R & RACHEL J
3406 ROYAL RIDGE DRIVE
ROCKWALL, TX 75087

SMITH JULIUS K AND JANEL W
3409 RIDGECROSS DRIVE
ROCKWALL, TX 75087

TESKE CHARLES A JR AND KIMBERLY K
3409 ROYAL RIDGE DRIVE
ROCKWALL, TX 75087

ENGLE STEPHEN F AND CLAUDIA F
341 BREEZY HILL LN
ROCKWALL, TX 75087

NEILL JEREMY AND ERIN
3410 RIDGECROSS DRIVE
ROCKWALL, TX 75087

SMITH ELOISE
3410 ROYAL RIDGE DRIVE
ROCKWALL, TX 75087

TAYLOR CARMELA
3413 RIDGECROSS DR
ROCKWALL, TX 75087

LEWIS STANLEY DALE AND ANITA LYNN
3413 ROYAL RIDGE DR
ROCKWALL, TX 75087

IZU UYOTA & JANE
3414 RIDGECROSS
ROCKWALL, TX 75087

FRIERSON KEVIN & REBECCA
3414 ROYAL RIDGE DRIVE
ROCKWALL, TX 75087

KNOX MARC P AND AVRIL WILLIAMS KNOX
3418 RIDGCROSS DR
ROCKWALL, TX 75087

MARTIN ANGELA AND JESSIE
3418 ROYAL RIDGE DR
ROCKWALL, TX 75087

SALES TRAVIS ERIC & REGENIA JEWELL
3422 RIDGECROSS DRIVE
ROCKWALL, TX 75087

BRANDON DAVID GRANT AND ADRIANNE FULTZ
3423 ROYAL RIDGE DRIVE
ROCKWALL, TX 75087

WALLWORK CRAIG A AND SARAH K
3425 RIDGECROSS DRIVE
ROCKWALL, TX 75087

MILLER STEVEN AND AINE
3426 RIDGECROSS DRIVE
ROCKWALL, TX 75087

RESIDENT
3430 RIDGECROSS DR
ROCKWALL, TX 75087

LUJAN ALFREDO
3433 RIDGECROSS DR
ROCKWALL, TX 75087

PARISH KENISHA
3434 RIDGECROSS DR
ROCKWALL, TX 75087

RESIDENT
3437 RIDGECROSS DR
ROCKWALL, TX 75087

WEIDMANN FAMILY TRUST
3438 RIDGECROSS DRIVE
ROCKWALL, TX 75087

SMITH JEFFERY NEAL AND CLAIRE TERESA
3441 RIDGECROSS DRIVE
ROCKWALL, TX 75087

RESIDENT
3442 RIDGECROSS DR
ROCKWALL, TX 75087

PETERSON KYLE LUIS & JENNIFER ELAINE &
DEBORAH PETERSON
3445 RIDGECROSS DR
ROCKWALL, TX 75087

MCMILLAN CHANCE AND MARIA YVONNE
3446 RIDGECROSS DR
ROCKWALL, TX 75087

DEKTAS JAMES MICHAEL
3449 RIDGECROSS DR
ROCKWALL, TX 75087

BALDWIN GREGORY AND PAMELA
3501 RIDGECROSS DRIVE
ROCKWALL, TX 75087

GRAHAM BRETT C & KAITLYN E
3502 RIDGECROSS DR
ROCKWALL, TX 75087

JACKSON JANET FRANCES
3502 ROYAL RIDGE DRIVE
ROCKWALL, TX 75087

RESIDENT
3503 SOLARO LN
ROCKWALL, TX 75087

TORO FRANCISCO CARLOS DIAZ & ANDREA
SILVA
3505 RIDGECROSS DRIVE
ROCKWALL, TX 75087

FRANQUIZ JUAN & LYMARI CAPESTANY
3506 RIDGECROSS DR
ROCKWALL, TX 75087

LOYA MARK A AND SHIVON P
3506 ROYAL RIDGE DR
ROCKWALL, TX 75087

GEORGE DAVID AND SARA
3507 SOLARO LANE
ROCKWALL, TX 75087

STYROV DENYS AND
ANDRIY STYROV AND SVITLANA STYROV
3509 RIDGECROSS DRIVE
ROCKWALL, TX 75087

MALIKOVA NARGIZA AND
SHUHRAT LATIPOV
3510 RIDGECROSS DR
ROCKWALL, TX 75087

BYINGTON JOEL AND COURTNEY
3510 ROYAL RIDGE DRIVE
ROCKWALL, TX 75087

THONDAPU NAVEEN AND PURNIMA
RATAKONDA
3511 SOLARO LN
ROCKWALL, TX 75087

THUMIKI KAVYA SRI AND
PRANEETH ARRA
3513 RIDGECROSS DRIVE
ROCKWALL, TX 75087

RESIDENT
3514 ROYAL RIDGE DR
ROCKWALL, TX 75087

WILLIAMS MARIE-ISABELLE AND DAVID LEWIS
3514 RIDGECROSS DRIVE
ROCKWALL, TX 75087

SMITH JEDEDIAH R AND DIXIE CLEMENTINE
3515 SOLARO LANE
ROCKWALL, TX 75087

JOHNSON MCKENZIE & ERIC
3517 RIDGECROSS DR
ROCKWALL, TX 75087

SAYED RAZA HASAN
3518 RIDGECROSS DRIVE
ROCKWALL, TX 75087

JENKINS TILLUS BRANT & KAREN SUE JENKINS
3518 ROYAL RIDGE DR
ROCKWALL, TX 75087

SHORTER DIALLO SYKOU & ERIKA J
3521 RIDGECROSS DR
ROCKWALL, TX 75087

BURDUKOV ILYA I
3522 RIDGECROSS DRIVE
ROCKWALL, TX 75087

CLAYTON KYLE MARCUS
3522 ROYAL RIDGE DR
ROCKWALL, TX 75087

SMITH KORTNEY AND BRITTANI CHERELL
3525 RIDGECROSS DRIVE
ROCKWALL, TX 75087

COFER JAMES AND ANISSA
3526 RIDGECROSS DR
ROCKWALL, TX 75087

RESIDENT
3529 RIDGECROSS DR
ROCKWALL, TX 75087

BRANHAM BRAYDEN ANTHONY AND
SELENA MOUNIVONG
3530 RIDGECROSS DRIVE
ROCKWALL, TX 75087

RESIDENT
3533 RIDGECROSS DR
ROCKWALL, TX 75087

RESIDENT
3537 RIDGECROSS DR
ROCKWALL, TX 75087

RESIDENT
3541 RIDGECROSS DR
ROCKWALL, TX 75087

ALDERMAN MARK C AND JANA S
3602 DREWSBURY DRIVE
ROCKWALL, TX 75087

WEBSTER GRANT ELWOOD AND KAREN
MICHELLE
3605 NOACH CREST DRIVE
ROCKWALL, TX 75087

COOK IKE
3606 DREWSBURY DRIVE
ROCKWALL, TX 75087

BOGOVICH JOHN NICHOLAS
3609 NOAH CREST DR
ROCKWALL, TX 75087

BERRYMAN PATRICK AND LAURA
3610 DREWSBURY DR
ROCKWALL, TX 75087

BULL TRAVIS J AND KARI
3613 NOAH CREST DRIVE
ROCKWALL, TX 75087

WACK LINDSEY AND DONNETTE
3614 DREWSBURY DR
ROCKWALL, TX 75087

DICKERSON DANNY AND KATHY
3617 NOAH CREST DR
ROCKWALL, TX 75087

CORNWELL AMY AND JEFFERY
3618 DREWSBURY DR
ROCKWALL, TX 75087

DONELAN KEVIN PATRICK
3621 NOAH CREST DR
ROCKWALL, TX 75087

YOUNG PATTY R AND LEE
3702 DREWSBURY DR
ROCKWALL, TX 75087

THARP JOHN AND RITCHEY MARY
3706 DREWBURY DR
ROCKWALL, TX 75087

HERRMANN SCOTT AND
KRISTA RODRIGUEZ
3710 DREWSBURY DRIVE
ROCKWALL, TX 75087

JONES RICHARD B JR & KATHERINE L
3714 DREWSBURG DRIVE
ROCKWALL, TX 75087

PARKES DAVID A AND NANCY J
3718 DREWSBURY DR
ROCKWALL, TX 75087

CITY OF ROCKWALL
385 S GOLIAD ST
ROCKWALL, TX 75087

CLAYTON CHARLES RAY AND AMY L
3902 RAVENBANK DRIVE
ROCKWALL, TX 75087

THUESON KEVIN AND VIRGINIA
3910 RAVENBANK DR
ROCKWALL, TX 75087

HUBER BRIAN J & JENNIFER C
400 COUNTRY RDG
ROCKWALL, TX 75087

HAURY NORMAN L & SHANNON
4186 RAVENBANK DRIVE
ROCKWALL, TX 75087

NAGEL CHRISTIAN AND KELSEY
4189 LORION DR
ROCKWALL, TX 75087

TRAUGHBER COELEY EDWARD
4190 RAVENBANK DR
ROCKWALL, TX 75087

SEELEY JOHN D AND SALLY P
4193 LORION DRIVE
ROCKWALL, TX 75087

RESIDENT
4194 RAVENBANK DR
ROCKWALL, TX 75087

MUNOZ OSCAR IVAN & SANDRA Y MIRAVAL
4197 LORION DR
ROCKWALL, TX 75087

SMITH ERIC S AND ABIGAIL
4198 RAVENBANK DR
ROCKWALL, TX 75087

PRENTICE MICHAEL AND LAUREN SIMPKINS
4201 LORION DRIVE
ROCKWALL, TX 75087

REYNA NINA CHRISTINA & RICARDO MANUEL
4202 RAVENBANK DRIVE
ROCKWALL, TX 75087

HAMILTON GREGORY J & HOLLY M
4205 LORION DRIVE
ROCKWALL, TX 75087

TAYLOR WILLIAM CHARLES AND JENNIFER LEA
4206 RAVENBANK DRIVE
ROCKWALL, TX 75087

BROSSETTE RAYCE CHARLES AND KERA SIMON
4209 LORION DRIVE
ROCKWALL, TX 75087

MILLS JASON J AND KARI L
4210 RAVENBANK DRIVE
ROCKWALL, TX 75087

2021 K. D. NEWTON REVOCABLE TRUST
KEEGAN BRUCE NEWTON AND DIANA TIMM NEWTON - TRUSTEES
4213 LORION DRIVE
ROCKWALL, TX 75087

2023 S S COULSON REVOCABLE TRUST
STANLEY SCOTT COULSON & SANDRA ANNE COULSON - TRUSTEES
4214 RAVENBANK DR
ROCKWALL, TX 75087

HENRY LIVING TRUST
ROBERT J HENRY AND EVELYN S HENRY-COTRUSTEES
4301 LORION DRIVE
ROCKWALL, TX 75087

SWAN KATIE
4302 RAVENBANK DRIVE
ROCKWALL, TX 75087

MELCHER MATTHEW B AND JAIME D
4305 LORION DRIVE
ROCKWALL, TX 75087

VANDERBERG DORRETT
4306 RAVENBANK DR
ROCKWALL, TX 75087

MARINO JAMES ALLAN AND CHERYL
4309 LORION DR
ROCKWALL, TX 75087

ANTONY LAURA S
4310 RAVENBANK DRIVE
ROCKWALL, TX 75087

SPIVEY JESSE TYLER AND WENDI M
4314 RAVENBANK DR
ROCKWALL, TX 75087

RESIDENT
4400 KETTEN DR
ROCKWALL, TX 75087

FIELDING KEITH RYAN AND DANA LEI
4401 SENEY DRIVE
ROCKWALL, TX 75087

SMITH KRISTI SHAE AND CHAD DENNIS
4402 RAVENBANK DR
ROCKWALL, TX 75087

BORN GERARD ANTHONY & DIANA HURTADO
4405 SENEY DRIVE
ROCKWALL, TX 75087

EVERETT COLLEE
4406 RAVENBANK DR
ROCKWALL, TX 75087

RILEY MICHAEL BRANDON AND TRACY DENISE
4409 SENEY DR
ROCKWALL, TX 75087

KOTERU SREENIVASA REDDY & PRAVEENA
4410 RAVENBANK DR
ROCKWALL, TX 75087

LAWRENCE GEOFFREY K
4413 SENEY DRIVE
ROCKWALL, TX 75087

SURESH NAVEEN & APARNA N MOOLACATTU
4414 RAVENBANK DR
ROCKWALL, TX 75087

ECKERT CAROLE B
4451 KETTEN DRIVE
ROCKWALL, TX 75087

PETERSEN TAGGART NED AND KATIE FRANCIS
4453 LORION DR
ROCKWALL, TX 75087

MOORE JONATHAN AND NICOLE
4455 KETTEN DR
ROCKWALL, TX 75087

DEADMAN CHASE AND JENNIFER LYNN
4501 KETTEN DR
ROCKWALL, TX 75087

PARKER RUSSELL HALBERT & KRISTY KAY
4501 SENEY DRIVE
ROCKWALL, TX 75087

TILTON LAURIE & CHRISTOPHER
4504 RAVENBANK DR
ROCKWALL, TX 75087

REED KAY R
4505 KETTEN DRIVE
ROCKWALL, TX 75087

WILEY JAMAL KENYATTA & CHERESE MARIE
4505 SENEY DRIVE
ROCKWALL, TX 75087

CRUZ DAVID UMANA AND YAMIREZ ARELHI GOVEA
4505 SKY HARBOR DR
ROCKWALL, TX 75087

RESIDENT
4506 SKY HARBOR DR
ROCKWALL, TX 75087

ALLEN ZACHARY AND JAMIE
4507 LORION DRIVE
ROCKWALL, TX 75087

RESIDENT
4508 LORION DR
ROCKWALL, TX 75087

COMES NATHAN & MARIE C
4508 RAVENBANK DR
ROCKWALL, TX 75087

SCHIFFMAN DAVID L AND SHERI L
4508 SENEY DR
ROCKWALL, TX 75087

STEGMAN MICHAEL SHANE AND EMILY ANN
4509 KETTEN DR
ROCKWALL, TX 75087

SCOTT STEVEN L
4509 SENEY DR
ROCKWALL, TX 75087

MOSS KENNETH E & FILMONA L
4511 LORION DR
ROCKWALL, TX 75087

DHARANI RAGHURAM & MADHUMATHI DAMALACHERUVU
4511 SKY HARBOR DR
ROCKWALL, TX 75087

RANDALL FAMILY LEGACY TRUST
4512 LORION DR
ROCKWALL, TX 75087

LAM BRUCE MADI AND
ANGELA IRENE MOODY
4512 RAVENBANK DRIVE
ROCKWALL, TX 75087

SIMPSON CODY MATTHEW AND LESLIE
4512 SENEY DR
ROCKWALL, TX 75087

DECLARATION OF TRUST DATED OCTOBER 20TH 1999
WENDY YEOMANS CAMPORA
4513 KETTEN DR
ROCKWALL, TX 75087

WADDELL MARK B AND JESSICA M
4513 SENEY DRIVE
ROCKWALL, TX 75087

RESIDENT
4514 LORION DR
ROCKWALL, TX 75087

JACKSON DAM AND TARA ANN
4514 SKY HARBOR DR
ROCKWALL, TX 75087

MOUSSIMA DANIEL EDIMO AND PEACE UGOCHI AJAH
4515 LORION DR
ROCKWALL, TX 75087

BELLOWS TODD AND MONIQUE
4516 RAVENBANK DR
ROCKWALL, TX 75087

SUNKA NATHAN AND
MARTHA GODINEZ
4516 SENEY DR
ROCKWALL, TX 75087

THE KIMBERLY ANN HARRISON TRUST
KIMBERLY ANN HARRISON TRUSTEE
4517 KETTEN DRIVE
ROCKWALL, TX 75087

2022 F K TAN REVOCABLE TRUST
FELIX RAMOS TAN JR AND KAREN C TAN-TRUSTEES
4517 SENEY DRIVE
ROCKWALL, TX 75087

RESIDENT
4518 LORION DR
ROCKWALL, TX 75087

OKEKE OKECHUKWU JUDE AND IFEOMA AGATHA
4519 LORION DR
ROCKWALL, TX 75087

BELL THOMAS P AND KRISTIN R
4520 SENEY DRIVE
ROCKWALL, TX 75087

RESIDENT
4521 SKY HARBOR DR
ROCKWALL, TX 75087

VARUGHESE LINCE K AND JOICE
4521 SENEY DR
ROCKWALL, TX 75087

RAWAL MANOJ H AND BINDU M
4522 LORION DRIVE
ROCKWALL, TX 75087

RESIDENT
4523 LORION DR
ROCKWALL, TX 75087

KOGANTI RAVI SESANK AND SRILAKSHMI KANDULA
4523 LORION DR
ROCKWALL, TX 75087

RESIDENT
4524 SKY HARBOR DR
ROCKWALL, TX 75087

2022 P L SANTORO REVOCABLE TRUST
PETER ANTHONY SANTORO AND LISA MICHELLE SANTORO - TRUSTEES
4524 SENEY DRIVE
ROCKWALL, TX 75087

SCHMIDT THERESE & CRAIG
4525 SENEY DR
ROCKWALL, TX 75087

TAPANG IVO TANKU
4525 SKY HARBOR DRIVE
ROCKWALL, TX 75087

NORRIE ANGELIKE CP & DAVID ALAN
4526 LORION DR
ROCKWALL, TX 75087

GIWA JOLAOLUWA AND BABAJIDE OJERINDE
4527 LORION DRIVE
ROCKWALL, TX 75087

RESIDENT
4528 SKY HARBOR DR
ROCKWALL, TX 75087

CROSS MARION RICHARD AND CHANDA JILL
4528 SENEY DR
ROCKWALL, TX 75087

RESIDENT
4529 SKY HARBOR DR
ROCKWALL, TX 75087

THOMPSON BENJAMIN K AND JESSICA S
4529 SENEY DR
ROCKWALL, TX 75087

DUKE CRISTI AND LARRY JOE
4532 SENEY DR
ROCKWALL, TX 75087

WREN ANNETTE
4532 SKY HARBOR DRIVE
ROCKWALL, TX 75087

RESIDENT
4533 SKY HARBOR DR
ROCKWALL, TX 75087

HUGGINS JULIE & GARY II
4533 SENEY DR
ROCKWALL, TX 75087

VALLABINENI RAJESH AND THRIVIDYA MADAPATI
THRIVIDYA MADAPATI
4536 SKY HARBOR DR
ROCKWALL, TX 75087

RESIDENT
4537 SKY HARBOR DR
ROCKWALL, TX 75087

HARRIS JON AND KIRSTEN
4537 SENEY DRIVE
ROCKWALL, TX 75087

RESIDENT
4538 SKY HARBOR DR
ROCKWALL, TX 75087

FISCHER DAVID SCOTT AND CHRISTINE
4538 SKY HARBOR DR
ROCKWALL, TX 75087

SANCHEZ ELENA
4546 SKY HARBOR DRIVE
ROCKWALL, TX 75087

WALLER DAVID AND SORAYA
4550 SKY HARBOR DRIVE
ROCKWALL, TX 75087

ESQUIBEL DERRICK
456 PRICE DR
FATE, TX 75087

RESIDENT
4602 RAVENBANK DR
ROCKWALL, TX 75087

CASTEEL MARILYN S AND ROGER
4602 LORION DRIVE
ROCKWALL, TX 75087

BALDERAS KARA AND RAMON G III
4602 SKY HARBOR DR
ROCKWALL, TX 75087

MCCALLEY STEPHANIE FERGUSON AND BRIAN
4605 LOTION DR
ROCKWALL, TX 75087

ALCORN JASON AND KELLI
4606 LORION DRIVE
ROCKWALL, TX 75087

CALVIN EVITA
4606 SKY HARBOR DR
ROCKWALL, TX 75087

WILLIAMS AARON BLAKE AND KIMBERLY RAEL
4610 SKY HARBOR DR
ROCKWALL, TX 75087

TAYLOR MORTON & NAKINDRIA
4611 LORION DR
ROCKWALL, TX 75087

STRALEY MARIA ELENA C AND JERRY
4612 LORION DRIVE
ROCKWALL, TX 75087

ECHOLS BRITTNEY
4614 SKY HARBOR DRIVE
ROCKWALL, TX 75087

SCHEFFERA ANGELIKA
4615 LORION DR
ROCKWALL, TX 75087

WOLFE SCOTT & BEGUM
4616 LORION DR
ROCKWALL, TX 75087

SALOMON JEFFREY AND RACHEL
4618 SKY HARBOR DRIVE
ROCKWALL, TX 75087

MTOTI LEE
4619 LORION DR
ROCKWALL, TX 75087

SCHILLACE DOMINIC AND KRISTINE
4620 LORION DR
ROCKWALL, TX 75087

RESIDENT
4622 LORION DR
ROCKWALL, TX 75087

BRATBERG NEIL
4622 SKY HARBOR DRIVE
ROCKWALL, TX 75087

HUDDLESTON SHANNON L AND LARRY BRIAN
4623 LORION DRIVE
ROCKWALL, TX 75087

THOMAS ROGER AND LINDA
4624 LORION DR
ROCKWALL, TX 75087

RM CAMPBELL LIVING TRUST
RICHARD D CAMPBELL AND MI HYE CAMPBELL-COTRUSTEES
493 LIFE SPRINGS DRIVE
ROCKWALL, TX 75087

JOSEPH ROYCE MATHEW & SHIRLEY ANEY
497 LIFE SPRING DRIVE
ROCKWALL, TX 75087

LOSANES LOU
501 LIFE SPRING DRIVE
ROCKWALL, TX 75087

SEAWRIGHT HAROLD KEITH AND SHERI
502 LIFE SPRING DR
ROCKWALL, TX 75087

JONES QUEENETH ONUNWA AND WILLIAM A
502 LIMMERHILL DR
ROCKWALL, TX 75087

LOYD EDWARD AND DARLENE
502 SUMMER OAKS DRIVE
ROCKWALL, TX 75087

MARTIN PAMELA S
504 WILDBRIAR LN
ROCKWALL, TX 75087

PEREZ MARK AND JENNIFER
505 LIFE SPRING DR
ROCKWALL, TX 75087

ARRAMBIDE MICHAEL & MELISSA GUERRERO
505 LIMMERHILL DR
ROCKWALL, TX 75087

ROSENWASSER SAMUEL C & KAY K
506 LIFE SPRING DRIVE
ROCKWALL, TX 75087

MARTINEZ JOSEPH ROMAN & SAMANTHA KAY
506 LIMMERHILL DRIVE
ROCKWALL, TX 75087

SCHNABEL CHRISTINA AND CHRISTOPHER
506 SUMMER OAKS DRIVE
ROCKWALL, TX 75087

NORTHCUTT JOHN PAUL & MELANIE R
509 LIFE SPRINGS DR
ROCKWALL, TX 75087

CONINE CHRISTOPHER T
509 LIMMERHILL DR
ROCKWALL, TX 75087

RESIDENT
510 LIFE SPRING DR
ROCKWALL, TX 75087

NORWOOD LARRY & PAMELA NORWOOD
510 LIMMERHILL DR
ROCKWALL, TX 75087

DOWNS MICHAEL & JAINITA
510 SUMMER OAKS DR
ROCKWALL, TX 75087

RESIDENT
513 LIFE SPRING DR
ROCKWALL, TX 75087

BRYAN JEFFREY M AND JULIE
513 LIMMERHILL DR
ROCKWALL, TX 75087

CARL JASON AND HEATHER
513 SUMMER OAKS DRIVE
ROCKWALL, TX 75087

SCHEDER REVOCABLE TRUST
SCHEDER VALERIE SUE AND FRANK MICHAEL, TRUSTEES
514 LIFE SPRING DR
ROCKWALL, TX 75087

WOODLIFF KAREN M AND JASON
514 LIMMERHILL DR
ROCKWALL, TX 75087

KEMPER KYLE AND CRYSTAL
514 SUMMER OAKS DR
ROCKWALL, TX 75087

CHANDLER MELANIE KATHLEEN
517 LIFE SPRING DRIVE
ROCKWALL, TX 75087

ARCHIBALD JOHN ARCHIBALD IV AND ALLISON
517 LIMMERHILL DR
ROCKWALL, TX 75087

ESTRADA LUIS III & JOSEFINA VARGAS
518 LIFE SPRING DR
ROCKWALL, TX 75087

SMITH DANIEL ROSS & LAURA BETH
518 LIMMERHILL DR
ROCKWALL, TX 75087

MUSSELL GLORIA BERNADETTE
521 LIFE SPRING DRIVE
ROCKWALL, TX 75087

GILBERTSON SETH AND CINDY
521 LIMMERHILL DR
ROCKWALL, TX 75087

CHASTAIN CHRISTOPHER CANNON AND REAGAN ELIZABETH
522 LIFE SPRING DR
ROCKWALL, TX 75087

MOORE CHRISTOPHER SAMUEL & HOLLY GARRETT
522 LIMMERHILL DR
ROCKWALL, TX 75087

KAREN MCLAUGHLIN LIVING TRUST
KAREN PETTY MCLAUGHLIN- TRUSTEE
525 LIFE SPRING DRIVE
ROCKWALL, TX 75087

CRUZ NIEVES JR AND DORA VALLEJO
526 LIFE SPRING DR
ROCKWALL, TX 75087

WINDSOR HOMES CUMBERLAND LLC
5310 HARVEST HILL RD SUITE 162
DALLAS, TX 75230

HIGHLAND HOMES-DALLAS LLC
5601 DEMOCRACY DR STE 300
PLANO, TX 75024

ALLEN BRODIE & JOLENE
587 E CHESTERMERE DR CHESTERMERE
ALBERTA CANADA T1X 1A4

ARGUEDAS JUAN CARLOS AND DAYANNA VILLALOBOS
5931 GREENVILLE AVE PMB 5524
DALLAS, TX 75206

MALOKU ADNAN AND AGNIESZKA
6 HADDINGTON WAY
MEDFORD, NJ 8055

SHELLY L EMMANUEL TRUST, SHELLY L EMMANUEL- TRUSTEE &
ARTHUR EMMANUEL TRUST, ARTHUR EMMANUEL-TRUSTEE
600 WINDY RIDGE LANE
ROCKWALL, TX 75087

RESIDENT
601 SINGING WATER DR
ROCKWALL, TX 75087

ILLIG ANTHONY AND KRISTIN
601 CALM CREST DRIVE
ROCKWALL, TX 75087

STEINES TERIC & KATHERINE
601 LIFE SPRING DR
ROCKWALL, TX 75087

MIRTURSUNOV BAKHTIYOR AND MALIKA KHAMIDULLAYEVA
601 LIMMERHILL DRIVE
ROCKWALL, TX 75087

GIVIDEN BRYAN AND SARA
602 CALM CREST DR
ROCKWALL, TX 75087

SKINNER CHRISTOPHER JASON & AMANDA G
602 LIFE SPRING DRIVE
ROCKWALL, TX 75087

PETERS FAMILY TRUST
RICHARD PAUL AND CYNTHIA ELIZABETH
602 LIMMERHILL DRIVE
ROCKWALL, TX 75087

HARMON MIKE AND SHIRLEY
602 SUMMER OAKS DRIVE
ROCKWALL, TX 75087

SMITH GREGORY AND JOANNA RENEE
604 WINDY RIDGE LANE
ROCKWALL, TX 75087

FINDL ERIC AND JOANN
605 CALM CREST DR
ROCKWALL, TX 75087

FINDL ERIC AND JOANN
605 CALM CREST DR
ROCKWALL, TX 75087

BERRY JAMES & BETTYE D
605 LIFE SPRING DR
ROCKWALL, TX 75087

MCELROY MICHAEL WHITNEY AND
JULIE ANN MURRAY
605 LIMMERHILL DR
ROCKWALL, TX 75087

SIGNO BRYAN ANTHONY AND
DIANNE CARLA CRUZ
605 SINGING WATER DRIVE
ROCKWALL, TX 75087

GILLILAN LARRY D AND CHRISTINA K
606 CALM CREST DRIVE
ROCKWALL, TX 75087

FAVROT MICHAEL THOMAS & TANIA STRONZA
606 LIFE SPRING DRIVE
ROCKWALL, TX 75087

WILLIAMS STEVEN AND ANA
606 LIMMERHILL DR
ROCKWALL, TX 75087

LAWSHE KASEY AND BRANDON
606 SUMMER OAKS DR
ROCKWALL, TX 75087

GORDON GLENDA
607 SUMMER OAKS DRIVE
ROCKWALL, TX 75087

GARCIA HARRY STEVE
608 DEVELOPMENT DRIVE STE 150
PLANO, TX 75074

HICKS JEFFREY AND JENNIFER
608 SINGING WATER DRIVE
ROCKWALL, TX 75087

FARLEY BRENDAN CURTIS AND PHUONG-KHANH
608 WINDY RIDGE LN
ROCKWALL, TX 75087

HUGHES CYNTHIA HINOJOSA AND TROY DAVID
609 CALM CREST DRIVE
ROCKWALL, TX 75087

ALT MELISSA ANN & WILLIAM
609 LIFE SPRING DR
ROCKWALL, TX 75087

CONFIDENTIAL
609 LIMMERHILL DR
ROCKWALL, TX 75087

SADDLE STAR SOUTH HOLDINGS LL
C/O HINES INTERESTS LIMITED PARTNERSHIP
609 MAIN STREET SUITE 2400
HOUSTON, TX 77002

CHU CHRISTINA LAM AND ALBERT
609 SINGING WATER DR
ROCKWALL, TX 75087

MCARTHUR MARK AND JULI
610 CALM CREST DRIVE
ROCKWALL, TX 75087

NORVILLE SHEILA AND NICK
610 LIFE SPRING DRIVE
ROCKWALL, TX 75087

PESTA LAURA AND MATTHEW
610 LIMMERHILL DR
ROCKWALL, TX 75087

TSIMIS IOANNES AND ERIN
610 SUMMER OAKS DRIVE
ROCKWALL, TX 75087

RESIDENT
611 WINDY RIDGE LN
ROCKWALL, TX 75087

WEIR JAMES MOFFAT II AND LYNNE CAROL
612 SINGING WATER DR
ROCKWALL, TX 75087

MEISTER CONSTANCE JOANN
612 WINDY RIDGE LANE
ROCKWALL, TX 75087

LICON PEDRO AND ROSA LINDA
613 CALM CREST DR
ROCKWALL, TX 75087

STAHL JAMES W AND KIMBERLY M
613 LIFE SPRING DRIVE
ROCKWALL, TX 75087

HAYNES PAUL J AND TONIQUA
613 LIMMERHILL DR
ROCKWALL, TX 75087

WILSON EVAN AND IRMA T
613 SINGING WATER DRIVE
ROCKWALL, TX 75087

ALVAREZ GRACIELA AGNES AND HUGO R
613 SUMMER OAKS DRIVE
ROCKWALL, TX 75087

FLORES MODESTO ARMANDO AND MARIA MARINEZ
614 CALM CREST DR
ROCKWALL, TX 75087

BELBEL ROGER J AND PATRICIA A
614 LIFE SPRING DR
ROCKWALL, TX 75087

CAUTHRON DAVID M & JENNIFER A
614 LIMMERHILL DR
ROCKWALL, TX 75087

ATKINS GWENDOLYN AND KIRK PATRICK
614 SUMMER OAKS DR
ROCKWALL, TX 75087

RIGGS MICHAEL ROBERT AND LESLIE MICHELE
615 WINDY RIDGE LANE
ROCKWALL, TX 75087

MCDERMOTT ROBERT AND ALISON
616 SINGING WATER DR
ROCKWALL, TX 75087

BRADFORD CHRISTINA
616 WINDY RIDGE LANE
ROCKWALL, TX 75087

RESIDENT
617 CALM CREST DR
ROCKWALL, TX 75087

RESIDENT
617 SINGING WATER DR
ROCKWALL, TX 75087

2023 M J DAVENPORT REVOCABLE TRUST
617 LIFE SPRING DR
ROCKWALL, TX 75087

KLUTTS BEN III AND ANGELA
617 LIMMERHILL DR
ROCKWALL, TX 75087

ORDONEZ HEATHER AND JOSEPH MIRANDA
617 SUMMER OAKS DR
ROCKWALL, TX 75087

WHEELER TIMOTHY EDWARD JR AND PAMALA MCGUIRE
618 CALM CREST DR
ROCKWALL, TX 75087

CALLAWAY CARRIE AND BLAINE
618 SUMMER OAKS DR
ROCKWALL, TX 75087

TERMAN ERIC AND KRISTIN
619 WINDY RIDGE LANE
ROCKWALL, TX 75087

RESIDENT
620 SINGING WATER DR
ROCKWALL, TX 75087

BAKER BRANDON AND DOMINWUE
620 WINDY RIDGE LANE
ROCKWALL, TX 75087

GALLEGOS CARLOS AND SAMANTHA
621 SINGING WATER DR
ROCKWALL, TX 75087

CRUZ ARTURO JR AND MELISSA
621 SUMMER OAKS DR
ROCKWALL, TX 75087

WEAVER JACOB AND BROOKE
622 SUMMER OAKS DRIVE
ROCKWALL, TX 75087

HAMMAD WAIL AND NAILA
623 WINDY RIDGE LANE
ROCKWALL, TX 75087

GOODEN BRETT AND JENNIFER
624 SINGING WATER DRIVE
ROCKWALL, TX 75087

WYATT RACHEL ANNA-FRANCES
624 WINDY RIDGE LANE
ROCKWALL, TX 75087

RESIDENT
625 FM552
ROCKWALL, TX 75087

DICKEY LOUIS SAMUEL AND DIANA GAYLE
625 SINGING WATER DR
ROCKWALL, TX 75087

THRASHER SHANE WILLIAM AND KAREN MARIE
625 SUMMER OAKS DRIVE
ROCKWALL, TX 75087

PALMER CARLTON ALLEN JR AND ELLEN H
626 SUMMER OAKS DRIVE
ROCKWALL, TX 75087

CASON SANDRA K AND ALLAN A
627 WINDY RIDGE LANE
ROCKWALL, TX 75087

SHERARD JASON & KARLY
628 SINGING WATER DR
ROCKWALL, TX 75087

CRISPIN KRISTI
628 WINDY RIDGE LN
ROCKWALL, TX 75087

RESIDENT
629 SINGING WATER DR
ROCKWALL, TX 75087

BRYANT OLALYA AYANNA AND EARL BRYANT III
629 SUMMER OAKS DR
ROCKWALL, TX 75087

CROSBY MICHAEL LYNN JR & JULIE D
630 SUMMER OAKS DRIVE
ROCKWALL, TX 75087

KOBUSSEN MARK R AND KATELYN
631 WINDY RIDGE LANE
ROCKWALL, TX 75087

JONES WILLIAM AND HANNAH
632 SINGING WATER DR
ROCKWALL, TX 75087

LE THIEN TU HIEU AND
TRANG THANH NGUYEN
632 WINDY RIDGE LANE
ROCKWALL, TX 75087

SCOTT KIRK
6321 NORWAY
DALLAS, TX 75230

DAWSON MARK WILLIAM AND CYNTHIA KAY
633 SUMMER OAKS DRIVE
ROCKWALL, TX 75087

JANG TAE WHAN AND SUJIN LEE
634 SUMMER OAKS DR
ROCKWALL, TX 75087

CHODUN ERIC CRAIG AND REBECCA
635 WINDY RIDGE LANE
ROCKWALL, TX 75087

RESIDENT
636 WINDY RIDGE LN
ROCKWALL, TX 75087

LEE AARON
636 SINGING WATER DR
ROCKWALL, TX 75087

MURRAY CHAD AND BARBARA
637 SINGING WATER DR
ROCKWALL, TX 75087

BASKER RAVIKUMAR
637 SUMMER OAKS DRIVE
ROCKWALL, TX 75087

COOPER BRIDGETT & CHARLES SCAMPERINO
638 SUMMER OAKS DRIVE
ROCKWALL, TX 75087

VIQUEZ JOHN AND
LORENE K JIMENEZ
639 WINDY RIDGE LANE
ROCKWALL, TX 75087

TERAN OSCAR AND CHRISTINE LAZZARO-
640 SINGING WATER DRIVE
ROCKWALL, TX 75087

MARCELO FRANCISCO JAVIER
640 WINDY RIDGE
ROCKWALL, TX 75087

OBAE MAGDALENE S K & CALVIN ONSERIO
MOENGA
641 SINGING WATER DR
ROCKWALL, TX 75087

DEFREES BRAEDEN AND HILEANA
641 SUMMER OAKS DRIVE
ROCKWALL, TX 75087

HOLDER MATTHEW AND JULISSA
642 SUMMER OAKS DRIVE
ROCKWALL, TX 75087

TYMINSKI FRANCIS JOSEPH JR
643 WINDY RIDGE LANE
ROCKWALL, TX 75087

TAMEZ MATTHEW AND TERRI
644 SINGING WATER DRIVE
ROCKWALL, TX 75087

GARRETSON MICHAEL & MELISSA
644 WINDY RIDGE LN
ROCKWALL, TX 75087

REYNOLDS JEFFREY MICHAEL AND CHRISTINA
JOY
645 SINGING WATER DRIVE
ROCKWALL, TX 75087

LEWIS DEKOVAN
645 SUMMER OAKS DRIVE
ROCKWALL, TX 75087

DAVIS ROY A AND PHYLLIS R ROBERSON
646 SUMMER OAKS DR
ROCKWALL, TX 75087

SWALES SCOTT AND ANGELA
647 WINDY RIDGE LANE
ROCKWALL, TX 75087

CLARK RICHARD AND SONYA
648 WINDY RIDGE LANE
ROCKWALL, TX 75087

BEASLEY SETH GARRETT AND STEPHANIE LOUISE
649 SUMMER OAKS DR
ROCKWALL, TX 75087

PATTERSON ABBY AND MICHAEL
650 SUMMER OAKS DRIVE
ROCKWALL, TX 75087

TRAN SEBASTIAN AND
VANESSA DINH
651 WINDY RIDGE LANE
ROCKWALL, TX 75087

LONG TAO
6712 BARCELONA
IRVING, TX 75039

ETHERINGTON MICHAEL GREGORY AND
JEANETTE
673 BREEZY HILL LN.
ROCKWALL, TX 75087

GILBERT ADAM AND AMANDA
700 CALM CREST DR
ROCKWALL, TX 75087

WILKINSON BRAD AND KERRI
701 CALM CREST DRIVE
ROCKWALL, TX 75087

LONES STEVEN M JR AND KELLY SUSAN
702 CALM CREST DR
ROCKWALL, TX 75087

YOUNG JAMES FREDERICK AND KARA SUELYNN
702 LAZY BROOKE DR
ROCKWALL, TX 75087

VANCE ALEXANDER IV AND ANGELICA
702 SINGING WATER DRIVE
ROCKWALL, TX 75087

WILLIAMS TOMMY EUGENE AND PEGGIE JEAN
703 PLEASANT BREEZE DRIVE
ROCKWALL, TX 75087

DIXON MATTHEW ALLAN AND PEDRO PIZANA III
704 PLEASANT BREEZE DRIVE
ROCKWALL, TX 75087

JONES ELOISE AND
MIRONDA A JONES
705 CALM CREST DR
ROCKWALL, TX 75087

SHIMAMOTO SHOICHI AND
SYDNEY COLE
705 SINGING WATER DRIVE
ROCKWALL, TX 75087

ULLOM BRETT AND LORI
706 CALM CREST DR
ROCKWALL, TX 75087

RAINEY DANNY AMD MARCIA GAYLE GODWIN-
RAINEY
706 SINGING WATER DRIVE
ROCKWALL, TX 75087

REUSINK INVESTMENTS LLC
707 HIGHLAND DR
ROCKWALL, TX 75087

PEDERSEN GLENN C AND DEBORAH
707 PLEASANT BREEZE DR
ROCKWALL, TX 75087

WARREN DONALD & EVELYN
708 PLEASANT BREEZE DR
ROCKWALL, TX 75087

SINGH GURVINDER & MANKIRAT SINGH
709 CALM CREST DR
ROCKWALL, TX 75087

GORDON MATTHEW AND ALEXANHDRIA V
709 SINGING WATER DRIVE
ROCKWALL, TX 75087

BERRY STEVEN E AND KATHERINE E
710 CALM CREST DR
ROCKWALL, TX 75087

CATHEY KATHERINE ASHLEY AND TYLER GRANT
710 SINGING WATER DRIVE
ROCKWALL, TX 75087

ETHERINGTON NORMA JEAN HUGHES
711 BREEZY HILL LN
ROCKWALL, TX 75087

ETHERINGTON NORMA JEAN HUGHES
711 BREEZY HILL LN
ROCKWALL, TX 75087

GONZALEZ RAMONA FINLEY AND JUAN
LORENZO
711 PLEASANT BREEZE DRIVE
ROCKWALL, TX 75087

MARK JOSHUA
712 PLEASANT BREEZE DRIVE
ROCKWALL, TX 75087

MURPHY ERICK & JILL NICHOLS
713 CALM CREST DR
ROCKWALL, TX 75087

GREER MICHAEL C AND PATRICIA M
713 LAZY BROOKE DR
ROCKWALL, TX 75087

MARQUEZ ANTHONY VAL AND GLORIA
713 SINGING WATER DRIVE
ROCKWALL, TX 75087

BATES SOPHIE THU AND JERRY ALAN
714 CALM CREST DR
ROCKWALL, TX 75087

ROBLES JEFFREY D AND LINDA
714 LAZY BROOKE DRIVE
ROCKWALL, TX 75087

RANNIGAN MICHAEL AND RACHELLE
714 SINGING WATER DRIVE
ROCKWALL, TX 75087

SABRINA AND RICK MORRISON LIVING TRUST
RICHARD JAMES FRANCIS MORRISON AND
SABRINA ANN MORRISON - TR
715 PLEASANT BREEZE DRIVE
ROCKWALL, TX 75087

