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Z2018-055	110
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A2018-005	187
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Z2018-058	194
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Z2018-059 - Hold a public hearing to discuss and consider a request by Heather Cullins for the approval of an ordinance for a zoning change from a Single-Family Estate 2.0 (SFE-2.0) District to Single Family Estate 1.5 (SFE-1.5) District on a 3.03-acre tract of land identified as Tract 1-01 of the T. Dean Survey, Abstract No. 69, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 2.0 (SFE-2.0) District, addressed as 1085 Dalton Road, and take any action necessary [1st Reading].	
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ROCKWALL CITY COUNCIL REGULAR MEETING

Tuesday, January 22, 2019 - **5:00 PM**

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

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

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

1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding appointments to city regulatory boards, commissions, and committees - specifically the Board of Adjustments (BOA) - pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

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

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DANIELS

VII. PROCLAMATIONS

- pg.8 1.** Health for Humanity Yogathon

VIII. OPEN FORUM

IX. CONSENT AGENDA

- pg.10 1.** Consider approval of the minutes from the January 7, 2019 regular city council meeting, and take any action necessary.

- pg.21 2. Z2018-049** - Consider a request by Mike Peoples for the approval of an **ordinance** for a Specific Use Permit (SUP) for an animal shelter on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary (**2nd Reading**).

- pg-29 3. A2018-004** - Consider a request by Pat Atkins on behalf of the owner C.D.T. Rockwall/2017 LLC for the approval of an **ordinance** for the voluntary annexation of a 14.995-acre tract of land identified as Tract 1-03 of the P. B. Harrison Survey, Abstract No. 97, Rockwall County, Texas, and take any action necessary **(2nd reading)**.
- pg-38 4. P2018-047** - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH West Pods, LTD for the approval of a preliminary plat for Breezy Hill, Phase XII containing 35 single-family residential lots on 44.525-acres of land identified as a portion of Tract 7-1 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, located west of the intersection of John King Boulevard and Cozy View Drive, and take any action necessary.
- pg-48 5.** Consider approval of the Contract Amendment #1 with Brinkley & Barfield, Inc., in the amount of \$87,030 to be funded from the 2018 Street Bond funds and water/wastewater funds, and take any action necessary.
- pg-82 6.** Consider authorizing the City Manager to negotiate and execute a contract with Baseball Nation LLC regarding the city's baseball umpire services for an amount not to exceed \$120,000 to be funded from baseball registration proceeds in the Recreation Development Fund, and take any action necessary.
- pg-92 7.** Consider authorizing the City Manager and the Chief of Police to execute an Interlocal Agreement (ILA) with NCT911 to provide 911 services in the City, and take any action necessary.

X. PUBLIC HEARING ITEMS

- pg-100 1. A2018-005 (6:00 PM)** – Hold a public hearing to discuss and consider a request by Suresh Shridharani on behalf of the owner Harlan Properties Inc. for the approval of the annexation of a 79.564-acre tract of land identified as Tract 3 of the J. Merriman Survey, Abstract No. 155, Rockwall County, Texas, and take any action necessary.
- pg-107 2. Z2018-050** - Hold a public hearing to discuss and consider a request by David Rains for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing a covered patio that exceeds the maximum requirements for property located within the Lake Ray Hubbard Takeline leased area that is adjacent to a parcel of land identified as Lot 12, Block A, Chandlers Landing, Phase 18, Section 2, City of Rockwall, Rockwall County, Texas, zoned

Planned Development 8 (PD-8) District for single family land uses, addressed as 5808 Constellation Circle, and take any action necessary **(1st Reading)**.

pg.110 3. Z2018-055 - Hold a public hearing to discuss and consider a request by Kyle Jenkins of the Jenkins Organization on behalf of Michael Swiercinsky of 7.1 Ridge, LLC for the approval of an **ordinance** for a Specific Use Permit (SUP) for a Mini-Warehouse facility on a 2.595-acre tract of land being a portion of Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located southwest of the intersection of W. Yellow Jacket Lane and Ridge Road [FM-740], and take any action necessary **[1st Reading]**.

pg.143 4. Z2018-057 - Hold a public hearing to discuss and consider a request by Bill Bricker of Columbia Development Company, LLC for the approval of an **ordinance** amending Planned Development District 59 (PD-59) for the purpose of incorporating a 0.786-acre tract of land for Residential-Office (RO) District land uses being a 56.586-acre tract of land identified as a portion of R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 52 (PD-52) and Planned Development District 59 (PD-59), located between W. Washington Street and T. L. Townsend Drive, and take any action necessary **[1st Reading]**.

pg.187 5. A2018-005 (6:30 PM) – Hold a public hearing to discuss and consider a request by Suresh Shridharani on behalf of the owner Harlan Properties Inc. for the approval of the annexation of a 79.564-acre tract of land identified as Tract 3 of the J. Merriman Survey, Abstract No. 155, Rockwall County, Texas, and take any action necessary.

pg.194 6. Z2018-058 - Hold a public hearing to discuss and consider a request by Tim McCallum of He Wines She Dines, LLC on behalf of Buffalo Creek Business Park, LTD for the approval of an **ordinance** for a Specific Use Permit (SUP) for a Craft Winery and Commercial Amusement/Recreation (Outdoor) on a 7.2-acre tract of land identified as Tracts 20-01 & 20-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 203 County Line Road, and take any action necessary **[1st Reading]**.

pg.218 7. Z2018-059 - Hold a public hearing to discuss and consider a request by Heather Cullins for the approval of an **ordinance** for a zoning change from a Single-Family Estate 2.0 (SFE-2.0) District to Single Family Estate 1.5 (SFE-1.5) District on a 3.03-acre tract of land identified as Tract 1-01 of the T. Dean Survey, Abstract No. 69, City of Rockwall, Rockwall County, Texas,

zoned Single-Family Estate 2.0 (SFE-2.0) District, addressed as 1085 Dalton Road, and take any action necessary [1st Reading].

XI. ACTION ITEMS

- pg.237 1. SP2018-043** - Discuss and consider a request by Kevin Hickman of PegasusAblon on behalf of Rockwall Rental Properties, LP for the approval of a waiver in conjunction with an approved site plan for a 375-unit condominium building on a 6.2-acre tract of land identified as Lot 9, Block A, Harbor-Rockwall Addition and Tract 16 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 (IH-30) Overlay District, located at the southwest corner of the intersection of the IH-30 frontage road and Lakefront Trail, and take any action necessary.

XII. EXECUTIVE SESSION

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

1. Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
2. Discussion regarding appointments to city regulatory boards, commissions, and committees - specifically the Board of Adjustments (BOA) - pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

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

XIV. 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 Cole, 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 18th day of January, 2019 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

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

Date Removed

Rockwall, Texas Proclamation

Whereas, YOGA is an ancient process of keeping the human mind and body in good health, and Spiritual training is considered a part of physical training from ancient times in India; and

Whereas, the Surya Namaskar (also known as “Sun Salutation”) is a special sequence of YOGA postures that provides the key health benefits of YOGA in a very succinct package; and

Whereas, Hindu Swayamsevak Sangh (HSS) is a voluntary, non-profit, social and cultural organization which aims to preserve and pass on an ancient Hindu heritage and cultural values to the next generation and raise awareness around the world; and

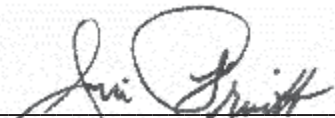
Whereas, HSS is organizing a Health for Humanity Yogathon with the goal of bringing awareness and health benefits of yoga to the community at large by adopting a healthy lifestyle with regular practice of Surya Namaskar; and

Whereas, during this period HSS is organizing various free yoga sessions for interested individuals; and

Whereas, YOGA enthusiasts, YOGA Studios, local schools, and other organizations are participating in this event as a part of physical activity and/or spiritual training.

NOW, THEREFORE, I, Jim Pruitt, Mayor of the City of Rockwall TX, do hereby proclaim Jan. 12-27, 2019 as “[Health for Humanity Yogathon Period](#)” in the City of Rockwall and encourage all citizens to become more aware of the enjoyment and many benefits of yoga.

In Witness Whereof, I hereunto set my hand and official seal this 22nd day of January, 2019.



Jim Pruitt, Mayor

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ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, January 07, 2019 - 5:00 PM

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

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler, and Councilmembers Patrick Trowbridge, Dana Macalik, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd, and City Attorney Frank Garza. Mayor Pruitt read the below listed discussion items into the record before recessing the public meeting to go into Executive Session at 5:01 p.m.

II. EXECUTIVE SESSION.

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

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

III. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:57 p.m.

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

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

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Fowler indicated that no action was necessary as a result of Executive Session.

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

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

VII. OPEN FORUM

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

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the December 17, 2018 regular city council meeting, and take any action necessary.
2. **Z2018-043** - Consider a request by Michael Worrell of Rockwall Honda for the approval of an **ordinance** amending SUP No. S-76 (Ordinance No. 10-26) to allow changes to be made to an existing Motorcycle Dealership with Accessory Boat and Trailer Sales being a 1.152-acre parcel of land identified as Lot 6, Block A, Newman Center #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, and take any action necessary **(2nd Reading)**.
3. **Z2018-046** - Consider a request by Brad Helmer on behalf of Heritage Christian Academy (HCA) for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing existing temporary educational buildings in conjunction with a private school to remain on a 6.64-acre parcel of land identified as Lot 1, Block A, Heritage Christian Academy Addition, City of Rockwall, Rockwall County, Texas, zoned Multi-Family 14 (MF-14) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1408 S. Goliad Street [SH-205], and take any action necessary **(2nd Reading)**.
4. **P2018-044** - Consider a request by Dub Douphrate of Douphrate and Associates on behalf of Russell Frank for the approval of a final plat for Lot 1, Block A, Hacienda Car Wash Addition being a 2.008-acre tract of land identified as portions of Lots 1 & 2, Block A, the Woods at Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 2215 Ridge Road [FM-740], and take any action necessary.
5. **P2018-045** - Consider a request by Jennifer Haynes of Urban Structure on behalf of Andrew Malzer of RaceTrac Petroleum, Inc. the approval of a replat for Lots 4 & 5, Block A, the Woods at Rockwall Addition being a 4.47-acre tract of land identified as Lots 1 & 2, Block A, the Woods at Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 2215 & 2205 Ridge Road [FM-740], and take any action necessary.
6. **P2018-046** - Consider a request by David Ellis for the approval of a replat for Lots 5, 6 & 7, Block A, Ellis Centre, Phase 2 Addition being a 2.62-acre tract of land identified as Lots 1 & 3, Block A, Ellis Centre, Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1930 & 1950 Alpha Road, and take any action necessary.
7. Consider approval of a resolution terminating Ascensus Trust Company as Passive Trustee of the City of Rockwall 457(b) Plan; appointing Reliance Trust Company as Passive Trustee (in Place of Ascensus Trust) with respect to the city's 457(b) plan, and take any action necessary.