PRICE MICHAEL OSCAR AND KATHERINE
YVONNE
716 PLEASANT BREEZE DRIVE
ROCKWALL, TX 75087

DE VIVO GIOVANNI AND CHRISTINE
717 CALM CREST DR
ROCKWALL, TX 75087

WELLS KELLY AND ANGELA
717 SINGING WATER DRIVE
ROCKWALL, TX 75087

WEIDENBACH MYRON
718 CALM CREST DR
ROCKWALL, TX 75087

WILKINS RANDALL AND AMY
718 SINGING WATER DRIVE
ROCKWALL, TX 75087

HASSELL ERIC N & ERIN L
719 PLEASANT BREEZE DR
ROCKWALL, TX 75087

SCHMIDT TYSON AND TOBI
720 PLEASANT BREEZE DR
ROCKWALL, TX 75087

HENSON TAYLOR RAY AND KAYLEE RAYE
7208 WILLOW WOOD ST
ROWLETT, TX 75089

JOHNSON KIMBERLY D AND LAWRENCE A
721 CALM CREST DR
ROCKWALL, TX 75087

PULTORAK JAMES F AND JENNIFER GAIL
721 SINGING WATER DR
ROCKWALL, TX 75087

2023 D J ROGERS REVOCABLE TRUST
DAMIAN WAYNE ROGERS & JESSICA LOSS
ROGERS - TRUSTEES
722 CALM CREST DR
ROCKWALL, TX 75087

SMELSER JASON ERIC AND LORI LYNN
722 SINGING WATER DRIVE
ROCKWALL, TX 75087

CARTER DAVID C AND ELSA M
723 PLEASANT BREEZE DRIVE
ROCKWALL, TX 75087

BAXTER JOHN STANLEY AND KIMBERLY JOY
RUMCZIKAS
724 PLEASANT BREEZE DR
ROCKWALL, TX 75087

STEED RYAN JAY AND BROOKE A
725 CALM CREST
ROCKWALL, TX 75087

DEAN AMY & CURTIS
725 SINGING WATER DRIVE
ROCKWALL, TX 75087

BLOCHER AYERS H III AND KAREN L
726 CALM CREST DR
ROCKWALL, TX 75087

STEVENS NERISSA AND
BILLY HORTON
726 SINGING WATER DRIVE
ROCKWALL, TX 75087

OAKLEY CURTIS AND SAMANTHA
727 PLEASANT BREEZE DRIVE
ROCKWALL, TX 75087

KLUTTS BEN ALLEN JR & MARY CAROL JULIE
728 PLEASANT BREEZE DRIVE
ROCKWALL, TX 75087

JETER JAMES DAVID & CAROL LEE
729 SINGING WATER DRIVE
ROCKWALL, TX 75087

BRINKMAN DANIEL ROBERT & XANDRA
730 SINGING WATER DRIVE
ROCKWALL, TX 75087

MCCORMACK JAMES ROSSI AND ELENA LOUISE
731 PLEASANT BREEZE DRIVE
ROCKWALL, TX 75087

GNANAYUTHAM REVOCABLE LIVING TRUST
732 PLEASANT BREEZE DR
ROCKWALL, TX 75087

GILLIGAN DEBORAH ANN AND TRAVIS EGUENE
733 SINGING WATER DRIVE
ROCKWALL, TX 75087

JACKS DALLAS CLAYTON AND MAGEN NICOLE
734 SINGING WATER DRIVE
ROCKWALL, TX 75087

RESIDENT
735 PLEASANT BREEZE DR
ROCKWALL, TX 75087

SIEVERT SHANNON AND CHRISTY
736 PLEASANT BREEZE DR
ROCKWALL, TX 75087

GARCIA KRIS A AND ANGELA M
737 SINGING WATER DRIVE
ROCKWALL, TX 75087

ELLIS KIRK CONSTANTINE AND ADINA LITA
738 LAZY BROOK DRIVE
ROCKWALL, TX 75087

BAKER CHRISTOPHER AND RHYANA
738 SINGING WATER DRIVE
ROCKWALL, TX 75087

BOLLINGER RACHEL M AND ANTHONY M
749 LAZY BROOKE DRIVE
ROCKWALL, TX 75087

NEC JOHN KING & 552 LP
7500 SAN JACINTO PLACE
PLANO, TX 75024

WERT WARREN SCOTT AND MARTHA JEAN
764 LAZY BROOKE DR
ROCKWALL, TX 75087

TURNER DAMIAN AND RACHEAL
775 LAZY BROOKE DRIVE
ROCKWALL, TX 75087

DEARMONT COREY AND ALEXIS
776 LAZY BROOKE DRIVE
ROCKWALL, TX 75087

SMITH FAMILY ACRES LLC
800 EAGLE PASS
HEATH, TX 75032

RAZIK MOHAMED A AND
NEVEEN M ABDALLA
801 CALM CREST DRIVE
ROCKWALL, TX 75087

DOUANGDARA KINGPHETH B AND JOSEFINA H
802 CALM CREST DR
ROCKWALL, TX 75087

HOLLOWAY RICHARD AND MARY JEANINE
802 LAZY BROOKE DRIVE
ROCKWALL, TX 75087

RESIDENT
805 LAZY BROOKE DR
ROCKWALL, TX 75087

FONTAINE NORMAN F AND NANCY C
805 CALM CREST DR
ROCKWALL, TX 75087

COLLINS HOPE AND GUY JR
806 CALM CREST DR
ROCKWALL, TX 75087

ROBERTS RYAN LLOYD AND NATALIE
809 CALM CREST DR
ROCKWALL, TX 75087

ETLEY MICHAEL EUGENE AND KELSEY
812 CALM CREST DRIVE
ROCKWALL, TX 75087

MEHDIZADEGAN MEHRDAD AND ANGELA
813 CALM CREST DR
ROCKWALL, TX 75087

WRIGHT STACY M AND JUSTIN K
816 LAZY BROOKE DRIVE
ROCKWALL, TX 75087

BOYLE JONATHAN AND JENNIFER
817 CALM CREST DRIVE
ROCKWALL, TX 75087

MOSHER RICHARD A AND NICHAPA
817 LAZY BROOKE DRIVE
ROCKWALL, TX 75087

RESIDENT
818 CALM CREST DR
ROCKWALL, TX 75087

HALLBAUER ELIZABETH B AND STEVEN
821 CALM CREST DRIVE
ROCKWALL, TX 75087

BH PHASE XI LTD
8214 WESTCHESTER DRIVE SUITE 900
DALLAS, TX 75225

BH PHASE XI LTD
8214 WESTCHESTER DRIVE SUITE 900
DALLAS, TX 75225

BRADLEY ERIK DOUGLAS
822 CALM CREST DR
ROCKWALL, TX 75087

SHIELDS ROBERT B
8220 S FM 549
HEATH, TX 75032

SCALLAN BLAKE AND AMANDA
825 CALM CREST DR
ROCKWALL, TX 75087

MCLEOD ASHLEY THOMAS AND PIERRE HERBERT
828 LAZY BROOKE DRIVE
ROCKWALL, TX 75087

CRAWFORD DANA
833 BREEZY HILL LN
ROCKWALL, TX 75087

SCHLAKE JAMES J AND VALERIE H, TRUSTEES OF THE 2022 JV
SCHLAKE REVOCABLE TRUST
840 LAZY BROOKE DRIVE
ROCKWALL, TX 75087

WATKINS GREGORY L AND GLENNA
862 LAZY BROOKE DRIVE
ROCKWALL, TX 75087

SINKS CHARLES W II AND SANDRA L
8854 COUNTY RD 2472
ROYSE CITY, TX 75189

SINKS CHARLES W II AND SANDRA L
8854 COUNTY RD 2472
ROYSE CITY, TX 75189

ROTHE KRISTOPHER R AND WHITLEY STUBBS
890 PLEASANT VIEW DR
ROCKWALL, TX 75087

RICE JAMES RANDOLPH JR AND CANDACE ELAINE
893 COLBY BLUFF DR
ROCKWALL, TX 75087

SCULLY JOSEPH
894 PLEASANT VIEW DR
ROCKWALL, TX 75087

HEFNER SCOTT & CHERYL
897 ANACONDA COURT
CASTLE ROCKWA, CO 80108

HOLAK PAWEL AND SOLOMIYA KULISHYTSKA-HOLAK
898 PLEASANT VIEW DRIVE
ROCKWALL, TX 75087

SALISU RUKAYAT OLUWATOSIN & MOISES PENA
900 HUNTERS CREEK DR
ROCKWALL, TX 75087

ROTTNER EDWARD W AND JANICE J WELLS-ROTTNER
901 AMBER KNOLL DRIVE
ROCKWALL, TX 75087

MCCABE MEREDITH AND RYAN
901 COLBY BLUFF DRIVE
ROCKWALL, TX 75087

TYNER KEVIN AND MELISSA J
901 PLEASANT VIEW DR
ROCKWALL, TX 75087

JULES JANOUSKA BETHLY & JAY
902 AMBERKNOLL DRIVE
ROCKWALL, TX 75087

SMITH SHANE AND AMY COOPER
902 COLBY BLUFF
ROCKWALL, TX 75087

HUNT RICHARD M AND JUDITH K
902 PLEASANT VIEW DR
ROCKWALL, TX 75087

MAHESHWARI SUNDEEP
903 HUNTERS CREEK DR
ROCKWALL, TX 75087

FRUSHOUR PAUL & DONNA L
904 HUNTERS CREEK DRIVE
ROCKWALL, TX 75087

FISCHER ROBERT AND SHARON
905 AMBER KNOLL DR
ROCKWALL, TX 75087

SMITH KELLY L & MICHAEL D
905 COLBY BLUFF DRIVE
ROCKWALL, TX 75087

MCNELLIE SCARLET GYMIN
905 COUNTRY CLUB DR
HEATH, TX 75032

CAO PHUONG H AND JOYCE
905 PLEASANT VIEW DR
ROCKWALL, TX 75087

OLIVER JEANETTE
906 AMBER KNOLL DR
ROCKWALL, TX 75087

BROOKS STEPHEN A & CAROL R
906 COLBY BLUFF DRIVE
ROCKWALL, TX 75087

LONGEWAY LARA HENRY AND DUSTIN M
906 PLEASANT VIEW DR
ROCKWALL, TX 75087

HULSEY GARY SCOTT & NATASHA LEIGH
907 HUNTERS CREEK DRIVE
ROCKWALL, TX 75087

ALTURK FEHMI
908 HUNTERS CREEK DRIVE
ROCKWALL, TX 75087

SMITH KORI L & TIFFANI
909 AMBER KNOLL DRIVE
ROCKWALL, TX 75087

SWINDLE JAY P AND JODI E
909 COLBY BLUFF DRIVE
ROCKWALL, TX 75087

WOO PRESTON AND JENNIFER
909 PLEASANT VIEW DR
ROCKWALL, TX 75087

BECTON COREY AND JESSIKA
910 AMBER KNOLL DR
ROCKWALL, TX 75087

HAWKINS RODNEY L AND TIFFANY T
910 COLBY BLUFF DRIVE
ROCKWALL, TX 75087

GROSS CARRIE AND BRUNO
910 PLEASANT VIEW DRIVE
ROCKWALL, TX 75087

THOMPSON BETTY L
911 E FM 552
ROCKWALL, TX 75087

HALEY GLEN DALE AND KATHLINE CRAWFORD HALEY
911 HUNTERS CREEK DR
ROCKWALL, TX 75087

HATTENBURG ERIN
912 HUNTERS CREEK DRIVE
ROCKWALL, TX 75087

CONFIDENTIAL
913 AMBER KNOLL DR
ROCKWALL, TX 75087

KICHURA MARK
913 COLBY BLUFF DR
ROCKWALL, TX 75087

ROBBINS THOMAS V AND MARCIA L
913 PLEASANT VIEW DR
ROCKWALL, TX 75087

VANDERPOEL LUKE S AND BROOKE
914 AMBER KNOLL DR
ROCKWALL, TX 75087

JOSEPH MIENA ESI
914 COLBY BLUFF DR
ROCKWALL, TX 75087

VARGHESE RINU & ANCY KURIAN
914 PLEASANT VIEW DRIVE
ROCKWALL, TX 75087

CONFIDENTIAL
915 HUNTERS CREEK DRIVE
ROCKWALL, TX 75087

SANDHU JASPINDER &
NAVDIP SINGH
916 HUNTERS CREEK
ROCKWALL, TX 75087

RESIDENT
917 PLEASANT VIEW DR
ROCKWALL, TX 75087

GIESE MICHAEL SCOTT AND AMY M
917 AMBER KNOLL DRIVE
ROCKWALL, TX 75087

HARDWICK CHENOA N AND WILLIAM H II
917 COLBY BLUFF DRIVE
ROCKWALL, TX 75087

BEAN MARC ALAN AND
NE'KISHA T WILLS
918 AMBER KNOLL DR
ROCKWALL, TX 75087

OGEA ZACHARY J AND HEATHER C
918 COLBY BLUFF DRIVE
ROCKWALL, TX 75087

REX JORDAN GARRETT AND MADELINE JANE
918 PLEASANT VIEW DRIVE
ROCKWALL, TX 75087

RESIDENT
919 HUNTERS CREEK DR
ROCKWALL, TX 75087

FOSTER MARILYN L
920 HUNTERS CREEK DR
ROCKWALL, TX 75087

MCCASLIN KATHERINE LEIGH
921 AMBER KNOLL DR
ROCKWALL, TX 75087

WILLIAMS MARK LEROY AND KORTNI LEA
921 COLBY BLUFF DR
ROCKWALL, TX 75087

LOCKETT DAVID
921 PLEASANT VIEW DR
ROCKWALL, TX 75087

CAMPBELL CHRISTOPHER C AND SAMANTHA L
922 AMBER KNOLL DRIVE
ROCKWALL, TX 75087

JACKSON ROSE
922 COLBY BLUFF DR
ROCKWALL, TX 75087

HOGAN CHRISTOPHER LEE AND AUTUMN M
922 PLEASANT VIEW DR
ROCKWALL, TX 75087

FEY MELINDA
923 HUNTERS CREEK ROAD
ROCKWALL, TX 75087

CLARK LAUREN ELIZABETH AND CHARLES ARTHUR
924 HUNTERS CREEK
ROCKWALL, TX 75087

COZART ROBERT C JR AND ALICE
925 AMBER KNOLL DR
ROCKWALL, TX 75087

GRINSTEAD TAMA SHADAWN
925 COLBY BLUFF DR
ROCKWALL, TX 75087

HILL CASEY EDWARD AND AIMEE
925 PLEASEANT VIEW DRIVE
ROCKWALL, TX 75087

GALITZ DEAN AND NICOLE
926 AMBER KNOLL DR
ROCKWALL, TX 75087

SCOTT JAYNA CAROL AND KEVIN THOMAS
926 COLBY BLUFF DRIVE
ROCKWALL, TX 75087

RESIDENT
927 HUNTERS CREEK DR
ROCKWALL, TX 75087

OPENSHAW DAVID B AND LINDA
928 HUNTERS CREEK DR
ROCKWALL, TX 75087

BECKSTROM LILLIAN C
929 COLBY BLUFF DRIVE
ROCKWALL, TX 75087

MASSEY REBECCA LYNNE ALAMAT AND DARRIN TODD
929 PLEASANT VIEW DR
ROCKWALL, TX 75087

BERRY BELINDA J
930 AMBER KNOLL DRIVE
ROCKWALL, TX 75087

CELII ROBERTO J AND GINA L
930 COLBY BLUFF DRIVE
ROCKWALL, TX 75087

ISHII CREIGHTON AND MELINDA
931 HUNTERS CREEK DR
ROCKWALL, TX 75087

RESIDENT
932 HUNTERS CREEK DR
ROCKWALL, TX 75087

ROSE STEPHEN BARRETT AND JESSICA LEE
933 AMBER KNOLL DRIVE
ROCKWALL, TX 75087

SNYDER DANNY LEE JR AND JEANNETTE MARGARET
933 COLBY BLUFF DRIVE
ROCKWALL, TX 75087

STEPHENS QUANDRELL ALTAM AND MELVONA PHALISA
933 PLEASANT VIEW DR
ROCKWALL, TX 75087

ELLIS AARON AND KIMBERLY
934 AMBER KNOLL DR
ROCKWALL, TX 75087

PAWLIK JERZY AND BARBARA
934 COLBY BLUFF DR
ROCKWALL, TX 75087

JOHNSON RUSTY LEE AND JENNIFER
937 COLBY BLUFF DRIVE
ROCKWALL, TX 75087

WALK WAYNE AND KIMBERLY
937 PLEASANT VIEW DR
ROCKWALL, TX 75087

WATKINS CHRISTOPHER THEODORE AND DANIELLE KAY
938 AMBER KNOLL DRIVE
ROCKWALL, TX 75087

GONZALEZ DONNA AND BRYANT
938 COLBY BLUFF DR
ROCKWALL, TX 75087

ABBAS NENNA J
941 COLBY BLUFF DRIVE
ROCKWALL, TX 75087

ENGLISH WILLIAM C AND ROBYN K
941 PLEASANT VIEW DR
ROCKWALL, TX 75087

HAUERWAS BRIAN E AND TIFFANY FAY
942 AMBER KNOLL DRIVE
ROCKWALL, TX 75234

MCCARTHY MAURITIANA W AND
KEVIN F MCCARTHY II
945 COLBY BLUFF DRIVE
ROCKWALL, TX 75087

RAMSEY MICHAEL
945 PLEASANT VIEW DRIVE
ROCKWALL, TX 75087

BADEAUX RYAN JAMES AND KELLY JEAN
946 AMBER KNOLL DRIVE
ROCKWALL, TX 75087

HAYCRAFT TYLER AND KRISTIN
949 COLBY BLUFF DR
ROCKWALL, TX 75087

SALISBURY KENNETH D SR
950 AMBER KNOLL DR
ROCKWALL, TX 75087

RESIDENT
951 CALM CREST DR
ROCKWALL, TX 75087

WATERMAN WARREN O & CYNTHIA J
978 CATTERICK DRIVE
ROCKWALL, TX 75087

GREAVES TERRY L AND MELISA G
979 HEATHER FALLS DRIVE
ROCKWALL, TX 75087

THOMAS SAMSON N AND LINDA R
980 HEATHER FALLS DRIVE
ROCKWALL, TX 75087

MCKEE DAVID R AND SU MAY
981 FOXHALL DR
ROCKWALL, TX 75087

OLIVER KEVIN & ANGELA
981 LAZY BROOKE DRIVE
ROCKWALL, TX 75087

BURTON LAWRENCE R AND MARIE J
982 CATTERICK DR
ROCKWALL, TX 75087

LECROY MICHAEL SHANE JR AND BRENNA
LAUREN
982 FOXHALL DRIVE
ROCKWALL, TX 75087

KENT JAN AND JON
982 LAZY BROOKE DRIVE
ROCKWALL, TX 75087

BAKER PAIGE E AND GARRISON R
983 HEATHER FALLS DR
ROCKWALL, TX 75087

SANDHU BALJIT S
983 SABLE DR
ROCKWALL, TX 75087

MOONEYHAM PHILLIP JR AND JOY ANNETTE
984 HEATHER FALLS DR
ROCKWALL, TX 75087

URSO JORDAN AND MARGARET
985 FOXHALL DRIVE
ROCKWALL, TX 75087

BURGESS NATHAN P AND JESSICA
985 LAZY BROOKE DRIVE
ROCKWALL, TX 75087

BOTTIGER JEFFREY ALAN AND JENNIFER ROBYN
HOLMES
986 CATTERICK DRIVE
ROCKWALL, TX 75087

CARTER-FAGG CHARLINA AND BRENNA LAUREN
LECROY
986 FOXHALL DR
ROCKWALL, TX 75087

THANKACHAN MOHANAN K AND NALINI
MOHANAN
986 LAZY BROOKE DRIVE
ROCKWALL, TX 75087

RESIDENT
987 SABLE DR
ROCKWALL, TX 75087

MILLER MICHAEL E AND KELLY D
987 HEATHER FALLS DRIVE
ROCKWALL, TX 75087

GRAYSON JOE
988 HEATHER FALLS DRIVE
ROCKWALL, TX 75087

HORN TYSON AND AMY
989 FOXHALL DRIVE
ROCKWALL, TX 75087

VIRGA CARMEN JOSEPH & JANELLE
989 LAZY BROOKE DRIVE
ROCKWALL, TX 75087

TROWBRIDGE CORY JONATHAN AND STEPHANIE
KRISTEE
990 CALM CREST DRIVE
ROCKWALL, TX 75087

JOSEPH BINU ARIYAPPALLIL & REENA
990 CATTERICK DR
ROCKWALL, TX 75087

KIM THAO AND JUSTIN
990 FOXHALL DRIVE
ROCKWALL, TX 75087

WEBB PETE OWEN AND LINDA GLEATON
990 LAZY BROOKE DRIVE
ROCKWALL, TX 75087

RESIDENT
991 HEATHER FALLS DR
ROCKWALL, TX 75087

YUNGU TOBIAS & SILVIA WANJA NJERU
991 SABLE DR
ROCKWALL, TX 75087

WRIGHT LENA
992 HEATHER FALLS DRIVE
ROCKWALL, TX 75087

RESIDENT
993 LAZY BROOKE DR
ROCKWALL, TX 75087

NORWOOD PAM AND LARRY
993 FOXHALL DR
ROCKWALL, TX 75087

GIBSON WILLIAM JR AND KINIA
994 CALM CREST DRIVE
ROCKWALL, TX 75087

SJ WENTZEL TRUST
994 CATTERICK DR
ROCKWALL, TX 75087

YOUNG YAKOV
994 FOXHALL DR
ROCKWALL, TX 75087

SHRESTHA ANUP AND ANURADHA
994 LAZY BROOKE DR
ROCKWALL, TX 75087

SIMMONS JAMES A AND MICHELE E
995 HEATHER FALLS
ROCKWALL, TX 75087

IBRAGIMOV DIYAR AND
NAZIK ALLABERDIYEVA
995 SABLE DRIVE
ROCKWALL, TX 75087

STERNER RICKY AND MARIANCE
996 HEATHER FALLS DR
ROCKWALL, TX 75087

STOECKL MEGAN AND OLIVER
997 CALM CREST DR
ROCKWALL, TX 75087

APPLEGATE THOMAS AND JESSICA
997 FOXHALL DRIVE
ROCKWALL, TX 75087

JARRETT LAURA A AND JEREMY D
997 LAZY BROOKE DRIVE
ROCKWALL, TX 75087

2021 S P PARKS REVOCABLE TRUST
STANLEY REX PARKS AND PAMELA KAY PARKS-
TRUSTEES
998 CALM CREST DRIVE
ROCKWALL, TX 75087

MOSS JONATHAN
998 CATTERICK DRIVE
ROCKWALL, TX 75087

CHRISTOPHER AND PERLA SAENZ REVOCABLE
TRUST
CHRISTOPHER DANIEL SAENZ AND PERLA
KRYSTAL SAENZ- COTRUSTEES
998 EMBER CREST DR
ROCKWALL, TX 75087

TAYLOR IVAN & MIONA G
998 FOXHALL DR
ROCKWALL, TX 75087

MIRAMONTES JUAN E AND ANGELICA
998 LAZY BROOKE DR
ROCKWALL, TX 75087

RESIDENT
999 HEATHER FALLS DR
ROCKWALL, TX 75087

IBRAHIM PATRICIA
999 SABLE DRIVE
ROCKWALL, TX 75087

LIFE SPRING CHURCH
P O BOX 886
ROCKWALL, TX 75087

CRUSE ROBERT B JR AND MARGARET A
P. O. BOX 2468
ROCKWALL, TX 75087

CLARK BRUCE A
PO BOX 1473
ROCKWALL, TX 75087

ANDINO JULIO JOSE &
WALESKA L COLON CHARDON
PO BOX 1779
ROCKWALL, TX 75087

KEITH AND KRISTY THIEMAN LIVING TRUST
KEITH THIEMAN AND KRISTY THIEMAN -
TRUSTEES
PO BOX 670
ROCKWALL, TX 75087

SHENNENDOAH REAL ESTATE PARTNERS
PO BOX 941428
PLANO, TX 75094

HUNT MATTHEW CLAUD-CLEVELAND AND GINA
1013 PLEASANT VIEW DR
ROCKWALL, TX 75087

PUBLIC NOTICE

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

CORRECTED NOTICE: ALL CHANGES CORRECTED IN *RED* BELOW. CORRECTING THE CITY COUNCIL MEETING DATE TO REFLECT *TUESDAY*, FEBRUARY 20, 2024.

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

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

Z2024-003: Amendment to PD-74
Hold a public hearing to discuss and consider a request by Michael Twichell of Michael F. Twichell, LP on behalf of Jim Duggan of NEC John King & 552, LP for the approval of a Zoning Change and PD Development Plan amending Planned Development District 74 (PD-74) [Ordinance No. 17-60] being a 17.3750-acre portion of a larger 405.184-acre Planned Development District situated within the J. Strickland Survey, Abstract No. 187; T. R. Bailey Survey, Abstract No. 30; and, J. Simmons Survey, Abstract No. 190, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for limited General Retail (GR) District land uses, situated within the SH-205 By-Pass Overlay (BY-OV) District, generally located at the northeast corner of the intersection of John King Boulevard and FM-552, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on *Tuesday, February 13, 2024 at 6:00 PM,* and the City Council will hold a public hearing on *TUESDAY, February 20, 2024 at 6:00 PM*. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Ryan Miller
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by *TUESDAY, February 20, 2024 at 4:00 PM* to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

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

PLEASE RETURN THE BELOW FORM

Case No. Z2024-003: Amendment to PD-74

Please place a check mark on the appropriate line below:

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

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

Name:

Address:

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

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

Case No. Z2024-003: Amendment to PD-74

Please place a check mark on the appropriate line below:

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

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

We don't want any commercial businesses that close to our sub-division at Breezy Hill

Name: Byron and Renata Ramdhan

Address: 1017 Ember Crest Drive Rockwall TX. 75087

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

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PLANNING AND ZONING DEPARTMENT
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Case No. Z2024-003: Amendment to PD-74

Please place a check mark on the appropriate line below:

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

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

Mail To:

1. Zoning Already Changed 2X Previous
2. Proposed Garages will bring Down Property Values
3. Garages will be Enforcement Problem - Businesses Not Allowed?
4. Gas Station or Fast Food Will Increase (Traffic Problem, Trash Problem)

Name: Charles + Kimberly Teske

Address: 3409 Royal Ridge, Rockwall, TX 75087

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

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Please place a check mark on the appropriate line below:

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

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

Sooner or later the property will be developed unfortunatly for retail. Top Concern as a 40yr. resident of Rockwall – ① Rockwall has not been diligent to ensure retail/office development is at top standards. Building materials, landscape & design, business types, value added to the community, etc. – Rockwall does not need anymore storage, Nail salons, donut shops, or Pizza Shops.

Name: DaRon Gillilan

Address: 606 Calm Crest Rockwall 75087

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

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Sincerely,

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Director of Planning & Zoning

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Case No. Z2024-003: Amendment to PD-74

Please place a check mark on the appropriate line below:

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

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

Please "over" engineer the detention pond so that we can minimize the water flow down stream. Thank You

Name: Heather Cullins

Address: 401 Country Ridge Rd Rockwall 75087

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

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Created with Scanner Pro

Case No. Z2024-003: Amendment to PD-74 OUTSIDE OF CITY LIMITS IN THE ETJ

Please place a check mark on the appropriate line below:

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

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

Are the schools & roads not crowded enough? I know this falls on deaf ears, but more open spaces, parks & trails are needed. That is why people moved here!

Name: Jennifer Huber

Address: 400 Country Ridge

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

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

WE JUST BOUGHT A HOUSE IN THE BREEZY HILL COMMUNITY. WE PREFER NOT TO HAVE ANY COMMERCIAL PROPERTIES WITHIN A CERTAIN RADIUS OF OUR COMMUNITY

Name: KEN MORGENSTERN

Address: 1018 HUNTERS CREEK DR ROCKWALL

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

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

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

Reduction of home values, impact to Breezy Hill Community. Lack of ability to ensure business + residences will not be ran within the "garages". Community prefers a different type of commercial space w/ eateries + community accessable

Name: Kimberly Ellis

Address: 934 Amber Knoll Dr Rockwall TX 75087

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

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

Case No. Z2024-003: Amendment to PD-74

Please place a check mark on the appropriate line below:

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

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

Name: Lillian Beckstrom

Address: 929 Colby Bluff Dr. Rockwall, TX 75087

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

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PUBLIC NOTICE

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

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

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

Z2024-003: Amendment to PD-74
Hold a public hearing to discuss and consider a request by Michael Twichell of Michael F. Twichell, LP on behalf of Jim Duggan of NEC John King & 552, LP for the approval of a Zoning Change and PD Development Plan amending Planned Development District 74 (PD-74) [Ordinance No. 17-60] being a 17.3750-acre portion of a larger 405.184-acre Planned Development District situated within the J. Strickland Survey, Abstract No. 187; T. R. Bailey Survey, Abstract No. 30; and, J. Simmons Survey, Abstract No. 190, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for limited General Retail (GR) District land uses, situated within the SH-205 By-Pass Overlay (BY-OV) District, generally located at the northeast corner of the intersection of John King Boulevard and FM-552, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on *Tuesday, February 13, 2024 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, February 20, 2024 at 6:00 PM*. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Ryan Miller
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by *Monday, February 20, 2024 at 4:00 PM* to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

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

PLEASE RETURN THE BELOW FORM

Case No. Z2024-003: Amendment to PD-74

Please place a check mark on the appropriate line below:

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

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

the orignal site plan was proposed for a lot more retail & office space
I do WANT RETAIL & OFFICES, NOT Homes & FOOD

Name: Marie Burton

Address: 982 Catterick Drive, Rockwall Tx 75087

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

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Case No. Z2024-003: Amendment to PD-74

Please place a check mark on the appropriate line below:

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

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

Do NOT want any kind of "garage" or storage backing up to our neighborhood. Also opposed to car wash. This needs to be a more family oriented development. No late night businesses, no bright lights.

Name: Scott & Sandra Coulson

Address: 4214 Ravenbank

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

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Director of Planning & Zoning

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PLEASE RETURN THE BELOW FORM

Case No. Z2024-003: Amendment to PD-74

Please place a check mark on the appropriate line below:

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

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

> Our property cannot hold anymore stormwater drainage from concrete and if this is developed, the detention ponds and drainage needs to be oversengineered.

Name: Smith Family Acres Almeyh Fam

Address: 800 Eagle Pass, Heath, TX 75032 44.5 acre tract

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

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Case No. Z2024-003: Amendment to PD-74

Please place a check mark on the appropriate line below:

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

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

Don't want Daycare, Auto shops or office Buildings on or near my house. Too many of those around already

Name: Timothy Koetje

Address: 1025 Ember Crest Dr.

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

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Zoning & Specific Use Permit Input Form

Case Number *

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

Z2024-003

Please place a check mark on the appropriate line below: *

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

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

I just moved here and the city we moved from would put things like an ice cream shop, boutiques, and local restaurants in this area. It makes the area more desirable to move to and not to mention bring money to the city. It was so successful where we lived that every neighborhood started to follow suit. You will be missing a huge opportunity by not doing this.

Respondent Information

Please provide your information.

First Name *

Ashley

Last Name *

Duckett

Address *

1014 Cascading Creek Drive

City *

Rockwall

State *

Texas

Zip Code *

75087

Please check all that apply: *

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

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

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- ( ) I saw a zoning sign on the property.
- ( ) I read about the request in the Rockwall Herald Banner.
- ( ) My neighbors told me about the request.
- ( ) Other: _____

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Z2024-003

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

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

Warehouse-style "luxury" garages that host weekend car shows and serve as man-cave hangouts do not belong (literally) in the backyard of a quiet, family-oriented, suburban neighborhood. Based on our review of similar businesses in DFW and around the state, theses warehouse/garages are almost NEVER built in close proximity to residential neighborhoods which seems prudent given the industrial aesthetic of the buildings and concept that is not exactly family-friendly in nature. Of additional concern is the fact that these garages serve a niche market and are extremely expensive and when the concept fails the buildings will be converted into regular storage units. Whether "luxury" mini warehouses or regular storage units, having industrial buildings next to our residential neighborhood will negatively impact our property values and ability to sell our homes should the need arise. We signed the Petition submitted to the P&Z Department titled "Petition to Reject Current Proposal in Favor of Breezy Hill Square." We hope that Rockwall P&Z and the City Council will consider the concerns of the residents of Breezy Hill and surrounding neighborhoods and reject this zoning change/amendment request.

Respondent Information

Please provide your information.

First Name *

Carson & Jennifer

Last Name *

Garvin

Address *

3406 Ridgecross Dr.

City *

Rockwall

State *

TX

Zip Code *

75087

Please check all that apply: *

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

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- ( ) Other: .....

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Z2024-003 amendment to PD-74

Please place a check mark on the appropriate line below: *

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

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

The elite garage will project too much lighting and a gas station will potentially draw the wrong crowd next to our homes.

Respondent Information

Please provide your information.

First Name *

Chance

Last Name *

McMillan

Address *

3446 Ridgecross Drive

City *

Rockwall

State *

Texas

Zip Code *

75087

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
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Z2024-003

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

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

Respondent Information

Please provide your information.

First Name *

David

Last Name *

Parkes

Address *

3718 Drewsbury Dr

City *

Rockwall

State *

TX

Zip Code *

75087

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
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Z2024-003

Please place a check mark on the appropriate line below: *

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

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

Do not approve until intersection of John King and FM 552 is completed. Intersection as exists is dangerous and too small. Construction will make it worse.

Respondent Information

Please provide your information.

First Name *

Francis

Last Name *

Tyminski

Address *

643 Windy Ridge Lane

City *

Rockwall

State *

TX

Zip Code *

75087

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
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Z2024-003

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

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

An elite garage will have too much lighting and a gas station will draw the wrong crowd. The elite garage could also go out of business. What will happen then? An eye sore? Possibly replaced with what?I would also like to not lose my property value because someone wants to slap shitty businesses in a small corner of a road.

Respondent Information

Please provide your information.

First Name *

Maria

Last Name *

McMillan

Address *

3446 Ridgecross Drive

City *

Rockwall

State *

Texas

Zip Code *

75087

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
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Z2024-003

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

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

Respondent Information

Please provide your information.

First Name *

Melissa

Last Name *

Arrambide

Address *

505 Limmerhill Dr.

City *

Rockwall

State *

Texas

Zip Code *

75087

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
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Z2024-003

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

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

Respondent Information

Please provide your information.

First Name *

Michael

Last Name *

Arrambide

Address *

505 Limmerhill Dr

City *

Rockwall

State *

TX

Zip Code *

75087

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
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Z2024-003: amendment to PD-74

Please place a check mark on the appropriate line below: *

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

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

I am against retail area in this residential neighborhood

Respondent Information

Please provide your information.

First Name *

Mohamed

Last Name *

Razik

Address *

801 Calm Crest Drive

City *

Rockwall

State *

TX

Zip Code *

75087

Please check all that apply: *

- [ ] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
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Miller, Ryan

From: Carmela Taylor <ctaylor1216@gmail.com>
Sent: Tuesday, February 20, 2024 2:38 PM
To: Planning
Subject: Case No. Z2024-003: Amendment to PD-74

As a resident of Breezy Hill living on Ridgecross Drive, I am writing to express my concerns regarding the proposed development of NEC John King & 552, LP. Although I knew the zoning was for commercial use, I was told that there would not be a gas station nor a car wash built on the lot. Since there are several gas stations less than a mile away, I see no reason why another gas station is necessary. Not only does a gas station decrease the value of our homes, but there will be more traffic, noise, and the potential of lung, brain and kidney damage due to repeated exposure to gasoline. The car wash also poses a great concern as hearing loss can occur due to the decibel levels omitted in the normal scope of running this business. The high level of decibels will affect nearby residents and our family pets. This is not acceptable for families residing in Breezy Hill. We deserve better as tax paying citizens. Another proposed business that causes concern is the fast food restaurant. According to a report released by the FBI, fast food restaurants are a popular setting for violent crimes. This is definitely not an appropriate business for our family-oriented community. Lastly, the proposed Elite Garages are also quite worrisome. Since there are two other sites where these garages are being constructed in the area, there is no way to determine whether or not they will sell with the intended purpose to the intended demographics. In turn, there is a possibility that these garages will be converted into a warehouse, traditional storage unit, or possibly sit vacant, which in itself can create a whole new slew of issues for the community and county as a whole.