Mayor Pro Tem Fowler moved to approve the entire Consent Agenda. Councilmember Macalik seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL

ORDINANCE NO. 19-01
SPECIFIC USE PERMIT NO. S-199

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

CITY OF ROCKWALL
ORDINANCE NO. 19-02
SPECIFIC USE PERMIT NO. S-200

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

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

IX. APPOINTMENT ITEMS

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

Dewayne Cain
305 Stonebridge
Rockwall, TX

Mr. Cain came forth and addressed the Council regarding this agenda item. He explained that he is the owner of Resthaven Memorial Park and that he owns about 200 acres of agriculturally zoned land. He hired an architect to design an elaborate barn / storage type facility that would be placed close to one of the homes he owns on Cornelius Road. He explained that his property was annexed into the city several years ago. In addition to Mr. Cain having hired an architect and having plans drawn up, a deposit was put down, a general contractor was hired, dirt work was done, and lime injection was performed. When the contractor came to the city to take out a building permit, he was told by staff that an SUP would be required before a permit could be issued. In the meantime, the city council made changes that disallowed an SUP to be requested. He went on to explain that a barn / accessory building is not currently allowed within an agriculturally zoned district, so there is no longer a means by which he is able to apply for a “specific use permit” (SUP). He is coming before the Council this evening to see if there is a way to work something out such

that he would be allowed to build this large accessory building on his agriculturally zoned property.

Planning Director Ryan Miller provided clarifying comments to the Council concerning this matter. He generally explained that currently, there is no SUP process by which a property owner may request to approve a 'barn' type accessory structure on "agriculturally zoned" land, and there is also not a means by which an owner may build 'private guest quarters.' It was generally explained that the "agriculture" zoning designation is assigned to newly annexed land "by default" (essentially), and it is the most restrictive zoning designation within the city's regulations. It exists this way as a means by which annexed land will be eventually pushed into a different zoning land designation; however, it unfortunately has an (unintended) adverse effect on (larger parcels of) land that truly are more 'agricultural' in nature. One change that would need to occur is for SUPs to be able to be requested, on a case-by-case basis, for "guest quarters" which are proposed to be built on 'agriculturally zoned' land. Right now, no SUP process exists to potentially allow those types of structures.

Mr. Cain clarified that "guest quarters" is a little more elaborate than what he is wanting to build. He essentially wants to build a (large) "man cave" to have folks over and watch sports games and store some of his car collection.

Following extensive discussion, the Council generally expressed a desire for staff to bring back some options for the council to consider relative to making some changes to the UDC to allow requests (by SUP) for accessory buildings (both ones to be utilized as 'barns' and ones to be utilized for 'private guest quarters'), on a case-by-case basis, on agriculturally zoned land.

Council took no formal action related to this agenda item at this time.

X. PUBLIC HEARING ITEMS

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

Planning Director, Ryan Miller, provided background information pertaining to this agenda item, indicating that back on December 17, 2018, the City Council continued the public hearing for Case No. Z2018-049 by a vote of 7 to 0. This case involved a request for a Specific Use Permit (SUP) that would allow for an animal shelter on the property. The purpose of the City Council's motion was to allow the applicant, Mike Peoples, additional time to prepare a schedule that outlined [1] the completion time for the animal shelter (which is currently partially constructed), and [2] the time needed to demolish the structure situated within the floodplain (which was constructed without a building permit). In response to the City Council's action, Mr. Peoples provided staff with a letter indicating that, weather permitting, he intends to complete the construction of the animal shelter by April 2019; however, Mr. Peoples has not indicated a timeframe for the demolition of the structure within the floodplain (see Exhibit 'B'). It should also be noted that staff requested that Mr. Peoples provide a timeframe for the demolition of the detached garage that was denied by the City Council on December 17, 2018; however, the letter submitted by Mr. Peoples indicates that he does not have a timeframe for the removal of this building either. Due to the applicant's inability to provide staff with a reasonable timeframe for the demolition of the two (2) unpermitted structures, staff has

amended the draft ordinance for the animal shelter to require that both structures be removed from the property within six (6) months of the adoption date of the proposed Specific Use Permit (SUP) ordinance.

Councilmember Hohenshelt and Mayor Pruitt both indicated that their preference is to require that Mr. Peoples demolish the existing structure (in the floodplain) prior to finishing the newest structure he wanting to complete.

Mr. Miller shared that Mr. Peoples has continued to work on the existing (unpermitted, unauthorized “animal shelter”) structure during the time he has been going through the process associated with seeking formal approval of it being built. It was pointed out that when Mr. Peoples spoke to staff about the (currently under construction) structure needing an SUP and building permit, Mr. Peoples gave indication that he still planned to continue working on the structure. Staff explained to Mr. Peoples that if he continued working on the structure before it (potentially) received Council’s approval, he would be doing so at his own risk. Mr. Peoples subsequently submitted a letter to staff, generally expressing that he understood that. General discussion took place pertaining to the existing structure (that Mr. Peoples has continued to work on) and how stopping its construction and having it torn down will be an enforcement-related issue, should it come to that in the future. Indication was given that, related to ‘enforcement,’ any daily or other fines would be up to the judge.

Following extensive discussion and clarifications, Councilmember Hohenshelt moved to call for all of the improper structures to be removed before this particular SUP may be granted and that Mr. Peoples must do so within six (6) months. The motion was clarified – that Mr. Peoples should not perform further work on this current structure and that the other, existing (improper) structures must be removed within six (6) months. Councilmember Trowbridge seconded the motion.

Pruitt reopened the public hearing (that was continued from the last council meeting) and asked if anyone would like to come forth and speak at this time. There being no one indicating such, he then called for the vote.

The above noted motion then passed by a vote of 7 ayes to 0 nays. The ordinance (caption) was read into the record as follows:

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

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

XI. ACTION ITEMS

- 1. **Z2018-052** - Discuss and consider a request by Russell Phillips on behalf of Rockwall Retail Investors, LLC for the approval of an ordinance for a Specific Use Permit (SUP) for a mini-warehouse facility on a 7.489-acre tract of land identified as Lot 23, Rainbow Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, generally situated

north of Horizon Road and east of Ranch Trail Road, and take any action necessary (2nd Reading).

Mayor Pro Tem Fowler recused himself from this agenda item. Following brief, introductory comments by Mr. Miller, Councilmember Hohenshelt moved to approve Z2018-052. Councilmember Trowbridge seconded the motion. The ordinance was read as follows:

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

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

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

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

Mr. Miller explained that Councilmen Hohenshelt and Daniels dissented on the vote to approve this item at the last city council meeting. Mayor Pro Tem Fowler then moved to approve Z2018-048. Councilmember Johannesen seconded the motion. The ordinance was read as follows:

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

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

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

3. **Z2018-054** - Discuss and consider a request by Andrew Bennett of BOKA Powell, LLC on behalf of the owner Vinod Miranda for the approval of an ordinance for a Specific Use Permit (SUP) for an office building that will exceed 36-feet in height within the Scenic Overlay (SOV) District on a 9.7-acre tract of land identified at Tract 15 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the southwest corner of Ridge Road [FM-740] and Turtle Cove Boulevard, and take any action necessary (2nd Reading).

Planning Director Ryan Miller and Councilman Trowbridge provided brief comments pertaining to this agenda item. Councilmember Trowbridge then moved to approve Z2018-054. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:

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

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

The motion passed by a vote of 5 in favor with 2 against (Macalik and Daniels).

4. **A2018-004** - Discuss and consider a request by Pat Atkins on behalf of the owner C.D.T. Rockwall/2017 LLC for the approval of an ordinance for the voluntary annexation of a 14.995-acre tract of land identified as Tract 1-03 of the P. B. Harrison Survey, Abstract No. 97, Rockwall County, Texas, and take any action necessary (1st reading).

Planning Director Ryan Miller provided brief background information pertaining to this agenda item. The applicant, Mr. Atkins, came forth and explained that this annexation will bring additional land into the city that will be utilized for an extension of the Saddlestar subdivision (it will be "Saddlestar South"). He indicated that some builders have already been retained for the future building of homes in this neighborhood. Councilmember Hohenshelt moved to approve A2018-004. Councilmember Macalik seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS AND THE ANNEXATION OF A 14.995-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1-03 OF THE P. B. HARRISON SURVEY, ABSTRACT NO. 97, ROCKWALL COUNTY, TEXAS,

WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS; PROVIDING FOR AN EFFECTIVE DATE.

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

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

Director of Parks & Recreation, Andy Hesser, came forth and addressed the Council concerning this agenda item. He shared a visual concept plan that showed renderings of the proposed lakeside (Urban Beach) park area. Extensive discussion ensued regarding a proposed Phase I and Phase II of this park project, including whether or not a restroom facility should be included in Phase I and the options for where that facility might possibly be located. Discussion also took place pertaining to what funds have already been budgeted versus what funds would possibly need to be taken out of the General Fund to ensure adequate funding for a restroom facility. Mayor Pruitt indicated that he prefers to include a restroom facility as part of this plan because he anticipates that the city will receive complaints if it is not included. Regarding the topic of parking, Mr. Hesser explained that a the public parking garage on the nearest side of the Cinemark movie theater is slated to be constructed by Pegasus-Abalon prior to this park area being developed. So, that would be the nearest available parking area for those visiting this park. Mr. Hesser shared brief comments about some of the proposed amenities, including a sand beach area, volleyball amenities, vegetation separation between the park and the facilities up the hill from it, walking trail areas, etc.

Following extensive discussion, Mr. Crowley, City Manager, suggested that staff bring back a financing plan for Phase I (with a restroom facility included in the numbers). Further discussion then ensued pertaining to where the restroom facility might ultimately be located. Mr. Hesser showed the Council the two different options that have been identified for possible placement of the restroom facility. One option will include obtaining an easement from the City of Dallas, and it may not be ideally located for whatever ultimately gets constructed up the hill from the restroom facility. The other possible placement for the restroom facility may ultimately have fewer complications as far as easements are concerned, but it would be located on the far end, just around the corner. Concern was expressed by some Council members regarding possibly placing the restroom on the far end, around the corner, as it may be too far for visitors to walk. However, concern was also expressed by some members of Council who wonder if those who occupy the buildings up the hill from the park may not appreciate looking at the back of a restroom facility if one were placed at the other potential location that's been identified.

Following extensive discussion regarding the placement of the restroom facility, Council generally indicated agreement with it being placed over near IH-30 (around the corner on the far end of the park); however, staff will need to return to the Council with more specific details related to how much Phase I will cost if the restroom facility is added and if the trail that leads to the restrooms is constructed. No formal action was taken as a result of this discussion item at this time.

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

On behalf of the subcommittee, Councilmember Daniels shared that a recommendation is being put forth to name the amphitheater at The Harbor the “Brad Griggs Amphitheater Stage at The Harbor.” He then moved to approve the resolution to do so. Mayor Pruitt seconded the motion, which passed unanimously (7 ayes to 0 nays).

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

Assistant City Manager Joey Boyd provided background information pertaining to this agenda item, generally indicating that staff has compiled and made available to Council in tonight’s informational meeting packet a bullet pointed list of topics that may be of interest to the City during the upcoming state legislative session. Mayor Pruitt commented that the list looks like a pretty good list. Council took no formal action concerning this agenda item.

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

Councilmember Trowbridge moved to reappoint Pricylla Bento and Jeremy Standifer to continue serving on the Main Street Advisory Board for an additional two-year term. Councilmember Macalik seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Councilman Trowbridge moved to appoint Eva Cannon to replace Sarah Freed on the Main Street Advisory Board (for a two-year term). Councilmember Macalik seconded the motion, which passed by a vote of 7 ayes to 0 nays.

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. Departmental Reports

- Building Inspections Monthly Report - November 2018
- Fire Department Monthly Report - November 2018
- GIS Division Monthly Report - November 2018
- Harbor PD Monthly Report - November 2018
- Internal Operations Monthly Report - November 2018
- Police Department Monthly Report - November 2018
- Recreation Monthly Report - November 2018
- Rockwall Animal Adoption Center Monthly Report - November 2018
- Rockwall Meals on Wheels Senior Services Quarterly Report
- STAR Transit Monthly Report - November 2018
- STAR Transit Quarterly Report

2. City Manager’s Report

Mayor Pruitt informed the Council that he will be appointing Joe Lynch to serve on the Rockwall Housing Authority Board, explaining that board members are (solely) appointed to the board by the city’s mayor. He explained that Joe is a war hero, and grew up in the south side of Boston in the housing projects. So, he will bring a unique perspective to this board. Following the mayor’s comments, no discussion took place pertaining to departmental or “city manager’s” reports.

XIII. EXECUTIVE SESSION

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

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

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

XV. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 7:10 p.m.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS 21st DAY OF JANUARY, 2019.**

ATTEST:

Jim Pruitt, Mayor

Kristy Cole, City Secretary

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CITY OF ROCKWALL

ORDINANCE NO. 19-08

SPECIFIC USE PERMIT NO. S-204

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

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

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

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

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

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

2.1 OPERATIONAL CONDITIONS

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

- 1) The animal shelter structure shall generally conform to the elevations and site plan depicted in *Exhibits 'B' & 'C'* of this ordinance;
- 2) The animal shelter structure shall not exceed its current size of approximately 2,720 SF or an approximate height of 15-feet;
- 3) The existing accessory building located within the flood plain of this property, as depicted as #4 in *Exhibit 'D'* of this ordinance, shall be removed/demolished within six (6) months of the date of passage of this ordinance;
- 4) The existing detached garage located on the subject property, as depicted as #1, 2, & 3 in *Exhibit 'D'* of this ordinance, shall be removed/demolished within six (6) months of the date of passage of this ordinance;
- 5) The animal shelter structure shall not be operated as a commercial land use;
- 6) A detention system is required for the addition of structures on the subject property per the Engineering Standards of Design; and,
- 7) The animal shelter structure is subject to administrative review in the event that the *Subject Property* is sold, conveyed or altered in any manner.

2.2 COMPLIANCE

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

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

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

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

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

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

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

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

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

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: January 7, 2019

2nd Reading: January 22, 2019

Exhibit 'A':
Legal Description and Property Location

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

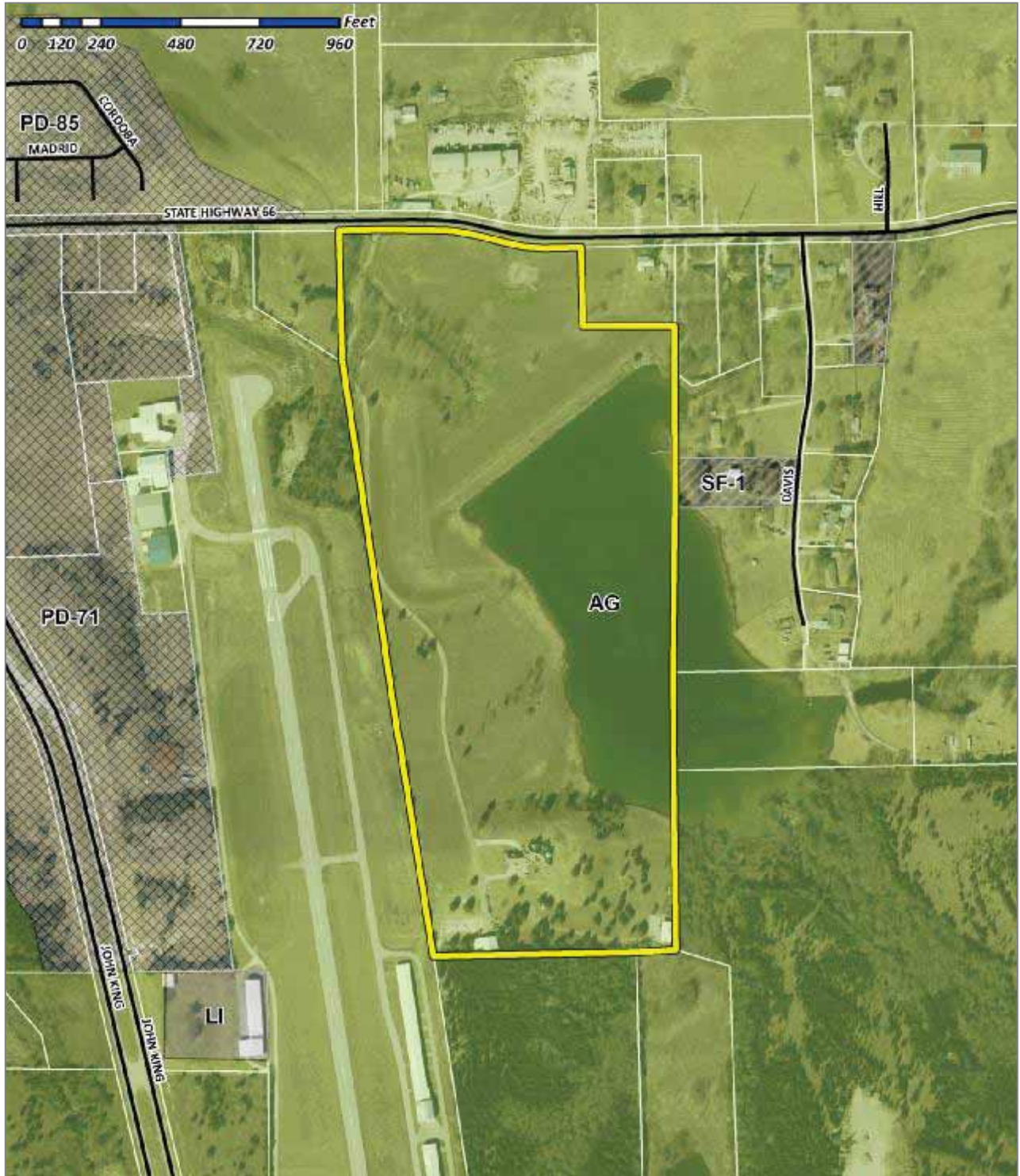
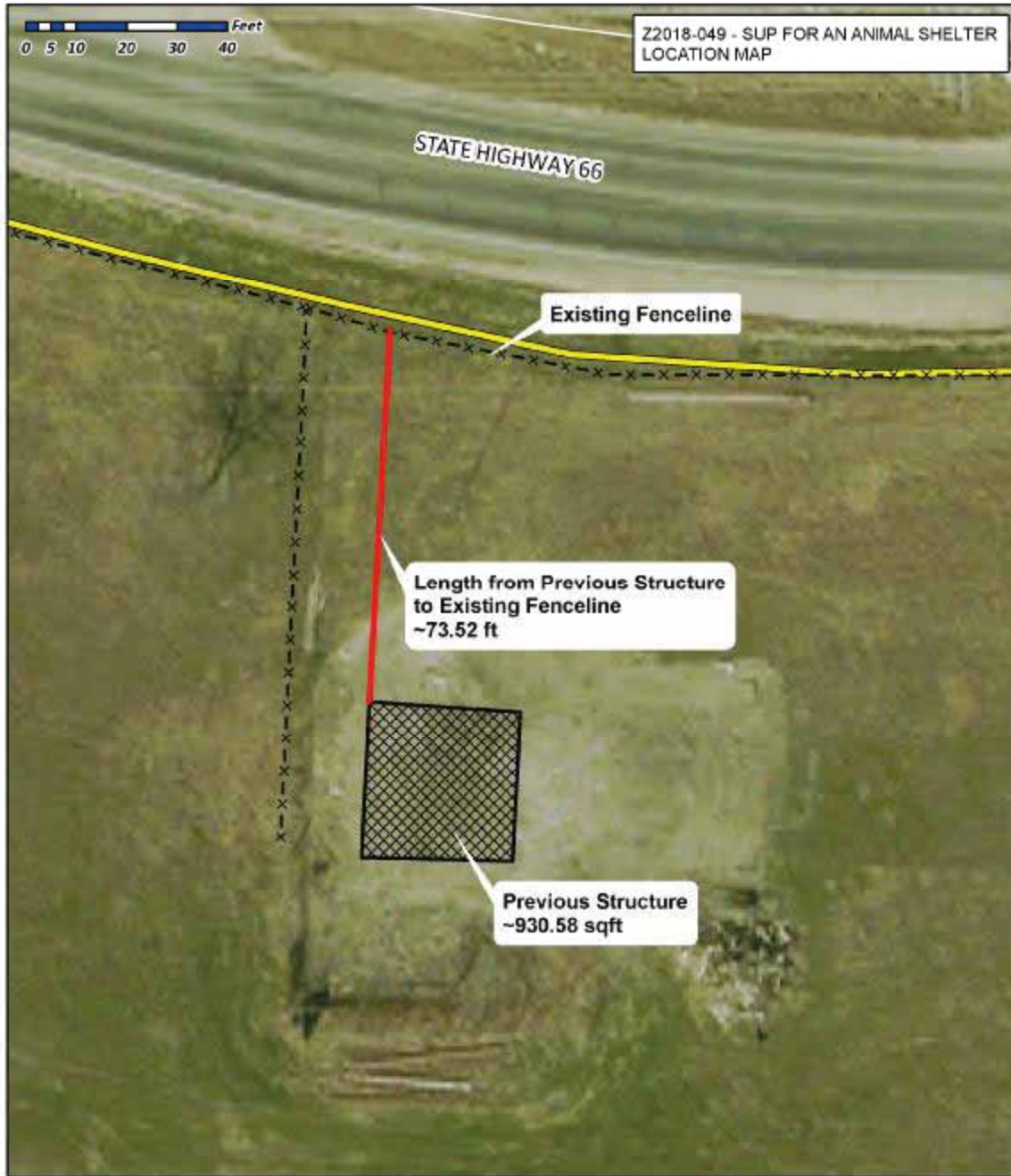