Thank you for taking the time to read my concerns regarding the developer's current proposal. I feel confident that the representatives of Rockwall who strive to ensure that this community is aesthetically pleasing and safe for our families will take my concerns into consideration as you determine the fate of this lot and Breezy Hill.

Regards,
Carmela Taylor
3413 Ridgecross Drive
Rockwall, TX 75087

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CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: CHERYL HEFNER
To: Planning
Subject: Concerns over proposed development at 552 and John King
Date: Tuesday, February 6, 2024 8:16:19 AM

To the Rockwall Planning Commission:

Imagine bright, glaring lights penetrating your peaceful backyards on a summer night. The obnoxious glow of several 20-foot-tall security lights streaming through your bedrooms – every single night of the year, never turning off. Imagine the revving of motorcycles and car engines decked out with retrofitted exhaust systems all hours of the day and night. Man caves in essence, equipped with sophisticated sound systems blaring loud music at all hours, infiltrating the peacefulness one expects in their own backyards. Imagine the potential for creepy men, boozing it up, music blaring, engines roaring trying to get a peek at the teen girls hanging out in one of the backyards that will back up to the car storage facility.

Think about what you would want behind your homes. I believe that not one person on this commission would approve this type of development to be placed in your backyard.

What assurances and protections do the residents of Breezy Hill have to make sure this type of activity doesn't take place – ever? What recourse will the residents have when this goes on day in day out, night after night?

This is a peaceful residential neighborhood, not a light industrial park. You have a duty to protect the small-town nature of Rockwall and the peacefulness of living in such an area. You have a duty to ensure that the homeowners' largest personal investments are not completely ruined because of what backs up to their yards. You have a duty to ensure how that area is developed is in tune with what is wanted and needed by the community that it impacts. You have a duty to uphold your own mission statement: To coordinate and improve the physical development of the City while ensuring the safety and welfare of the community through a combination of quality development review and long range planning that will promote orderly development and compatible uses of land.

Yes, the developer bought the land and has the right to develop it. This is what the residents signed up for when they purchased the homes that are adjacent to the land in question. However, I doubt that any of those residents would have purchased those lots if they knew a car storage facility would abut their fence lines. There needs to be thoughtfulness when considering what is allowed in that space. Day care center – fine. Office space – fine. Medical offices – fine. Gas Station? Not needed considering there are two gas stations one mile away – a mere 3 minutes. Car storage – **not at all**. This is not needed or wanted by the community. There are areas on John King near Airport Road that are zoned for light industrial – it belongs in an area like that, not next to backyards with pools and swing sets.

There is a need, however, for additional local restaurants or a small grocery store, such as a Trader Joes. These types of businesses would benefit the community and be welcomed. Why is a minor automotive repair garage or automobile rental facility or self-service car wash disallowed on that land, but a car storage facility, a full-service car wash and a gas station with 4 pumps are allowed? What is the point of 4 pumps? How about a church on that land, which interestingly is not allowed.

I watched the meeting on January 30th with the developer. I found it interesting that he indicated they had

put a lot of thought into what was going to be built on that land. Really? Car storage for high end cars? That is hardly thoughtful or creative. How about developing that space to be a destination for the residents - local restaurants, shops, groceries. Has anyone driven around Breezy Hill? What high end, luxury vehicles do you see that need a special garage. Where is this clientele coming from? And the developer indicated the residents should be thrilled that the car storage was being proposed because it would be very quiet and peaceful. Who really believes that? He almost said the quiet part out loud - they are essentially man caves, but he thought better of it. When those units are purchased, will the owner be signing a contract that indicates that none of the activities articulated above are allowed? No music, no engine revving, etc.?

The developers don't care about the residential impact of what they are proposing. They care about profit. They don't live in any of the homes impacted. They will never be inundated with the smell of gasoline, by the light and noise pollution of the car storage facility. Their property values won't be impacted. The residents of Breezy Hill must rely on your good judgement to represent them in this matter.

Please do not approve the car storage (in particular) or gas station on this property. Please consider the impacts on the homes that are adjacent to that land. Please consider how you would feel if this were to be in your backyard.

Cheryl Hefner - Breezy Hill Resident
735 Pleasant Breeze Drive

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From: Diallo Shorter
To: Planning
Subject: ZZ024-003: Amendment to PD-74
Date: Friday, January 26, 2024 10:48:07 AM

Hello,

I am opposed to the request for the reasons below.

North John King Blvd and FM 552 is already a busy area with the current traffic that we already have. We are already building 3 new subdivisions with two mile radius.

We have 18 wheelers consistently driving up the two Lane Street. Adding this request will not only cause more confusion, but it will cause more safety hazards for parents dropping off and picking up the children from the Elementary and Middle Schools.

This request will bring in an unneeded amount of people who do not live in the area.

I strongly oppose this request.

Diallo Shorter
3521 Ridgecross Drive
Rockwall, TX 75087
972-400-5507
diallo.shorter@gmail.com

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From:	Ellen Hefner
To:	Planning
Subject:	Proposed Development Plan on John King and 552
Date:	Sunday, January 28, 2024 1:39:32 PM

Hello,

My name is Ellen Smith and I live at 3323 Ridgecross Drive. I am writing to share my concerns with the proposed development on this corner seeing as whatever is put in there will become our backyard view.

We are very concerned with the proposed plan and would like the planning committee to consider striking it down as it doesn't reflect the needs or wants of Rockwall residents. This plan effectively turns our neighborhood into an industrial car park. A gas station, fast food front, car wash, and most concerning, the garages were not what any of us had in mind for that space.

Rockwall is a beautiful town and we are lucky to live in one of the nicest neighborhoods in the area. This will destroy the aesthetic that our neighborhood works so hard to maintain and dramatically drive our property values down. An industrial garage space is not appropriate to place basically inside of a neighborhood.

Myself and many other neighbors have been excited to hear the ideas for this space. We dreamed of having a bakery, nice restaurants with patios, local grocer, etc. An industrial zone was not what any of us anticipated having in our backyards.

To place such an eyesore behind one of the nicest neighborhoods would be such a disappointment. The Rockwall residents are not begging for places to park their cars or a car wash, or *another* gas station (since there are two within a half a mile). They want nice areas to spend time. This is why you see people flocking to the downtown area and you can hardly eat anywhere down there without an hour wait. That is what Rockwall residents are dreaming of! We'd love to see a plan where something like that is going in! Something that is actually of value to our neighborhood and something the people living here will actually use, instead of our neighborhood becoming a trash heap for peoples extra cars.

Say we are ignored and this plan goes through: What if this Elite Garages isn't successful? (By the way, the niceness of the cars inside of the garages is not a selling point to the residents. We care about what we're going to be looking at - the actual structure. Not the cars inside that we'll never see). What if it goes in and their business goes under? Do we then have a storage facility behind us? A business succeeding is never a guarantee. It leaves us with the potential of having some really trashy things in our backyard.

The lighting of a garage is another concern for those of us on Ridgecross. The amount of security and safety lighting isn't conducive to a quiet neighborhood especially since all of the houses on our street have our bedrooms backing up to that space.

We in the neighborhood want to support whatever businesses are joining our neighborhood. The plan was posted in our neighborhood Facebook group and received 54 comments - all comments were negative towards the Elite Garage proposal. No one wants this. The entire neighborhood was so disappointed to see this plan and to know that we're going to waste this

land on something so ugly.

Please reconsider this proposal and consider what Rockwall and Breezy Hill residents want and what we will use our dollars to support. We want places we can go out to with our families. Not car parks.

Thank you,
Ellen Smith

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From: Erika Shorter
To: Planning
Subject: Case # Z2024-003: Amendment to PD-74
Date: Friday, January 26, 2024 10:45:48 AM

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

This is currently a very busy area. To add to this, new housing developments (3, I believe) within a two mile radius of the land listed in the request. This adds to the traffic that will make it difficult to access Rockwall ISD schools in the area. The homes being built in this area will bring thousands of people to the location. Rezoning this property will bring more traffic and with that the likelihood of accidents will increase. We will also open the floodgates for consumers that do not live in the area which will add to the current congestion.

Erika Shorter
3521 Ridgecross Dr, Rockwall, TX 75087
972-400-5503
erikashorter@gmail.com

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Miller, Ryan

From: Genny Sales <gen.sale84@yahoo.com>
Sent: Monday, February 19, 2024 6:15 PM
To: Planning
Subject: Z2024-003

I am not opposed to the development, but I have the following comments and concerns.

1. I'm not sure a confidence store w/ gas station is needed since there are 3 within a mile radius on N. Goliad
2. While I believe there is a need for a full service car wash in the north part of Rockwall, I am concerned about the noise level coming from the dryers.
3. The are so many unknowns on the Elite garages that I am concerned about such as weekly car shows and engine noise from high performance cars.

Thank you,
Genny Sales
3422 Ridgecross Dr.
Rockwall, TX 75087

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From: Gina Celii
To: Planning
Subject: Z2024-003 Amendment to PD-74 NEC John King and 552
Date: Monday, February 12, 2024 3:15:26 PM

To whom it may concern,
I am writing to express my opposition to the proposed zoning change and the PD development plan amending the planned development district 74. The plan that is proposed by the developer with a car wash and the Elite garages, which would be located in the NE corner near the homes on Ridgecross Drive, will create the possibility of loitering, noise and crime. I also do not want to see a gas station that could create a hazard regarding the underground tanks from an accident as well as air pollutants if a fire were to occur.
Thank you,

Gina Celii
930 Colby Bluff Drive
Rockwall, TX 75087

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From: Jason Alcorn
To: Planning
Subject: Case No. Z2024-003 - Amendment to PD74
Date: Sunday, February 11, 2024 11:05:41 AM

My name is Jason Alcorn and I live in Breezy Hill at the following address:

4606 Lorion Dr.
Rockwall, TX 75087

Regarding allowing commercial development on the corner of John King Blvd & FM 552, we are strongly against this.

One of the benefits of both Rockwall itself and, especially the area we live in, is there are quiet neighborhoods without the worry of transients and businesses that do not have our conservative values.

The creation of commercial business around the schools and neighborhoods that exist here create more traffic, create more risk for our children in terms of being able to control what businesses are easily within walking distance from our communities, and come with the possibility of buildings and businesses that do not share our values or standards.

As a member of the community, I do not believe this should be allowed and, if polled, I believe public opinion would be the downsides to this are greater than the positives. Most people here are okay with the 'inconvenience' of having to drive 5-15 minutes to get gas, groceries, and other things to keep the community and John King Blvd. less commercialized than Goliad or I-30.

Thank you.

Jason

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Miller, Ryan

From: Jessica Burgess <jsburgess417@gmail.com>
Sent: Monday, February 12, 2024 11:27 AM
To: Planning
Subject: Opposed to case Z2024-003- Land Use ammendment PD-74

Dear Sir or Ma'am,

I hope this email finds you well. My name is Jessica Burgess, and I am a resident of Breezy Hill. I am writing to express my strong opposition to the proposed zoning change at land at John King Blvd and FM 552 by Michael Twichell of Michael F. Twichell, LP on behalf of Jim Duggan of NEC John King & 552, LP. After careful consideration and assessment of the potential implications, I firmly believe that this change would have detrimental effects on our community.

While I am opposed to so many businesses going into a relatively small area, the proposed "mini warehouse" that the developer is planning for their "Elite Garages" is perhaps the most disturbing. The bright lights, engine revving, music, and similar businesses tout the garages as “man caves” and imply a party atmosphere. This is not what we need backing up to a neighborhood.

Additionally, the distance between TX-66 and FM 552 spans 2.4 miles, with a posted speed limit of 45 mph. However, it's common knowledge that drivers often treat this stretch of road like a drag strip, disregarding the speed limit altogether. Particularly at night, the sounds of vehicles racing down John King Blvd are unmistakable.

Introducing 'luxury garages' to this area would essentially sanction and likely exacerbate this reckless behavior. It would serve as an open invitation for drivers to continue their dangerous activities and would likely lead to an increase in such behavior.

Moreover, the current configuration of the intersection already presents significant visibility issues, particularly with the left turn lanes being inadequately spaced. This has resulted in near head-on collisions on a daily basis, posing a serious threat to the safety of motorists and pedestrians alike. Introducing a change that would attract even more traffic to an already hazardous intersection is simply irresponsible and reckless.

I am deeply troubled by the prospect of heightened foot traffic in the area, should all of these businesses be placed here. The intersection is already prone to congestion, and an influx of pedestrians would only exacerbate the existing challenges. Not only does this pose a risk to pedestrians themselves, but it also adds to the overall chaos and confusion at the intersection.

Another issue that cannot be overlooked is the potential increase in litter and noise pollution. Our neighborhood prides itself on its cleanliness and tranquility, and I fear that the proposed land use change would compromise these qualities. Consequentially, the additional traffic generated by the development would only contribute to noise pollution, further disrupting the peace and quiet of the area.

In light of these concerns, I urge you to reconsider the proposed land use change and explore alternative solutions that prioritize the safety and well-being of our community. It is imperative that we take proactive measures to address the existing challenges at not only that intersection but all of John King Blvd before introducing any further developments that could exacerbate the situation.

Thank you for taking the time to consider my perspective on this matter. I look forward to the public meetings where my neighbors and I can discuss these concerns further and collaborate on finding viable solutions that benefit our community as a whole.

--
Respectfully,

Jessica Burgess
985 Lazy Brooke Dr, Rockwall, 75087
623-221-54692

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Miller, Ryan

From: Jessica Dulick <jessicadulick@gmail.com>
Sent: Tuesday, February 20, 2024 1:35 PM
To: Planning
Subject: Case No. Z2024-003: Amendment to PD-74

To Whom This May Concern –

First, I would like to thank you for giving me the opportunity to express my deep concern for the proposed zoning change and development for NEC John King & 552. While I have always been aware that the land has been zoned for commercial development since purchasing my home on Ridgecross Drive in September 2020, I am truly struggling as a homeowner to find the proposed changes by the developer acceptable in any capacity. To begin with, when I purchased my home in an adjacent lot that directly backs to this parcel of land, I was assured that it was not zoned for a gas station nor a car wash, both of which are now in the plans. Had I been informed that either of these would be remotely possible in the future, I would not have purchased my home…period. It has been proven that gas stations and convenience stores significantly reduce nearby property values and car washes are unsafe to both humans and animals due to their dangerous decibel levels, which can eventually cause hearing loss. Also planned for this parcel of land is a fast-food restaurant. In the past, the FBI released a report that fast food restaurants are in the top ten most popular settings for violent crimes, which I certainly also do not want in my backyard. And, just when I thought the developer's proposal could not get any worse, I quickly learned that I was wrong when I saw the plans for the Elite garages that would directly back up to our homes on Ridgecross Drive. Not only do they look as though they belong in an industrial park, but in researching other "Elite Garages" that have opened in other parts of the country, I quickly learned that they are often used as offsite mancaves for car collectors to host car shows, events, and other gatherings that involve alcohol. While this is convenient for the spouses, families, and neighbors of these car enthusiasts to maintain their peace, quiet, and safety while these events occur away from their neighborhoods, it is wildly unfair to bring that into our backyards. We, too, deserve that right and, as a single female, this would have certainly been another reason that I would not have purchased my home had I known this would be possible. Knowing that Rockwall is a family-oriented community that prides itself on safety, good values, and an ideal place to live and raise families, I truly hope you take my valid concerns into consideration as you decide the fate of Breezy Hill.

Thank you again for your time.

With Regards,

Jessica Dulick

3401 Ridgecross Drive

Rockwall, TX 75087

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From: Joseph Scully
To: Planning
Subject: Regarding Development Case Z2024-003 Amendment to PD-74
Date: Monday, February 12, 2024 4:49:43 PM

Hello,

My name is Joe Scully. My wife and I live at 894 Pleasant View Dr in Rockwall in the Breezy Hill development. I am writing to provide the Planning and Zoning Commission with feedback regarding the proposed development of the property located at the northeast corner of John King Blvd and FM 552.

The development concept that was recently presented to the Commission lacks any planning creativity, ingenuity or forward thinking in suburban commercial land development. Except for the car wash - gas stations, convenience store, day care facilities and professional office options are all within 1/2 mile or less of the planned development.

The Planning and Zoning Commission as well as the City Council have an exceptional opportunity to work with the developer to bring a creative and forward-thinking shop/dine/services concept to fruition for this property unlike anything the City has in place at the moment. The north side of Rockwall is really void of any gathering place other than the downtown. This property could be that new meeting place for the growing population north of 66. There is an expanding captive audience with disposable incomes waiting to be tapped into that will allow for higher visitor frequencies and pull in customers from a wider trade area.

What value does another gas station, convenience store, day care, nail salon, Subway, dentist office concept bring. None in my opinion. They are the default for almost every development commercial corner. The Commission and City should be focused on creating an experiential community-based environment that will attract new and creative retail opportunities in a walkable town square setting. One doesn't have to look far for examples. Cypress Waters in Coppell, although a much larger and complex development, is one where the developer blended shop/dine/services as well as living into a vibrant retail/urban mixed-use development. Old town Coppell is another.

Create Main Street on the North Side. It will take the developer, the Planning Commission, the City Council and citizens to think outside the box, get creative and take this opportunity to create something the City doesn't have but needs and will support. A walkable, town square type shop/dine/services development that will attract new creative retail concepts plus services.

Thanks

Joe Scully

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From: Justine F
To: Planning
Subject: 552 and John King
Date: Thursday, February 8, 2024 12:07:26 PM

Good afternoon,
I am a resident in the Breezy Hill community. I have some concerns about the proposal. We don't not need businesses that will be loud, have bright lights and bring unwanted people to the area.

Elite garages is not a business that is wanted or needed in the area. It is a huge safety concern to our community. Our area is family oriented with 2 very close elementary schools, daycares, and middle school. Looking into what Elite garages propose and what kind on business they run ia not something our community wants or needs.

Please keep our community family oriented and respect the concerns we bring with this proposal.

Our community loves to shop local and support businesses so please take into consideration the other proposal that the Breezy Hill residents came up with. The north side ia growing and we want to keep it safe and keep it growing a positive way.

Thank you,
Justine Petros

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Miller, Ryan

From: Kara Balderas <kbalderas2003@gmail.com>
Sent: Monday, February 19, 2024 5:58 PM
To: Planning
Subject: Z2024-003: Ammendment to PD-74

Good afternoon,

We are opposed to the ability that the approximately 17.3750 acre property located at the northeast corner of the intersection of John King Blvd and FM-552 be granted the ability to change the zoning. John King Boulevard traffic is increasing daily and should continue to be by-pass for the overly used highway 205. Adding a high quantity of businesses that the developer has planned for the property will continue to contribute to the traffic issues and poor road conditions in the City of Rockwall. This particular intersection is extremely busy with the residential, elementary and middle school and large commercial trucks. An additional grocery store, light retail and "mini-warehouses" will only cause additional traffic. Rockwall is losing its "country" feel in which we fell in love with and allowing developers to build a strip mall in residential areas. The mini-warehouses sound like they are more like "apartment" type living spaces rather than office spaces. Not to mention the proposed plans do not appear to add any proper well thought out management of the egress/ingress to the subject property which will be detrimental to the area and could have adverse effects on property values in the area.

Respectfully,

Kara Balderas
4602 Sky Harbor Dr
Rockwall, TX 75087

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From: MARC KNOX
To: Planning; Planning
Cc: Lee, Henry; Miller, Ryan
Subject: Case No. Z2024-003 Amendment to PD-74 (I am opposed to the request for the reasons listed below.)
Date: Tuesday, February 6, 2024 9:13:04 PM

From: Marc and Avril Knox
3418 Ridgecross Drive
Rockwall, TX. 75087

Case No. Z2024-003 Amendment to PD-74

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

- Traffic, increased traffic. You already can't make a left turn in the morning and afternoon from 552 to John KIng because of the school drop-off traffic
- Don't allow construction to even begin without 552 being widened and John King
- Garage would be car shows, loud engines, bright lights.
- Gas station is not needed, there are three gas stations on 205 & 552.
- Development will start with so-called elite stores, then become abandoned; then comes the Riff Raff, trash and extreme traffic issues.
- All businesses within this development should be required to close everyday at 9:00pm and all businesses closed on Sundays
- Tall bright lights for the Garage development will be an issue for homes in the area.
- There is a walking path that leads directly into the neighborhood that will attract undesirables to the neighborhood, then comes the trash on the ground, traffic, car and home break-ins.
- So much noise added with constant traffic, loud car wash, fast food shouting orders and mics, daycare screaming… and it's a non-sensical combo of things. A couple years ago the FBI released a report that fast food restaurants are the eighth most popular setting for violent crimes. Is it the type of fast-food restaurant that would be open 24 hours? Would the car storage facility be open 24 hours?
- A car wash is rated at around 89 dB. These are dangerous decibel levels… Repeated or long exposure to sounds at 85dB or above can cause hearing loss! Car Wash attracts the homeless to shelter there
- This seems to be a very low end type of commercial/retail development that will bring a lot of headaches with noise, traffic, and unwanted activity right in our backyard. And now let's throw in that it will probably have a negative impact on our housing prices in this community as well.
- Couple of random articles…
  https://www.restaurantbusinessonline.com/.../fbi-ranks...
- https://www.foxnews.com/.../shameless-car-thieves...

- 10 Industries That Diminish Property Values The Most: “2. Convenience Store With Gas Station. People will be driving in and out of your intersection, hanging out at the property, and buying lots of lotto tickets, cigarettes, and beer when they gas up. Although handy, these shops do nothing to help property values and hurt them significantly according to Zillow.
- https://ceds.org/gasstation

- Awful plan in the middle of a neighborhood. Decrease in property value coming soon… not neighborhood friendly at all.

NOTE “Breezy Hill Square” type vibe where there are restaurants with patios, maybe some cute shops, open air restaurant / bar, lots of trees: like a good neighborhood square. Just like the development described in the link below.

All businesses within this development should be required to close everyday at 9:00pm and all businesses closed on Sundays

https://thevillageatbrocksgap.com/

https://thevillageatbrocksgap.com/

Thank You,

Marc and Avril Knox
3418 Ridgecross Drive
Rockwall, TX. 75087

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From:	Nate Burgess
To:	Planning
Cc:	Jessica Burgess
Subject:	Resident Comments - Case Number Z2024-003: Amendment to PD-74
Date:	Sunday, January 28, 2024 12:25:05 PM

Sir or Ma'am,

As residents of the Breezy Hill Subdivision, my wife and I feel very strongly that this rezoning should not proceed. We moved here from the Washington, D.C. area in 2021 and one of the many things we appreciate about Rockwall is its safety. However, since moving here Rockwall has continually grown in population. That growth has brought a considerable increase in vehicle traffic without commensurate traffic control measures such as the addition of traffic lights, road surface improvement, and reconsideration of speed limits. Since moving here my wife's car was totaled in a traffic accident on John King Boulevard and my vehicle was struck by a hit-and-run driver at the intersection of John King Boulevard and FM 552 - the very location where you are considering rezoning for commercial property.

Your plans are very clear about the types of commercial properties you intend to add should the rezoning go forward. However, there is no discussion of what will be done to safely manage the inevitable increase in traffic the new businesses will bring to the intersection. Due to the negative safety implications such rezoning would have on my family and neighbors I simply cannot condone this amendment. Thank you for considering my stance on this issue.

--
Respectfully,

Nate Burgess
985 Lazy Brooke Drive
Rockwall, TX 75087

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Lee, Henry

From: Whitley Rothe <whitleyrothe@gmail.com>
Sent: Friday, January 26, 2024 8:48 AM
To: Planning
Subject: Case No Z2024-003 Amendment to PD-74

Good morning,

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

- Opposed specifically to car wash, fast food and convenience store/gas station. This is already a high traffic intersection, packing this corner with a variety of retail will worsen problems making the intersection even more dangerous. There are no protected arrows to turn onto 552 from John King, leaving those traveling to Hays Elementary, Williams Middle School and several daycares at risk for traffic accidents; especially considering how many will be entering and exiting the intersection if there is a car wash, fast food and convenience store. Given the future plans for Rockwall ISD in this area, I can only imagine how much worse this area will get. Not to mention the amount of cement trucks, 18-wheelers and others that speed down John King on a daily basis with no patrol, honking at those turning into Breezy Hill.
- Too much development for one corner. There are 2 gas stations a half mile away, a gas station is not necessary. There is not one corner on this side of Rockwall that has a variety of this much of development, it's simply ridiculous to pack this much into one corner, at a terrible intersection with low visibility.
- Negative impact on home value for those living on Ridgecross. Homes backing to commercial/retail, especially that of fast food, gas station/convenience store. This development is simply too close to homes with clearly visible views of such.
- No greenbelt to block the view of development. Stone Creek has wide greenbelts to protect the views of CVS and even a good amount of separation from McDonalds, Salad and Go, etc. Developing on this plot of land with little/no barrier is simply unacceptable. Large/tall/thick trees and shrubbery should certainly be added to the proposal to block any possible noise/view.
- Lastly, rodents and rats will certainly increase with this type of development. We saw the negative impact this had in Allen, where we previously lived. Building fast food, convenience store/gas station, will certainly attract such and it will be left to the Breezy Hill homeowners to deal with.

Thank you,

Whitley & Kris Rothe
890 Pleasant View Dr, Breezy Hill

--
Whitley Rothe
936.661.5513

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...nt View Dr Rockwall

(d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in ...ative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 ...ea of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed ...0 feet from that area.

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

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

Ryan Miller
Rockwall Planning + ...
385 S Goliad St
Rockwall, Tx 75087

Exhibit 'A':
Legal Description

Being, a tract of land situated in the T.R. Bailey Survey, Abstract No. 30 in the City of Rockwall, Rockwall County, Texas being out of a 405.184 acre tract, as described in Clerks File No. 2007-00375392 in the Deed Records of Rockwall County, Texas and being more particularly described as follows:

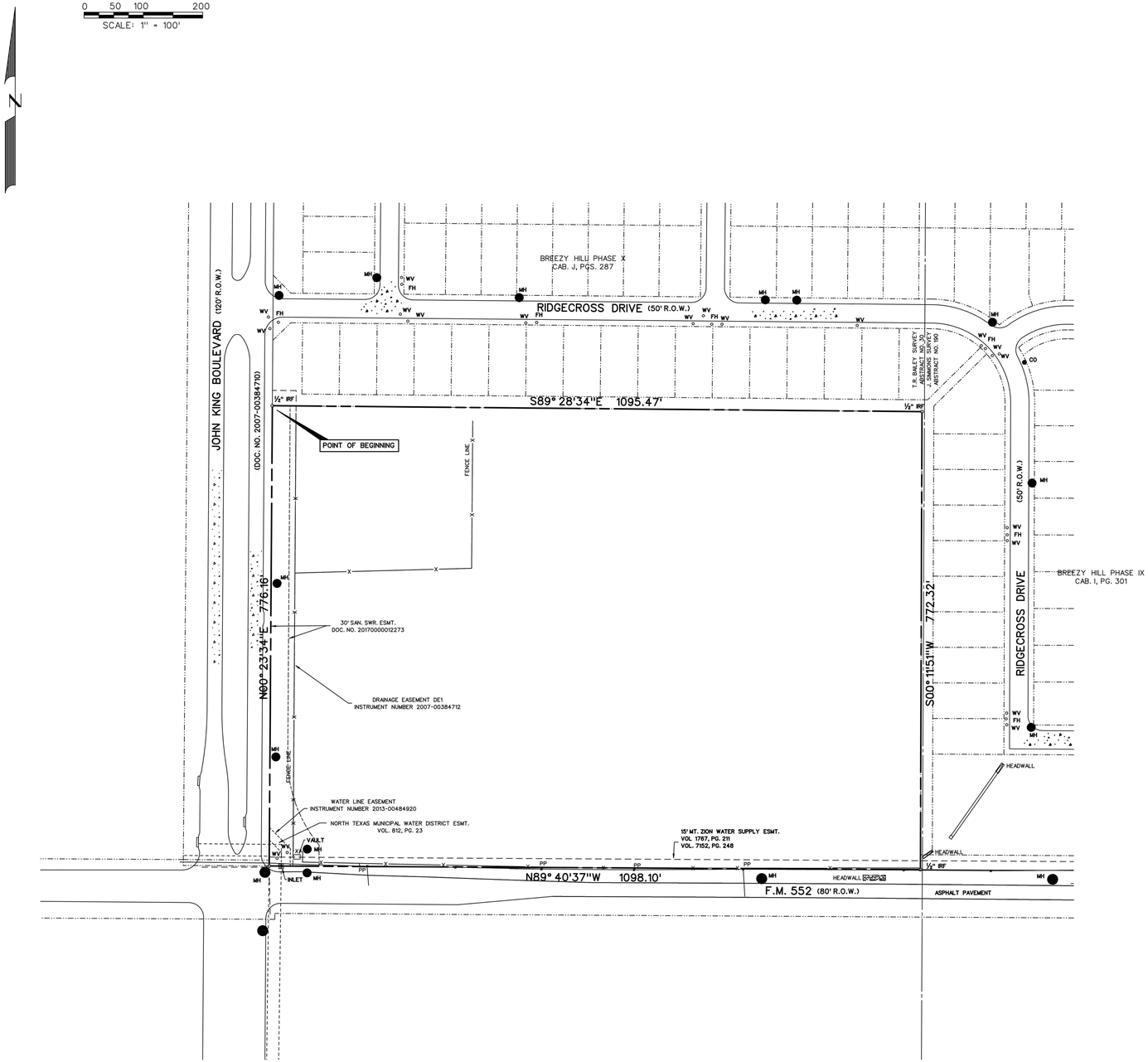
BEGINNING, at a ½ inch iron rod found at the southwest corner of Breezy Hill Phase X, an addition to the City of Rockwall, as described in Cab. J, Pg. 287 in the Plat Records of Rockwall County, Texas, being in the east line of John King Boulevard (120' R.O.W.), as described in Doc. No. 2007-00384710 in said Deed Records:

THENCE, South 89° 28'34" East, along the south line of said Breezy Hill Phase X, at 1055.92 feet, passing a southeast corner of said Breezy Hill Phase X also being the most westerly southwest corner of Breezy Hill Phase IX, an addition to City of Rockwall, as described in Cab. I, Pg. 301, in said Plat Records, and continuing for a total distance of 1095.47 feet, to a ½ inch iron rod found:

THENCE, South 00° 11'51" West, along the east line of said Breezy Hill Phase IX, for a distance of 772.32 feet, to a ½ inch iron rod found at the southwest corner of said Breezy Hill Phase IX, being in the north line of F.M. 552 (80' R.O.W.) and being in the south line of said 405.184 acre tract:

THENCE, North 89° 40'37" West, along the south line of said 405.184 acre tract and with said north line, for a distance of 1098.10 feet, to a ½ inch iron rod set at most southerly southwest corner of said 405.184 acre tract, being in the east line of John King Boulevard:

THENCE, North 00° 23'34" East, departing the north line of said F.M. 552 and along the east line of said John King Boulevard, for a distance of 776.16 feet, to the POINT of BEGINNING and containing 19.494 acres of land.



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SURVEYORS CERTIFICATE

I do hereby certify that a survey was made on the ground under my supervision in May 2018, and that this map correctly represents the facts found at the time of survey and that this professional service conforms to the current Texas Society of Professional Land Surveyors Standards and Specifications for Category 1A, Condition II Survey.

FOR REVIEW PURPOSES ONLY

Warren L. Corwin
Registered Professional Land Surveyor
No. 4621

Date

NOTES:

1. ½" IRON RODS WITH YELLOW "CORWIN ENGR. INC." CAPS SET AT ALL CORNERS UNLESS OTHERWISE INDICATED
2. BEARINGS ARE REFERENCED A 405.184 ACRE TRACT, AS DESCRIBED IN CLERKS FILE NO. 2007-00375392, IN THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS
3. IRF - IRON ROD FOUND
   CM - CONTROLLING MONUMENT
   PP - POWER POLE
   MH - MANHOLE
   CO - CLEANOUT
   WV - WATER VALVE
   -X- - FENCE LINE
   -P- - POWER LINE
4. COPYRIGHT © CORWIN ENGINEERING, INC. ALL RIGHTS RESERVED
5. THE FOLLOWING EASEMENTS DO NOT AFFECT SUBJECT TRACT:
   - TEXAS POWER & LIGHT CO. EASEMENT DATED JAN. 3, 1949, VOL. 45, PG. 343

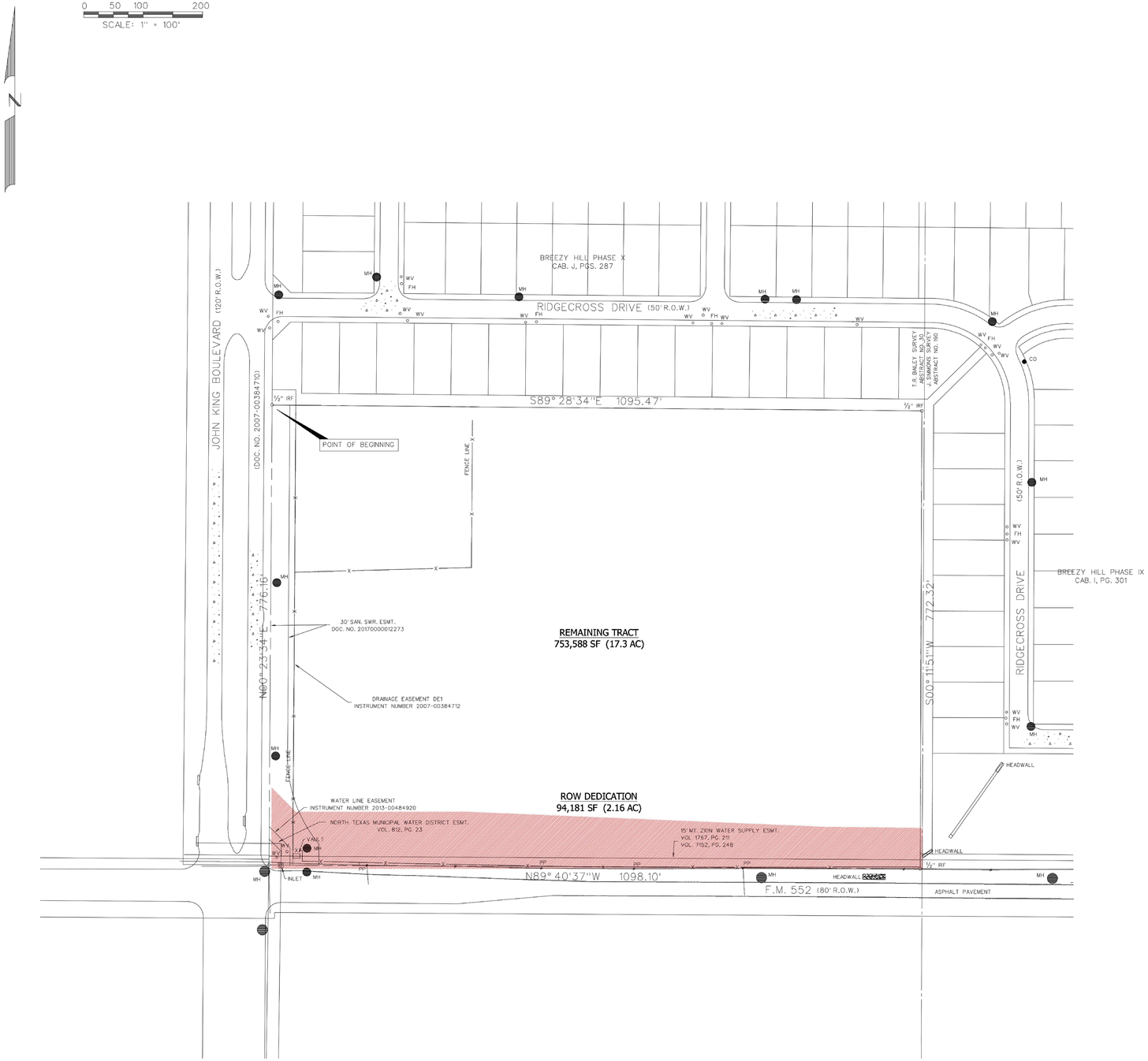
BOUNDARY SURVEY
OF
19.494 ACRE TRACT
OUT OF THE
T.R. BAILEY SURVEY ABSTRACT NO. 30
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

JULY 2018 SCALE: 1"=100'

EXHIBIT B

NEC F.M. 552 & JOHN KING BLVD
T.R. BAILEY SURVEY ABSTRACT NO.30
ROCKWALL, TEXAS



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FOR REVIEW PURPOSES ONLY

Warren L. Corwin
Registered Professional Land Surveyor
No. 4621

Date

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BOUNDARY SURVEY
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PREPARED BY
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200 W. BELMONT, SUITE E
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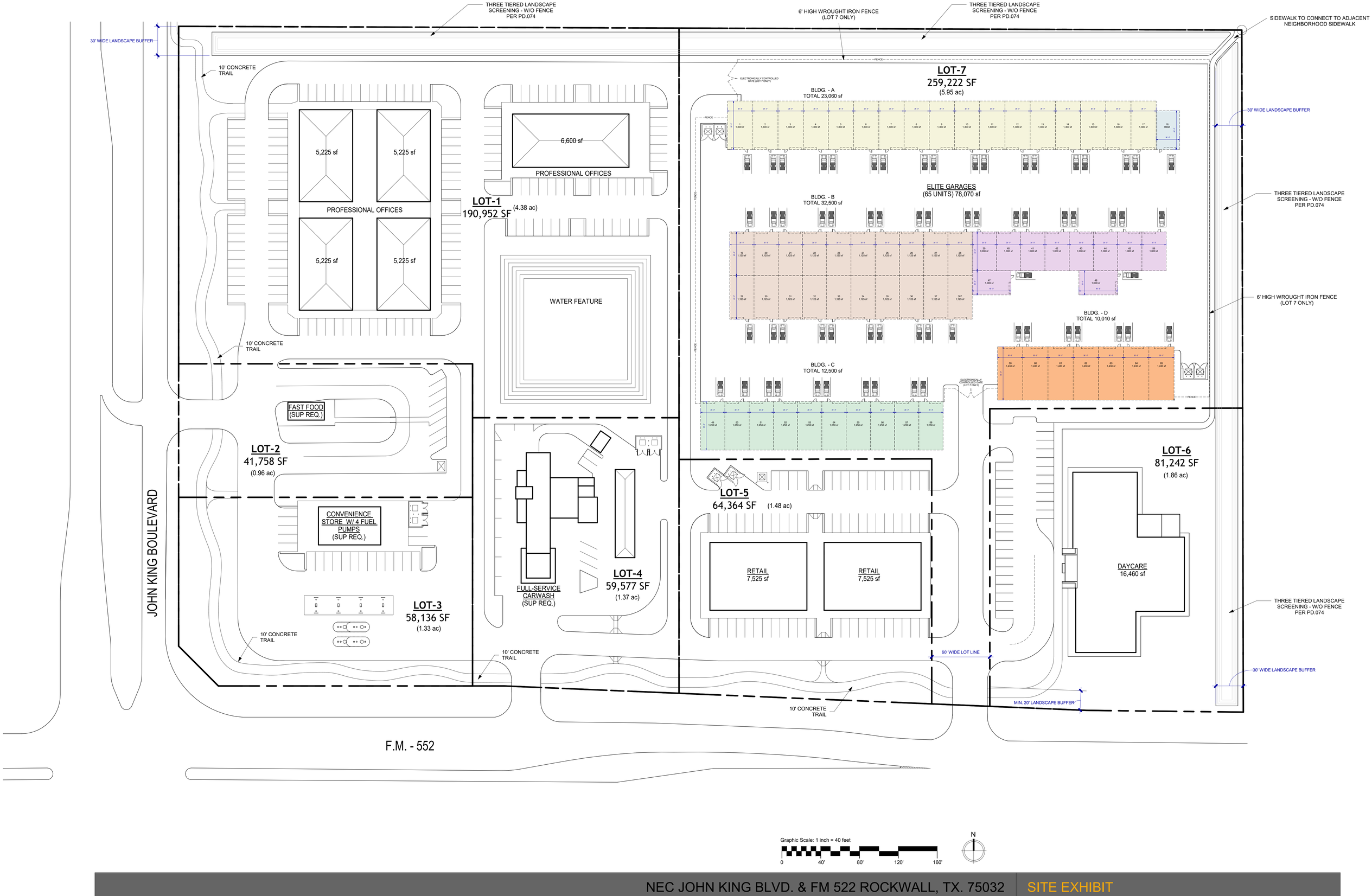
JULY 2018 SCALE: 1"=100'

EXHIBIT C

NEC F.M. 552 & JOHN KING BLVD
T.R. BAILEY SURVEY ABSTRACT NO.30
ROCKWALL, TEXAS



NEC JOHN KING BLVD. & FM 522 ROCKWALL, TX. 75032 | SITE EXHIBIT

EXHIBIT G - PROFESSIONAL OFFICE

EXHIBIT G - PROFESSIONAL OFFICE

EXHIBIT G - PROFESSIONAL OFFICE

EXHIBIT G - PROFESSIONAL OFFICE

EXHIBIT H - ELITE GARAGES

EXHIBIT H - ELITE GARAGES

EXHIBIT H - ELITE GARAGES

EXHIBIT H - ELITE GARAGES

EXHIBIT H - ELITE GARAGES

EXHIBIT J - DAYCARE CENTER

EXHIBIT J - DAYCARE CENTER

EXHIBIT J - DAYCARE CENTER

EXHIBIT K - RETAIL

EXHIBIT K - RETAIL

EXHIBIT K - RETAIL

CITY OF ROCKWALL

ORDINANCE NO. 17-60

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 74 (PD-74) [*ORDINANCE NO. 16-59*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING THE PLANNED DEVELOPMENT CONCEPT PLAN AND THE DEVELOPMENT STANDARDS APPROVED WITH ORDINANCE NO. 16-59, BEING A 405.184-ACRE TRACT OF LAND SITUATED IN THE J. STRICKLAND SURVEY, ABSTRACT NO. 187, T. R. BAILEY SURVEY, ABSTRACT NO. 30 AND THE J. SIMMONS SURVEY, ABSTRACT NO. 190, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A'; 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 the John Arnold of the Skorburg Company on behalf of Breezy Hill 405, LTD for an amendment to the Planned Development Concept Plan and Development Standards contained within Planned Development District 74 (PD-74) [*specifically contained within Ordinance No. 16-59*] and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, for a 405.184-acre tract of land situated in the J. Strickland Survey, Abstract No. 187, T. R. Bailey Survey, Abstract No. 30 and the J. Simmons Survey, Abstract No. 190, Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 74 [*Ordinance No. 16-59*] and the Unified Development Code [*Ordinance No. 04-38*] 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. 16-59*;

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. 04-38*] 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 *Planned Development 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 *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 a master parks and open space plan for the Property, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan*, (*Open Space Master Plan*) shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

Section 6. That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

(a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance (*including Subsections 5(b) through 5(f) below*), shall be the exclusive procedures applicable to the subdivision and platting of the Property.