Exhibit 'B':
Animal Shelter – Elevations



**Exhibit 'C':
Site Plan**



City of Rockwall

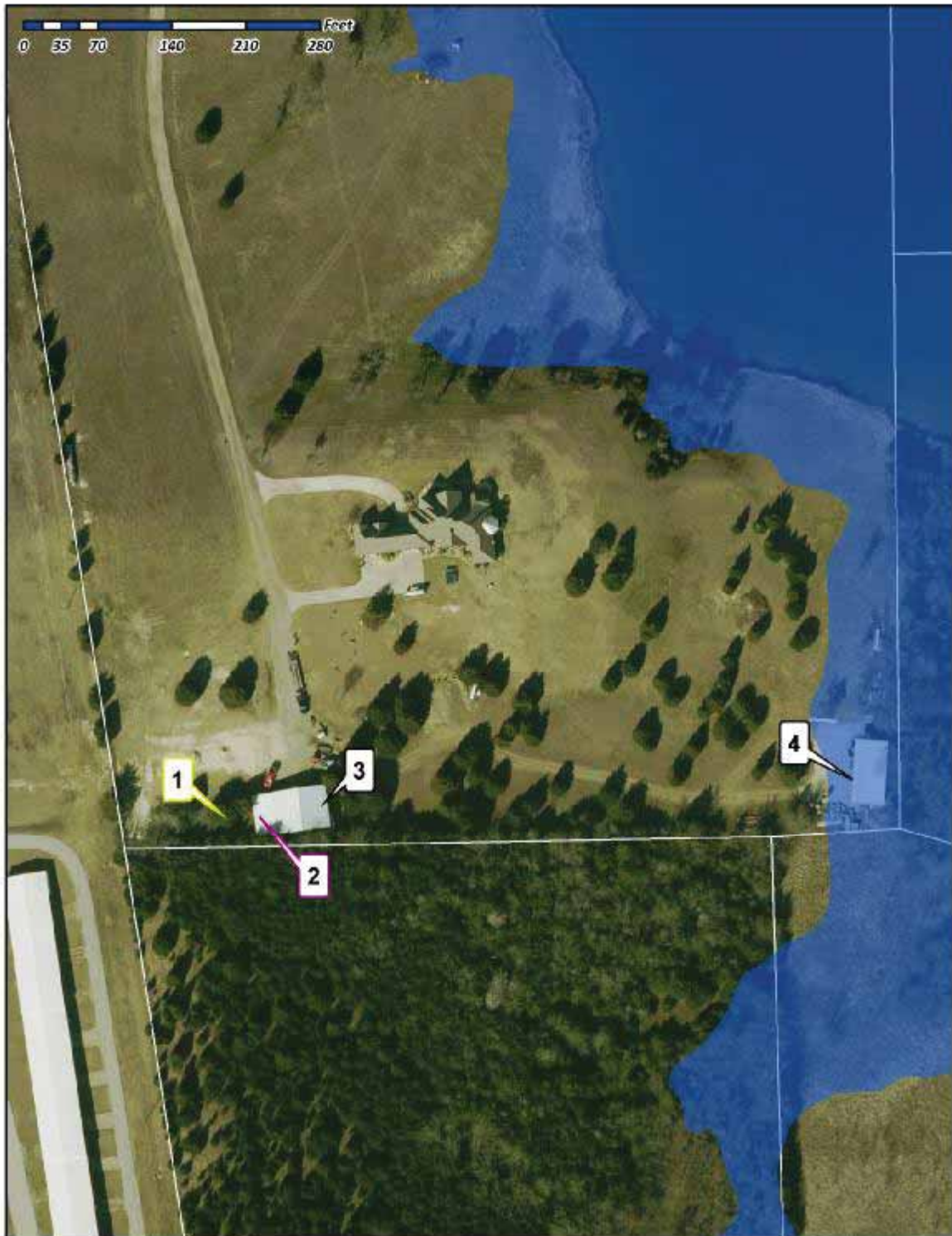
Planning & Zoning Department
365 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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



Exhibit 'D';
Building Locations to be Removed

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



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CITY OF ROCKWALL

ORDINANCE NO. 19-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS AND THE ANNEXATION OF A 14.995-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1-03 OF THE P. B. HARRISON SURVEY, ABSTRACT NO. 97, ROCKWALL COUNTY, TEXAS, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Public Hearings were held before the governing body of the City of Rockwall, Texas, where all interested persons were provided with an opportunity to be heard, on December 3, 2018, at 6:00 p.m. and on December 3, 2018, at 6:30 p.m. at *City Hall, 385 S. Goliad*, Rockwall, Rockwall County, Texas with said dates being not more than forty (40) days nor less than twenty (20) days prior to the institution of annexation proceedings, on the proposed annexation of the following described territories;

BEING, a 14.995-acre tract of land identified as Tract 1-03 of the P. B. Harrison Survey, Abstract No. 97 in the County of Rockwall, Texas and generally located contiguous to the existing city limits line east of the intersection of Featherstone Drive and John King Boulevard, depicted and described in *Exhibit 'A'* of this ordinance:

WHEREAS, notice of such public hearings were published in a newspaper having general circulation in the City of Rockwall, Rockwall County, Texas and in the territory described herein on November 16, 2018 and posted on the City of Rockwall's website on November 16, 2018 said dates being not more than twenty (20) days nor less than ten (10) days prior to the dates of such public hearings; and

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

WHEREAS, the territory above contains 14.995-acres;

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

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

SECTION 2. The land and territory more specifically described in *Exhibit 'A'* and incorporated by reference as the *Subject Property*, and containing 14.995-acres which is adjacent to and adjoining the present boundaries of the City of Rockwall, Rockwall County, Texas, is hereby added and annexed to the City of Rockwall, Rockwall County, Texas and said territory as described herein shall hereafter be included within the boundary limits of the City of Rockwall, Rockwall County, Texas and the present boundary limits of the City at the various points contiguous to the areas as described above, are altered and amended so as to include said area within the corporate limits of the City.

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

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

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

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

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

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: January 7, 2019

2nd Reading: January 22, 2019

Exhibit 'A'
Legal Description/Location Map

BEING 14.955 acres of land situated in the P.B. Harrison Survey, Abstract No. 97, Rockwall County, Texas, and all of a called 15.00 acre tract of land described in a Warranty Deed to Steve L. Branch and wife Judy C. Branch, recorded in Volume 234, Page 527 of the Deed Records of Rockwall County, Texas (DRRCT), and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the original Hays Road at the common west corner of said 15.00 acre tract and a tract of land described in a deed to Randy and Gwen Reed, recorded in Volume 260, Page 1 (DRRCT);

THENCE North 01°10'15" West, continuing along and within Hays Road and with the west line of said 15.00 acre Branch tract, a distance of 596.15 feet, to a 1/2" iron rod found for corner at the northwest corner thereof, common to the southwest corner of a called 15.00 acre tract of land described in a deed to Gerald Glen Cox and wife Rosalba Cox, recorded in Volume 3295 Page 9, (DRRCT);

THENCE North 89°26'26" East, along the common line of last mentioned tracts, a distance of 1,099.11 feet, to a point for corner at the common east corner thereof, and also being in the west line of Park Ridge Estates, an addition to the City of Rockwall, according to the Plat thereof recorded in Cabinet A, Page 390 of the Plat Records of Rockwall County, Texas (PRRCT), from which a 1/2" iron rod with a yellow cap stamped "5034" bears South 68°26'26" West, a distance of 0.18 feet;

THENCE South 00°32'13" East, along the common line of said Branch tract and said Park Ridge Estates, a distance of 596.04 feet, to a 1/2" iron rod found for corner at the southeast corner thereof, common to the northeast corner of said Reed tract;

THENCE South 89°26'12" West, along the common line of last mentioned tracts, a distance of 1,092.52 feet to *PLACE OF BEGINNING* and Containing 653,191 square feet, or 14.995 acres of land.

Exhibit 'A'
Legal Description/Location Map



Exhibit 'B'
Service Plan

SERVICE PLAN FOR ANNEXED AREA

Annexation Case No. A2018-004
City and County of Rockwall, Texas

Acreage Annexed: 14.995-acres

Survey Abstract and County: Tract 1-03 of the P. B. Harrison Survey, Abstract No. 97, Rockwall County, Texas

Date of Adoption of Annexation Ordinance: January 21, 2019

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

(A) Police Services

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

(B) Fire Services

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

(C) Health and Code Compliance Services

- (1) Enforcement of the City's health ordinances and regulations including, but not limited to, weed and brush ordinances, junked and abandoned vehicle ordinances, food handlers ordinances and animal control ordinances, shall be provided within this area on the effective date of the annexation ordinance. These ordinances and regulations will be enforced through the use of existing personnel. *Complaints of ordinance or regulation violations within this area will be responded and investigated by existing personnel beginning with the effective date of the annexation ordinance.*
- (2) The City's building, plumbing, electrical, gas heating, air conditioning and all other construction codes will be enforced within this area beginning with the effective date of the annexation ordinance. Existing personnel will be used to provide these services.

Exhibit 'B'
Service Plan

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

(D) Planning and Zoning Services

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

(E) Recreation and Leisure Services

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

(F) Solid Waste Collection

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

(G) Streets

- (1) The City of Rockwall's existing policies with regard to street maintenance, applicable throughout the entire City, shall apply to this property beginning immediately as of the effective date of the annexation ordinance.

Exhibit 'B'
Service Plan

- (2) As development, improvements or construction of streets to the City standards commence within this property, the policies of the City of Rockwall with regard to impact fees and participation in the cost thereof, acceptance upon completion, and maintenance after completion, shall apply.
- (3) The same level of maintenance shall be provided to streets within this property that have been accepted by the City of Rockwall as is provided to like City streets throughout the City.

(H) Water Services

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

(I) Sanitary Sewer Services

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

Exhibit 'B'
Service Plan

determined to no longer function to meet the sanitary sewer needs of the subdivision granted the exception.

(J) Public Utilities

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

(K) Miscellaneous

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

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CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 01/22/2019

APPLICANT: Chase Finch; *Corwin Engineering*

AGENDA ITEM: **P2018-047**; *Preliminary Plat for Breezy Hill, Phase XII*

SUMMARY:

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH West Pods, LTD for the approval of a preliminary plat for Breezy Hill, Phase XII containing 35 single-family residential lots on 44.525-acres of land identified as a portion of Tract 7-1 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, located west of the intersection of John King Boulevard and Cozy View Drive, and take any action necessary.

PLAT INFORMATION:

- The Breezy Hill Subdivision is a master planned community that will provide approximately 405-acres of residential and commercial development. The residential subdivision will be composed of 750 single-family lots on 371.45-acres of land, and be broken down per the lot mix indicated in Planned Development District 74 (PD-74). The lot mix in this Planned Development District is as follows.