(b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for an *Open Space Master Plan* in accordance with the time period specified in Section 212.009 of the Texas Local Government Code.

1. Open Space Master Plan
2. Master plat
3. PD development plans (*required for retail areas only*)
4. PD site plans
5. Preliminary plats
6. Final plats

(c) A Master Plat application covering all of the *Subject Property*, other than the area designated on the *Planned Development Concept Plan* as *Retail*, shall be submitted and shall identify each phase of development. No master plat application shall be approved until the *Open Space Master Plan* for all of the Property has been approved; however, the *Open Space Master Plan* may be processed by the City concurrently with the master plat application.

(d) A *PD Development Plan* must be approved for the area designated on the Concept Plan as *Retail* prior to submittal of a *PD Site Plan* application and/or a preliminary plat application. No master plat is required for the area designated on the Concept Plan as *Retail*. A traffic impact analysis for the retail tract shall be submitted with the *PD Development Plan* to determine the extent and timing of any recommended facilities and/or improvements to the surrounding roadway network. The traffic impact analysis may be updated with each *PD Site Plan* for the retail tract.

(e) A preliminary plat application shall be submitted for each phase of residential development. A *PD Site* Plan application, including a site plan application for improvements for parkland or trails, may be processed by the City concurrently with a preliminary plat application for that phase of the development.

(f) A *Capital Facilities Agreement* in the form of *Exhibit 'D',* attached hereto and incorporated herein by reference as *Exhibit 'D',* shall be executed by Developer providing for delivery of adequate public facilities and services within the District.

Section 7. 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 8. 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, 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 9. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or 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 (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 10. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF NOVEMBER, 2017.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: October 16, 2017

2nd Reading: November 6, 2017

Exhibit 'A':
Legal Description

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN PARTS OF THE J. STRICKLAND SURVEY, ABSTRACT NUMBER 187, T. R. BAILEY SURVEY, ABSTRACT NUMBER 30 AND THE J. SIMMONS SURVEY, ABSTRACT NUMBER 190 OF ROCKWALL COUNTY, AND BEING THAT TRACT OF LAND CONVEYED TO W.W. CARUTH, JR. ACCORDING TO THE DOCUMENT FILED OF RECORD IN VOLUME 66, PAGE 493, DEED RECORDS OF ROCKWALL COUNTY, TEXAS (D.R.R.C.T.) ALSO A PORTION OF THE J. STRICKLAND SURVEY, ABSTRACT 794•3 LYING IN COLLIN COUNTY, TEXAS, THAT TRACT OF LAND CONVEYED TO MABEL CARUTH ACCORDING TO THE FILE OF RECORD IN COUNTY CLERK FILE NUMBER 92-0054539 OF COLLIN COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND AT THE BASE OF A CORNER POST, SAID IRON ROD BEING THE SOUTHWEST CORNER OF A 1RACT OF LAND DESCRIBED IN DEED TO DONG WON KANG RECORDED IN VOLUME 4703, PAGE 1402, D.R.R.C.T., AND SAME (BEING THE SOUTHEAST CORNER OF SAID TRACT "ONE" AS SHOWN HEREON;

THENCE NORTH 89°21'28" EAST, A DISTANCE OF 2077.92 FEET TO A 1/2" IRON ROD FOUND FOR A CORNER OF THIS TRACT;

THENCE SOUTH 00°01'37" EAST, GENERALLY ALONG THE CENTER OF A GRAVEL ROAD, A DISTANCE OF 1274.60 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE SOUTH 89°19'07" EAST, GENERALLY ALONG THE CENTER OF A GRAVEL ROAD, A DISTANCE OF 686.18 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE SOUTH 00'42'37" EAST, ALONG THE CENTER OF BREEZY HILLS ROAD, A DISTANCE OF 4777.93 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER IN THE NORTH LINE OF F.M. HIGHWAY 552, FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 89°20'36" WEST, ALONG THE NORTH LINE OF SAID F.M. HIGHWAY, A DISTANCE OF 1887.13 FEET, TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER IN A ENTRYWAY OF A RANCH ROAD, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 00°31'43" WEST, GENERALLY ALONG THE CENTER OF SAID RANCH ROAD, PASSING AT A DISTANCE OF 10.00 FEET A 1/2" IRON ROD FOUND ON THE WEST LINE OF THIS TRACT AND CONTINUING A TOTAL DISTANCE OF J593.55 FEET TO A S/S" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE SOUTH S9°15'47" WEST, A DISTANCE OF S03.29 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE NORTH 01"31'06" WEST, A DISTANCE OF 1189.10 FEET TO A 5/8" IRON ROD FOUND AT THE BASE OF A CORNER POST, FOR A CORNER OF THIS TRACT;

THENCE SOUTH 88°05'58" WEST, A DISTANCE OF 1546.66 FEET TO A 3/8" IRON ROD

Exhibit 'A':
Legal Description

FOUND FOR A CORNER OF THIS TRACT;

THENCE NORTH 00°47'14" WEST, A DISTANCE OF 1067.53 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE NORTH 88°33'50" E, A DISTANCE OF 748.00 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE NORTH 00°45'11" W, A DISTANCE OF 2243.67 FEET TO A 5/S" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE NORTH 89°21'28" E, A DISTANCE OF 754.93 FEET TO THE POINT OF BEGINNING, AND CONTAINING 405.184 ACRES OF LAND, MORE OR LESS.

Exhibit 'B':
Concept Plan

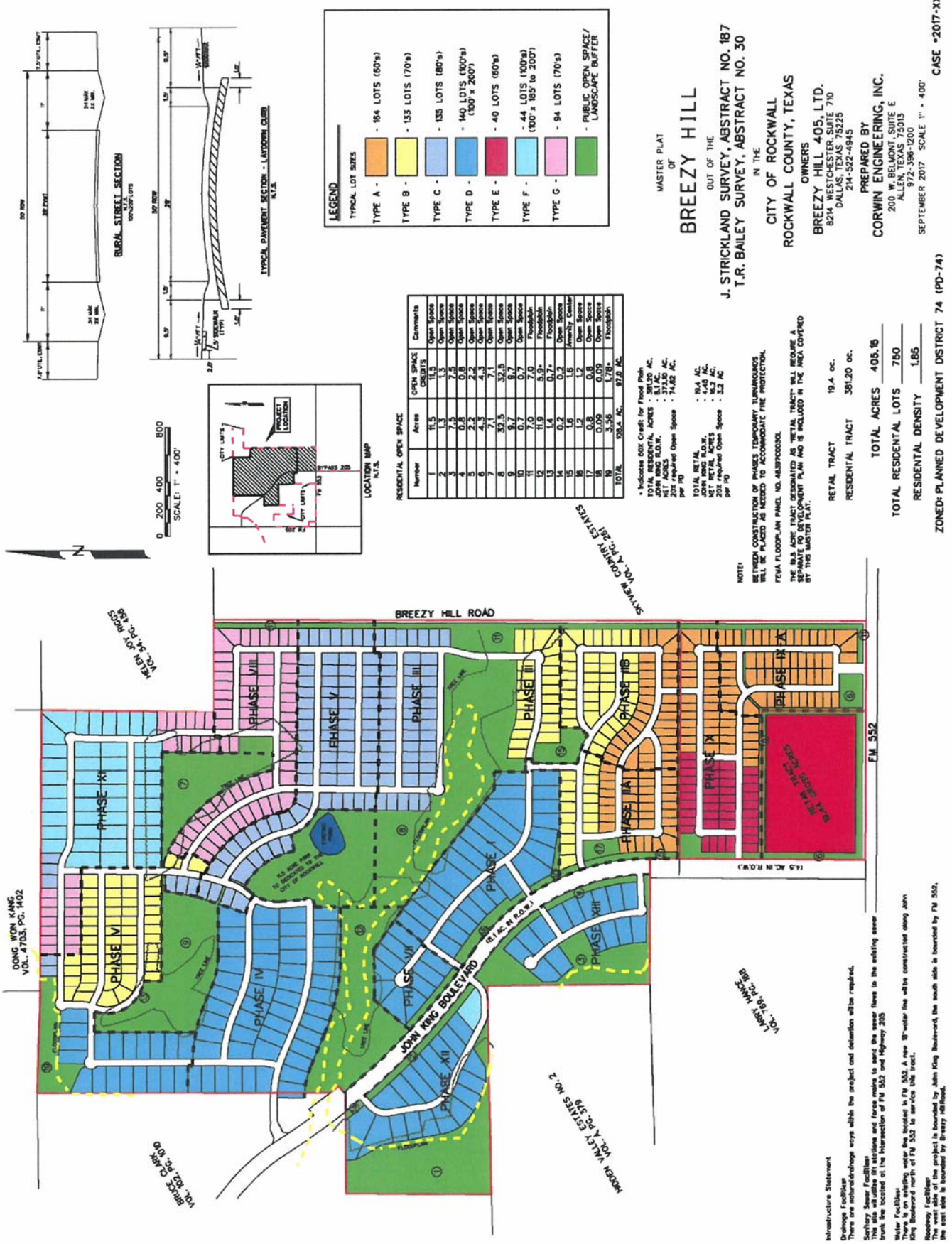


Exhibit 'C':
PD Development Standards

A. GENERAL REQUIREMENTS

1. *Uses Allowed.* The following uses are permitted for the Property.

   a. *Residential uses*. Uses permitted of right or by Specific Use Permit (SUP) for the Single Family 10 (SF-10) District, as set forth in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance 04-38*], shall be allowed for areas designated as single-family on the *Concept Plan*, subject to approval of a Specific Use Permit (SUP) if required by the Single Family 10 (SF-10) District regulations.

   b. *Non-residential uses*. Non-residential uses shall be allowed only within the area designated as retail on the approved *Concept Plan* for the district, and are limited to those uses permitted of right or by special use permit for the General Retail (GR) District subject to approval of a *PD Development Plan* and *PD Site Plan* in accordance with the Planned Development District regulations contained in Section 2 of Article X, *Planned Development Regulations*. of the Unified Development Code [*Ordinance No. 04-38*], and subject to approval of a Specific Use Permit (SUP) if required by the General Retail (GR) District regulations; provided, however, that the following uses are expressly prohibited:

   - ☑ Animal Hospital, Clinic
   - ☑ Convent or Monastery
   - ☑ Hotel or Motel
   - ☑ Hotel, Residence
   - ☑ Cemetery/Mausoleum
   - ☑ Mortuary of Funeral Chapel
   - ☑ Social Service Provider
   - ☑ Billiard Parlor or Pool Hall
   - ☑ Carnival, Circus, or Amusement Ride
   - ☑ Commercial Amusement/Recreation (Outside)
   - ☑ Gun Club, Skeet or Target Range (indoor)
   - ☑ Astrologer, Hypnotist, or Psychic Art and Science
   - ☑ Garden Supply/Plant Nursery
   - ☑ Night Club, Discotheque, or Dance Hall
   - ☑ Secondhand Dealer
   - ☑ Car Wash, Self Service*
   - ☑ Service Station*
   - ☑ Mining and Extraction (Sand, Gravel, Oil & other)
   - ☑ Helipad
   - ☑ Railroad Yard or Shop
   - ☑ Transit Passenger Facility

   ** Not including a convenience store with an accessory car wash use or more than four (4) gas pumps, which accessory uses are permitted by SUP.*

   The following additional use shall be permitted of right in the PD District:

   - ☑ Grocery Store with a maximum building area of one hundred and thirty thousand (130,000) square feet.

   c. *Design of Non-Residential Uses.* The retail area shall be designed to be pedestrian-oriented and easily accessible to adjacent residential neighborhoods. Additionally, the retail area shall be designed and constructed to be integrated with adjacent uses, not separated from them by screening walls or other physical barriers. This will be accomplished by creating paths from adjacent development into the retail area and through the use of landscaping buffers, building design and other urban design elements to create compatibility with the surrounding residential neighborhood.

d. *Density and Lot Composition*. No more than 750 single-family residential dwelling units may be constructed within the *Subject Property*. The single-family residential units shall be allocated by product type in accordance with the following table:

Table 1: Lot Composition

Lot Type	Lot Size Minimum	Lot SF Minimum	Driveway Access	Total Units	Total Dwelling Units (%)
A	60' x 120'	7,200	Front	164	21.86%
B	70' x 120'	8,400	Front	131	17.46%
C	80' x 125'	10,000	Front	137	18.27%
D	100' x 200'	20,000	Front	140	18.67%
E	60' x 120'	7,200	Front	40	05.34%
F	100' x 180'	18,000	Front	44	05.87%
G	70' x 120'	8,400	Front	94	12.53%
AVERAGE LOT SIZE:		**10,000**			
			MAXIMUM ALLOWED TOTAL UNITS:	750	**100%**

2. *Development Standards Applicable*. Except as may be modified by these *Development Standards*, residential uses shall be subject to the development standards for a Single Family 10 (SF-10) District, as set forth in Section 3.4 of Article V, *District Development Standards*, Unified Development Code [*Ordinance No. 04-38*]; to the development standards in the SH-205 Bypass Overlay (205 BY-OV) District; and to all supplemental standards contained in the Unified Development Code [*Ordinance No. 04-38*].

B. SPECIAL DEVELOPMENT STANDARDS

1. *Dimensional Standards for Residential Uses.*

Table 2: Lot Type Matrix

Lot Types	A	B	C	D	E	F	G
Maximum Building Height	36'	36'	36'	36'	36'	36'	36'
Minimum Air Conditioned Square Footage	2,200	2,400	2,600 [2]	3,000	2,200	3,000	2,400
Minimum Front Yard Building Setback	20' [4]	20'	20'	40' [3]	20' [4]	40' [3]	20'
Minimum Rear Yard Building Setback	10'	10'	15'	15'	10'	15'	10'
Minimum Side Yard (*Interior*)	5'	5'	6'	7'	5'	7'	5'
Minimum Side Yard Adjacent to a Street	15'	15'	15'	15'	15'	15'	15'
Minimum Distance of Driveway (*from Property Line*)	20'	20'	20'	40'	20'	40'	20'
Minimum Lot Area (*Square Feet*)	7,200	8,400	10,000	20,000	7,200	18,000	8,400
Minimum Lot Frontage [1]	60'	70'	80'	100'	60'	100'	70'

Notes:

[1]: *Lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by twenty percent (20%) in lot width measured at the front property line provided that the lot width will be met at the front building line. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to 10 percent (10%) but shall meet the minimum lot size for each lot type as referenced within Table 1.*

[2]: *A maximum of 20% of the lots may have homes not less than 2,500 sq. ft.*

[3]: *The Director of Planning or his designee may grant a reduction in the required 40-foot front yard building setback of up to five (5) feet for lots situated along cul-de-sacs or curvilinear streets, or where a 40-foot front yard building setback would create an undue hardship on the property.*

[4]: *Front porch may encroach to within 10-feet of the front property line on Lot Types 'A', 'B', 'C' & 'E'.*

2. *Development Standards for Residential Uses by Lot Product/Type*

a. *Detached Single Family Lot Type A*

Development Standards	
Minimum Lot Size	7,200 SF
Minimum Lot Width (@ Front Building Line)	60'
Minimum Lot Depth	110'
Minimum Lot Width (Corner Lot)	65'
Minimum Side Yard Setback	5'
Minimum Front Yard Building Setback	20'
Minimum Rear Yard Building Setback	10'
Minimum Air Conditioned Square Footage	2,200 SF
Minimum Roof Pitch	8:12 Except for 4:12 on Porch Roofs
Minimum Masonry Requirement [*Brick, Stone, Cultured Stone, 3-Part Stucco*]	80%
Garage Orientation	Garages will be allowed to have the garage accessed from the street using traditional "swing" or "J" drive. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 33% of Type 'A' lots shall have 3-car garages.
Maximum Lot Coverage	65%

b. *Detached Single Family Lot Type B*

Development Standards	
Minimum Lot Size	8,400 SF
Minimum Lot Width (@ Front Building Line)	70'
Minimum Lot Depth	120'
Minimum Lot Width (Corner Lot)	75'
Minimum Side Yard Setback	5'
Minimum Front Yard Building Setback	20'
Minimum Rear Yard Building Setback	10'
Minimum Air Conditioned Square Footage	2,400 SF
Minimum Roof Pitch	8:12 Except for 4:12 on Porch Roofs
Minimum Masonry Requirement [*Brick, Stone, Cultured Stone, 3-Part Stucco*]	80%
Garage Orientation	Garages will be allowed to have the garage accessed from the street using traditional "swing" or "J" drives. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 33% of Type 'B' lots shall have 3 car garages.
Maximum Lot Coverage	65%

c. *Detached Single Family Lot Type C*

Development Standards	
Minimum Lot Size	10,000 SF
Minimum Lot Width (@ Front Building Line)	80'
Minimum Lot Depth	125'
Minimum Lot Width (Corner Lot)	85'
Minimum Side Yard Setback	6'
Minimum Front Yard Building Setback	20'
Minimum Rear Yard Building Setback	15'
Minimum Air Conditioned Square Footage	2,600 SF [1]
Minimum Roof Pitch	8:12 Except for 4:12 on Porch Roofs
Minimum Masonry Requirement [*Brick, Stone, Cultured Stone, 3-Part Stucco*]	80%
Garage Orientation	Traditional "swing" or "J" drive required. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 80% of Type 'C' lots shall have 3 car garages.
Maximum Lot Coverage	65%

Notes:
[1]: *A maximum of 20% of the lots may have homes not less than 2,500 sq. ft.*

d. *Detached Single Family Lot Type D*

Development Standards	
Minimum Lot Size	20,000 SF
Minimum Lot Width (@ Front Building Line)	100'
Minimum Lot Depth	175'
Minimum Lot Width (Corner Lot)	100'
Minimum Side Yard Setback	7'
Minimum Front Yard Building Setback	40' [1]
Minimum Rear Yard Building Setback	15'
Minimum Air Conditioned Square Footage	3,000 SF
Minimum Roof Pitch	8:12 Except for 4:12 on Porch Roofs
Minimum Masonry Requirement [*Brick, Stone, Cultured Stone, 3-Part Stucco*]	80%
Garage Orientation	Traditional "swing" or "J" drive required. Single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. 80% of Type D lots shall have a minimum of 3 car garages.
Maximum Lot Coverage	70%

Notes:
[1]: *The Director of Planning or his designee may grant a reduction in the required 40-foot front yard building setback of up to five (5) feet for lots situated along cul-de-sacs or curvilinear streets, or where a 40-foot front yard building setback would create an undue hardship on the property.*

e. Detached Single Family Lot Type E

Development Standards	
Minimum Lot Size	7,200 SF
Minimum Lot Width (@ Front Building Line)	60'
Minimum Lot Depth	110'
Minimum Lot Width (Corner Lot)	65'
Minimum Side Yard Setback	5'
Minimum Front Yard Building Setback	20' (Front porch may encroach to within 10-feet of the front property line) [1]
Minimum Rear Yard Building Setback	10'
Minimum Air Conditioned Square Footage	2,200 SF
Minimum Roof Pitch	8:12 Except for 4:12 on Porch Roofs
Minimum Masonry Requirement [Brick, Stone, Cultured Stone, 3-Part Stucco]	80%
Garage Orientation [1]	Up to 50% of garages will be allowed to be accessed from the street in a front entry format (i.e. facing the street even with the front façade of the primary structure); however, a minimum driveway length of 20-feet must be provided. The remaining garages will be in a "traditional swing" or "j-swing" format or have a garage door that is a minimum of 20-feet behind the front façade of the primary structure.
Maximum Lot Coverage	65%

Notes:
[1]: No two adjacent lots on the same side of the street may have front entry only garages facing the street.

f. *Detached Single Family Lot Type F*

Development Standards	
Minimum Lot Size	20,000 SF
Minimum Lot Width (@ Front Building Line)	100'
Minimum Lot Depth	180'
Minimum Lot Width (Corner Lot)	100'
Minimum Side Yard Setback	7'
Minimum Front Yard Building Setback	40' [1]
Minimum Rear Yard Building Setback	15'
Minimum Air Conditioned Square Footage	3,000 SF
Minimum Roof Pitch	8:12 Except for 4:12 on Porch Roofs
Minimum Masonry Requirement [*Brick, Stone, Cultured Stone, 3-Part Stucco*]	80%
Garage Orientation	Traditional "swing" or "J" drive required. Single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. 80% of Type D lots shall have a minimum of 3 car garages.
Maximum Lot Coverage	70%

Notes:
[1]: The Director of Planning or his designee may grant a reduction in the required 40-foot front yard building setback of up to five (5) feet for lots situated along cul-de-sacs or curvilinear streets, or where a 40-foot front yard building setback would create an undue hardship on the property.

g. *Detached Single Family Lot Type G*

Development Standards	
Minimum Lot Size	8,400 SF
Minimum Lot Width (@ Front Building Line)	70'
Minimum Lot Depth	120'
Minimum Lot Width (Corner Lot)	75'
Minimum Side Yard Setback	5'
Minimum Front Yard Building Setback	20'
Minimum Rear Yard Building Setback	10'
Minimum Air Conditioned Square Footage	2,400 SF
Minimum Roof Pitch	8:12 Except for 4:12 on Porch Roofs
Minimum Masonry Requirement [*Brick, Stone, Cultured Stone, 3-Part Stucco*]	80%
Garage Orientation	Up to 50% of garages will be allowed to be accessed from the street in a front entry format (i.e. facing the street even with the front façade of the primary structure); however, a minimum driveway length of 20-feet must be provided. The remaining garages will be in a "traditional swing" or "j-swing" format or have a garage door that is a minimum of 20-feet behind the front façade of the primary structure.
Maximum Lot Coverage	65%

3. *Fencing.* All individual residential fencing for lots less than 20,000 square feet shall be cedar standard fencing material (minimum ½" thickness) or better (spruce fencing will not be allowed). All cedar pickets shall be placed on the "public side" facing the street, alley or neighboring property. Lots containing 20,000 sq. ft., lots located along perimeter roadways, and lots abutting open spaces, greenbelts and parks shall be required to install tubular steel fencing. Corner lot fencing (adjacent to the street) shall provide masonry columns at forty-five feet (45') off center spacing that begins at the rear property line corner and terminates ten feet (10') behind the front yard building setback line. A maximum six (6') foot solid board on board "panel" cedar fencing shall be allowed between the masonry columns along the side and/or rear yard lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five feet (5'). The property owner shall maintain that portion of the property outside the fence.
4. *Anti-Monotony Features.* Lot types shall incorporate the following elevation features.

Table 3 : Anti-Monotony Matrix

Lot Type	Lot Size (Approx.)	Elevation Features
A	60' x 120'	i., ii., iii.
B	70' x 120'	i., ii., iii.
C	80' x 125'	i., ii., iii.
D	100' x 200'	i., ii., iii.
E	60' x 120'	i., ii.
F	100' x 180'	i., ii., iii.
G	70' x 120'	i., ii.

i. Exterior facade must be composed of eighty percent (80%) masonry (brick, stone, cultured stone, or three-part stucco). Identical brick blends may not occur to adjacent (side-by-side) properties. Elevations shall not repeat along the fronting or siding

streetscape without at least four (4) intervening homes of sufficient dissimilarity (to be determined by the ARC) on the same side of the street and (2) intervening homes on the opposite side of the street). The rear elevation of homes backing to open spaces or thoroughfares shall not repeat without at least two (2) intervening homes of sufficient dissimilarity (to be determined by the ARC). Masonry (brick, stone, cultured stone, or three-part stucco) chimneys shall be required on all homes.

ii. Minimum of 8:12 roof pitch, except for 4:12 roof pitches on porches. For each phase, a maximum of four compatible roof colors may be used. Dimensional shingles shall be used. Crown molding will be installed in all living and family rooms, unless vaulted or pop-up ceilings are utilized. No Formica counters in kitchens and bathrooms, no blown acoustic ceilings. No vinyl flooring will be used in kitchens.

iii. For front entry driveway access a traditional "swing" or "J" drive will be used. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only.

5. *Streetscape Landscape.* Prior to issuance of a Certificate of Occupancy, yards for all single-family lots in the District shall be landscaped with large canopy trees.

   (1) Two minimum three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of an interior lot.
   (2) Two minimum three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of a corner lot and two additional trees of same caliper shall be planted in the side yard facing the street.
   (3) For purposes of this section only, the term "front yard" includes the area within the dedicated right-of-way for a parkway immediately adjoining the front yard of the lot.

6. *Master Design Guidelines.* Additional design guidelines specific to each phase of development that shall apply to all single-family dwellings units within that phase of development, shall be submitted to the City prior to issuance of any building permits for that portion of the development.

C. STANDARDS FOR DISTRICT DESIGN AND CONNECTIVITY

1. *Streetscape Standards for Collectors & Non-Fronting Thoroughfares.* All streets, excluding drives, fire lanes and private parking areas, shall be built according to City of Rockwall street standards. Sidewalks and Hike / Bike trails are to be placed according to city requirements and as set forth in the Open Space Master Plan for the District.

   a. *Buffer-Strip* and Sidewalks (John King Boulevard Overlay District). The landscape buffer strip along John King Blvd shall be as described in the City of Rockwall Unified Development Code, Article V (District Development Standards), Section 6.10 E (Landscape Standards) and be a minimum width of fifty (50) feet as shown on the Planned Development Concept Plan in Exhibit 'B'. Additionally, the developer shall construct a minimum of a ten (10) foot sidewalk, on both sides of John King Boulevard, within the fifty (50) foot landscape buffer strip as recommended by the John King Boulevard Design Concept Plan located in the Comprehensive Plan of the City of Rockwall.
   b. *Buffer-Strip (FM 552).* A landscape buffer strip with a minimum width of fifteen (15) feet shall be provided along the frontage of FM 552, and shall be landscaped with at least one canopy tree per 30-ft and a combination of berms and shrubbery to be reviewed with the PD Site Plan(s) for the retail tract.

c. *Buffer-Strip (Breezy Hill) Retail.* The minimum buffer width between the proposed retail area and Breezy Hill Rd shall be fifty (50) feet, and shall include a berm with a minimum height of five (5) feet with at least three (3) canopy trees and four (4) accent trees per 100-ft of frontage. A detail of this landscape buffer shall be approved by the Planning and Zoning Commission and City Council at the time of PD Development Plan for the retail tract.
d. *Buffer-Strip (Breezy Hill) Residential.* A landscape buffer strip with a minimum width of ten (10) feet shall be provided between any residential area and Breezy Hill Rd.
e. *Irrigation.* Any irrigation installed in landscape areas and public parks must be designed by a Texas licensed irrigator or landscape architect.
f. *Fencing.* The Association will maintain all common area and perimeter fencing surrounding the Property. Such perimeter fencing shall be composed of six foot (6') tall tubular steel fencing with masonry entry features or such other fencing as may be approved by the City at the time of platting. Perimeter screening may also be accomplished by earthen berms landscaped with living screening. Property owners will maintain all fences constructed on private property.
g. *Curvilinear Walks.* Walks are to be a minimum of five feet (5') wide to six feet (6') maximum width (hike and bike trail) consistent with the approved Open Space Master Plan. "Collector streets" with or without center medians may incorporate sidewalks six feet (6') in width adjacent to or within "front yard" landscape easements. Walks may meander within parkway and common area; however, edge of walk shall be no closer than four feet (4') from back-of-curb.
h. *Medians.* Any proposed median openings shall meet the City standards at the time of PD site plan approval.

2. *Lighting.* Light poles shall not exceed twenty feet (20') in height. All light fixtures shall direct light downward and be contained to the site.
3. *Sidewalks.* At a minimum, sidewalks located on lay down curb section streets shall begin four feet (4') behind the back of curb and be five feet (5') in overall width. Sidewalks will not be required on rural street sections.
4. Curbing. Within certain lot types "A, B, & C" "roll up, lay down curbing" may be incorporated in an effort to minimize frequent curb cuts and maximize streetscape continuity, as approved by the City of Rockwall (Engineering Department) with approval of the final plat application.
5. *Buried Utilities.* New distribution power-lines required to serve the Property shall be placed underground, whether such lines are located internally or along the perimeter of the Property, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (3 phase lines), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the Property, except along the 205 Bypass. Additionally, if such above ground lines are installed along the perimeter of the property and adjacent to non-residential use, then the lines shall be installed behind the non-residential buildings where the installation is possible. The Developer shall not be required to re-locate existing overhead power-lines along the perimeter of the Property. Temporary power-lines constructed across undeveloped portions of the Property to facilitate development phasing and looping may be allowed above ground, but shall not be considered "existing lines" at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph.
6. *Parks and Open Space.*
   a. Residential and retail acreages (net of right-of-way dedication) shall contain no less than 20% open space and.
   b. Allowable open space may include but is not limited to 50% of floodplain, amenity center, public or private parks, trails, natural areas, buffers, traffic circle medians, entry features,

common areas (including any Association recreation center or similar facilities) and other features depicted on the Development Plan, as set forth in the Open Space Master Plan prepared in accordance with subparagraph (c) below. Street right of way will not be included as open space. At least 80% of the single-family dwellings within the development shall be located within eight hundred feet (800') of public or private open space. In order to qualify, such open space must be at least one (1) continuous acre in area, not including roadway buffers less than fifty (50') feet in width.

c. The Developer shall prepare the Open Space Master Plan to be consistent with the approved Development Plan. The purpose of an Open Space Master Plan is to supplement the Development Plan by providing an additional level of detail for public and private open space areas. The Open Space Master Plan shall identify the locations of and improvements to public parks, and other public and private open space or common areas and shall illustrate an integral system of trail improvements that, together with intervening land held by other property owners or the City, is designed to connect residential areas, schools and retail areas within the District to parks and open space within the District and that provides for continuation and connection of the trail system to off-site parks and open space, in accordance with the City's Master Park and Recreation Plan. The Open Space Master Plan shall clearly differentiate public parks from private facilities and common lands to be maintained by the Association. The locations of public parks, school sites and other public and private open space or common areas shown on the Open Space Master Plan shall be in conformance with the Development Plan. The Open Space Master Plan shall include a phasing plan for construction of all trails, parks, common open space and facilities. The Open Space Master Plan shall be considered for approval if it complies with this section, the applicable City regulations, the Development Plan, and generally accepted park-planning practices.

d. The District shall contain not less than eleven (11) acres of land to be used as public or private parkland. A minimum of eleven (11) contiguous acres shall be dedicated to the City in accordance with the City's Neighborhood Parkland Dedication Ordinance on approval of the final plats for those phases adjacent to or abutting the proposed parkland dedication and will provide access to said parkland area. The remaining parkland area will be retained as a private park within the District. Park improvements shall be constructed in accordance with the approved Open Space Master Plan. The site plan incorporating the design of park improvements and hike/bike trail improvements shall be considered for approval with the final plat for the phase of the development containing such improvements. Performance of the obligations in this subparagraph shall be deemed to fully satisfy the City's Neighborhood Parkland Dedication Ordinance regarding land dedication. At the time of recordation of final plats for each phase, the Developer shall pay park improvement fees to the City. These fees shall be held in an escrow account until the parkland is dedicated to the City, at which time the Developer shall inform the City if the Developer wishes to use the escrowed fees as well as future fees to construct park improvements. Prior to construction, said improvements shall be approved by Parks Director, approval not to be unreasonably withheld, and invoices for improvements shall be submitted to Parks Director for approval. Performance of the obligations in this subparagraph shall be deemed to fully satisfy the City's Neighborhood Parkland Dedication Ordinance regarding park development fees, provided that park improvements are installed at a value equal or exceeding the value of park improvement fees for the entire District applicable at that time, or improvement fees are paid. Thereafter, the Developer shall not be responsible for additional parkland dedication or park development fees associated with the Property, except as otherwise may be provided in a capital facilities agreement approved by the City.

7. Developer shall provide a minimum of one (1) retention pond in the District with hard edges and fountain features. The exact configuration and location of the ponds will be determined at development. All retention pond hardedges shall be similar to the hardedge shown on *Figure 1* (below).

Figure 1: *Retention Pond with Hardedge.*

8. *Signage.* Permanent subdivision identification signage shall be permitted at all major entry points, in general conformance to the signage shown in Figure 2 & 3 (below). Final design of entry features to be determined with the Planned Development Site Plan.

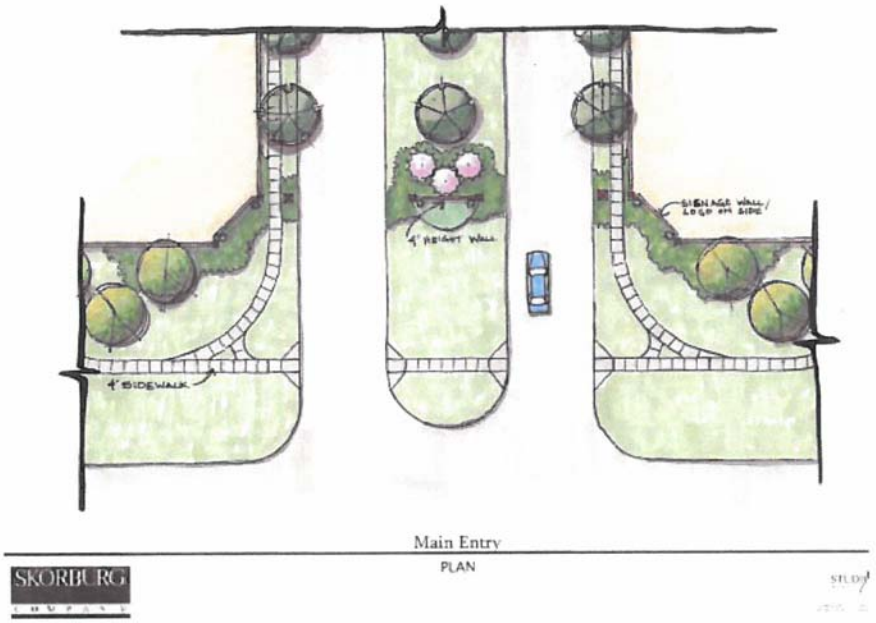


Figure 2: *Example of Subdivision Signage Locations*

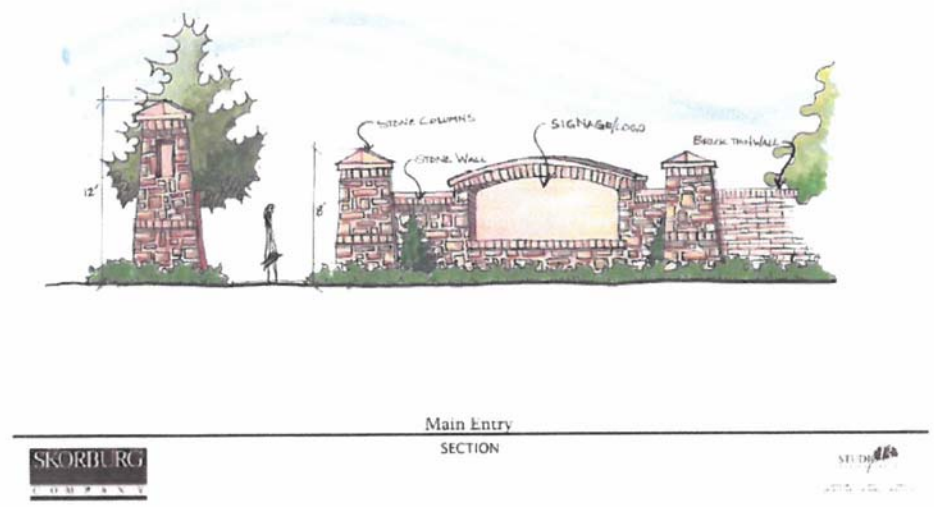


Figure 3: *Example of Subdivision Signage Design Standard*

9. *Variances.* The variance procedures and standards for approval set forth in the Unified Development Code shall apply to any application for variances to this ordinance.
10. *Amenity Center.* Site plan, landscape plan and building elevations for the Amenity Center shall be approved by the Planning and Zoning Commission prior to construction.
11. *Trees.* All trees planted within the District shall be a minimum three (3) inch caliper measured six (6) inches above the root ball.

EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

THIS CAPITAL FACILITIES AGREEMENT (the "Agreement") is by and among the Breezy Hill 405, Ltd, ("Breezy" or "Developer") and the City of Rockwall, Texas ("City" or "Rockwall "),

I. RECITALS

1. Breezy seeks to rezone and subdivide the Property for single-family residential use and certain commercial uses. Breezy shall submit an application to rezone the 405 acres north of FM-552 (the "Property") as a planned development (PD) district for a development currently known as Breezy Hill (the "PD District"),

   NOW, THEREFORE, in consideration of the foregoing recitals and mutual covenants contained herein, the Parties hereto agree as follows:

II. ADEQUATE PUBLIC FACILITIES

1. *General Provisions.*

   a. *Adequacy Required.* Development of the Property shall be supported with adequate levels of public facilities and services, Adequate facilities and services are those that (i) comply with the applicable City regulations, including this Agreement, and (ii) are consistent with generally accepted engineering and planning practices for similar developments, The Parties agree that the dedication and construction of public improvements, or the contribution of proportionate development fees, required to support development of the Property shall precede or be concurrent with the construction of private improvements to the land, in accordance with the phasing provisions incorporated within this section, or as otherwise may be provided through approval of a master plat.

   b. *Proportionality.* The Parties agree that the dedication or construction of public improvements, or the contributions of development fees, provided for in this Agreement are roughly proportional to the nature and extent of the proposed development of the Property on the City's public facilities systems. Breezy hereby covenants not to sue the City for any claim, or otherwise consent to participate in any action against the City arising from any claim by such party or by its affiliates, alleging that application of the adequate facilities requirements set forth in this Part II of the Agreement to the development of the Property, or the imposition of conditions to a plat application for a portion of the Property that are consistent with the requirements of this section, are not roughly proportional to the impacts of the development depicted in the Concept Plan, including but not limited to any action premised upon Tex. Loc. Gov't Code sec. 212.904 or successor statute. Such covenant not to sue touches and concerns the Property, and is a covenant running with the land such that it binds successors-in-interest and assigns of Breezy. Should any successor-in-interest or assign of Breezy other than an affiliate of Breezy assert any of the foregoing claims in a court of competent jurisdiction, in violation of this Subsection 1 (b), with respect to the development of any portion of the Property, the Parties agree that, with respect to such portion of the Property or all of the Property, at the City's option, this Agreement thereupon shall become null and void and any rights that may otherwise have

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EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

vested under then existing state law shall be waived upon such event. Breezy further agrees that the City may expressly rely upon the provisions of this paragraph in any certification under section 212.904 and that a court in determining rough proportionality may consider all of the Property. Should Breezy or an affiliate of Breezy violate the covenant not to sue contained in this paragraph, the City may either enforce the covenant or pursue the remedies provided for herein that are applicable to successors or assigns, other than affiliates. As used in this Agreement, the term "affiliate" means any person, corporation, partnership, or other entity controlled by, controlling, or under common control with Breezy.

c. *No Waiver.* The requirements in this Part II shall be considered additional standards and conditions applicable to development within the PD District. Except in the event of a conflict between the standards in this Agreement and other standards applicable within the District, nothing in this Agreement shall be construed as superseding any requirement or standard in the City's subdivision or utility regulations relating to provision of adequate public facilities and services.

2. *Wastewater Services.*

a. *City as Provider.* The City shall be the supplier of wastewater services to the Property.

b. *Line Extensions.* The Developer shall extend wastewater mains sufficient to serve each phase of development within the PD District, sized in accordance with the City's master plan for wastewater facilities and constructed in accordance with the phasing schedule approved in conjunction with the Developer's master plat application. The Developer shall design and construct a lift station in order to serve the development within the PD District. The Developer shall be entitled to pro-rata fees for the costs of over-sizing the lift station from other future developments using the lift station, calculated on a per acreage basis. Developer also shall be eligible for credits against, wastewater impact fees otherwise due for construction of improvements identified and included in the City's wastewater improvements plan for impact fees, in accordance with the City's then existing impact fee regulations. Provisions for City participation in oversize costs, rebate of pro-rata fees or provision of impact fee credits shall be set forth in a facilities and reimbursement agreement between the Developer and the City.

c. *Payment of Impact Fees.* Wastewater impact fees shall be paid at rates and at the times provided for in the City's then existing impact fee regulations.

3. *Water Services*

a. *City as provider.* The City shall be the supplier of water services to the Property. The City represents that it has sufficient capacity to serve the Property.

b. *Line Extensions.* The Developer shall extend water mains sufficient to serve each phase of development within the PD District, sized in accordance with

EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

the City's master plan for water facilities and constructed in accordance with the phasing schedule approved in conjunction with the Developer's master plat application. The Developer shall be eligible for City participation in the costs of over-sizing water distribution mains or appurtenances that serve other land in addition to the Property, in accordance with the City's standard policies, or for collection of pro-rata fees for such facilities. Developer also shall be eligible for credits against, water impact fees otherwise due for construction of improvements identified and included in the City's water improvements plan for impact fees, in accordance with the City's then existing impact fee regulations. Provisions for City participation in oversize costs, rebate of pro rata fees or provision of impact fee credits shall be set forth in a facilities and reimbursement agreement between the' Developer and the City.

c. *Payment of Impact Fees.* Water impact fees shall be paid at rates and at the times provided for in the City's then existing impact fee regulations.

4. *Road Improvements.* The Developer shall make the following road improvements.

a. *John King Boulevard (Highway 205 Bypass).* The Developer shall have no obligation with respect to construction of John King Blvd. other than as outlined herein regarding payment of road impact fees.

b. *FM-552 Improvements.* The Developer shall dedicate rights-of-way for and construct turn lanes and acceleration/deceleration lanes concurrent with construction of any road on the Property that intersects FM 552, in accordance with City and TXDOT standards and specifications at the time of development of adjoining property.

c. *Breezy Hill Road Improvements.* The Developer shall dedicate a minimum of twenty-five feet (25') of right-of-way or such right-of-way as is needed to construct a twenty-four foot (24') concrete rural section of Breezy Hill Road and appurtenances adjacent to the Property, together with a two-foot (2') asphalt or concrete shoulder on either side of the concrete section, the total not to exceed twenty-eight feet (28') in width, from the northern point of Breezy Hill Road adjacent to the Property, to FM-552, as shown on the Development Plan. The Developer also shall dedicate and improve a minimum landscape buffer of ten feet (10') for the residential tract and fifty feet (50') for the retail tract, adjacent to the right-of-way for Breezy Hill Road, designed in accordance with the requirements of a PD District then in effect for a rural collector. The bar ditch that abuts the buffer strip, designed to a maximum slope of 3: 1, shall not encroach into the required ten-foot or fifty-foot buffer area, except to the extent that the buffers exceed ten feet (10') in width. The Developer shall dedicate right-of-way for Breezy Hill Road and the landscape buffer at the time of final plat approval for any lot abutting Breezy Hill Road. Developer shall construct Breezy Hill Road in conjunction with the retail tract that is final platted adjacent to Breezy Hill Road. Breezy Hill Road will be constructed from the northernmost intersection created by any portion of the retail tract being platted, south to FM-552. Developer shall install any

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EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

needed expansion of existing culverts created by such construction or the development, of such retail tract.

d. *Payment of Roadway Impact Fees.* Roadway impact fees shall be paid at rates and at the times provided for in the City's then existing impact fee regulations. Construction costs incurred by Developer for roadway improvements in this Agreement that are included in the City's roadway improvements plan for impact fees shall be credited against roadway impact fees otherwise due, in accordance with the City's impact fee regulations.

5. *Drainage Improvements.* Dedication of rights-of-way for and construction of drainage improvements shall be provided as specified in conditions imposed with approval of the master plat for development within the PD District and in accordance with City standards and specifications.

6. *Parks and Open Space.*

a. The Developer or a property owners association shall maintain public parklands and improvements within the development for a period of three (3) months from the completion and acceptance of the improvements. Thereafter, the City shall assume responsibilities for maintenance. All open space and improvements which are not dedicated as parkland to the City shall be maintained as common areas in perpetuity by the property owners association for the PD District. Additionally, the property owners association shall maintain Developer-installed landscaping areas in public rights-of-way and public drainage ways internal to and adjacent to the Property.

III. GENERAL PROVISIONS

1. Notice on Sale. The Developer shall provide the City with notice of the sale of any tract or parcel within the District that has not been platted at the following address:

Rockwall City Manager
Rockwall City Hall
385 S. Goliad Street
Rockwall, TX 75087

2. *Recording.* This Agreement is intended to run with the land, and shall be recorded in the Real Property Records, Rockwall County, Texas.

3. *Term of Agreement.* This Agreement shall terminate two (2) years following the City's acceptance of the dedication and construction of the public improvements described herein serving the last phase of development within the PD District, after which the City agrees, upon the request of the Developer to execute a termination of this Agreement in recordable form. Any reimbursements for payment of impact fees shall not expire.

4. *Effective Date.* This Agreement shall take effect upon the date of its execution by the last of the Parties to the Agreement; provided, however, that Breezy shall execute this Agreement no later than five (5) business days following the

EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

effective date of the PD zoning ordinance for the Property. If Breezy fails to execute this Agreement within such period, this Agreement shall become null and void, and unless a subsequent agreement, acceptable to the City and the Developer, is agreed to, the City may thereafter deny any PD site plan, master plat or other plat application on grounds that the application is not supported by adequate public facilities and services.

5. *Severability.* Invalidation of any provision of this Agreement by judgment or court order shall not invalidate any of the remaining provisions which shall remain in full force and effect, unless such remaining provisions are an integral part of the invalid provisions or the invalid provision is necessary to give effect to the remaining provisions.

6. *Enforcement.* This Agreement may be enforced by the Parties by any proceeding at law or in equity. Failure to do so shall not be deemed a waiver to enforce the provisions of this Agreement thereafter.

7. *Venue.* Venue for this Agreement shall be in Rockwall County, Texas.

8. *Execution.* This Agreement may be separately executed in individual counterparts, and upon execution, shall constitute one and the same instrument.

9. *Amendment.* This Agreement may only be amended in writing upon mutual consent of the City and the Developer.

10. *Joint preparation.* This Agreement shall be deemed to have been jointly prepared by all Parties hereto, and no ambiguity of this Agreement shall be construed against any party based upon the identity of the author of this Agreement or any portion thereof.

11. *Recitals Incorporated.* Statements and representations contained herein are to be considered contractual in nature and not merely recitations of fact. The Recitals contained in Part I of this Agreement hereby are expressly incorporated into this Agreement by reference.

12. *Construction.* All references herein in the singular shall be construed to include the plural where applicable, the masculine to include the feminine and neuter genders.

13. *Authority.* Each of the signatories to this Agreement represents and warrants that he is authorized to execute this Agreement and bind his principals to the terms and provisions hereof. Each Party warrants that any action required to be taken in order for this Agreement to be binding on it has been duly and properly taken prior to the execution of this Agreement.

14. *Conflicts.* In the event of a conflict between this Agreement and any provision of the Unified Development Code, the City Code, or any City ordinance, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this Agreement, the standards in this Agreement shall control.

BLJ

EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

15. *No Waiver.* Developer retains the right to challenge the application of any City impact fee regulations to the Property solely on the basis that such regulations fail to comply with Chapter 395 of the Texas Local Government Code, as amended. If Developer prevails in such a claim, impact fees shall be applied to the development of the Property and paid by the Developer, as applicable, in accordance with the court order.

BJ

EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

PARTIES TO THE AGREEMENT

CITY OF ROCKWALL

CITY OF ROCKWALL TEXAS
SEAL

By: _____

Name: DAVID SWEET

Title: MAYOR

STATE OF TEXAS §
§
COUNTY OF ROCKWALL §

SWORN AND SUBSCRIBED TO BEFORE ME, by said DAVID SWEET, who in their capacity as MAYOR for the City of Rockwall, acknowledges that he was authorized to execute the foregoing document this 2nd day of October 2012, certify witness my hand and seal of office.

_____
Notary Public in and for the State of Texas

NOTARY PUBLIC STATE OF TEXAS
KRISTY ASHBERRY
Notary Public
State of Texas
My Comm. Exp. 05-01-2016

EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

PARTIES TO THE AGREEMENT

BREEZY HILL 405, LTD, A TEXAS LIMITED PARTNERSHIP
BREEZY HILL 405 GP CORPORATION, A TEXAS CORPORATION, ITS GENERAL PARTNER

By: _____

Name: RICHARD M. SKORBURG

Title: PRESIDENT

STATE OF TEXAS §
§
COUNTY OF ROCKWALL §

SWORN AND SUBSCRIBED TO BEFORE ME, by said RICHARD M. SKORBURG, who in their capacity as PRESIDENT for the Breezy Hill 405, LTD, acknowledges that he was authorized to execute the foregoing document this 1st day of OCTOBER 2012, certify witness my hand and seal of office.

_____
Notary Public in and for the State of Texas

NOTARY PUBLIC STATE OF TEXAS
Kellie Lee Paich
Notary Public, State of Texas
My Comm. Expires 05/12/2015

CITY OF ROCKWALL

ORDINANCE NO. 24-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING PLANNED DEVELOPMENT DISTRICT 74 (PD-74) [*ORDINANCE NO. 17-60*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF AMENDING THE CONCEPT PLAN AND DEVELOPMENT STANDARDS ON A 405.184-ACRE TRACT LAND SITUATED WITHIN THE J. STRICKLAND SURVEY, ABSTRACT NO. 187; T. R. BAILEY SURVEY, ABSTRACT NO. 30; AND, J. SIMMONS SURVEY, ABSTRACT NO. 190, 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 of Rockwall has received a request from Michael Twichell of Michael F. Twichell, LP on behalf of Jim Duggan of NEC John King & 552, LP for the approval of an amendment to Planned Development District 74 (PD-74) [*Ordinance No. 17-60*] being a 405.184-acre tract of land situated within the J. Strickland Survey, Abstract No. 187; T. R. Bailey Survey, Abstract No. 30; and, J. Simmons Survey, Abstract 190, City of Rockwall, Rockwall County, Texas, which is more fully described in *Exhibit 'A'* of this ordinance, and 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 74 (PD-74) [*Ordinance No. 17-60*] 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. 17-60*;

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*, depicted 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 Plan*, depicted 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 *PD Development Standards*, 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 a *Master Parks and Open Space Plan* for the *Subject Property*, prepared in accordance with this ordinance and consistent with the *Concept Plan*, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

SECTION 7. That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

(a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance *(including Subsections 7(b) through 7(f) below*), shall be the exclusive procedures applicable to the subdivision and platting of the Property.

(b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for an *Open Space Master Plan* in accordance with the time period specified in Section 212.009 of the Texas Local Government Code (TLGC).

(1) Open Space Master Plan
(2) Master Plat
(3) PD Development Plan (*Required for Retail Areas Only*)
(4) PD Site Plans
(5) Preliminary Plats
(6) Final Plats

(c) A *Master Plat* application covering all of the Subject Property, other than the area designated on the *Planned Development Concept Plan as Retail*, shall be submitted and shall identify each phase of development. No master plat application shall be approved until the *Open Space Master Plan* for all of the *Subject Property* has been approved; however, the *Open Space Master Plan* may be processed by the City concurrently with the master plat application.

(d) A *PD Development Plan* must be approved for the area designated on the *Concept Plan* as *Retail* prior to submittal of a *PD Site Plan* application and/or a *Preliminary Plat* application. No *Master Plat* is required for the area designated on the *Concept Plan* as *Retail*. A traffic impact analysis for the retail tract shall be submitted with the *Preliminary Plat, PD Development Plan,* or *PD Site Plan* (*as determined by the City Engineer*) to determine the extent and timing of any recommended facilities and/or improvements to the surrounding roadway network. The traffic impact analysis may be updated with each *PD Site Plan* for the *Retail* tract.

(e) A *Preliminary Plat* application shall be submitted for each phase of residential development. A *PD Site Plan* application, including a *Site Plan* application for improvements for parkland or trails, may be processed by the City concurrently with a *Preliminary Plat* application for that phase of the development.

(f) A *Capital Facilities Agreement* in the form of *Exhibit 'E'*, attached hereto and incorporated herein by reference as *Exhibit 'E'*, shall be executed by the *Developer* providing for delivery of adequate public facilities and services within the *District*.

SECTION 8. That the official zoning map of the City of Rockwall, Texas be corrected to reflect the change in zoning described here in.

SECTION 9. 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 10. 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

DRAFT ORDINANCE 04.10.2024

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 11. 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 12. 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 4TH DAY OF MARCH, 2024.

_____

Trace Johannesen, *Mayor*

ATTEST:

_____

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

_____

Frank J. Garza, *City Attorney*

1st Reading: *February 20, 2024*

2nd Reading: *March 4, 2024*

DRAFT ORDINANCE 04.01.2024

EXHIBIT 'A':
Legal Description

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN PARTS OF THE J. STRICKLAND SURVEY, ABSTRACT NUMBER 187, T. R. BAILEY SURVEY, ABSTRACT NUMBER 30 AND THE J. SIMMONS SURVEY, ABSTRACT NUMBER 190 OF ROCKWALL COUNTY, AND BEING THAT TRACT OF LAND CONVEYED TO W.W. CARUTH, JR. ACCORDING TO THE DOCUMENT FILED OF RECORD IN VOLUME 66, PAGE 493, DEED RECORDS OF ROCKWALL COUNTY, TEXAS (D.R.R.C.T.) ALSO A PORTION OF THE J. STRICKLAND SURVEY, ABSTRACT 794•3 LYING IN COLLIN COUNTY, TEXAS, THAT TRACT OF LAND CONVEYED TO MABEL CARUTH ACCORDING TO THE FILE OF RECORD IN COUNTY CLERK FILE NUMBER 92-0054539 OF COLLIN COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND AT THE BASE OF A CORNER POST, SAID IRON ROD BEING THE SOUTHWEST CORNER OF A 1RACT OF LAND DESCRIBED IN DEED TO DONG WON KANG RECORDED IN VOLUME 4703, PAGE 1402, D.R.R.C.T., AND SAME (BEING THE SOUTHEAST CORNER OF SAID TRACT "ONE" AS SHOWN HEREON;

THENCE NORTH 89°21'28" EAST, A DISTANCE OF 2077.92 FEET TO A 1/2" IRON ROD FOUND FOR A CORNER OF THIS TRACT;

THENCE SOUTH 00°01'37" EAST, GENERALLY ALONG THE CENTER OF A GRAVEL ROAD, A DISTANCE OF 1274.60 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE SOUTH 89°19'07" EAST, GENERALLY ALONG THE CENTER OF A GRAVEL ROAD, A DISTANCE OF 686.18 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE SOUTH 00'42'37" EAST, ALONG THE CENTER OF BREEZY HILLS ROAD, A DISTANCE OF 4777.93 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER IN THE NORTH LINE OF F.M. HIGHWAY 552, FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 89°20'36" WEST, ALONG THE NORTH LINE OF SAID F.M. HIGHWAY, A DISTANCE OF 1887.13 FEET, TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER IN AN ENTRYWAY OF A RANCH ROAD, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 00°31'43" WEST, GENERALLY ALONG THE CENTER OF SAID RANCH ROAD, PASSING AT A DISTANCE OF 10.00 FEET A 1/2" IRON ROD FOUND ON THE WEST LINE OF THIS TRACT AND CONTINUING A TOTAL DISTANCE OF J593.55 FEET TO A S/S" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE SOUTH S9°15'47" WEST, A DISTANCE OF S03.29 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE NORTH 01"31'06" WEST, A DISTANCE OF 1189.10 FEET TO A 5/8" IRON ROD FOUND AT THE BASE OF A CORNER POST, FOR A CORNER OF THIS TRACT;

THENCE SOUTH 88°05'58" WEST, A DISTANCE OF 1546.66 FEET TO A 3/8" IRON ROD FOUND FOR A CORNER OF THIS TRACT;

THENCE NORTH 00°47'14" WEST, A DISTANCE OF 1067.53 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE NORTH 88°33'50" E, A DISTANCE OF 748.00 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

DRAFT ORD. 24-XX

THENCE NORTH 00°45'11" W, A DISTANCE OF 2243.67 FEET TO A 5/S" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

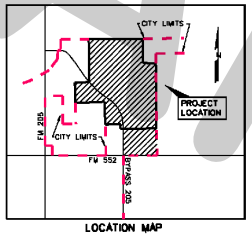
THENCE NORTH 89°21'28" E, A DISTANCE OF 754.93 FEET TO THE POINT OF BEGINNING, AND CONTAINING 405.184 ACRES OF LAND, MORE OR LESS.

DRAFT ORDINANCE 04.01.2024

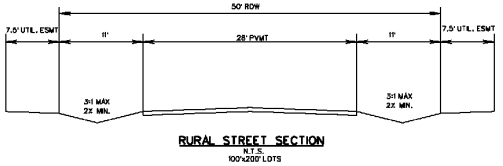
DRAFT
ONLY
NOT FOR PROPOSAL

EXHIBIT 'B':
Concept Plan

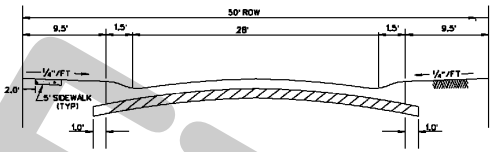
0 200 400 800
SCALE: 1" = 400'



LOCATION MAP
N.T.S.



RURAL STREET SECTION
N.T.S.
100'x200' LOTS



TYPICAL PAVEMENT SECTION - LAYDOWN CURB
N.T.S.

RESIDENTIAL OPEN SPACE

Number	Acres	OPEN SPACE CREDITS	Comments
1	11.5	11.5	Open Space
2	1.3	1.3	Open Space
3	7.5	7.5	Open Space
4	0.8	0.8	Open Space
5	2.2	2.2	Open Space
6	4.3	4.3	Open Space
7	7.1	7.1	Open Space
8	32.5	32.5	Open Space
9	9.7	9.7	Open Space
10	0.7	0.7	Open Space
11	7.0	7.0	Floodplain
12	11.9	5.9*	Floodplain
13	1.4	0.7*	Floodplain
14	0.2	0.2	Open Space
15	1.6	1.6	Amenity Center
16	1.2	1.2	Open Space
17	0.8	0.8	Open Space
18	0.09	0.09	Open Space
19	3.56	1.78*	Floodplain
TOTAL	105.4 AC.	97.0 AC.	

* indicates 50% Credit for Flood Plain

TOTAL RESIDENTIAL ACRES - 381.20 AC.
JOHN KING R.O.W. - 8.1 AC.
NET ACRES - 373.10 AC.
20% required Open Space per PD - 74.62 AC.

TOTAL RETAIL - 19.4 AC.
JOHN KING R.O.W. - 4.45 AC.
NET RETAIL ACRES - 15.2 AC.
20% required Open Space per PD - 3.2 AC

NOTE:

BETWEEN CONSTRUCTION OF PHASES TEMPORARY TURNAROUNDS WILL BE PLACED AS NEEDED TO ACCOMMODATE FIRE PROTECTION.

FEMA FLOODPLAIN PANEL NO. 48397C0030L

THE 19.5 ACRE TRACT DESIGNATED AS "RETAIL TRACT" WILL REQUIRE A SEPARATE PD DEVELOPMENT PLAN AND IS INCLUDED IN THE AREA COVERED BY THIS MASTER PLAT.

RETAIL TRACT 19.4 ac.

RESIDENTIAL TRACT 381.20 ac.

TOTAL ACRES 405.15

TOTAL RESIDENTIAL LOTS 750

RESIDENTIAL DENSITY 1.85

ZONED: PLANNED DEVELOPMENT DISTRICT 74 (PD-74)

LEGEND

TYPICAL LOT SIZES

TYPE A - 164 LOTS (60's)
TYPE B - 133 LOTS (70's)
TYPE C - 135 LOTS (80's)
TYPE D - 140 LOTS (100's) (100' x 200')
TYPE E - 40 LOTS (60's)
TYPE F - 44 LOTS (100's) (100' x 185' to 200')
TYPE G - 94 LOTS (70's)
PUBLIC OPEN SPACE/ LANDSCAPE BUFFER

MASTER PLAT
OF
BREEZY HILL
OUT OF THE
J. STRICKLAND SURVEY, ABSTRACT NO. 187
T.R. BAILEY SURVEY, ABSTRACT NO. 30
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNERS
BREEZY HILL 405, LTD.
8214 WESTCHESTER, SUITE 710
DALLAS, TEXAS 75225
214-522-4945

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

SEPTEMBER 2017 SCALE 1" = 400'

CASE #2017-XXX

Infrastructure Statement

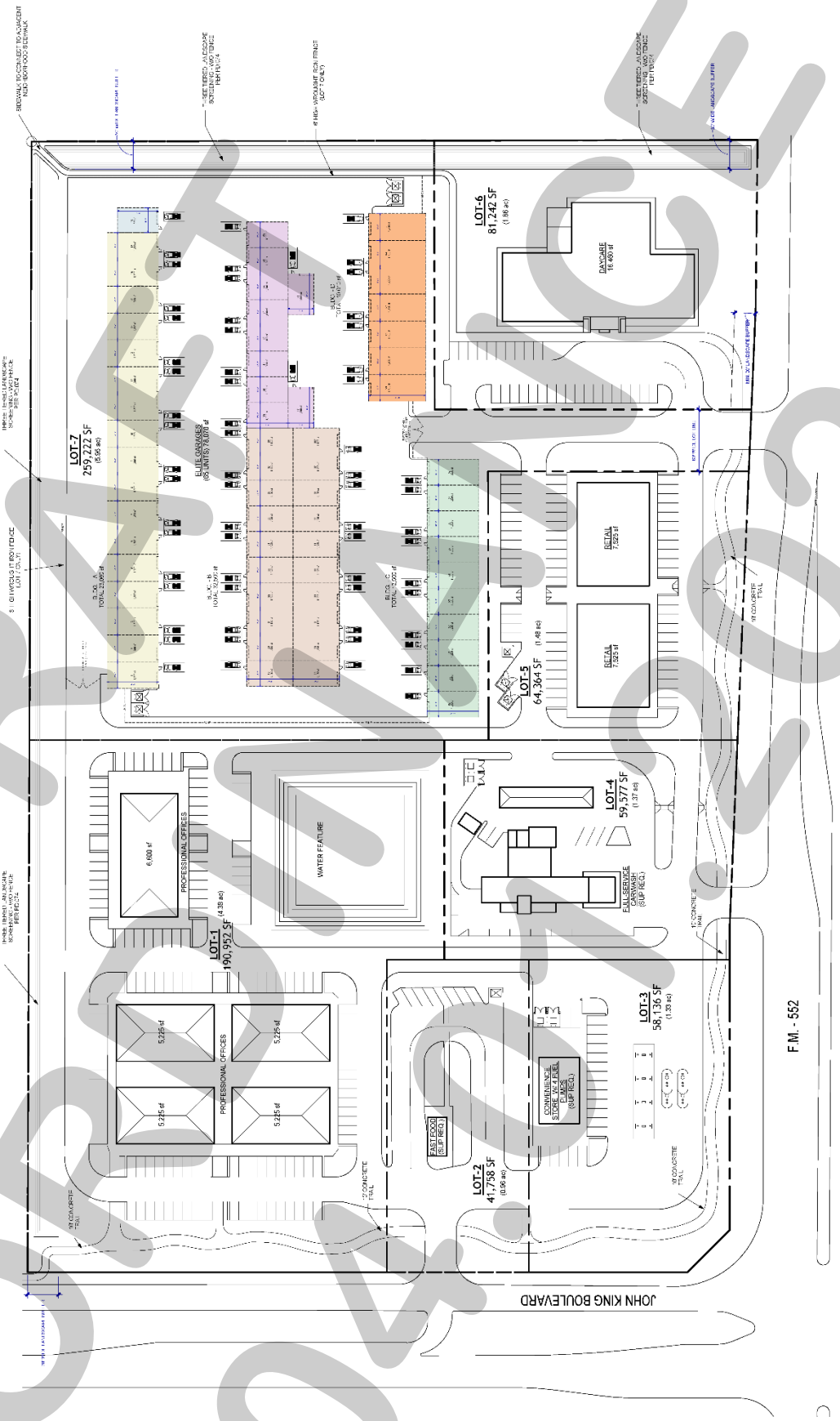
Drainage Facilities:
There are natural drainage ways within the project and detention will be required.

Sanitary Sewer Facilities:
This site will utilize lift stations and force mains to send the sewer flows to the existing sewer trunk line located at the intersection of FM 552 and Highway 205

Water Facilities:
There is an existing water line located in FM 552. A new 16" water line will be constructed along John King Boulevard north of FM 552 to service this tract.

Roadway Facilities:
The west side of the project is bounded by John King Boulevard, the south side is bounded by FM 552, the east side is bounded by Breezy Hill Road.

EXHIBIT 'C':
PD Development Plan



DRAFT
04.01.2024

(A) GENERAL REQUIREMENTS

(1) *Permitted Uses*. The following uses are permitted for the *Subject Property*.

(a) *Residential Uses*. Land uses permitted *by-right* or by Specific Use Permit (SUP) for the Single-Family 10 (SF-10) District, as set forth in Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance 20-02*], shall be allowed for areas designated as single-family on the *Concept Plan*, subject to approval of a Specific Use Permit (SUP) if required by the Single-Family 10 (SF-10) District regulations.

(b) *Non-Residential Uses*. Non-residential land uses shall be allowed only within the area designated as *Retail* on the approved *Concept Plan* for the *District*, and are limited to those land uses permitted *by-right* or by Specific Use Permit (SUP) for the General Retail (GR) District subject to the approval of a *PD Development Plan* and/or *PD Site Plan* in accordance with the Planned Development District regulations contained in of Article 10, *Planned Development Regulations*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*], and subject to approval of a Specific Use Permit (SUP) if required by the General Retail (GR) District regulations; provided, however, the following shall apply:

(1) The following land uses shall be permitted *By-Right*:

- ☑ Grocery Store [(1)]
- ☑ Mini-Warehouse [(2)]
- ☑ Warehouse [(3)]

NOTES:
[(1)]: Maximum building area of 130,000 SF.
[(2)]: The following *Conditional Land Uses Standards* are required with the establishment of this land use:

(a) A maximum of 65 units shall be permitted with each unit having a minimum of 960 SF per unit.
(b) A caretaker's quarters shall be prohibited in conjunction with the *Mini-Warehouse* land use.
(c) Businesses shall *NOT* be permitted to operate in the individual units.
(d) The commercial operation of rental trucks and/or trailers shall be prohibited.
(e) Outside storage of any kind shall be prohibited.
(f) Light standards shall be limited to 20-feet; however, all lighting shall be at 0.0 FC at the property lines adjacent to the residential land uses.
(g) Access to a *Mini-Warehouse* land use shall be private and the land use shall have a six (6) foot wrought iron fence with gates securing all portions of the land use.

[(3)]: As an accessory land use to an *Office*.

(2) The following land uses shall be expressly *Prohibited*:

- ☑ Agricultural Uses
- ☑ Animal Boarding/Kennel without Outside Pens
- ☑ Animal Hospital or Clinic
- ☑ Community Garden
- ☑ Urban Farm
- ☑ Caretakers Quarters/Domestic Security Unit
- ☑ Covenant, Monastery, or Temple
- ☑ Limited Service Hotel
- ☑ Full Service Hotel
- ☑ Residence Hotel
- ☑ Motel
- ☑ Assisted Living Facility
- ☑ Blood Plasma Donor Center

DRAFT ORDINANCE 04.01.2024

- ☑ Cemetery/Mausoleum
- ☑ Church/House of Worship
- ☑ College, University, or Seminary
- ☑ Convalescent Care Facility/Nursing Home
- ☑ Congregate Care Facility/Elder Housing
- ☑ Emergency Ground Ambulance Services
- ☑ Group or Community Home
- ☑ Hospice
- ☑ Hospital
- ☑ Mortuary or Funeral Chapel
- ☑ Local Post Office
- ☑ Public or Private School
- ☑ Temporary Carnival, Circus, or Amusement Ride
- ☑ Indoor Commercial Amusement/Recreation
- ☑ Outdoor Commercial Amusement/Recreation
- ☑ Public or Private Community or Recreation Club as an Accessory Land Use
- ☑ Private Country Club
- ☑ Golf Driving Range
- ☑ Temporary Fundraising Events by Non-Profit
- ☑ Indoor Gun Club with Skeet or Target Range
- ☑ Private Club, Lodge or Fraternal Organization
- ☑ Tennis Courts (*i.e. Not Accessory to a Public or Private Country Club*)
- ☑ Theater
- ☑ Astrology, Hypnotist, or Physic
- ☑ Banquet Facility/Event Hall
- ☑ Portable Beverage Service Facility
- ☑ Business School
- ☑ Catering Service
- ☑ Temporary Christmas Tree Sales Lot and/or Similar
- ☑ Food Trucks/Trailers
- ☑ Garden Supply/Plant Nursery
- ☑ Laundromat with Dropoff/Pickup Services
- ☑ Self-Service Laundromat
- ☑ Massage Therapist
- ☑ Private Museum
- ☑ Night Club, Discotheque, or Dance Hall
- ☑ Pawn Shop
- ☑ Permanent Cosmetics
- ☑ Temporary Real Estate Sales Office
- ☑ Rental Store without Outside Storage and/or Display
- ☑ Secondhand Dealer
- ☑ Electrical Watch, Clock, Jewelry and/or Similar Repair
- ☑ Locksmith
- ☑ Shoe and Boot Repair and Sales
- ☑ Trade School
- ☑ Minor Automotive Repair Garage
- ☑ Self-Service Car Wash
- ☑ Service Station
- ☑ Temporary Asphalt or Concrete Batch Plant
- ☑ Mining and Extraction of Sand, Gravel, Oil and/or Other Materials
- ☑ Commercial Antenna
- ☑ Commercial Freestanding Antenna
- ☑ Helipad
- ☑ Radio Broadcasting
- ☑ Railroad Yard or Shop
- ☑ Transit Passenger Facility

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(2) *Residential Lot Composition and Density Requirements*. No more than 750 single-family residential dwelling units may be constructed within the *Subject Property*. The single-family residential units shall be allocated by product type in accordance with the following table:

TABLE 1: LOT COMPOSITION

LOT TYPE	*LOT SIZE MINIMUM*	*LOT SF MINIMUM*	*DRIVEWAY ACCESS*	*TOTAL UNITS*	*TOTAL DWELLING UNITS (%)*
A	60' x 120'	7,200	*FRONT*	164	21.86%
B	70' x 120'	8,400	*FRONT*	131	17.46%
C	80' x 125'	10,000	*FRONT*	137	18.27%
D	100' x 200'	20,000	*FRONT*	140	18.67%
E	60' x 120'	7,200	*FRONT*	40	05.34%
F	100' x 180'	18,000	*FRONT*	44	05.87%
G	70' x 120'	8,400	*FRONT*	94	12.53%

AVERAGE LOT SIZE:	10,000		
MAXIMUM ALLOWED TOTAL UNITS:	750		100%

(3) *Applicable Development Standards for Residential*. Except as may be modified by these *Development Standards*, residential uses shall be subject to the development standards for a Single-Family 10 (SF-10) District, as set forth in Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*]; to the development standards in the SH-205 Bypass Overlay (205 BY-OV) District; and to all supplemental standards contained in the Unified Development Code (UDC) [*Ordinance No. 20-02*].

(4) *Applicable Development Standards for Retail*. Unless specifically provided by this Planned Development District Ordinance, any development in the area designated as *Retail* on the *Concept Plan* contained in *Exhibit 'B'* of this ordinance shall be subject to the density and dimensional requirements stipulated for the General Retail (GR) District and *General Overlay District Standards* as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC).

(5) *PD Development Plan for Retail*. Development of the area designated as *Retail* on the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance shall generally conform to the *PD Development Plan* depicted in *Exhibit 'C'* of this ordinance. The intent of the area designed as *Retail* is to be pedestrian-oriented and easily accessible to the adjacent residential subdivision. In addition, the *Retail* area should be designed and constructed to be integrated with the adjacent land uses, not separated from them with screening walls or other physical barriers. This is to be accomplished by creating paths from the adjacent development into the *Retail* area and through the use of landscaping buffers, building design and other urban design elements. This will create compatibility with the adjacent residential subdivision. Should a *PD Site Plan* not meet this intent, the Planning and Zoning Commission -- *upon recommendation from the Director of Planning and Zoning* -- may deny the *PD Site Plan* and require an updated *PD Development Plan* be submitted. If a *PD Development Plan* is required it shall be submitted and approved in accordance with Article 10, *Planned Development Regulations*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*].

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(B) SPECIAL DEVELOPMENT STANDARDS

(1) *Dimensional Standards for Residential Uses*.

TABLE 2: LOT TYPE MATRIX

LOT TYPES	A	B	C	D	E	F	G
MAXIMUM BUILDING HEIGHT	36'	36'	36'	36'	36'	36'	36'
MINIMUM AIR-CONDITIONED SQUARE FOOTAGE	2,200	2,400	2,600 [2]	3,000	2,200	3,000	2,400
MINIMUM FRONT YARD BUILDING SETBACK	20' [4]	20'	20'	40' [3]	20' [4]	40' [3]	20'
MINIMUM REAR YARD BUILDING SETBACK	10'	10'	15'	15'	10'	15'	10'
MINIMUM SIDE YARD (INTERIOR)	5'	5'	6'	7'	5'	7'	5'
MINIMUM SIDE YARD ADJACENT TO A STREET	15'	15'	15'	15'	15'	15'	15'
MINIMUM DISTANCE OF DRIVEWAY (FROM PROPERTY LINE)	20'	20'	20'	40'	20'	40'	20'
MINIMUM LOT AREA (SQUARE FEET)	7,200	8,400	10,000	20,000	7,200	18,000	8,400
MINIMUM LOT FRONTAGE [1]	60'	70'	80'	100'	60'	100'	70'

NOTES:

[1]: LOTS FRONTING ONTO CURVILINEAR STREETS, CUL-DE-SACS AND EYEBROWS MAY BE REDUCED BY TWENTY PERCENT (20%) IN LOT WIDTH MEASURED AT THE FRONT PROPERTY LINE PROVIDED THAT THE LOT WIDTH WILL BE MET AT THE FRONT BUILDING LINE. ADDITIONALLY, THE LOT DEPTH ON LOTS FRONTING ONTO CURVILINEAR STREETS, CUL-DE-SACS AND EYEBROWS MAY BE REDUCED BY UP TO 10 PERCENT (10%) BUT SHALL MEET THE MINIMUM LOT SIZE FOR EACH LOT TYPE AS REFERENCED WITHIN TABLE 1.