<i>Lot Types</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>	<i>E</i>	<i>F</i>	<i>G</i>
<i>Minimum Lot Frontage (Feet)</i>	60'	70'	80'	100'	60'	100'	70'
<i>Minimum Lot Depth (Feet)</i>	120'	120'	125'	200'	110'	180'	120'
<i>Minimum Lot Size (SF)</i>	7,200 SF	8,400 SF	10,000 SF	20,000 SF	7,200 SF	18,000 SF	8,400 SF
<i>Number of Units</i>	164	131	137	140	40	44	94
<i>Dwelling Unit %</i>	21.86%	17.46%	18.27%	18.67%	5.34%	5.87%	12.53%

- The applicant is requesting to *preliminary plat* Phase XII of the Breezy Hill Subdivision for the purpose of laying out 35 of the 750 lots on ~44.525-acres. The 35 proposed lots will be constructed to the *Type 'D'* standards (*all standards are displayed in the above table*). In addition to the preliminary plat, the applicant has also submitted a preliminary water and sanitary sewer plan and a drainage plans establishing that the developer can provide adequate utilities to service the proposed phase.
- On January 4, 2019 the Parks and Recreation Board reviewed the *preliminary plat* and made a recommendation to approve the plat with the following conditions:
 - The developer is to pay the pro-rata equipment fees required in the amount of \$8,925 [*i.e. 35 Lots @ \$255.00 Per Lot*].
- The surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for preliminary plats as stated in the *Subdivision Ordinance* in the *Municipal Code of Ordinances*, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

- ☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.
- ☑ With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the *Municipal Code of Ordinances*.

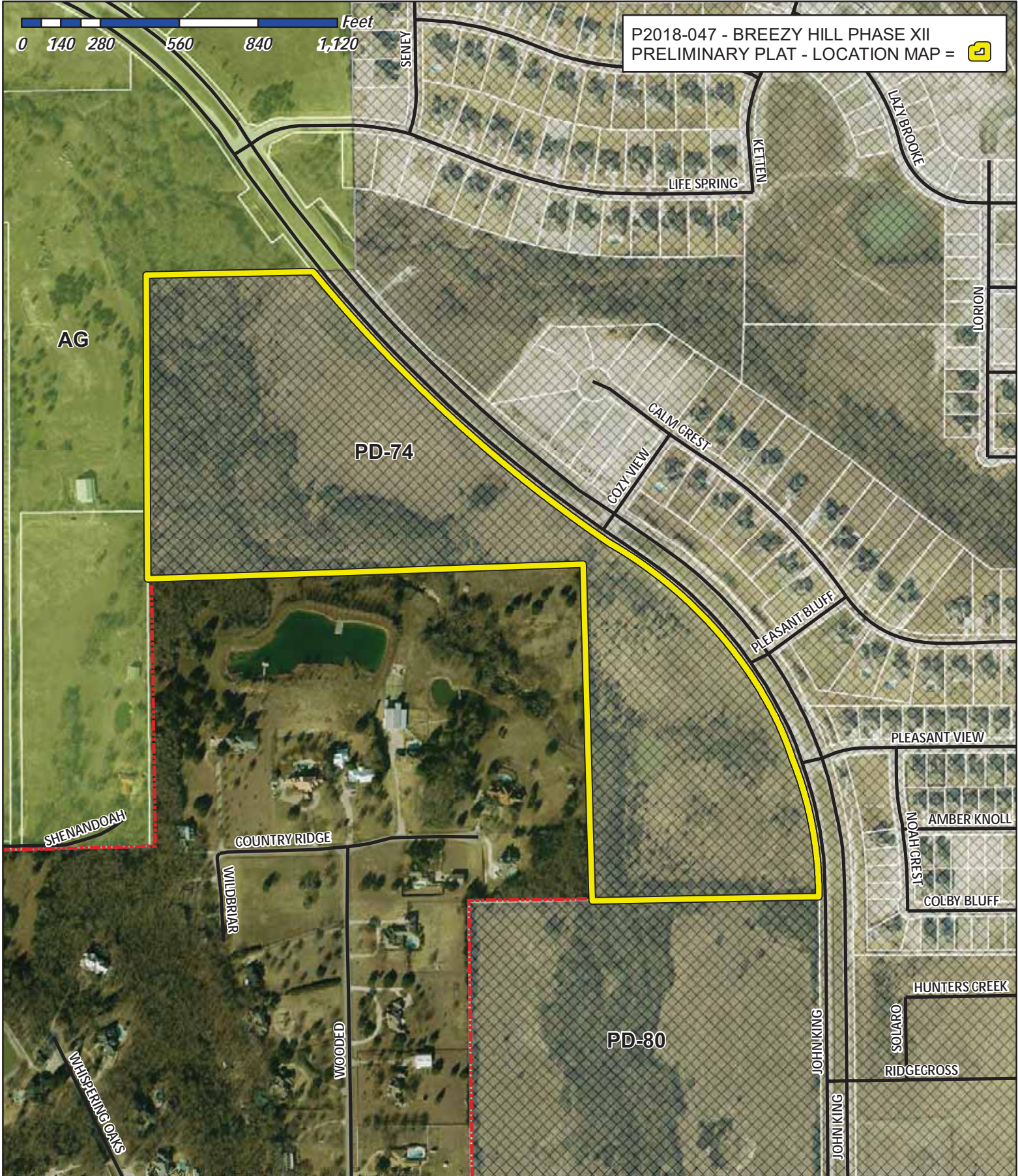
RECOMMENDATIONS:

Should the City Council chose to approve the *preliminary plat* for *Breezy Hill, Phase XII*, staff would recommend the following conditions:

- 1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;
- 2) The developer shall construct a ten (10) foot sidewalk along John King Blvd; and
- 3) Any construction resulting from the approval of this *preliminary plat* shall conform to the requirements set forth by the Unified Development Code, the International Building Code, 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 January 15, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat with staff recommendations passed by a vote of 6-0 with Commissioner Moeller absent.



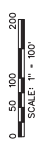
P2018-047 - BREEZY HILL PHASE XII
 PRELIMINARY PLAT - LOCATION MAP =



City of Rockwall

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

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



LEGEND

- BL - BUILDING LINE
- BE - EASEMENT
- UE - UTILITY EASEMENT
- R.O.W. - RIGHT OF WAY
- H.O.A. - HOMEOWNERS ASSOCIATION

NOTES
 ALL OPEN SPACE AREAS WILL BE MAINTAINED BY THE HOA.
 NEW PROPERTY OWNER TO MAINTAIN, DEFEND AND OPEN SPACE EASEMENTS AND LOTS.

PRELIMINARY PLAT

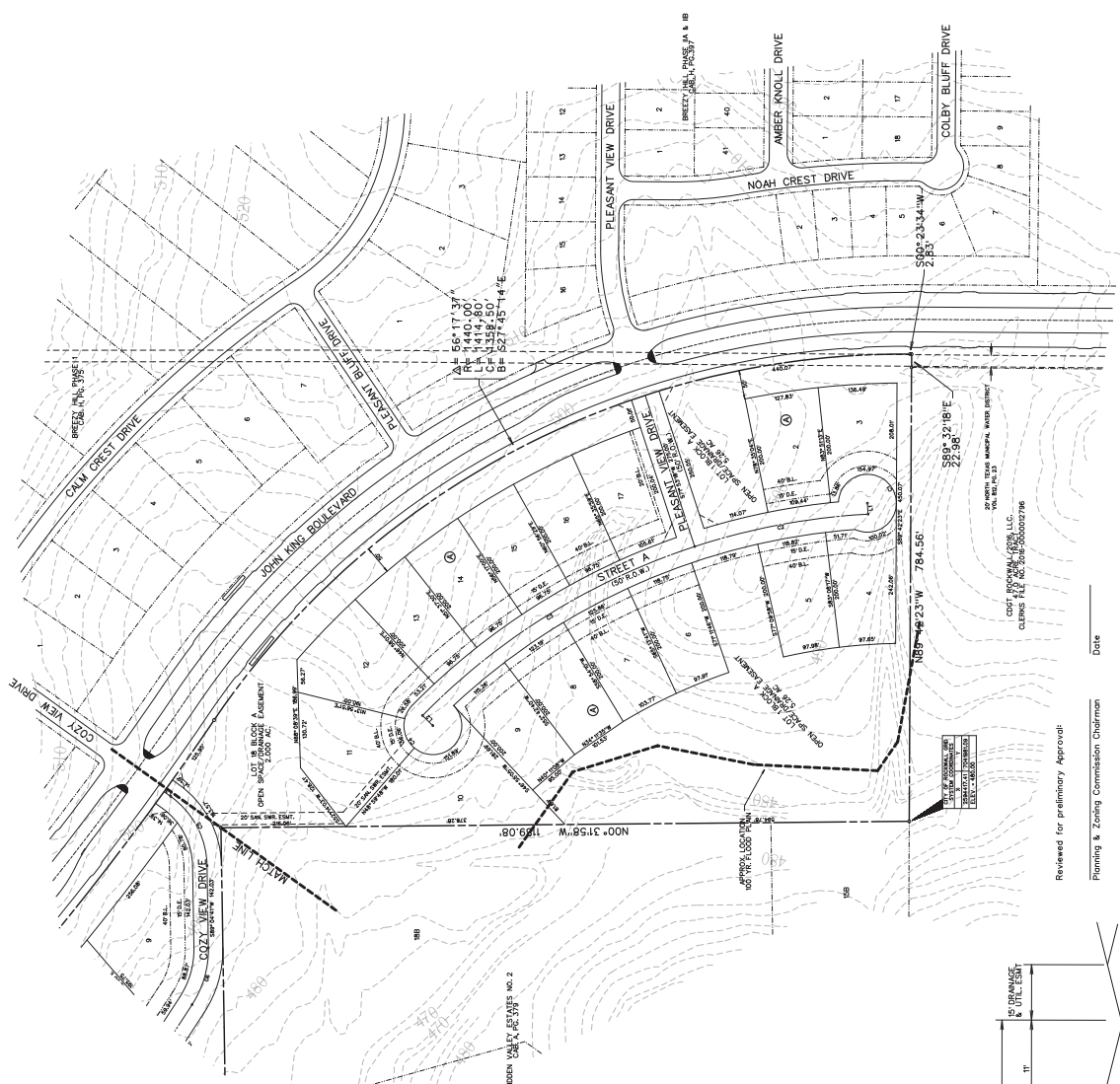
BREEZY HILL PHASE XII

- LOTS 1-17, BLOCK A
- LOTS 1-9, BLOCK B
- LOTS 1-11, BLOCK C
- BEING 44.523 ACRES

J. STRICKLAND SURVEY, ABSTRACT NO. 187
 IN THE
 CITY OF ROCKWALL
 ROCKWALL COUNTY, TEXAS
 OWNER
 BH WEST PODS, L.T.D.
 8214 WESTCHESTER DRIVE, SUITE 710
 DALLAS, TEXAS 75225
 DIAL 214-322-4445

PREPARED BY
 CORWIN ENGINEERING, INC.
 200 W. BELMONT, SUITE E
 ALVEA, TEXAS 75005
 972-386-2200

NOVEMBER 2018 SCALE 1" = 100'
 CASE #P2018-XXX



Zoning: Single Family Residential District (PD-74)
 Planned Development Lot Type DJ

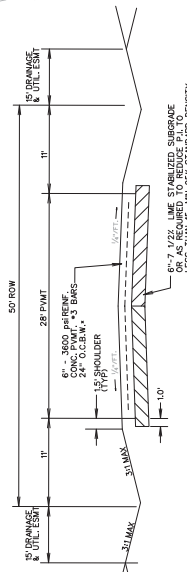
TOTAL ACRES	44.523
TOTAL RESIDENTIAL LOTS	35
DENSITY	1,272

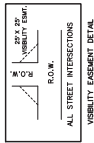
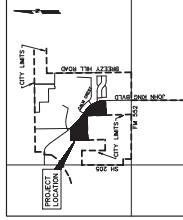
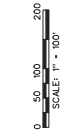
Reviewed for preliminary approval:

Planning & Zoning Commission Chairman _____ Date _____

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall, on the _____ of _____, 2018.
 The above plat shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall County, Texas, within the number of days after the date of this approval.