[2]: A MAXIMUM OF 20% OF THE LOTS MAY HAVE HOMES NOT LESS THAN 2,500 SQ. FT.

[3]: THE DIRECTOR OF PLANNING OR HIS DESIGNEE MAY GRANT A REDUCTION IN THE REQUIRED 40-FOOT FRONT YARD BUILDING SETBACK OF UP TO FIVE (5) FEET FOR LOTS SITUATED ALONG CUL-DE-SACS OR CURVILINEAR STREETS, OR WHERE A 40-FOOT FRONT YARD BUILDING SETBACK WOULD CREATE AN UNDUE HARDSHIP ON THE PROPERTY.

[4]: FRONT PORCH MAY ENCROACH TO WITHIN 10-FEET OF THE FRONT PROPERTY LINE ON LOT TYPES 'A', 'B', 'C' & 'E'.

(2) *Development Standards for Residential Uses by Lot Product/Type*.

(a) *Detached Single Family Lot Type A*

DEVELOPMENT STANDARDS	
MINIMUM LOT SIZE	7,200 SF
MINIMUM LOT WIDTH (@ *FRONT BUILDING LINE*)	60'
MINIMUM LOT DEPTH	110'
MINIMUM LOT WIDTH (*CORNER LOT*)	65'
MINIMUM SIDE YARD SETBACK	5'
MINIMUM FRONT YARD BUILDING SETBACK	20'
MINIMUM REAR YARD BUILDING SETBACK	10'
MINIMUM AIR-CONDITIONED SQUARE FOOTAGE	2,200 SF
MINIMUM ROOF PITCH	8:12 EXCEPT FOR 4:12 ON PORCH ROOFS
MINIMUM MASONRY REQUIREMENT [*BRICK, STONE, CULTURED STONE, 3-PART STUCCO*]	80%
GARAGE ORIENTATION	GARAGES WILL BE ALLOWED TO HAVE THE GARAGE ACCESSED FROM THE STREET USING TRADITIONAL "SWING" OR 'J' DRIVE. SECOND SINGLE GARAGE DOOR FACING STREET IS PERMITTED BEHIND (WIDTH) OF DOUBLE GARAGE DOOR IN "SWING" OR 'J'

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	CONFIGURATION ONLY. A MINIMUM OF 33% OF TYPE 'A' LOTS SHALL HAVE 3-CAR GARAGES.
MAXIMUM LOT COVERAGE	65%

(b) *Detached Single Family Lot Type B*

DEVELOPMENT STANDARDS	
MINIMUM LOT SIZE	8,400 SF
MINIMUM LOT WIDTH (@ *FRONT BUILDING LINE*)	70'
MINIMUM LOT DEPTH	120'
MINIMUM LOT WIDTH (*CORNER LOT*)	75'
MINIMUM SIDE YARD SETBACK	5'
MINIMUM FRONT YARD BUILDING SETBACK	20'
MINIMUM REAR YARD BUILDING SETBACK	10'
MINIMUM AIR-CONDITIONED SQUARE FOOTAGE	2,400 SF
MINIMUM ROOF PITCH	8:12 EXCEPT FOR 4:12 ON PORCH ROOFS
MINIMUM MASONRY REQUIREMENT [*BRICK, STONE, CULTURED STONE, 3-PART STUCCO*]	80%
GARAGE ORIENTATION	GARAGES WILL BE ALLOWED TO HAVE THE GARAGE ACCESSED FROM THE STREET USING TRADITIONAL "SWING" OR 'J' DRIVES. SECOND SINGLE GARAGE DOOR FACING STREET IS PERMITTED BEHIND (WIDTH) OF DOUBLE GARAGE DOOR IN "SWING" OR 'J' CONFIGURATION ONLY. A MINIMUM OF 33% OF TYPE 'B' LOTS SHALL HAVE 3 CAR GARAGES.
MAXIMUM LOT COVERAGE	65%

(c) *Detached Single Family Lot Type C*

DEVELOPMENT STANDARDS	
MINIMUM LOT SIZE	10,000 SF
MINIMUM LOT WIDTH (@ *FRONT BUILDING LINE*)	80'
MINIMUM LOT DEPTH	125'
MINIMUM LOT WIDTH (*CORNER LOT*)	85'
MINIMUM SIDE YARD SETBACK	6'
MINIMUM FRONT YARD BUILDING SETBACK	20'
MINIMUM REAR YARD BUILDING SETBACK	15'
MINIMUM AIR-CONDITIONED SQUARE FOOTAGE	2,600 SF [1]
MINIMUM ROOF PITCH	8:12 EXCEPT FOR 4:12 ON PORCH ROOFS
MINIMUM MASONRY REQUIREMENT [*BRICK, STONE, CULTURED STONE, 3-PART STUCCO*]	80%
GARAGE ORIENTATION	TRADITIONAL "SWING" OR 'J' DRIVE REQUIRED. SECOND SINGLE GARAGE DOOR FACING STREET IS PERMITTED BEHIND (WIDTH) OF DOUBLE GARAGE DOOR IN "SWING" OR 'J' CONFIGURATION ONLY. A MINIMUM OF 80% OF TYPE 'C' LOTS SHALL HAVE 3 CAR GARAGES.
MAXIMUM LOT COVERAGE	65%

NOTES:
[1]: *A MAXIMUM OF 20% OF THE LOTS MAY HAVE HOMES NOT LESS THAN 2,500 SQ. FT.*

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(d) *Detached Single Family Lot Type D*

DEVELOPMENT STANDARDS	
MINIMUM LOT SIZE	20,000 SF
MINIMUM LOT WIDTH (@ *FRONT BUILDING LINE*)	100'
MINIMUM LOT DEPTH	175'
MINIMUM LOT WIDTH (*CORNER LOT*)	100'
MINIMUM SIDE YARD SETBACK	7'
MINIMUM FRONT YARD BUILDING SETBACK	40' [1]
MINIMUM REAR YARD BUILDING SETBACK	15'
MINIMUM AIR-CONDITIONED SQUARE FOOTAGE	3,000 SF
MINIMUM ROOF PITCH	8:12 EXCEPT FOR 4:12 ON PORCH ROOFS
MINIMUM MASONRY REQUIREMENT [*BRICK, STONE, CULTURED STONE, 3-PART STUCCO*]	80%
GARAGE ORIENTATION	TRADITIONAL "SWING" OR 'J' DRIVE REQUIRED. SINGLE GARAGE DOOR FACING STREET IS PERMITTED BEHIND (WIDTH) OF DOUBLE GARAGE DOOR IN "SWING" OR 'J' CONFIGURATION ONLY. 80% OF TYPE D LOTS SHALL HAVE A MINIMUM OF 3 CAR GARAGES.
MAXIMUM LOT COVERAGE	70%

NOTES:
[1]: *THE DIRECTOR OF PLANNING OR HIS DESIGNEE MAY GRANT A REDUCTION IN THE REQUIRED 40-FOOT FRONT YARD BUILDING SETBACK OF UP TO FIVE (5) FEET FOR LOTS SITUATED ALONG CUL-DE-SACS OR CURVILINEAR STREETS, OR WHERE A 40-FOOT FRONT YARD BUILDING SETBACK WOULD CREATE AN UNDUE HARDSHIP ON THE PROPERTY.*

(e) *Detached Single Family Lot Type E*

DEVELOPMENT STANDARDS	
MINIMUM LOT SIZE	7,200 SF
MINIMUM LOT WIDTH (@ *FRONT BUILDING LINE*)	60'
MINIMUM LOT DEPTH	110'
MINIMUM LOT WIDTH (*CORNER LOT*)	65'
MINIMUM SIDE YARD SETBACK	5'
MINIMUM FRONT YARD BUILDING SETBACK	20' (*FRONT PORCH MAY ENCROACH TO WITHIN 10-FEET OF THE FRONT PROPERTY LINE*) [1]
MINIMUM REAR YARD BUILDING SETBACK	10'
MINIMUM AIR-CONDITIONED SQUARE FOOTAGE	2,200 SF
MINIMUM ROOF PITCH	8:12 EXCEPT FOR 4:12 ON PORCH ROOFS
MINIMUM MASONRY REQUIREMENT [*BRICK, STONE, CULTURED STONE, 3-PART STUCCO*]	80%
GARAGE ORIENTATION [1]	UP TO 50% OF GARAGES WILL BE ALLOWED TO BE ACCESSED FROM THE STREET IN A FRONT ENTRY FORMAT (I.E. FACING THE STREET EVEN WITH THE FRONT FAÇADE OF THE PRIMARY STRUCTURE); HOWEVER, A MINIMUM DRIVEWAY LENGTH OF 20-FEET MUST BE PROVIDED. THE REMAINING GARAGES WILL BE IN A "TRADITIONAL SWING" OR 'J-SWING' FORMAT OR HAVE A GARAGE DOOR THAT IS A MINIMUM OF 20-FEET BEHIND THE FRONT FAÇADE OF THE PRIMARY STRUCTURE.
MAXIMUM LOT COVERAGE	65%

NOTES:
[1]: *NO TWO ADJACENT LOTS ON THE SAME SIDE OF THE STREET MAY HAVE FRONT ENTRY ONLY GARAGES FACING THE STREET.*

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(f) *Detached Single Family Lot Type F*

DEVELOPMENT STANDARDS	
MINIMUM LOT SIZE	20,000 SF
MINIMUM LOT WIDTH (@ *FRONT BUILDING LINE*)	100'
MINIMUM LOT DEPTH	180'
MINIMUM LOT WIDTH (*CORNER LOT*)	100'
MINIMUM SIDE YARD SETBACK	7'
MINIMUM FRONT YARD BUILDING SETBACK	40' [1]
MINIMUM REAR YARD BUILDING SETBACK	15'
MINIMUM AIR-CONDITIONED SQUARE FOOTAGE	3,000 SF
MINIMUM ROOF PITCH	8:12 EXCEPT FOR 4:12 ON PORCH ROOFS
MINIMUM MASONRY REQUIREMENT [*BRICK, STONE, CULTURED STONE, 3-PART STUCCO*]	80%
GARAGE ORIENTATION	TRADITIONAL "SWING" OR 'J' DRIVE REQUIRED. SINGLE GARAGE DOOR FACING STREET IS PERMITTED BEHIND (WIDTH) OF DOUBLE GARAGE DOOR IN "SWING" OR 'J' CONFIGURATION ONLY. 80% OF TYPE D LOTS SHALL HAVE A MINIMUM OF 3 CAR GARAGES.
MAXIMUM LOT COVERAGE	70%

NOTES:

[1]: *THE DIRECTOR OF PLANNING OR HIS DESIGNEE MAY GRANT A REDUCTION IN THE REQUIRED 40-FOOT FRONT YARD BUILDING SETBACK OF UP TO FIVE (5) FEET FOR LOTS SITUATED ALONG CUL-DE-SACS OR CURVILINEAR STREETS, OR WHERE A 40-FOOT FRONT YARD BUILDING SETBACK WOULD CREATE AN UNDUE HARDSHIP ON THE PROPERTY.*

(g) *Detached Single Family Lot Type G*

DEVELOPMENT STANDARDS	
MINIMUM LOT SIZE	8,400 SF
MINIMUM LOT WIDTH (@ *FRONT BUILDING LINE*)	70'
MINIMUM LOT DEPTH	120'
MINIMUM LOT WIDTH (*CORNER LOT*)	75'
MINIMUM SIDE YARD SETBACK	5'
MINIMUM FRONT YARD BUILDING SETBACK	20'
MINIMUM REAR YARD BUILDING SETBACK	10'
MINIMUM AIR-CONDITIONED SQUARE FOOTAGE	2,400 SF
MINIMUM ROOF PITCH	8:12 EXCEPT FOR 4:12 ON PORCH ROOFS
MINIMUM MASONRY REQUIREMENT [*BRICK, STONE, CULTURED STONE, 3-PART STUCCO*]	80%
GARAGE ORIENTATION	UP TO 50% OF GARAGES WILL BE ALLOWED TO BE ACCESSED FROM THE STREET IN A FRONT ENTRY FORMAT (I.E. FACING THE STREET EVEN WITH THE FRONT FAÇADE OF THE PRIMARY STRUCTURE); HOWEVER, A MINIMUM DRIVEWAY LENGTH OF 20-FEET MUST BE PROVIDED. THE REMAINING GARAGES WILL BE IN A "TRADITIONAL SWING" OR 'J-SWING' FORMAT OR HAVE A GARAGE DOOR THAT IS A MINIMUM OF 20-FEET BEHIND THE FRONT FAÇADE OF THE PRIMARY STRUCTURE.
MAXIMUM LOT COVERAGE	65%

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(3) *Fencing*. All individual residential fencing for lots less than 20,000 square feet shall be cedar standard fencing material (*minimum ½" thickness*) or better (*spruce fencing will not be allowed*). All cedar pickets shall be placed on the "public side" facing the street, alley or neighboring property. Lots containing 20,000 SF, lots located along perimeter roadways, and lots abutting open spaces, greenbelts and parks shall be required to install tubular steel fencing. Corner lot fencing (adjacent to the street) shall provide masonry columns at forty-five feet (45') off center spacing that begins at the rear property line corner and terminates ten feet (10') behind the front yard building setback line. A maximum six (6') foot solid board on board "panel" cedar fencing shall be allowed between the masonry columns along the side and/or rear yard lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five feet (5'). The property owner shall maintain that portion of the property outside the fence.

(4) *Anti-Monotony Features*. Lot types shall incorporate the following elevation features.

TABLE 3: ANTI-MONOTONY MATRIX

LOT TYPE	*LOT SIZE (APPROX.)*	*ELEVATION FEATURES*
A	60' x 120'	(a), (b), (C)
B	70' x 120'	(a), (b), (C)
C	80' x 125'	(a), (b), (C)
D	100' x 200'	(a), (b), (C)
E	60' x 120'	(a), (b)
F	100' x 180'	(a), (b), (C)
G	70' x 120'	(a), (b)

(a) Exterior facade must be composed of eighty percent (80%) masonry (brick, stone, cultured stone, or three-part stucco). Identical brick blends may not occur to adjacent (side-by-side) properties. Elevations shall not repeat along the fronting or siding streetscape without at least four (4) intervening homes of sufficient dissimilarity (to be determined by the ARC) on the same side of the street and (2) intervening homes on the opposite side of the street). The rear elevation of homes backing to open spaces or thoroughfares shall not repeat without at least two (2) intervening homes of sufficient dissimilarity (to be determined by the ARC). Masonry (brick, stone, cultured stone, or three-part stucco) chimneys shall be required on all homes.

(b) Minimum of 8:12 roof pitch, except for 4:12 roof pitches on porches. For each phase, a maximum of four compatible roof colors may be used. Dimensional shingles shall be used. Crown molding will be installed in all living and family rooms, unless vaulted or pop-up ceilings are utilized. No Formica counters in kitchens and bathrooms, no blown acoustic ceilings. No vinyl flooring will be used in kitchens.

(c) For front entry driveway access a traditional "swing" or "J" drive will be used. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only.

(5) *Streetscape Landscape*. Prior to issuance of a Certificate of Occupancy, yards for all single-family lots in the District shall be landscaped with large canopy trees.

(a) Two minimum three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of an interior lot.

(b) Two minimum three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of a corner lot and two additional trees of same caliper shall be planted in the side yard facing the street.

(c) For purposes of this section only, the term "front yard" includes the area within the dedicated right-of-way for a parkway immediately adjoining the front yard of the lot.

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(6) *Master Design Guidelines*. Additional design guidelines specific to each phase of development that shall apply to all single-family dwelling units within that phase of development, shall be submitted to the City prior to issuance of any building permits for that portion of the development.

(C) STANDARDS FOR DISTRICT DESIGN AND CONNECTIVITY

(1) *Streetscape Standards for Collectors & Non-Fronting Thoroughfares*. All streets, excluding drives, fire lanes and private parking areas, shall be built according to City of Rockwall street standards. Sidewalks and Hike / Bike trails are to be placed according to city requirements and as set forth in the Open Space Master Plan for the District.

(a) *Buffer-Strip and Sidewalks (John King Boulevard)*. The landscape buffer along John King Boulevard shall be as described in Article 05, *District Development Standards*, of the Unified Development Code (UDC) and be a minimum width of 50-feet as shown on the Planned Development *Concept Plan* in *Exhibit 'B'* of this ordinance. Additionally, the developer shall construct a minimum of a ten (10) foot sidewalk, on both sides of John King Boulevard, within the 50-foot landscape buffer.

(b) *Buffer-Strip (FM-552)*. A minimum of a 20-foot landscape buffer shall be provided along the frontage of FM-552 (*outside of and beyond any required right-of-way*), and shall incorporate ground cover, a built-up undulating berm and shrubbery along the entire length of the frontage. Berms and shrubbery shall have a minimum height 30-inches. In addition, three (3) canopy trees and four accent trees shall be planted per 100-linear feet of frontage. A meandering/curvilinear eight (8) foot trail shall be constructed within the 20-foot landscape buffer.

(c) *Buffer-Strip (Breezy Hill Subdivision and Retail)*. The minimum landscape buffer between the proposed *Retail* and the Breezy Hill Subdivision shall be a minimum of 30-feet, and shall incorporate a berm -- *a minimum height of five (5) feet* -- with three (3) tiered landscape screening conforming to the requirements contained in Article 08, *Landscape and Screening*, of the Unified Development Code (UDC) along the entire length of the landscape buffer. A detail of this landscape buffer shall be approved by the Planning and Zoning Commission at the time of *PD Site Plan* for the proposed *Retail* areas.

(d) *Buffer-Strip (Breezy Hill) Residential*. A landscape buffer strip with a minimum width of ten (10) feet shall be provided between any residential area and Breezy Hill Road.

(e) *Irrigation*. Any irrigation installed in landscape areas and public parks must be designed by a Texas licensed irrigator or landscape architect.

(f) *Fencing*. The Association will maintain all common area and perimeter fencing surrounding the Property. Such perimeter fencing shall be composed of six foot (6') tall tubular steel fencing with masonry entry features or such other fencing as may be approved by the City at the time of platting. Perimeter screening may also be accomplished by earthen berms landscaped with living screening. Property owners will maintain all fences constructed on private property.

(g) *Curvilinear Walks*. Walks are to be a minimum of five (5) feet wide to six (6) feet maximum width (*hike and bike trail*) consistent with the approved Open Space Master Plan. "Collector streets" with or without center medians may incorporate sidewalks six (6) feet in width adjacent to or within "front yard" landscape easements. Walks may meander within parkway and common area; however, edge of walk shall be no closer than four (4) feet from back-of-curb.

(h) *Medians*. Any proposed median openings shall meet the City standards at the time of *PD Site Plan* approval.

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(2) *Lighting*. Light poles shall not exceed twenty feet (20') in height. All light fixtures shall direct light downward and be contained to the site.

(3) *Sidewalks*. At a minimum, sidewalks located on lay down curb section streets shall begin four feet (4') behind the back of curb and be five feet (5') in overall width. Sidewalks will not be required on rural street sections.

(4) Curbing. Within certain lot types "A, B, & C" "roll up, lay down curbing" may be incorporated in an effort to minimize frequent curb cuts and maximize streetscape continuity, as approved by the City of Rockwall (Engineering Department) with approval of the final plat application.

(5) *Buried Utilities*. New distribution power-lines required to serve the Property shall be placed underground, whether such lines are located internally or along the perimeter of the Property, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (3 phase lines), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the Property, except along the 205 Bypass. Additionally, if such above ground lines are installed along the perimeter of the property and adjacent to non-residential use, then the lines shall be installed behind the non-residential buildings where the installation is possible. The Developer shall not be required to re-locate existing overhead power-lines along the perimeter of the Property. Temporary power-lines constructed across undeveloped portions of the Property to facilitate development phasing and looping may be allowed above ground, but shall not be considered "existing lines" at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph.

(6) *Parks and Open Space*.

(a) Residential and retail acreages (net of right-of-way dedication) shall contain no less than 20% open space and.

(b) Allowable open space may include but is not limited to 50% of floodplain, amenity center, public or private parks, trails, natural areas, buffers, traffic circle medians, entry features, common areas (including any Association recreation center or similar facilities) and other features depicted on the Development Plan, as set forth in the Open Space Master Plan prepared in accordance with subparagraph (c) below. Street right of way will not be included as open space. At least 80% of the single-family dwellings within the development shall be located within eight hundred feet (800') of public or private open space. In order to qualify, such open space must be at least one (1) continuous acre in area, not including roadway buffers less than fifty (50') feet in width.

(c) The Developer shall prepare the Open Space Master Plan to be consistent with the approved Development Plan. The purpose of an Open Space Master Plan is to supplement the Development Plan by providing an additional level of detail for public and private open space areas. The Open Space Master Plan shall identify the locations of and improvements to public parks, and other public and private open space or common areas and shall illustrate an integral system of trail improvements that, together with intervening land held by other property owners or the City, is designed to connect residential areas, schools and retail areas within the District to parks and open space within the District and that provides for continuation and connection of the trail system to off-site parks and open space, in accordance with the City's Master Park and Recreation Plan. The Open Space Master Plan shall clearly differentiate public parks from private facilities and common lands to be maintained by the Association. The locations of public parks, school sites and other public and private open space or common areas shown on the Open Space Master Plan shall be in conformance with the Development Plan. The Open Space Master Plan shall include a phasing plan for construction of all trails, parks, common open space and facilities. The Open Space Master Plan shall be considered for approval if it complies

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with this section, the applicable City regulations, the Development Plan, and generally accepted park-planning practices.

(d) The District shall contain not less than eleven (11) acres of land to be used as public or private parkland. A minimum of eleven (11) contiguous acres shall be dedicated to the City in accordance with the City's Neighborhood Parkland Dedication Ordinance on approval of the final plats for those phases adjacent to or abutting the proposed parkland dedication and will provide access to said parkland area. The remaining parkland area will be retained as a private park within the District. Park improvements shall be constructed in accordance with the approved Open Space Master Plan. The site plan incorporating the design of park improvements and hike/bike trail improvements shall be considered for approval with the final plat for the phase of the development containing such improvements. Performance of the obligations in this subparagraph shall be deemed to fully satisfy the City's Neighborhood Parkland Dedication Ordinance regarding land dedication. At the time of recordation of final plats for each phase, the Developer shall pay park improvement fees to the City. These fees shall be held in an escrow account until the parkland is dedicated to the City, at which time the Developer shall inform the City if the Developer wishes to use the escrowed fees as well as future fees to construct park improvements. Prior to construction, said improvements shall be approved by Parks Director, approval not to be unreasonably withheld, and invoices for improvements shall be submitted to Parks Director for approval. Performance of the obligations in this subparagraph shall be deemed to fully satisfy the City's Neighborhood Parkland Dedication Ordinance regarding park development fees, provided that park improvements are installed at a value equal or exceeding the value of park improvement fees for the entire District applicable at that time, or improvement fees are paid. Thereafter, the Developer shall not be responsible for additional parkland dedication or park development fees associated with the Property, except as otherwise may be provided in a capital facilities agreement approved by the City.

(7) *Retention Ponds*. Developer shall provide a minimum of one (1) retention pond in the District with hard edges and fountain features. The exact configuration and location of the ponds will be determined at development. All retention pond hardedges shall be similar to the hardedge shown on *Figure 1*.

(8) *Signage*. Permanent subdivision identification signage shall be permitted at all major entry points, in general conformance to the signage shown in *Figure 2 & 3*. Final design of entry features to be determined with the Planned Development Site Plan.

FIGURE 1: RETENTION POND WITH HARDEDGE.

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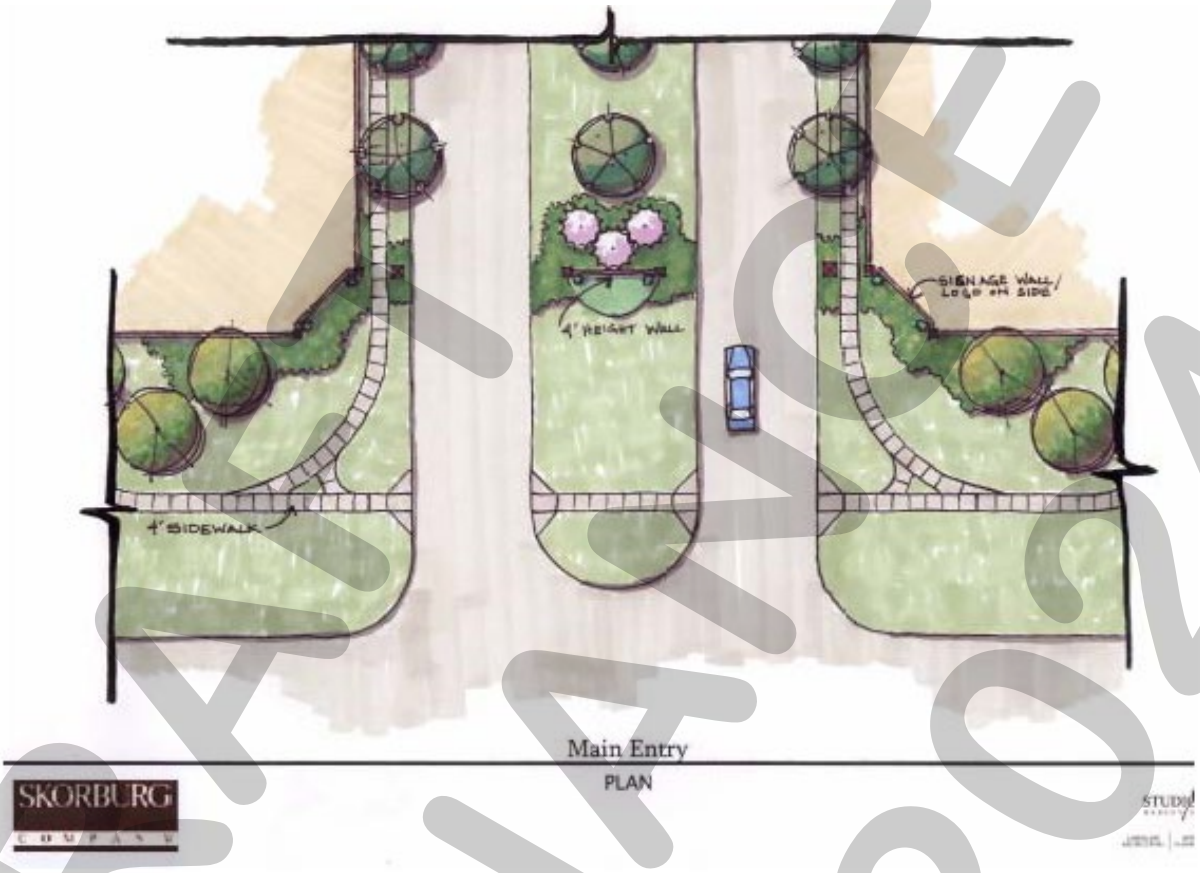

FIGURE 2: EXAMPLE OF SUBDIVISION SIGNAGE LOCATIONS

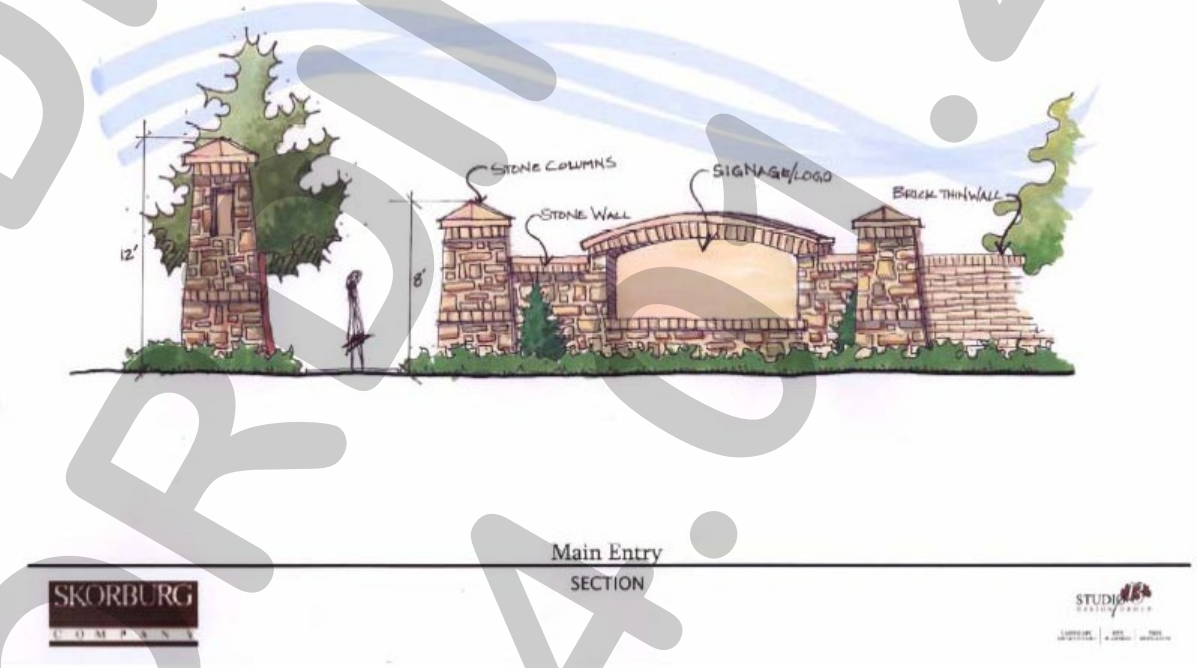

FIGURE 3: EXAMPLE OF SUBDIVISION SIGNAGE DESIGN STANDARD

DRAFT ORD. 04.01.2024

(9) *Variances*. The variance procedures and standards for approval set forth in the Unified Development Code shall apply to any application for variances to this ordinance.

(10) *Amenity Center*. Site plan, landscape plan and building elevations for the Amenity Center shall be approved by the Planning and Zoning Commission prior to construction.

(11) *Trees*. All trees planted within the District shall be a minimum three (3) inch caliper measured six (6) inches above the root ball.

DRAFT ORDINANCE 04.01.2024

EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

THIS CAPITAL FACILITIES AGREEMENT (the "Agreement") is by and among the Breezy Hill 405, Ltd, ("Breezy" or "Developer") and the City of Rockwall, Texas ("City" or "Rockwall "),

I. RECITALS

1. Breezy seeks to rezone and subdivide the Property for single-family residential use and certain commercial uses. Breezy shall submit an application to rezone the 405 acres north of FM-552 (the "Property") as a planned development (PD) district for a development currently known as Breezy Hill (the "PD District"),

NOW, THEREFORE, in consideration of the foregoing recitals and mutual covenants contained herein, the Parties hereto agree as follows:

II. ADEQUATE PUBLIC FACILITIES

1. *General Provisions.*

   a. *Adequacy Required.* Development of the Property shall be supported with adequate levels of public facilities and services, Adequate facilities and services are those that (i) comply with the applicable City regulations, including this Agreement, and (ii) are consistent with generally accepted engineering and planning practices for similar developments, The Parties agree that the dedication and construction of public improvements, or the contribution of proportionate development fees, required to support development of the Property shall precede or be concurrent with the construction of private improvements to the land, in accordance with the phasing provisions incorporated within this section, or as otherwise may be provided through approval of a master plat.

   b. *Proportionality.* The Parties agree that the dedication or construction of public improvements, or the contributions of development fees, provided for in this Agreement are roughly proportional to the nature and extent of the proposed development of the Property on the City's public facilities systems. Breezy hereby covenants not to sue the City for any claim, or otherwise consent to participate in any action against the City arising from any claim by such party or by its affiliates, alleging that application of the adequate facilities requirements set forth in this Part II of the Agreement to the development of the Property, or the imposition of conditions to a plat application for a portion of the Property that are consistent with the requirements of this section, are not roughly proportional to the impacts of the development depicted in the Concept Plan, including but not limited to any action premised upon Tex. Loc. Gov't Code sec. 212.904 or successor statute. Such covenant not to sue touches and concerns the Property, and is a covenant running with the land such that it binds successors-in-interest and assigns of Breezy. Should any successor-in-interest or assign of Breezy other than an affiliate of Breezy assert any of the foregoing claims in a court of competent jurisdiction, in violation of this Subsection 1 (b), with respect to the development of any portion of the Property, the Parties agree that, with respect to such portion of the Property or all of the Property, at the City's option, this Agreement thereupon shall become null and void and any rights that may otherwise have

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EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

vested under then existing state law shall be waived upon such event. Breezy further agrees that the City may expressly rely upon the provisions of this paragraph in any certification under section 212.904 and that a court in determining rough proportionality may consider all of the Property. Should Breezy or an affiliate of Breezy violate the covenant not to sue contained in this paragraph, the City may either enforce the covenant or pursue the remedies provided for herein that are applicable to successors or assigns, other than affiliates. As used in this Agreement, the term "affiliate" means any person, corporation, partnership, or other entity controlled by, controlling, or under common control with Breezy.

c. *No Waiver.* The requirements in this Part II shall be considered additional standards and conditions applicable to development within the PD District. Except in the event of a conflict between the standards in this Agreement and other standards applicable within the District, nothing in this Agreement shall be construed as superseding any requirement or standard in the City's subdivision or utility regulations relating to provision of adequate public facilities and services.

2. *Wastewater Services.*

a. *City as Provider.* The City shall be the supplier of wastewater services to the Property.

b. *Line Extensions.* The Developer shall extend wastewater mains sufficient to serve each phase of development within the PD District, sized in accordance with the City's master plan for wastewater facilities and constructed in accordance with the phasing schedule approved in conjunction with the Developer's master plat application. The Developer shall design and construct a lift station in order to serve the development within the PD District. The Developer shall be entitled to pro-rata fees for the costs of over-sizing the lift station from other future developments using the lift station, calculated on a per acreage basis. Developer also shall be eligible for credits against, wastewater impact fees otherwise due for construction of improvements identified and included in the City's wastewater improvements plan for impact fees, in accordance with the City's then existing impact fee regulations. Provisions for City participation in oversize costs, rebate of pro-rata fees or provision of impact fee credits shall be set forth in a facilities and reimbursement agreement between the Developer and the City.

c. *Payment of Impact Fees.* Wastewater impact fees shall be paid at rates and at the times provided for in the City's then existing impact fee regulations.

3. *Water Services*

a. *City as provider.* The City shall be the supplier of water services to the Property. The City represents that it has sufficient capacity to serve the Property.

b. *Line Extensions.* The Developer shall extend water mains sufficient to serve each phase of development within the PD District, sized in accordance with

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EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

the City's master plan for water facilities and constructed in accordance with the phasing schedule approved in conjunction with the Developer's master plat application. The Developer shall be eligible for City participation in the costs of over-sizing water distribution mains or appurtenances that serve other land in addition to the Property, in accordance with the City's standard policies, or for collection of pro-rata fees for such facilities. Developer also shall be eligible for credits against, water impact fees otherwise due for construction of improvements identified and included in the City's water improvements plan for impact fees, in accordance with the City's then existing impact fee regulations. Provisions for City participation in oversize costs, rebate of pro rata fees or provision of impact fee credits shall be set forth in a facilities and reimbursement agreement between the' Developer and the City.

c. *Payment of Impact Fees.* Water impact fees shall be paid at rates and at the times provided for in the City's then existing impact fee regulations.

4. *Road Improvements.* The Developer shall make the following road improvements.

a. *John King Boulevard (Highway 205 Bypass).* The Developer shall have no obligation with respect to construction of John King Blvd. other than as outlined herein regarding payment of road impact fees.

b. *FM-552 Improvements.* The Developer shall dedicate rights-of-way for and construct turn lanes and acceleration/deceleration lanes concurrent with construction of any road on the Property that intersects FM 552, in accordance with City and TXDOT standards and specifications at the time of development of adjoining property.

c. *Breezy Hill Road Improvements.* The Developer shall dedicate a minimum of twenty-five feet (25') of right-of-way or such right-of-way as is needed to construct a twenty-four foot (24') concrete rural section of Breezy Hill Road and appurtenances adjacent to the Property, together with a two-foot (2') asphalt or concrete shoulder on either side of the concrete section, the total not to exceed twenty-eight feet (28') in width, from the northern point of Breezy Hill Road adjacent to the Property, to FM-552, as shown on the Development Plan. The Developer also shall dedicate and improve a minimum landscape buffer of ten feet (10') for the residential tract and fifty feet (50') for the retail tract, adjacent to the right-of-way for Breezy Hill Road, designed in accordance with the requirements of a PD District then in effect for a rural collector. The bar ditch that abuts the buffer strip, designed to a maximum slope of 3: 1, shall not encroach into the required ten-foot or fifty-foot buffer area, except to the extent that the buffers exceed ten feet (10') in width. The Developer shall dedicate right-of-way for Breezy Hill Road and the landscape buffer at the time of final plat approval for any lot abutting Breezy Hill Road. Developer shall construct Breezy Hill Road in conjunction with the retail tract that is final platted adjacent to Breezy Hill Road. Breezy Hill Road will be constructed from the northernmost intersection created by any portion of the retail tract being platted, south to FM-552. Developer shall install any

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needed expansion of existing culverts created by such construction or the development, of such retail tract.

d. *Payment of Roadway Impact Fees.* Roadway impact fees shall be paid at rates and at the times provided for in the City's then existing impact fee regulations. Construction costs incurred by Developer for roadway improvements in this Agreement that are included in the City's roadway improvements plan for impact fees shall be credited against roadway impact fees otherwise due, in accordance with the City's impact fee regulations.

5. *Drainage Improvements.* Dedication of rights-of-way for and construction of drainage improvements shall be provided as specified in conditions imposed with approval of the master plat for development within the PD District and in accordance with City standards and specifications.

6. *Parks and Open Space.*

a. The Developer or a property owners association shall maintain public parklands and improvements within the development for a period of three (3) months from the completion and acceptance of the improvements. Thereafter, the City shall assume responsibilities for maintenance. All open space and improvements which are not dedicated as parkland to the City shall be maintained as common areas in perpetuity by the property owners association for the PD District. Additionally, the property owners association shall maintain Developer-installed landscaping areas in public rights-of-way and public drainage ways internal to and adjacent to the Property.

III. GENERAL PROVISIONS

1. Notice on Sale. The Developer shall provide the City with notice of the sale of any tract or parcel within the District that has not been platted at the following address:

Rockwall City Manager
Rockwall City Hall
385 S. Goliad Street
Rockwall, TX 75087

2. *Recording.* This Agreement is intended to run with the land, and shall be recorded in the Real Property Records, Rockwall County, Texas.

3. *Term of Agreement.* This Agreement shall terminate two (2) years following the City's acceptance of the dedication and construction of the public improvements described herein serving the last phase of development within the PD District, after which the City agrees, upon the request of the Developer to execute a termination of this Agreement in recordable form. Any reimbursements for payment of impact fees shall not expire.

4. *Effective Date.* This Agreement shall take effect upon the date of its execution by the last of the Parties to the Agreement; provided, however, that Breezy shall execute this Agreement no later than five (5) business days following the

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EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

effective date of the PD zoning ordinance for the Property. If Breezy fails to execute this Agreement within such period, this Agreement shall become null and void, and unless a subsequent agreement, acceptable to the City and the Developer, is agreed to, the City may thereafter deny any PD site plan, master plat or other plat application on grounds that the application is not supported by adequate public facilities and services.

5. *Severability.* Invalidation of any provision of this Agreement by judgment or court order shall not invalidate any of the remaining provisions which shall remain in full force and effect, unless such remaining provisions are an integral part of the invalid provisions or the invalid provision is necessary to give effect to the remaining provisions.

6. *Enforcement.* This Agreement may be enforced by the Parties by any proceeding at law or in equity. Failure to do so shall not be deemed a waiver to enforce the provisions of this Agreement thereafter.

7. *Venue.* Venue for this Agreement shall be in Rockwall County, Texas.

8. *Execution.* This Agreement may be separately executed in individual counterparts, and upon execution, shall constitute one and the same instrument.

9. *Amendment.* This Agreement may only be amended in writing upon mutual consent of the City and the Developer.

10. *Joint preparation.* This Agreement shall be deemed to have been jointly prepared by all Parties hereto, and no ambiguity of this Agreement shall be construed against any party based upon the identity of the author of this Agreement or any portion thereof.

11. *Recitals Incorporated.* Statements and representations contained herein are to be considered contractual in nature and not merely recitations of fact. The Recitals contained in Part I of this Agreement hereby are expressly incorporated into this Agreement by reference.

12. *Construction.* All references herein in the singular shall be construed to include the plural where applicable, the masculine to include the feminine and neuter genders.

13. *Authority.* Each of the signatories to this Agreement represents and warrants that he is authorized to execute this Agreement and bind his principals to the terms and provisions hereof. Each Party warrants that any action required to be taken in order for this Agreement to be binding on it has been duly and properly taken prior to the execution of this Agreement.

14. *Conflicts.* In the event of a conflict between this Agreement and any provision of the Unified Development Code, the City Code, or any City ordinance, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this Agreement, the standards in this Agreement shall control.

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EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

15. *No Waiver.* Developer retains the right to challenge the application of any City impact fee regulations to the Property solely on the basis that such regulations fail to comply with Chapter 395 of the Texas Local Government Code, as amended. If Developer prevails in such a claim, impact fees shall be applied to the development of the Property and paid by the Developer, as applicable, in accordance with the court order.

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City of Rockwall

MEMORANDUM

TO: **Mayor and City Council Members**

FROM: **Kristy Teague, City Secretary/Asst. to the City Manager**

DATE: **April 1, 2024**

SUBJECT: **Filling Vacant Seat on MSAB**

Recently, (now former) board member Gary Cannavo resigned from service on the Main Street Advisory Board. Councilmember Moeller is the liaison for the board and is recommending the Council consider filling the vacant seat with Jeremy Standifer. Mr. Standifer previously served for six years on the MSAB and is the owner of Bookclub Cafe. If appointed by Council, his partial term will run through January of 2026.

ATTACHMENTS:
None

City of Rockwall
The New Horizon

Building Inspections Department
Monthly Report

February 2024

Permits

Total Permits Issued:	**257**
Building Permits:	23
Contractor Permits:	234
Total Commercial Permit Values:	**$4,837,810.25**
Building Permits:	$1,600,000.00
Contractor Permits:	$3,237,810.25
Total Fees Collected:	**$217,495.76**
Building Permits:	$139,919.94
Contractor Permits:	$77,575.82

Board of Adjustment

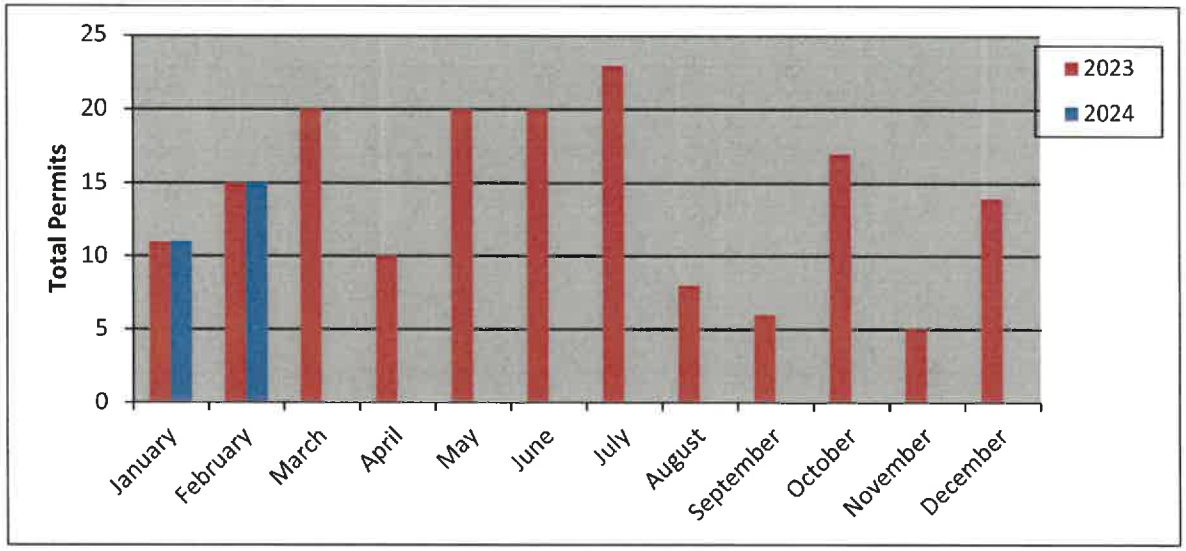
Board of Adjustment Cases:	**0**

City of Rockwall
PERMITS ISSUED - Summary by Type and Subtype
For the Period 2/1/2024 to 2/29/2024

Type/Subtype	# of Permits Issued	Valuation of Work	Fees Charged
Commercial Building Permit	45	$4,837,810.25	$84,243.41
Backflow Permit	1	3,661.00	$98.69
Certificate of Occupancy	7		$531.00
Concrete Permit	1	10,000.00	$196.61
Electrical Permit	3	41,025.00	$741.29
Irrigation Permit	4		$31,460.38
Mechanical Permit	1	2.00	$51.00
New Construction	3	1,600,000.00	$30,531.70
Plumbing Permit	5	85,000.00	$1,178.86
Pool	1		$306.00
Remodel	9	3,026,400.00	$18,306.38
Retaining Wall Permit	1		$51.00
Roofing Permit	1	60,000.00	$76.50
Sign Permit	7	11,722.25	$612.00
Temporary Construction Trailer	1		$102.00
Residential Building Permit	212		$133,252.35
Accessory Building Permit	5		$398.71
Backflow Permit	1		$76.50
Concrete Permit	3		$560.70
Demolition	1		$51.00
Driveway Permit	1		$225.62
Electrical Permit	6		$561.00
Fence Permit	32		$1,705.50
Fire pit/Fireplace	1		$127.50
Generator	10		$1,453.50
House Moving	1		$0.00
Irrigation Permit	9		$688.50
Mechanical Permit	15		$1,754.50
New Single Family Residential	15		$108,989.53
Patio Cover/Pergola	4		$773.36
Plumbing Permit	40		$3,100.50
Pool	7		$967.00
Remodel	3		$492.61
Retaining Wall Permit	6		$303.00
Roofing Permit	33		$2,518.50
Solar Panel Permit	6		$2,387.58
Temporary Construction Trailer	1		$5,506.24
Window & Door Permit	12		$611.00
Totals:	**257**		**$217,495.76**

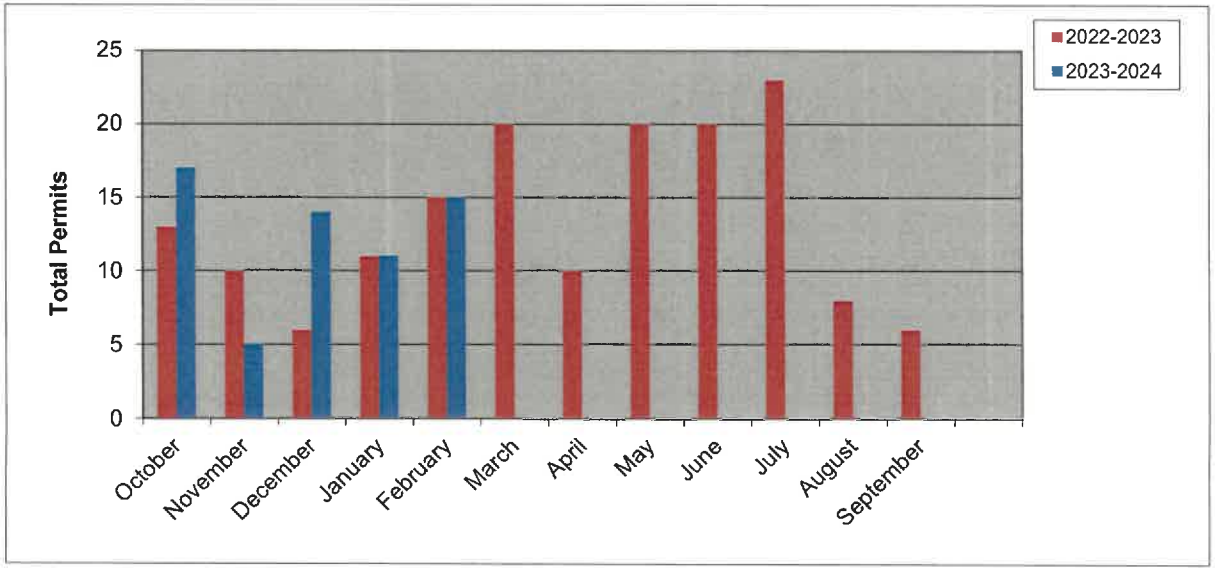
New Residential Permits Calendar Year

	Year	
	2023	2024
January	11	11
February	15	15
March	20	
April	10	
May	20	
June	20	
July	23	
August	8	
September	6	
October	17	
November	5	
December	14	
Totals	169	26



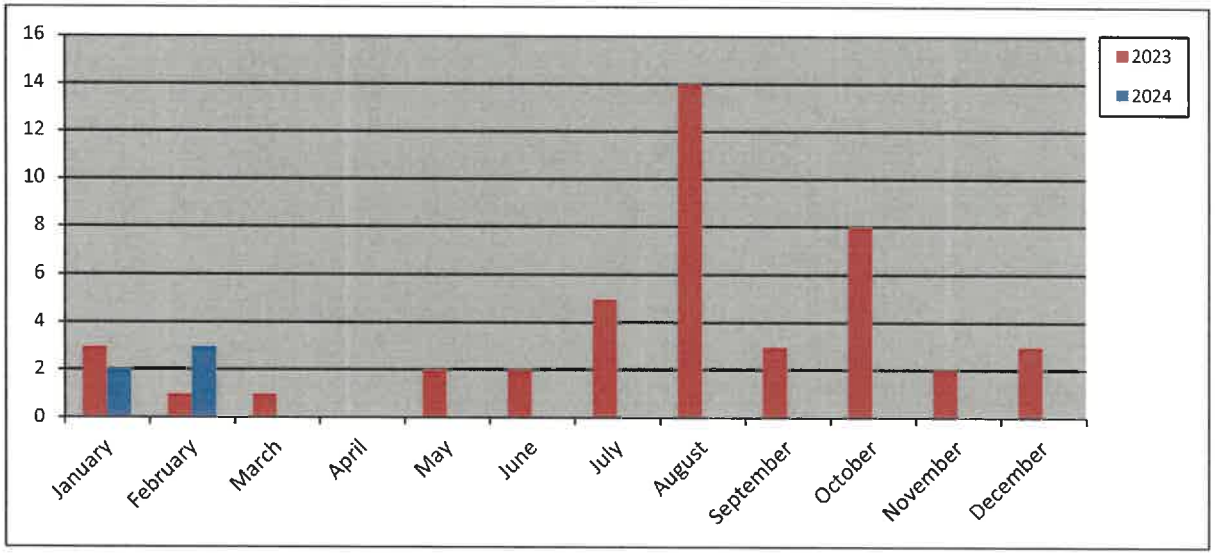
New Residential Permits Fiscal Year

	Year	
	2022-2023	2023-2024
October	13	17
November	10	5
December	6	14
January	11	11
February	15	15
March	20	
April	10	
May	20	
June	20	
July	23	
August	8	
September	6	
Totals	**162**	**62**



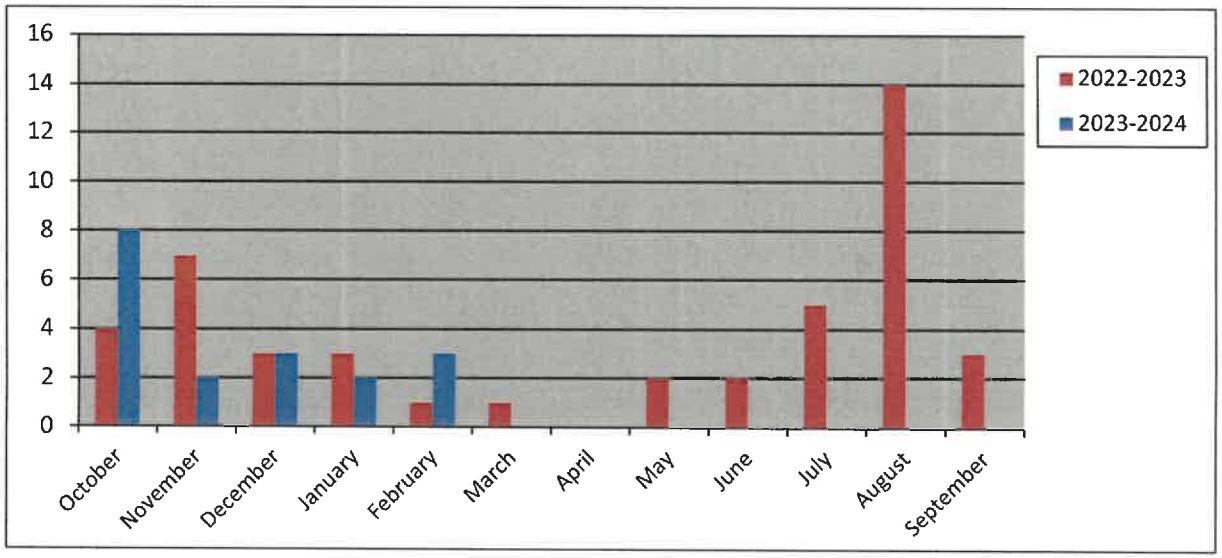
Residential Remodel/Additions Permits Calendar Year

	Year	
	2023	2024
January	3	2
February	1	3
March	1	
April	0	
May	2	
June	2	
July	5	
August	14	
September	3	
October	8	
November	2	
December	3	
Totals	44	5



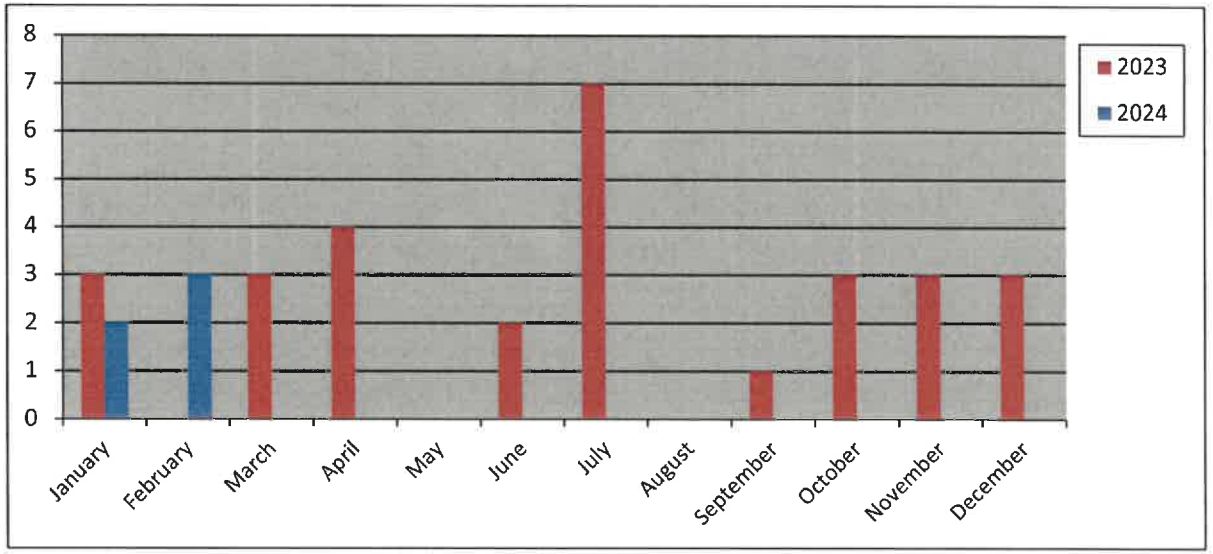
Residential Remodel/Additions Permits Fiscal Year

	Year	
	2022-2023	2023-2024
October	4	8
November	7	2
December	3	3
January	3	2
February	1	3
March	1	
April	0	
May	2	
June	2	
July	5	
August	14	
September	3	
Totals	**45**	**18**



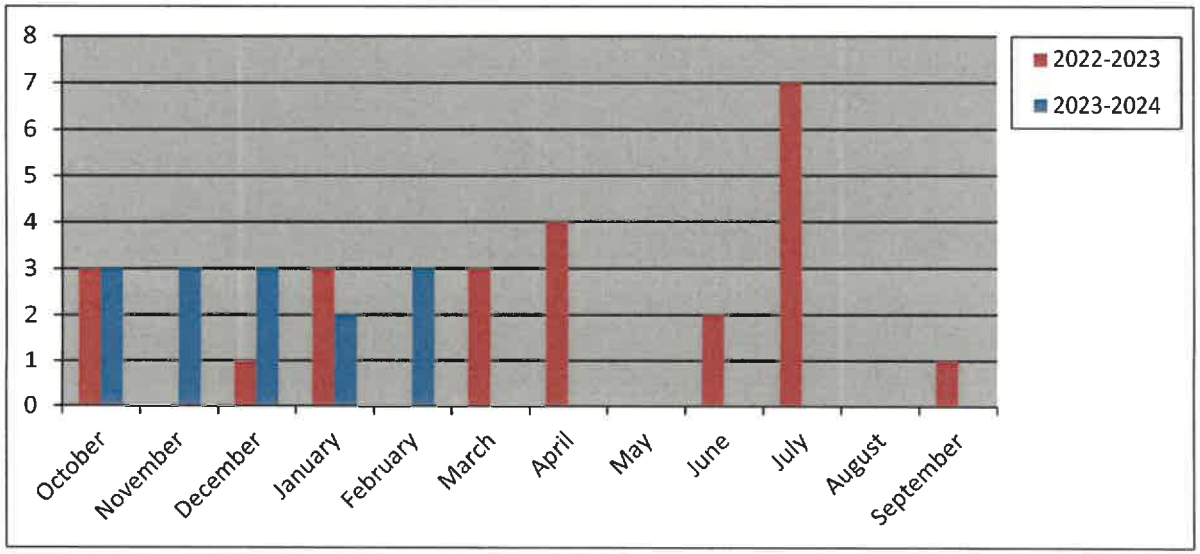
New Commercial Permits Calendar Year

Year		
	2023	2024
January	3	2
February	0	3
March	3	
April	4	
May	0	
June	2	
July	7	
August	0	
September	1	
October	3	
November	3	
December	3	
Totals	**29**	**5**



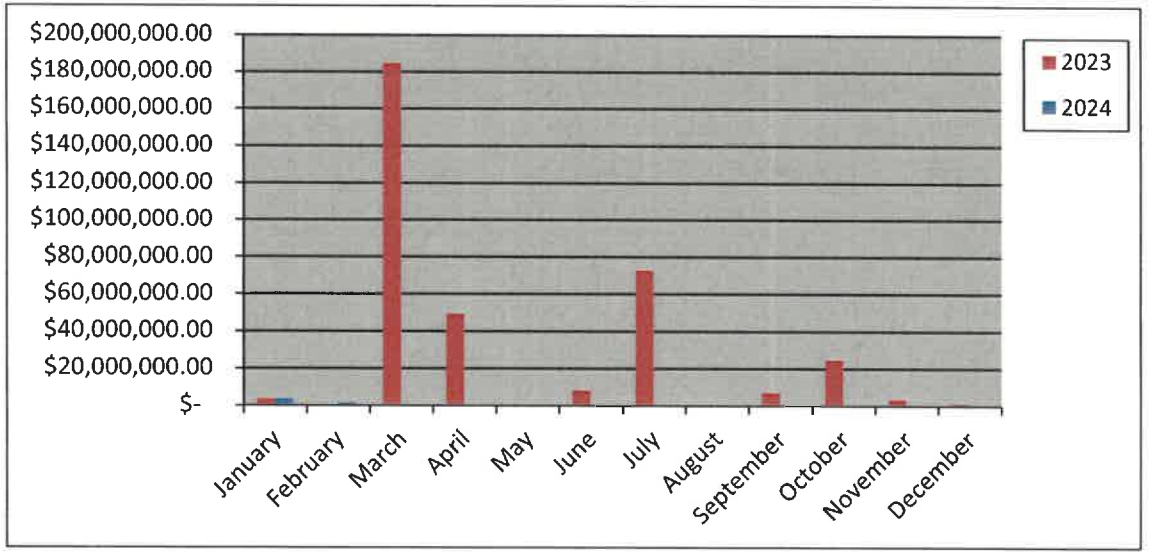
New Commercial Permits Fiscal Year

Year		
	2022-2023	2023-2024
October	3	3
November	0	3
December	1	3
January	3	2
February	0	3
March	3	
April	4	
May	0	
June	2	
July	7	
August	0	
September	1	
Totals	**24**	**14**



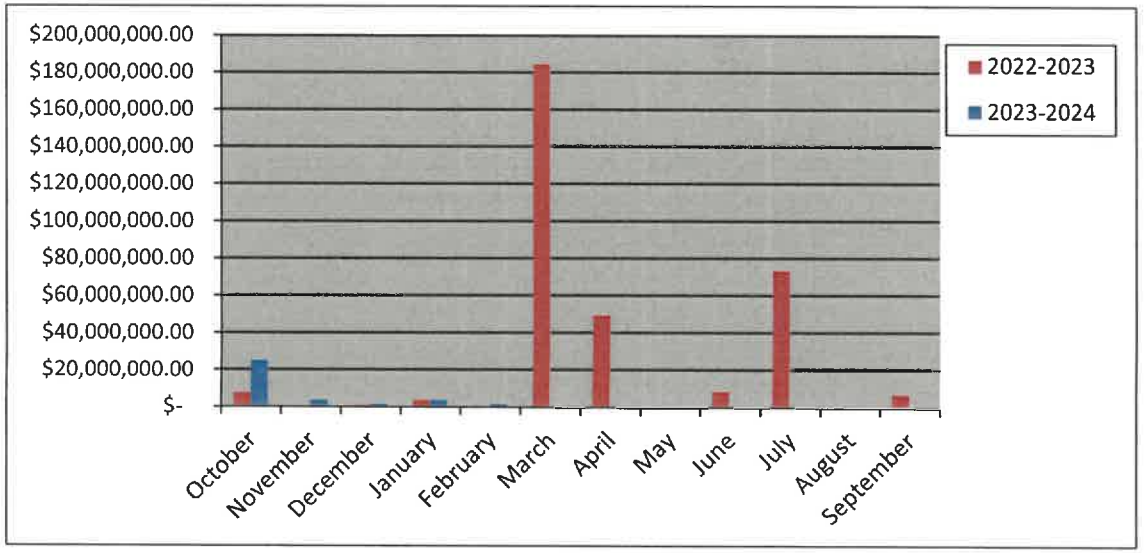
New Commercial Value Calendar Year

Year	2023	2024
January	$ 3,684,500.00	$ 3,628,000.00
February	$ -	$ 1,600,000.00
March	$ 184,834,500.00	
April	$ 49,466,652.00	
May	$ -	
June	$ 8,450,000.00	
July	$ 73,254,209.00	
August	$ -	
September	$ 7,200,000.00	
October	$ 25,014,439.00	
November	$ 3,500,000.00	
December	$ 1,539,000.00	
Totals	**$ 356,943,300.00**	**$ 5,228,000.00**



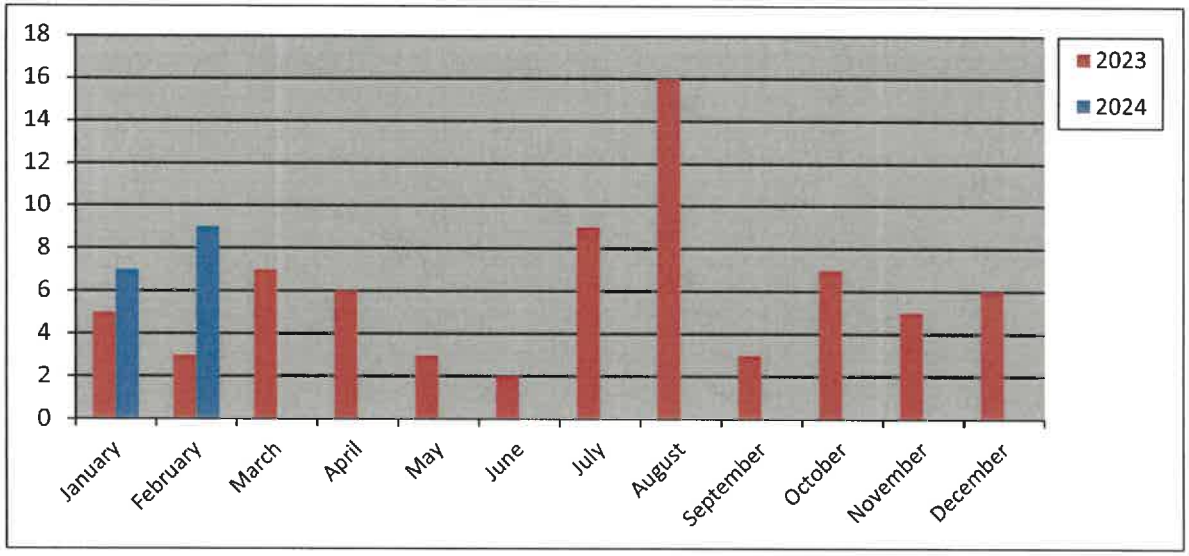
New Commercial Value Fiscal Year

Year	2022-2023	2023-2024
October	$ 7,472,450.00	$ 25,014,439.00
November	$ -	$ 3,500,000.00
December	$ 1,000,000.00	$ 1,539,000.00
January	$ 3,684,500.00	$ 3,628,000.00
February	$ -	$ 1,600,000.00
March	$ 184,834,500.00	
April	$ 49,466,652.00	
May	$ -	
June	$ 8,450,000.00	
July	$ 73,254,209.00	
August	$ -	
September	$ 7,200,000.00	
Totals	**$ 335,362,311.00**	**$ 35,281,439.00**



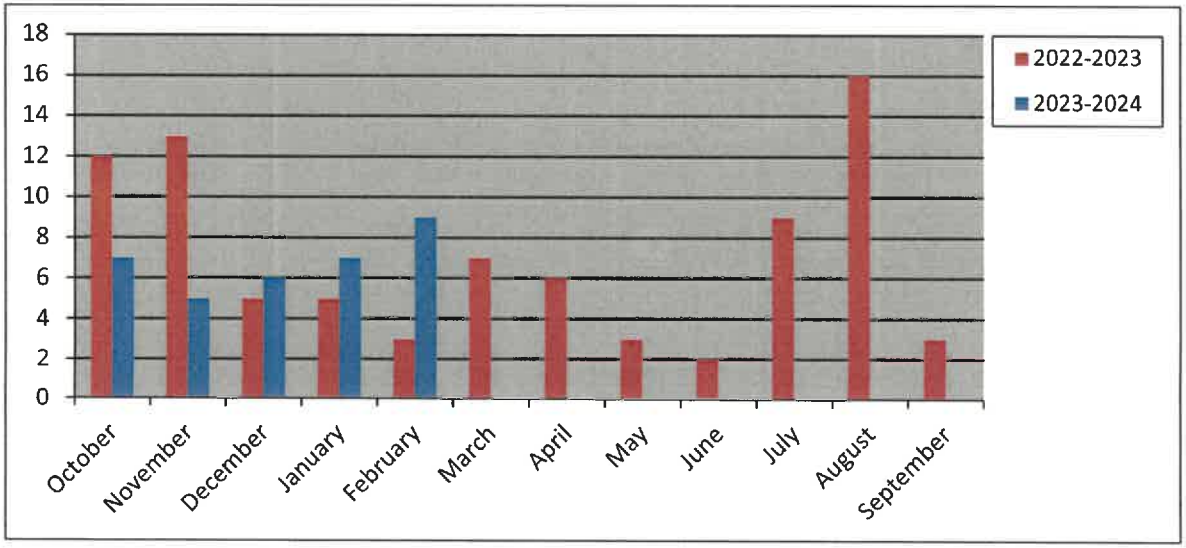
Commercial Remodel Permits Calendar Year

	Year	
	2023	2024
January	5	7
February	3	9
March	7	
April	6	
May	3	
June	2	
July	9	
August	16	
September	3	
October	7	
November	5	
December	6	
Totals	**72**	**16**



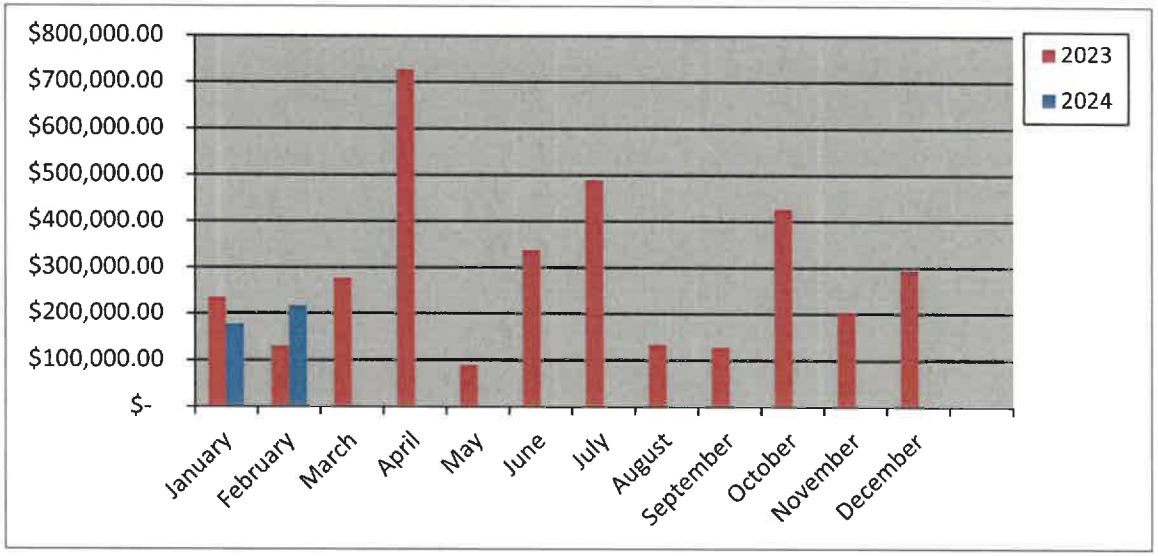
Commercial Remodel Permits Fiscal Year

	Year	
	2022-2023	2023-2024
October	12	7
November	13	5
December	5	6
January	5	7
February	3	9
March	7	
April	6	
May	3	
June	2	
July	9	
August	16	
September	3	
Totals	**84**	**34**



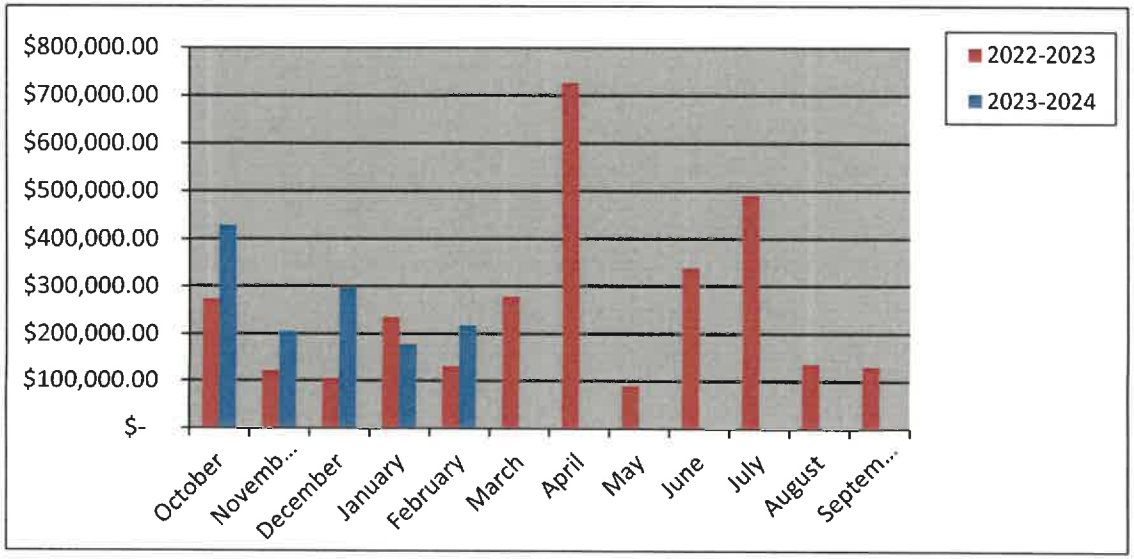
Total Fees Collected Calendar Year

Year	2023	2024
January	$ 235,769.45	$ 177,441.82
February	$ 131,295.33	$ 217,495.76
March	$ 278,577.39	
April	$ 727,627.76	
May	$ 91,036.40	
June	$ 338,892.45	
July	$ 491,588.49	
August	$ 135,201.61	
September	$ 129,729.04	
October	$ 428,622.49	
November	$ 204,858.87	
December	$ 295,452.22	
Totals	**$ 3,488,651.50**	**$ 394,937.58**



Total Fees Collected Fiscal Year

Year	2022-2023	2023-2024
October	$ 274,314.07	$ 428,622.49
November	$ 122,821.42	$ 204,858.87
December	$ 105,480.50	$ 295,452.22
January	$ 235,769.45	$ 177,441.82
February	$ 131,295.33	$ 217,495.76
March	$ 278,577.39	
April	$ 727,627.76	
May	$ 91,036.40	
June	$ 338,892.45	
July	$ 491,588.49	
August	$ 135,201.61	
September	$ 129,729.04	
Totals	**$ 3,062,333.91**	**$ 1,323,871.16**



CERTIFICATES OF OCCUPANCY ISSUED

For the Period 2/1/2024 to 2/29/2024

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
CO2023-24 12/20/2023 02/14/2024	Certificate of Occupancy ISSUED Edward Jones	738 Justin Road, Rockwall, TX 75087		$76.50	$76.50

Contact Type	Contact Name / Business Phone	Contact Address			
Applicant	Nate Moore	738 Justin Rd	Rockwall	TX	75087
Business Owner	Shawna Lazorko 972-905-5205	738 Justin Rd	Rockwall	TX	75087
Inspection Report C	Clay Spicer	4210 Ridge Road, Suite #201	Heath	TX	75032
Property Owner	LARRY FARLEY	738 JUSTIN ROAD	Rockwall	TX	75087

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
CO2023-28 12/29/2023 02/02/2024	Certificate of Occupancy ISSUED Clarion Therapy & Wellness, PLLC	2850 SHORELINE TRL, Suite 200, Rockwall, TX 75032		$75.00	$75.00

Contact Type	Contact Name / Business Phone	Contact Address			
Applicant	Melanie Acker	2850 Shoreline Trl, Suite 200	Rockwall	TX	75032
Business Owner	Melanie Acker & Elizabeth 214-773-4460	2850 Shoreline Trl, Suite 200	Rockwall	TX	75032
Property Owner	Marlin Smith	5196 Hwy 276 W, Suite B27	Royse City	TX	75189
Inspection Report C	Melanie Acker	2850 Shoreline Trl, Suite 200	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
CO2024-1 01/02/2024 02/21/2024	Certificate of Occupancy ISSUED Tropical Smoothie Cafe	3021 RIDGE RD, S 103, ROCKWALL, TX 75032		$75.00	$75.00

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
CO2024-23 / 01/29/2024 / 02/21/2024	Certificate of Occupancy / ISSUED / Restore Aesthetics, PLLC	6520 ALLIANCE DR, 110, ROCKWALL, 75032		$76.50	$76.50

Contact Type	Contact Name / Business Phone	Contact Address			
Applicant	Kush Patel, Member	3021 Ridge Rd, Suite 103	Rockwall	TX	75032
Business Owner	Harlishwar Hospitality LLC	3021 Ridge Rd, Suite 103	Rockwall	TX	75032
Property Owner	Ridge Road Properties LLC	3021 Ridge Rd, PMB 103	Rockwall	TX	75032
Inspection Report C	Kush Patel, Member	3021 Ridge Rd, Suite 103	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
CO2024-27 / 01/30/2024 / 02/23/2024	Certificate of Occupancy / ISSUED / Strategix Medical Solutions	1101 Ridge Road, Suite 214. Rockwall, TX 75087		$76.50	$76.50

Contact Type	Contact Name / Business Phone	Contact Address			
Applicant	Strategix Medical Solutions	1101 Ridge Road Suite 214	Rockwall	TX	75087
Business Owner	Jamie Vasquez 214-235-2116	1101 Ridge Road, Suite 214	Rockwall	TX	75087
Property Owner	Ridge Road Partners, LP	1101 Ridge Road Suite 214	Rockwall	TX	75087
Inspection Report C	Jamie Vasquez	1101 Ridge Road Suite 214	Rockwall	TX	75087

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
CO2024-3 01/03/2024 02/09/2024	Certificate of Occupancy ISSUED Donut Palace of Rockwall	491 E INTERSTATE 30, ROCKWALL, TX 75087		$75.00	$75.00

Contact Type	Contact Name / Business Phone	Contact Address			
Applicant	SANG K PAK	491 E INTERSTATE 30	ROCKWALL	TX	75087
Business Owner	SANG K PAK 214-566-6759	491 E INTERSTATE 30	ROCKWALL	TX	75087
Property Owner	Robert W Kennedy	16475 Dallas Pkwy, Suite 880	Addison	TX	75001
Inspection Report (	SANG K PAK	491 E INTERSTATE 30	ROCKWALL	TX	75087
Applicant	Tanya Buehler TEST				

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
CO2024-33 02/05/2024 02/16/2024	Certificate of Occupancy ISSUED Tejas Roofworks & Restoration	109 E Bourn St, Rockwall, TX 75087		$76.50	$76.50

Contact Type	Contact Name / Business Phone	Contact Address			
Applicant	Jared Jimenez	109 E Bourn St	Rockwall	TX	75087
Business Owner	Jared Jimenez 214-551-6707	109 E Bourn St	Rockwall	TX	75087
Property Owner	Jason R Edwards	10 Dancing Waters	Rockwall	TX	75032
Inspection Report (	Jared Jimenez	109 E Bourn St	Rockwall	TX	75087