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



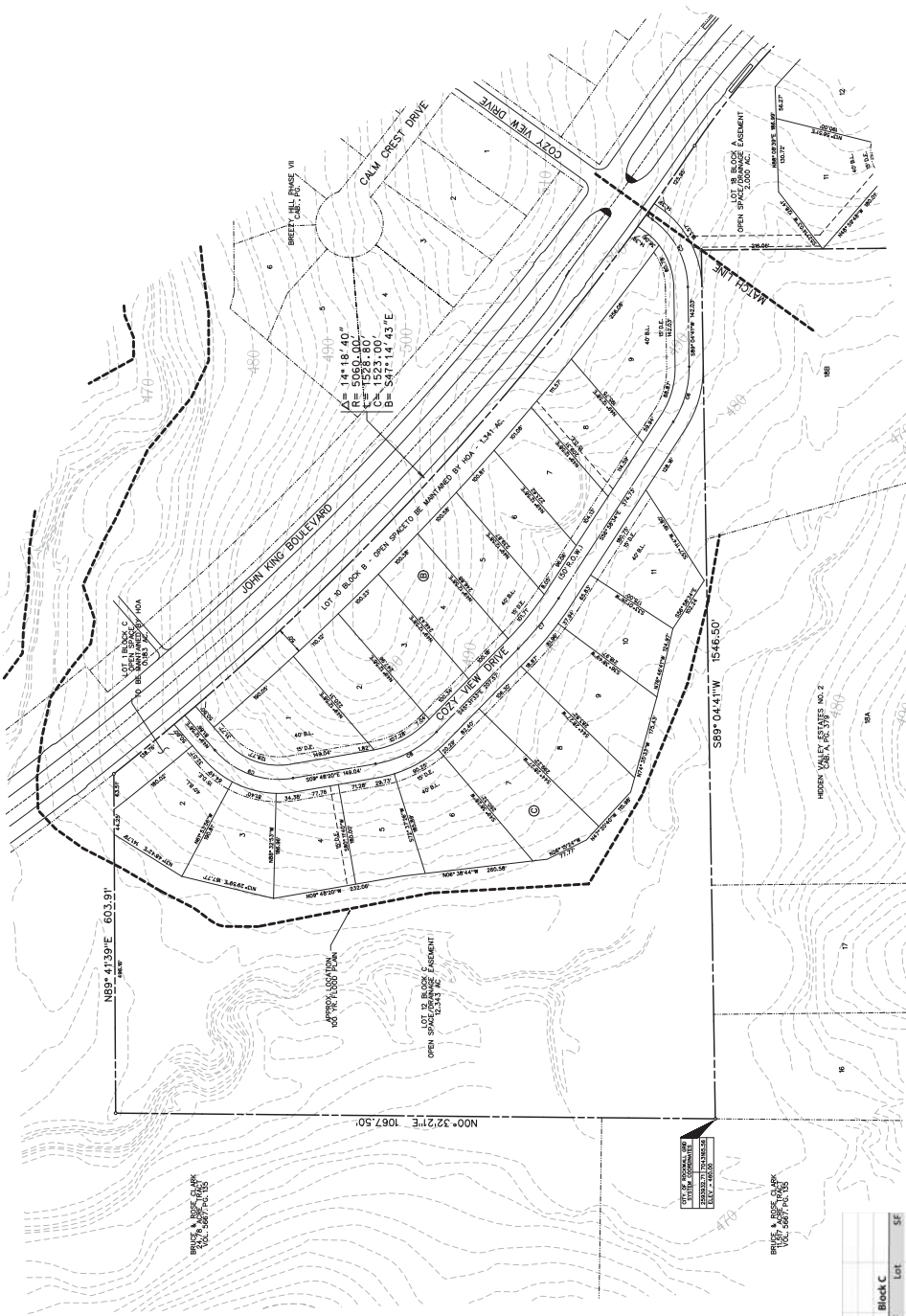


CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	CORD	BEARING
1.	67°48'11"	56.00'	254.99'	55.78'	N88°44'45"E
2.	217°09'04"	1185.0'	555.37'	551.48'	S83°15'15"W
3.	115°00'00"	150.00'	234.52'	131.48'	S00°00'00"W
4.	91°12'28"	150.00'	234.52'	131.48'	S00°00'00"W
5.	33°54'45"	175.00'	103.68'	102.11'	N71°58'57"W
6.	33°54'45"	200.00'	124.69'	122.68'	N71°58'57"W
7.	59°01'19"	150.00'	154.52'	141.78'	N71°58'57"W

LINE TABLE

LINE NO.	BEARING	DISTANCE
1.	N 88°44'28" E	18.91'
2.	S 44°24'18" W	25.00'
3.	S 20°01'12" W	14.00'



BREEZY HILL PHASE XII

PRELIMINARY PLAT
OF
LOTS 1-17, BLOCK A
LOTS 1-9, BLOCK B
LOTS 1-11, BLOCK C
BEING 44.523 ACRES
OUT OF THE
CITY OF THE
IN THE
J. STRICKLAND SURVEY, ABSTRACT NO. 187

CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
OWNER
BH WEST PODS, L.T.D.
8214 WESTCHESTER DRIVE, SUITE 710
DALLAS, TEXAS 75225
DIAL 214-322-7445

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALBUQUERQUE, NM 87105
972-386-2200

NOVEMBER 2018 SCALE 1" = 100'
CASE #P2018-xxx

Zoning: Planned Development District (PD-74)
Single Family Residential (Lot Type D)
TOTAL ACRES 44.523
TOTAL RESIDENTIAL LOTS 35
DENSITY 1,272

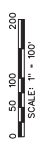
NOTES:
ALL LOT AREA, AREA, AREA, ALL
HOA/PROPERTY OWNER TO MAINTAIN,
REPLACE AND REPAIR ALL DEBRIS
AND LOTS.

LEGEND
BL. - BUILDING LINE
U.C. - UTILITY EASEMENT
R.O.W. - RIGHT OF WAY
H.O.A. - HOMEOWNERS ASSOCIATION

BREEZY HILL PHASE XII

Block A	Lot	SF	Block B	Lot	SF	Block C	Lot	SF
	1*	215942		1	2976		1*	7970
	2	23726		2	2601		2	26280
	3	21698		3	2402		3	22572
	4	22125		4	2629		4	23530
	5	21679		5	2499		5	20434
	6	21665		6	2360		6	28777
	7	22962		7	2129		7	33213
	8	22570		8	2265		8	31489
	9	21105		9	3573		9	29368
	10	35842		10	5842		10	21585
	11	28263		11	24761		11	24761
	12	27746		12*	7746		12*	537688
	13	20978						
	14	20975						
	15	20975						
	16	20975						
	17	23317						
	18*	87122						

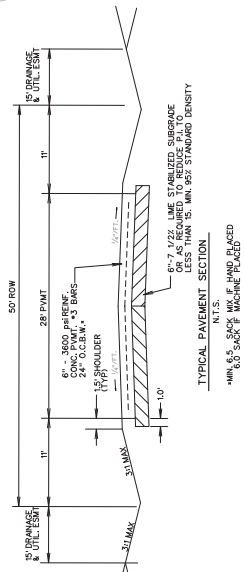
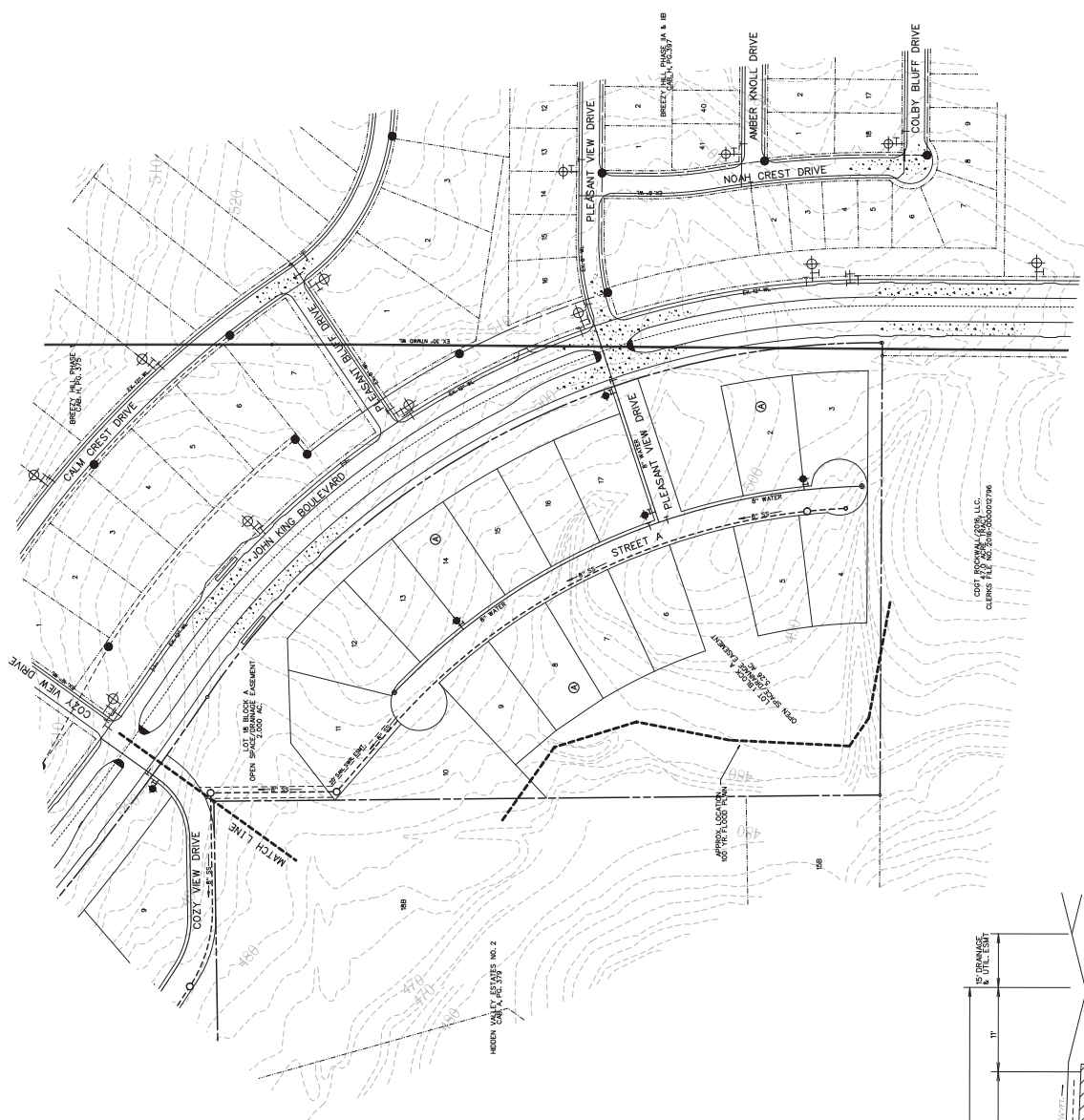
* Denotes Open Space

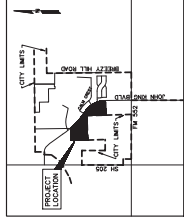


PRELIMINARY WATER & SEWER PLAN
OF
BREEZY HILL PHASE XII
LOTS 1-17, BLOCK A
LOTS 1-9, BLOCK B
LOTS 1-11, BLOCK C
BEING 44.523 ACRES
OUT OF THE
J. STRICKLAND SURVEY, ABSTRACT NO. 187
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
OWNER
BH WEST PODS, L.T.D.
8214 WESTCHESTER DRIVE, SUITE 710
DALLAS, TEXAS 75225
DIAL 214-522-7445
PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALBUQUERQUE, NM 87105
972-598-2200

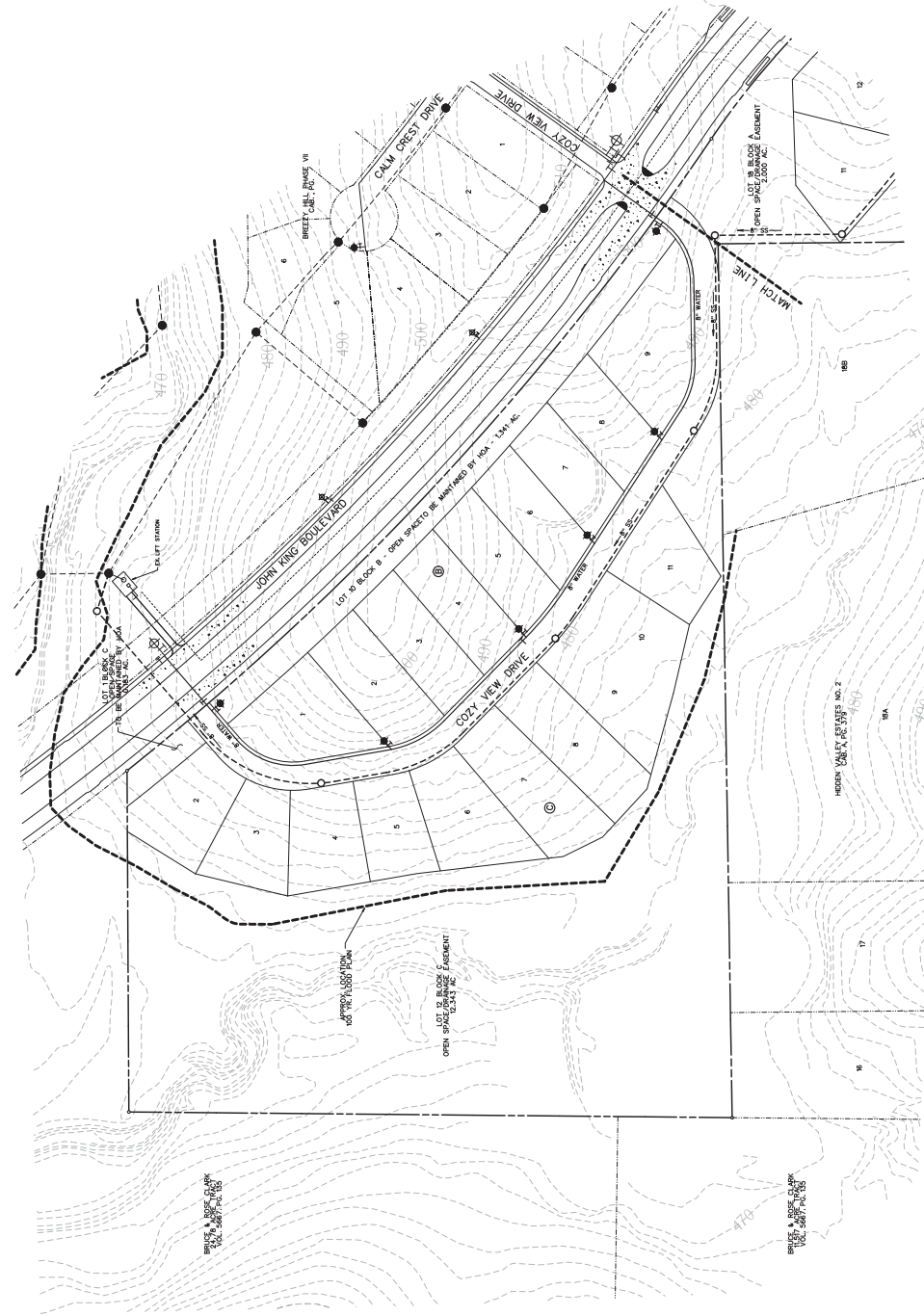
Zoning: Planned Development District (PD-74)
Single Family Residential Lot Type C, F & G
TOTAL ACRES 44.525
TOTAL RESIDENTIAL LOTS 35
DENSITY 1,272

NOVEMBER 2008 SCALE 1" = 100'
CASE #P2018-XXX





- LEGEND**
- PROPOSED WATER LINE
 - PROPOSED FIRE HYDRANT AND VALVE
 - PROPOSED GATE VALVE
 - PROPOSED FLUSH VALVE
 - EXISTING WATER LINE
 - EXISTING FIRE HYDRANT AND VALVE
 - PROPOSED SANITARY SEWER
 - PROPOSED MANHOLE
 - PROPOSED CLEANOUT
 - EXISTING SANITARY SEWER
 - EXISTING MANHOLE
 - PROPOSED STORM SEWER
 - PROPOSED CURB INLETS
 - PROPOSED CONC. RETAIN WALL



0 50 100 200
SCALE: 1" = 100'



BREEZY HILL PHASE XII

PRELIMINARY
WATER & SANITARY SEWER PLAN
OF
LOTS 1-17, BLOCK A
LOTS 1-9, BLOCK B
LOTS 1-11, BLOCK C
BEING 44.523 ACRES
OUT OF THE
J. STRICKLAND SURVEY, ABSTRACT NO. 187
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

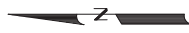
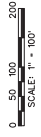
OWNER
BH WEST PODS, L.T.D.
8214 WESTCHESTER DRIVE, SUITE 710
DALLAS, TEXAS 75225
214-322-7645

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALBUQUERQUE, NM 87105
972-388-2200

Zoning: Planned Development District (PD-74)
Single Family Residential (Lot Type D)

TOTAL ACRES	44.525
TOTAL RESIDENTIAL LOTS	35
DENSITY	1,272

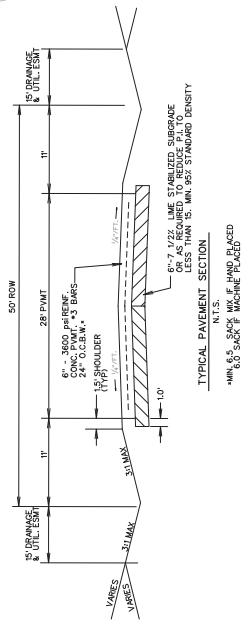
NOVEMBER 2008 SCALE 1" = 100'
CASE #P2018-xxx

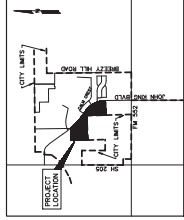


BREEZY HILL PHASE XII

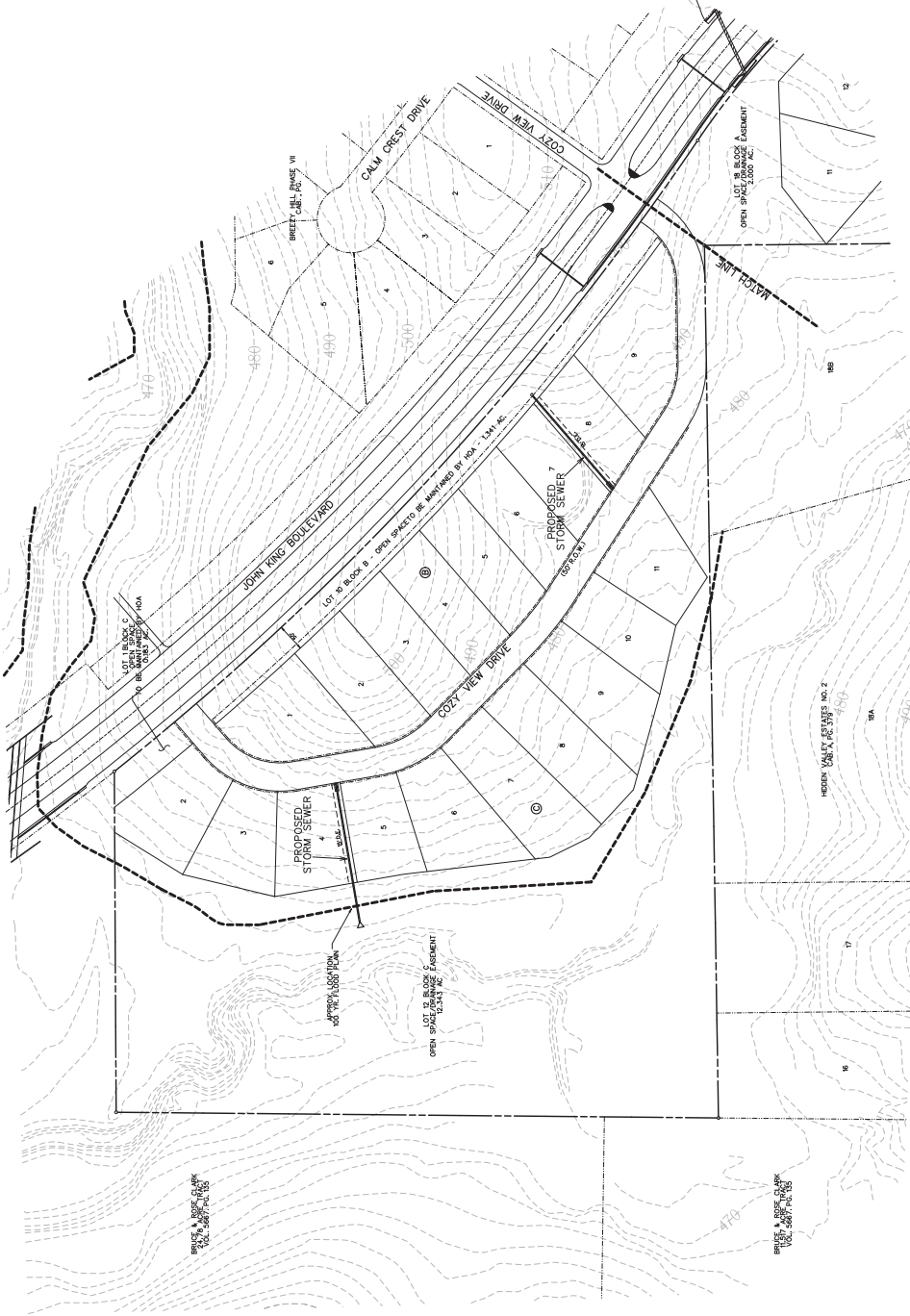
PRELIMINARY PLAN
OF
LOTS 1-17, BLOCK A
LOTS 1-9, BLOCK B
LOTS 1-11, BLOCK C
BEING 44.523 ACRES
OUT OF THE
J. STRICKLAND SURVEY, ABSTRACT NO. 187
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
OWNER
BH WEST PODS, L.T.D.
8214 WESTCHESTER DRIVE, SUITE 710
DALLAS, TEXAS 75225
TEL: 214-322-7445