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
CO2024-37 02/07/2024 02/21/2024	Certificate of Occupancy ISSUED Yoke Hair	802 N GOLIAD ST, ROCKWALL, TX 75087		$75.00	$75.00

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

Contact Type	Contact Name / Business Phone	Contact Address			
Applicant	Ernest Ybarbo	802 N Goliad	Rockwall	TX	75087
Business Owner	Joelle Ybarbo 817-271-7732	802 N GOLIAD ST	ROCKWALL	TX	75087
Property Owner	Frank Consulman	4210 Ridge Rd	Rockwall	TX	75032
Inspection Report C	Ernest Ybarbo	802 N Goliad	Rockwall	TX	75087

Contractors

CO2024-38 Certificate of Occupancy
02/12/2024 $76.50 $76.50
02/26/2024 ISSUED 3142 Horizon Rd, Suite 205, Rockwall, TX 75032
Texas Allergy and Breathing Centers & Sleep Trends Diagnostic C

Contact Type	Contact Name / Business Phone	Contact Address			
Applicant	Mahmoud Abokayass	3142 Horizon Rd, S. 205	Rockwall	TX	75032
Business Owner	Yousef Abou Kayyas 469-579-6645	3142 Horizon Rd, S. 205	Rockwall	TX	75032
Property Owner	WELLTOWER INC.	550 Heritage Dr, Suite 220	Jupiter	FL	33458
Inspection Report C	Mahmoud Abokayass	3142 Horizon Rd, S. 205	Rockwall	TX	75032

Contractors

COM2023-1033 Commercial Building Permit
03/14/2023 Certificate of Occupancy $75.00 $75.00
02/28/2024 ISSUED 303 E RUSK ST, ROCKWALL, TX 75087 1,320.00
Redeemer Church Rockwall Anex

Contact Type	Contact Name / Business Phone	Contact Address			
Business Owner	Redeemer Church Rockwall 972-772-8208	306 E Rusk St	Rockwall	TX	75087
Property Owner	The Shops at Legacy Village	102 N Fannin St	Rockwall	TX	75087

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
COM2023-2925 06/22/2023 02/28/2024	Commercial Building Permit Certificate of Occupancy ISSUED Rocky Mountain Chocolate	2091 Summer Lee Dr, Suite 103, Rockwall, TX 75032		$76.50 1,296.00	$76.50

Contact Type	Contact Name / Business Phone	Contact Address			
Business Owner	Melissa & Randy Wiecker 214-771-3500	2091 Summer Lee Dr, Suite 103	Rockwall	TX	75032
Property Owner	Pegasus Ablon	8222 Douglas Ave	Dallas	TX	75225
Inspection Report C	Melissa & Randy Wiecker	2091 Summer Lee Dr	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
COM2023-3256 07/11/2023 02/29/2024	Commercial Building Permit Certificate of Occupancy ISSUED Popcorn Papa	919 E INTERSTATE 30, SUITE 119, ROCKWALL, TX 75032		$75.00 1,983.00	$75.00

Contact Type	Contact Name / Business Phone	Contact Address			
Owner	ROCKWALL, CROSSING LTD	2227 Vantage St	Dallas	TX	75207
Applicant	Grant Norris	821 Raleigh Way	Fate	TX	75189
Business Owner	Grant Norris 972-772-4646	919 E Interstate 30, Suite 119	Rockwall	TX	75087
Property Owner	VISTA PROPERTY COMANY	2227 Vantage St	Dallas	TX	75207

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
COM2023-3356 07/17/2023 02/15/2024	Commercial Building Permit Certificate of Occupancy ISSUED Heritage Christian Academy Bldg B (Gym, Classrooms & Storm Sh	1408 S GOLIAD ST		$76.50 22,409.00	$76.50

Contact Type	Contact Name / Business Phone	Contact Address			
Business Owner	Heritage Christian Academy 972-771-0605	1408 S Goliad Sr.	Rockwall	TX	75087
Property Owner	Heritage Christian Academy	1408 S Goliad Sr.	Rockwall	TX	75087
Inspection Report C	Joseph Traino				

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
COM2023-3435 07/19/2023 02/09/2024	Commercial Building Permit Certificate of Occupancy ISSUED Ami Kristin Studio	102 E RUSK ST, ROCKWALL, TX 75087		$76.50 3,000.00	$76.50

Contact Type	Contact Name / Business Phone	Contact Address			
Business Owner	Ami Pitre 903-268-6911	102 E Rusk St	Rockwall	TX	75087
Property Owner	Lori Hendricks	102 E Rusk ST	Rockwall	TX	75087

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
COM2023-5395 10/27/2023 02/23/2024	Commercial Building Permit Certificate of Occupancy ISSUED Rockwash Car Wash	1101 W Yellow Jacket Lane, Rockwall, TX 75087		$76.50 3,200.00	$76.50

Contact Type	Contact Name / Business Phone	Contact Address			
Business Owner	Amrit Mattu 903-241-4532	1101 W Yellow Jacket Lane	Rockwall	TX	75087
Property Owner	Saam Exchange LLC	508 Fir Road	Gladewater	TX	75647
Applicant	Amrit Mattu	1101 W Yellow Jacket Lane	Rockwall	TX	75087
Inspection Report C	Amrit Mattu	1101 W Yellow Jacket Lane	Rockwall	TX	75087

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
COM2023-6112 12/05/2023 02/02/2024	Commercial Building Permit Certificate of Occupancy ISSUED Futures Association LLC	355 National Dr,. Rockwall, TX 75032		$75.00 4,800.00	$75.00

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

Contact Type	Contact Name / Business Phone	Contact Address			
Business Owner	Justin Byrd 214-532-4493	355 National Dr	Rockwall	TX	75032
Property Owner	Roy Gaddis	6 Bright Meadows Rd	Rockwall	TX	75032
Applicant	Justin Byrd	355 National Dr	Rockwall	TX	75032
Inspection Report C	Justin Byrd	355 National Dr	Rockwall	TX	75032

Contractors

TCO2024-35 Temporary Certificate of Occupancy
02/05/2024 1117 RIDGE RD, ROCKWALL, TX, 75087 $306.00 $306.00
02/06/2024 ISSUED
Dollar Tree

Contact Type	Contact Name / Business Phone	Contact Address			
Applicant	Carter Culbertson	1117 Ridge Rd	Rockwall	TX	75087
Business Owner	Dollar Tree 757-321-5314	500 Volvo Parkway	Chesapeake	VA	23320
Property Owner	PRETIUM PROPERTY	115 WEST 7TH ST. SUITE 1303	Fort Worth	TX	76102
Inspection Report C	Carter Culbertson	1117 Ridge Rd	Rockwall	TX	75087
Inspection Report C	Jordan Rushing				

Contractors

TCO2024-36 Temporary Certificate of Occupancy
02/06/2024 469 E INTERSTATE 30, ROCKWALL, TX 75032 $306.00 $306.00
02/16/2024 ISSUED
Sprouts Farmers Market #166

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

Contact Type	Contact Name / Business Phone	Contact Address			
Applicant	Eric Natrab	469 E Interstate 30	Rockwall	TX	75032
Business Owner	Sprouts Farmers Market 623-302-6452	5455 E High St, Suite 111	Phoenix	AZ	85054
Property Owner	Robert W Kennedy	16475 Dallas Parkway SI	Houston	TX	77041
Inspection Report (	Eric Natrab	469 E Interstate 30	Rockwall	TX	75032
Inspection Report (	Eleanor Haynes	3795 Wyse Road	Dayton	OH	45414
Applicant	Eleanor Haynes	3795 Wyse Road	Dayton	OH	45414

Contractors

TCO2024-41 Temporary Certificate of Occupancy
02/14/2024 $306.00 $306.00
02/15/2024 ISSUED 1200 Summer Lee Dr, Rockwall, TX 75032
Capps Orthodontics & Dentofacial Orthopedics SHELL ONLY

Contact Type	Contact Name / Business Phone	Contact Address			
Applicant	Alex Thompson/Apex Design Build			TX	
Business Owner	Capps Orthodontics & Dentofacial Orthopedics 972-550-9207	1200 Summer Lee Dr	Rockwall	TX	75032
Property Owner	CMH Real Estate LLC	740 Wiliford Way	Heath	TX	75032
Inspection Report (	Steve Carlson/Apex Design Build	Senior Superindenent			
Applicant	Steve Carlson//Apex Design Build	Senior Superindenent			

Contractors

TCO2024-42 Temporary Certificate of Occupancy
02/14/2024 $306.00 $306.00
02/15/2024 ISSUED 1200 Summer Lee Dr, Suite 100, Rockwall, TX 75032
Capps Orthodontics & Dentofacial Orthopedics

10:36:42AM

CERTIFICATES OF OCCUPANCY ISSUED

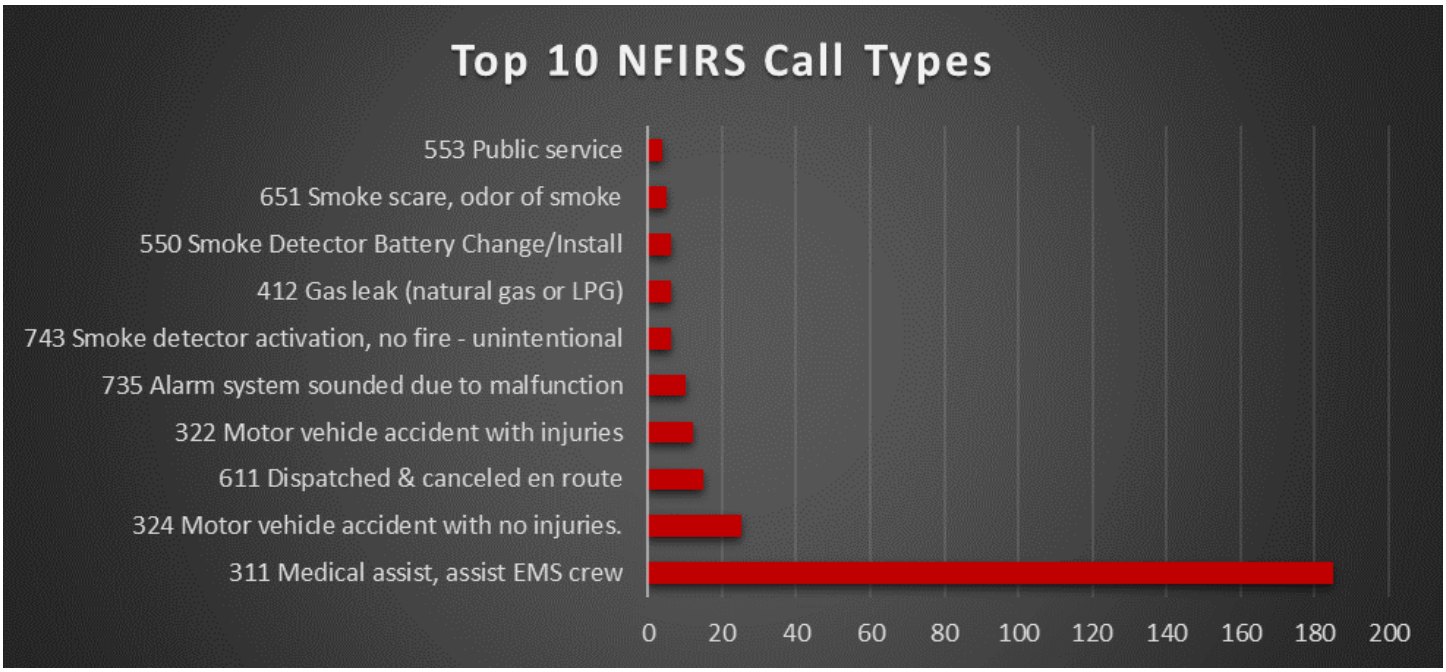
For the Period 2/1/2024 to 2/29/2024

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
Contact Type	**Contact Name / Business Phone**	**Contact Address**			
Applicant	Alex Thompson/Apex Design Build			TX	
Business Owner	Capps Orthodontics & Dentofacial Orthopedics 972-550-9207	1200 Summer Lee Dr	Rockwall	TX	75032
Property Owner	CMH Real Estate LLC	740 Wiliford Way	Heath	TX	75032
Inspection Report C	Steve Carlson	Senior Superindenent			
Applicant	Steve Carlson//Apex Design Build	Senior Superindenent			
Contractors					

20

Total Valuation:
Total Fees: $2,437.50
Total Fees Paid: $2,437.50

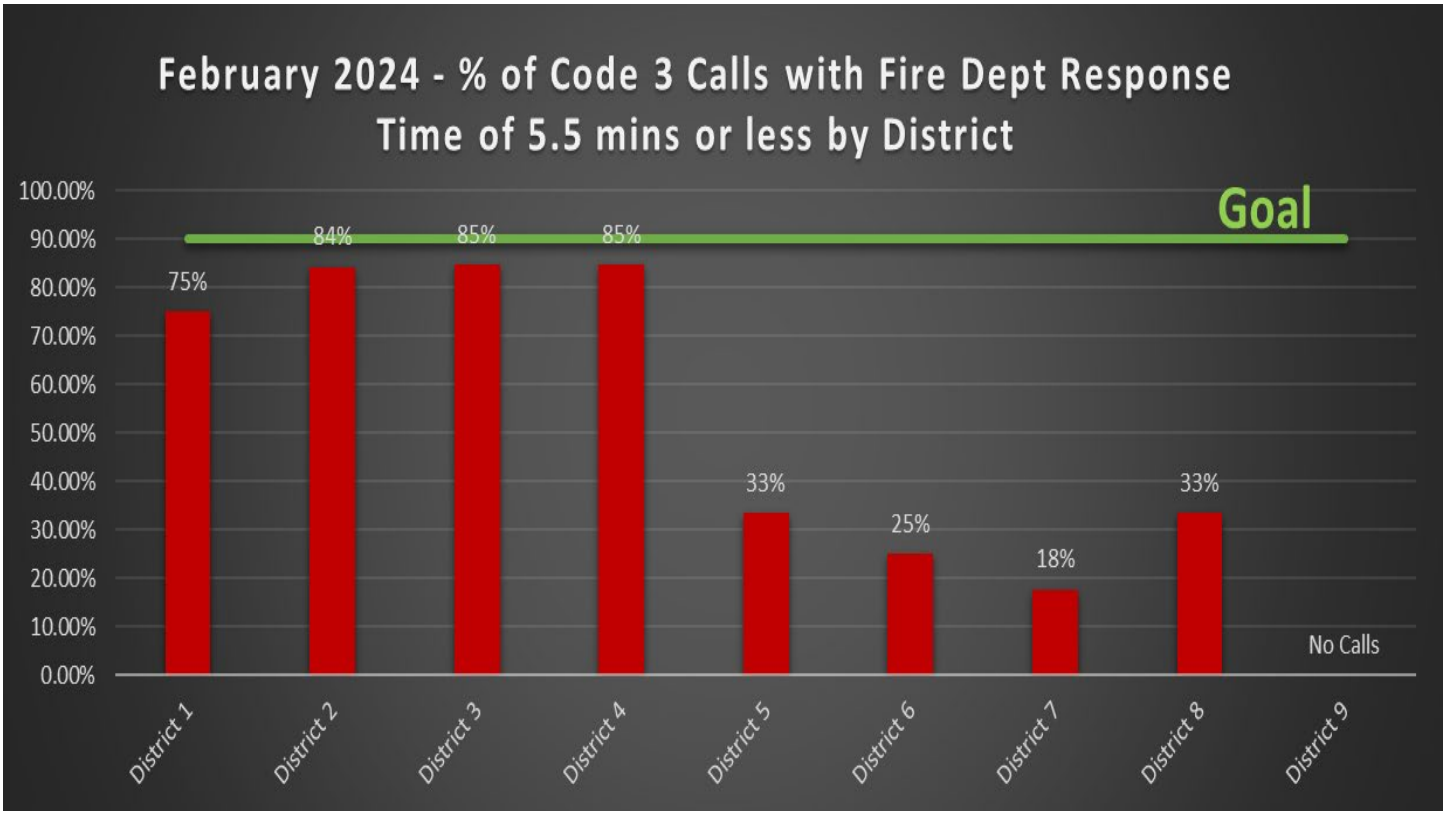
February 2024 Monthly Report



All Calls By NFIRS Call Type	Incident Count
118 Trash or rubbish fire, contained	1
131 Passenger vehicle fire (cars, pickups, SUV's)	2
132 Road freight or transport vehicle fire (Commercial Vehicles)	1
150 OTHER Outside rubbish fire	1
151 Outside rubbish, trash or waste fire	1
160 Special outside fire, other	1
311 Medical assist, assist EMS crew	185
322 Motor vehicle accident with injuries	12
324 Motor vehicle accident with no injuries.	25
331 Lock-in (if lock out , use 511)	1
353 Removal of victim(s) from stalled elevator	1
411 Gasoline or other flammable liquid spill	1
412 Gas leak (natural gas or LPG)	6
424 Carbon monoxide incident	1
440 Electrical wiring/equipment problem, other	1
444 Power line down	1
445 Arcing, shorted electrical equipment	3
510 Person in distress, other	1
511 Lock-out	1
522 Water or steam leak	1
550 Public service assistance, other	2
550 Smoke Detector Battery Change/Install	6
553 Public service	4
554 Assist invalid	1
611 Dispatched & canceled en route	15
622 No incident found on arrival at dispatch address	4
651 Smoke scare, odor of smoke	5
700 False alarm or false call, other	1
711 Municipal alarm system, malicious false alarm	1
730 System malfunction, other	1
731 Sprinkler activation due to malfunction	1
733 Smoke detector activation due to malfunction	4
735 Alarm system sounded due to malfunction	10
736 CO detector activation due to malfunction	4
740 Unintentional transmission of alarm, other	1
743 Smoke detector activation, no fire - unintentional	6
745 Alarm system activation, no fire - unintentional	4
746 Carbon monoxide detector activation, no CO	2
Grand Total	**319**

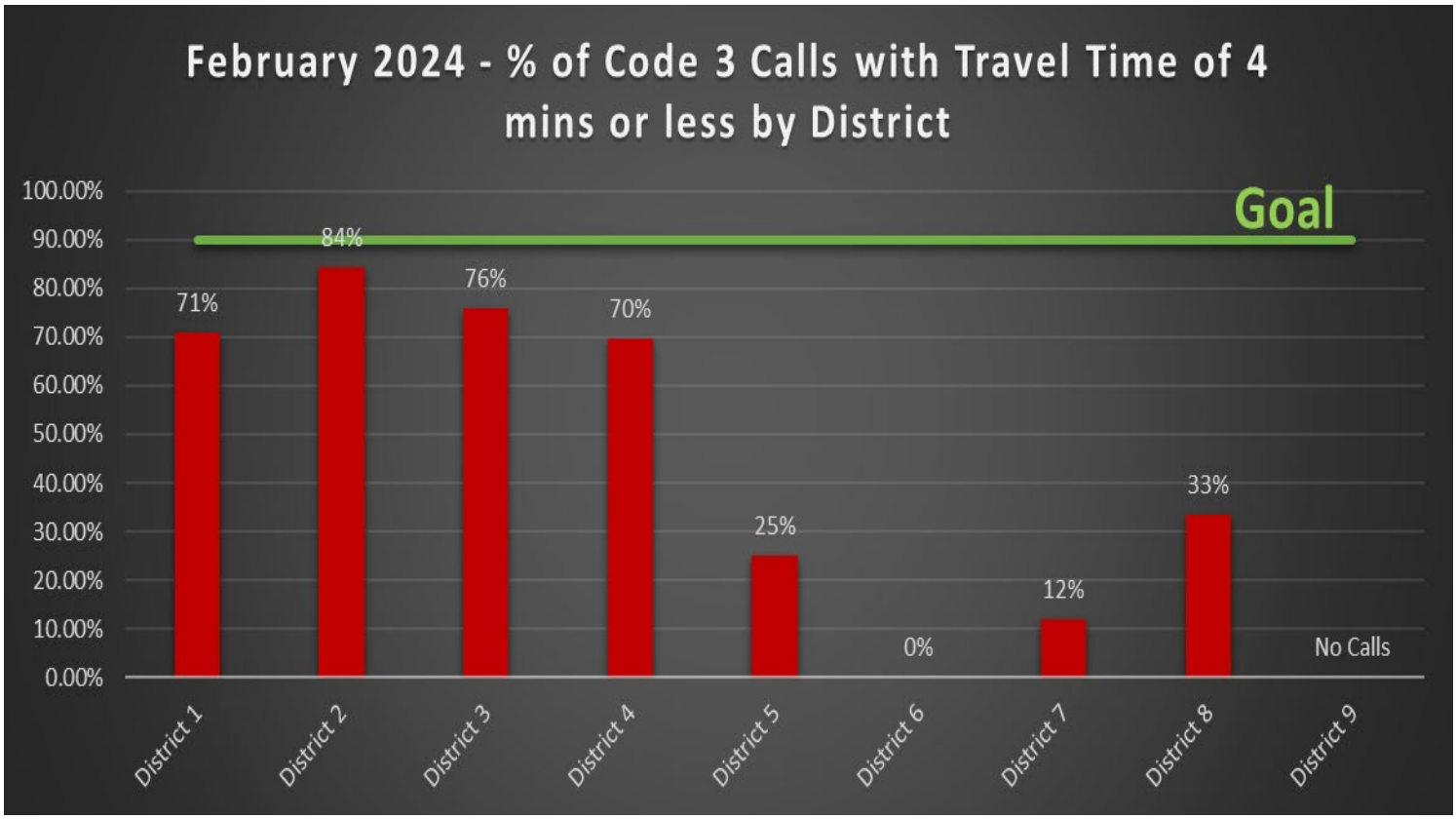
February 2024 Dispatch to Arrival Analysis

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	72	26%	54	0:04:25	75%	90%
District 2	70	25%	59	0:04:17	84%	90%
District 3	33	12%	28	0:04:35	85%	90%
District 4	66	24%	56	0:04:17	85%	90%
District 5	12	4%	4	0:10:10	33%	90%
District 6	4	1%	1	0:06:27	25%	90%
District 7	17	6%	3	0:06:49	18%	90%
District 8	3	1%	1	0:06:05	33%	90%
District 9	0	0%	0	0:00:00	No Calls	90%
Department	277	100%	206	0:04:49	74%	90%



February 2024 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	72	26%	51	0:03:41	71%	90%
District 2	70	25%	59	0:03:22	84%	90%
District 3	33	12%	25	0:03:45	76%	90%
District 4	66	24%	46	0:03:22	70%	90%
District 5	12	4%	3	0:09:02	25%	90%
District 6	4	1%	0	0:05:31	0%	90%
District 7	17	6%	2	0:05:54	12%	90%
District 8	3	1%	1	0:04:54	33%	90%
District 9	0	0%	0	0:00:00	No Calls	90%
Department	277	100%	187	0:03:56	68%	90%



Total Dollar Losses

February 2024

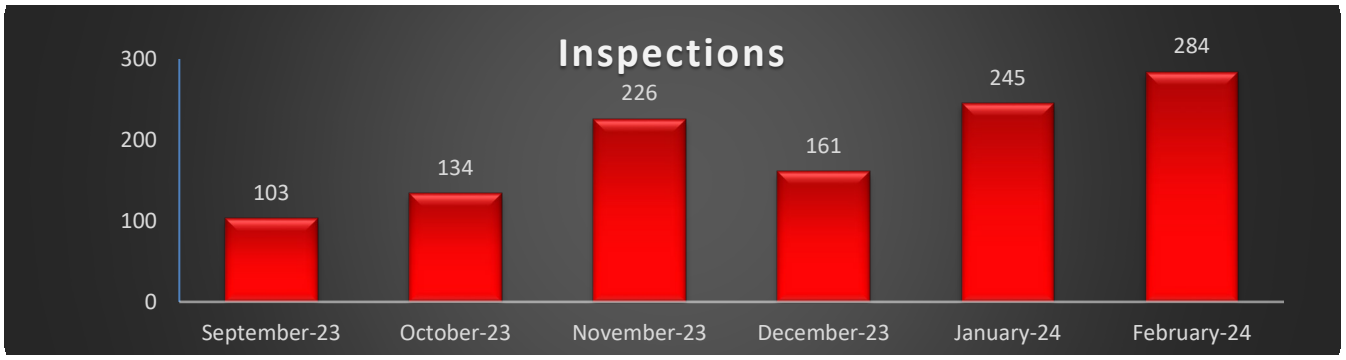
Print Date/Time: 03/08/2024 14:44
Login ID: rck\dgang
Layer: All
Areas: All

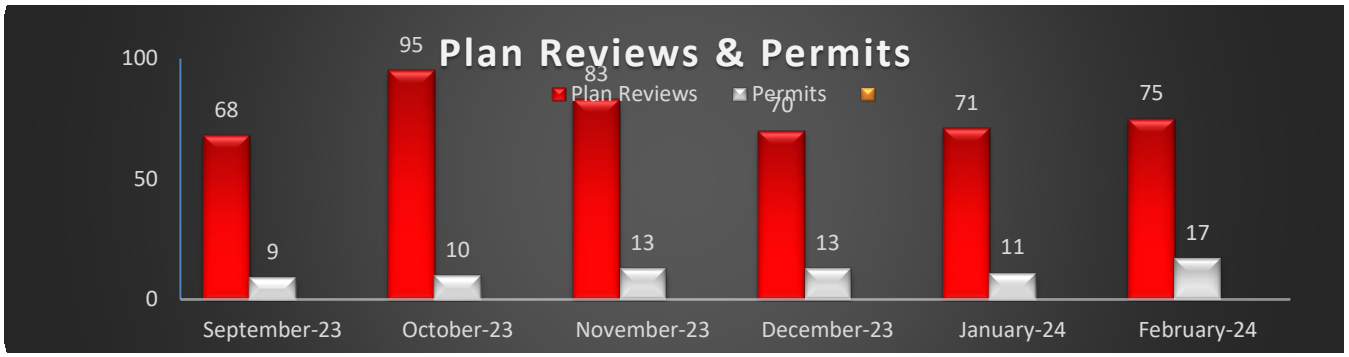
Rockwall Fire Department

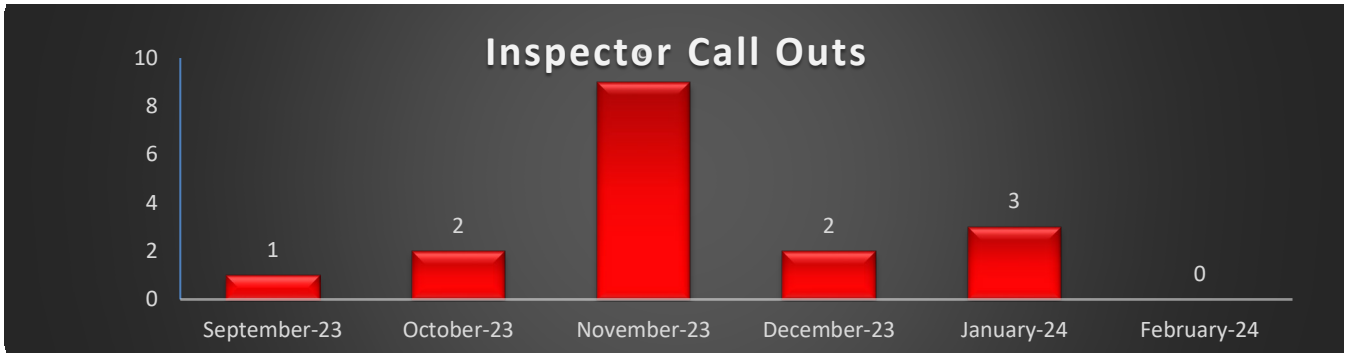
ORI Number: TX504
Incident Type: All
Station: All

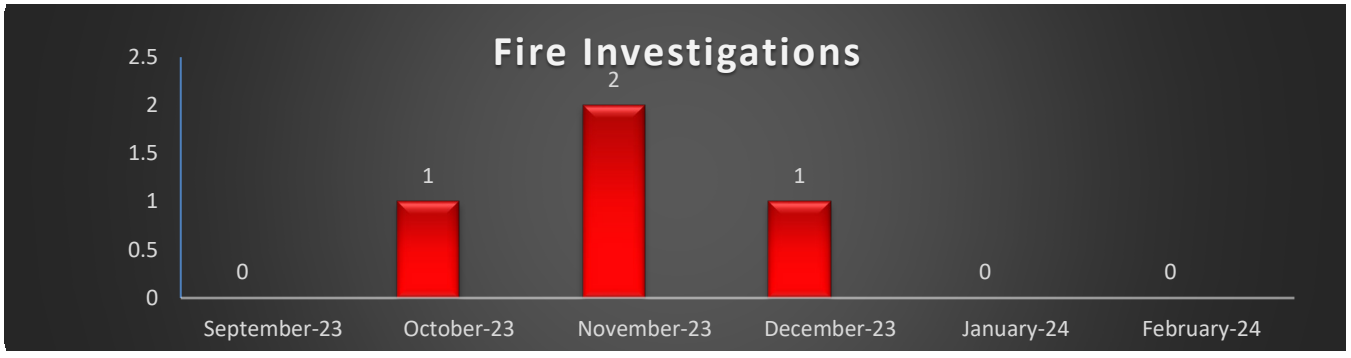
	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$0.00	$0.00	$468,430.00	$0.00	$994,430.00
Total Content Loss:	$0.00	$0.00	$1,204,000.00	$0.00	$1,714,100.00
Total Property Pre-Incident Value:	$0.00	$0.00	$6,146,850.00	$0.00	$57,340,990.00
Total Contents Pre-Incident Value	$0.00	$0.00	$12,213,828.00	$0.00	$24,213,828.00
Total Losses:	$.00	$.00	$1,672,430.00	$.00	$.00
Total Value:	$.00	$.00	$18,360,678.00	$.00	$81,554,818.00

Fire Prevention, Education, & Investigations Division Monthly Report February 2024









ROCKWALL PARKS & RECREATION

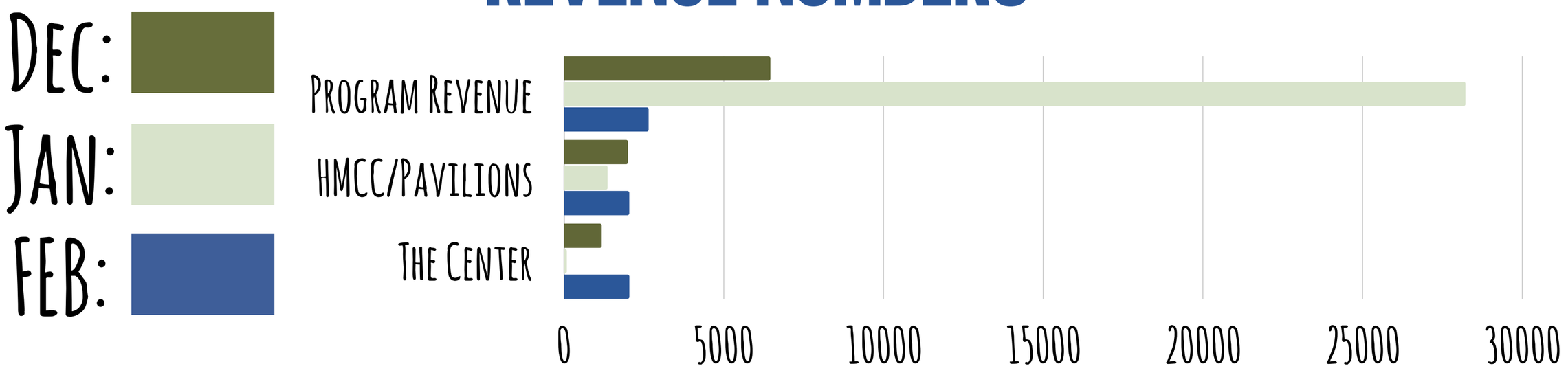
Monthly Report
February 2024

GO OUTSIDE AND PLAY
PLAYROCKWALL.COM

2023 FIELDS OF EXCELLENCE AWARD WINNER

2023 Field of Excellence Award Winner

REVENUE NUMBERS



Upcoming:

Senior First Friday Luncheon	**April 5, 2024**
Family Fun Friday - Hickory Ridge	**April 12, 2024**

PARKS PROJECT UPDATE – FEB 2024

ICE STORM RESPONSE CITY HALL

NEW CANOPIES AT ANIMAL ADOPTION CENTER

HARRY MYERS KIDZONE LIGHT COVERS INSTALLED

AERATE TURF AT THE HARBOR

Other Projects

SOD INSTALLED AT GLORIA WILLIAMS POOL AREA

CITY HALL DAMAGE REPAIR

Rockwall Police Department

Monthly Activity Report

February-2024

ACTIVITY	CURRENT MONTH FEBRUARY	PREVIOUS MONTH JANUARY	YTD 2024	YTD 2023	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	0	0	0	**0.00%**
Sexual Assault	0	0	0	1	**-100.00%**
Robbery	0	1	1	1	**0.00%**
Aggravated Assault	2	7	9	6	**50.00%**
Burglary	1	8	9	4	**125.00%**
Larceny	46	51	97	106	**-8.49%**
Motor Vehicle Theft	3	2	5	16	**-68.75%**
TOTAL PART I	**52**	**69**	**121**	**134**	**-9.70%**
TOTAL PART II	**103**	**107**	**210**	**224**	**-6.25%**
TOTAL OFFENSES	**155**	**176**	**331**	**358**	**-7.54%**
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	9	13	22	19	**15.79%**
D.W.I.	13	8	21	20	**5.00%**
ARRESTS					
FELONY	13	22	35	41	**-14.63%**
MISDEMEANOR	57	47	104	93	**11.83%**
WARRANT ARREST	4	11	15	11	**36.36%**
JUVENILE	9	4	13	10	**30.00%**
TOTAL ARRESTS	**83**	**84**	**167**	**155**	**7.74%**
DISPATCH					
CALLS FOR SERVICE	1915	1954	3869	4350	**-11.06%**
ACCIDENTS					
INJURY	0	1	1	3	**-66.67%**
NON-INJURY	107	81	188	152	**23.68%**
FATALITY	0	0	0	0	**0.00%**
TOTAL	**107**	**82**	**189**	**155**	**21.94%**
FALSE ALARMS					
RESIDENT ALARMS	33	41	74	69	**7.25%**
BUSINESS ALARMS	130	157	287	282	**1.77%**
TOTAL FALSE ALARMS	**163**	**198**	**361**	**351**	**2.85%**
Estimated Lost Hours	**107.58**	**130.68**	**238.26**	**231.66**	**2.85%**
Estimated Cost	**$2,559.10**	**$3,108.60**	**$5,667.70**	**$5,510.70**	**2.85%**

ROCKWALL NARCOTICS UNIT

Number of Cases	**3**
Arrests	**4**
Arrest Warrants	**0**
Search Warrants	**1**
Seized	
Cocaine	2200 grams
Methamphetamine	104 grams
Dangerous drugs / Fentanyl	160 pills

Rockwall Police Department

Dispatch and Response Times

February 2024

Police Department

	Average Response Time		
Priority 1		Number of Calls	**132**
Call to Dispatch	0:00:39		
Call to Arrival	0:05:30		
% over 7 minutes	25%		

	Average Response Time		
Priority 2		Number of Calls	**747**
Call to Dispatch	0:01:54		
Call to Arrival	0:09:30		
% over 7 minutes	21%		

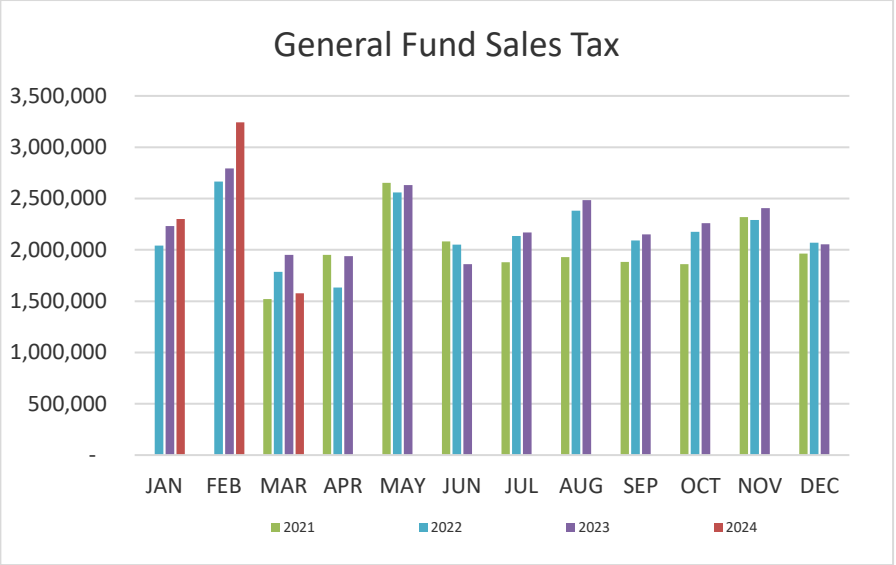
	Average Response Time		
Priority 3		Number of Calls	**56**
Call to Dispatch	0:01:08		
Call to Arrival	0:09:33		
% over 7 minutes	36%		

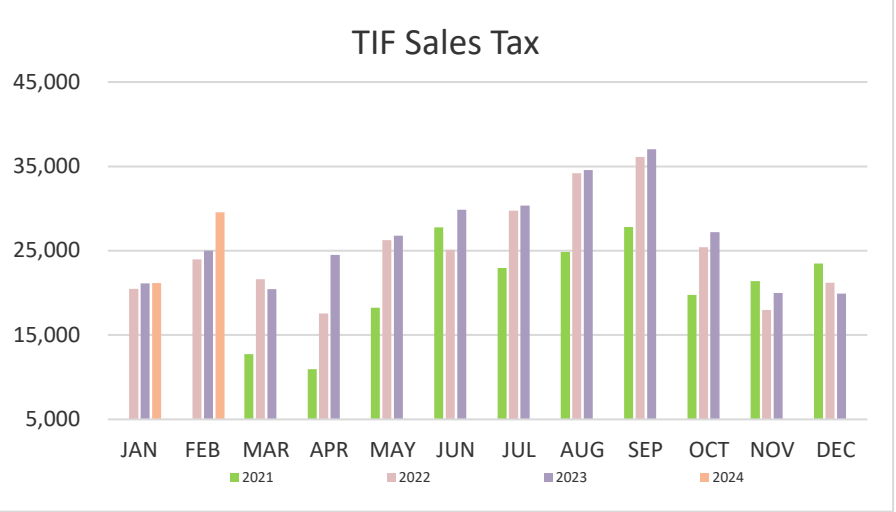
Average dispatch response time goals are as follows:

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
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	2,483,321	34,558
Sep-23	2,149,947	37,018
Oct-23	2,260,609	27,209
Nov-23	2,407,536	19,977
Dec-23	2,054,537	19,906
Jan-24	2,300,943	21,155
Feb-24	3,243,321	29,558





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
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
Oct-23	461,067,498	14,873,145	20,317,822
Nov-23	307,169,395	10,238,981	12,875,885
Dec-23	277,770,415	8,960,337	13,375,678
Jan-24	326,749,166	10,540,296	21,931,696
Feb-24	236,310,098	8,148,624	10,720,500

Source: SCADA Monthly Reports generated at the Water Pump Stations