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALBUQUERQUE, NM 87105
972-586-2200
NOVEMBER 2018 SCALE 1" = 100'
CASE #P2018-XXX





0 50 100 200
SCALE: 1" = 100'



LEGEND

-----	PROP. STORM SEWER
-----	PROP. CURB METS
-----	PROP. CONC. GENERAL

BREEZY HILL PHASE XII

PRELIMINARY
GRADING PLAN
OF
LOTS 1-17, BLOCK A
LOTS 1-9, BLOCK B
LOTS 1-11, BLOCK C
BEING 44.523 ACRES
OUT OF THE
J. STRICKLAND SURVEY, ABSTRACT NO. 187
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNER
BH WEST PODS, LTD.
8214 WESTCHESTER DRIVE, SUITE 710
DALLAS, TEXAS 75225
214-322-7442

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALBUQUERQUE, NM 87105
972-386-2200

NOVEMBER 2018 SCALE 1" = 100'
CASE #P2018-xxx

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Amy Williams, P.E., Public Work Director/City Engineer

DATE: January 17, 2019

SUBJECT: Professional Engineering Services Contract
Russwood Drive (S. Lakeshore Drive to Spring Creek Drive)
Reconstruction Project

Funds for the first year of the 2018 Street Bond Program were planned to be allocated for the engineering design for the reconstruction of ten existing streets sections. Designing these projects in the first bond year will allow the City to have “construction ready projects” for the upcoming years of the 2018 Street Bond Program. The City Council, to date, has approved the engineering contracts for ten roadway sections to be designed. The total engineering design contract costs for these projects was below the estimated first year’s budgeted amount, and the additional funds can be used to design additional streets.

Russwood Drive from South Lakeshore Drive to Spring Creek Drive (approximately 700 feet) is a street to be reconstructed in the 2018 Street Bond Program, but the design was not included in the first year’s bond funds. Due to additional funds being available, Russwood can be considered for engineering design in the first year of the Street Bond Program.

On October 1, 2018, City Council awarded Binkley & Barfield, Inc. the engineering design contract for South Lakeshore in the amount of \$508,770. Russwood Drive is adjacent to this section of South Lakeshore Drive which is currently being designed under the above mentioned contract. Since Russwood is adjacent to this design area, staff requested that the consultant provide an amendment to their engineering contract (Contract Amendment #1) to include the design and construction document preparation for Russwood Drive. The amendment is in the amount of \$87,030 for the additional services, which would revise the total contract amount to be \$595,800.

Staff is requesting City Council’s consideration for approval of the Contract Amendment #1 in the amount of \$87,030 to be paid out of the 2018 Street Bond funds and water/wastewater funds, and take any action necessary.

AW:jmw

Attachments

Cc: Jeremy White, P.E., CFM, Civil Engineer
File

Memo



CONTRACT AMENDMENT#1

To: Jeremy White, PE, CFM
Civil Engineer, Public Works – Engineering Division
City of Rockwall
385 S. Goliad
Rockwall, TX 75087

Date: January 14, 2019

Project Description: S. Lakeshore Drive Reconstruction Project (Summit Ridge Drive to Tanya Drive)

Description of Services Added/Deleted: The City of Rockwall wishes to reconstruct Russwood Street, an existing two (2) lane undivided concrete roadway, from S. Lakeshore Drive to Spring Creek Drive, approximately 750 feet in length. Additional design will include sanitary sewer and water improvements. This segment will be included in the submittal schedule for the S. Lakeshore Drive Reconstruction Project.

A detailed description of the Scope of Services is listed in Attachment “A”.

Basic Services:

Schematic Conceptual Design (30%)

Construction Documents

- 60% Design
- 90% Design
- 100% Design

Special Services:

Data Collection & Property Research/Topographic and Design Survey

Right-of-Way/Easement Instruments of Conveyance

- (2 ROW documents are assumed @ \$2,400/document)

Geotechnical

Deliverables:

Submitted in conjunction with deliverables for the S. Lakeshore Drive Reconstruction Project.

Project Schedule: The overall project schedule for S. Lakeshore Drive Reconstruction Project shall be adjusted as follows:

Task Name	Duration	Start	Finish
Notice to Proceed	1 day	Tue 1/22/19	Tue 1/22/19
Design Survey	2 weeks	Wed 1/23/19	Tue 2/5/19
Schematic Design 30%	4 weeks	Wed 2/6/19	Tue 3/5/19
City Review	4 weeks	Wed 3/6/19	Tue 4/2/19
Construction Documents 60%	4 months	Wed 4/3/19	Tue 7/23/19
City Review	4 weeks	Wed 7/24/19	Tue 8/20/19
Construction Documents 90%	3 months	Wed 8/21/19	Tue 11/12/19
City Review	1 month	Wed 11/13/19	Tue 12/10/19
Construction Documents 100%	2 weeks	Wed 12/11/19	Tue 12/24/19
City Review	2 weeks	Wed 12/25/19	Tue 1/7/20



Compensation shall be as follows:

Task		Original Fee	Amend #1	Revised Fee
Basic Services				
1	Schematic Conceptual Design (30%)	\$109,497.00	\$25,659.00	\$135,156.00
2.1	Construction Documents (60% Design)	\$130,589.00	\$25,262.00	\$155,851.00
2.2	Construction Documents (90% Design)	\$85,834.00	\$19,603.00	\$105,437.00
2.3	Construction Documents (100% Design)	\$27,160.00	\$5,206.00	\$32,366.00
Basic Services Sub-Total =		\$353,080.00	\$75,730.00	\$428,810.00
Basic Services				
3	Topographic and Design Survey	\$46,000.00	\$4,000.00	\$50,000.00
4	Right of Way/Easements			
4.1	2 ROW Documents @ \$2,400/each	\$4,800.00	\$4,800.00	\$9,600.00
4.2	2 Easement Documents @ \$2,400/each	\$4,800.00		\$4,800.00
5	Subsurface Utility Engineering (SUE)			
5.1	SUE - Level 'C' & Level 'D'	\$4,250.00		\$4,250.00
5.2	SUE - Level 'B' (11,800 LF @ \$1.10/LF)	\$12,980.00		\$12,980.00
5.3	SUE - Level 'A'	\$19,210.00		\$19,210.00
6	Geotechnical	\$5,400.00	\$2,500.00	\$7,900.00
7	TV Inspection (2,000 LF @ \$4.50/LF)	\$9,000.00		\$9,000.00
8	TDLR Registration & Inspection	\$3,000.00		\$3,000.00
Special Services Sub-Total =		\$109,440.00	\$11,300.00	\$120,740.00
9	Engineering Services Contingency	\$46,250.00		\$46,250.00
Special Services Sub-Total =		\$508,770.00	\$87,030.00	\$595,800.00

Original Contract Amount = \$508,770.00

Amount This Authorization = \$87,030.00

Revised Total Contract = \$595,800.00

APPROVALS:

BINKLEY & BARFIELD, INC.

BY: Tony Romo II P.E.

Tony Romo II P.E.
Print or Type Name

TITLE: REGIONAL VICE PRESIDENT

DATE: 1/16/19

CITY OF ROCKWALL

BY: _____

Print or Type Name

TITLE: _____

DATE: _____

Attachment “A” – Scope of Services – Amendment #1
S. Lakeshore Drive Reconstruction Project (Summit Ridge Drive to Tanya Drive)
For
City of Rockwall

Project Understanding

The City of Rockwall (City) wishes to reconstruct Russwood Street, an existing two (2) lane undivided concrete roadway, from S. Lakeshore Drive to Spring Creek Drive, approximately 7,200 feet in length. The roadway lies within a residential area of the City of Rockwall. Reconstruction will be two lanes undivided: one vehicle lane (12.5’) in each direction with concrete curb and gutter and 5 ft sidewalks on each side. (Final width to be confirmed in 30% Schematic Alignment). These improvements will be with the existing 50’ Right of Way (ROW); however, the contract will include a provision for 2 parcel takes or easements in the event that they are required. No Traffic Signals modifications are necessary for the new roadway improvements.

Additional design will include storm sewer, sanitary sewer and water improvements. The existing storm sewer will be analyzed using current City drainage criteria and improvements will be designed where the existing system is inadequate. Sanitary sewer will be evaluated for capacity and for physical condition, and will be replaced or augmented based upon the capacity and condition analysis. Water lines will be evaluated to be placed within the back of curb and the right-of-way line where possible.

Other design components include coordinating with ONCOR for street lighting, utility coordination, TDLR compliance with ADA and traffic control plans.

Binkley & Barfield, Inc. will provide plans, specifications, estimates, and permits for the project and will support the City of Rockwall’s advertising/bidding and construction phase services.

This project will be included as part of the S. Lakeshore Drive Reconstruction Project from Summit Ridge Drive to Tanya Drive.

Scope of Services

Basic Services

1. Schematic Conceptual Design (30%)

1.1. Public Meetings and Public Input Surveys

1.1.1. Meetings

1.1.1.1. Attend two (2) public involvement meeting as directed by City staff. Provide exhibits suitable for public meeting use depicting street section, alignments etc. Support City staff during meetings by providing technical information, responding to citizen questions, and recording citizen input.

1.1.1.1.1. First Public Meeting will be with adjacent property owners and residents.

- Mail out all first public meeting notification for the City.
- Revise 30% Schematics Roll Plots based on public input from first public meeting and City direction to be used in second public meeting.

1.1.1.1.2. Second Public Meeting will be with adjacent property owners and residents as well as the neighborhood.

- Mail out all second meeting public meeting notification for the City (Neighborhood to be at a typical 500ft buffer off the street)
- Revise 30% Schematics Roll Plots based on public input from second public meeting and City direction to be used in City Council presentation for schematic and typical section approval.

1.1.2. Public Input Surveys

- 1.1.2.1 Work with City to develop Public Input Survey to be sent to adjacent property owners and residents.
- 1.1.2.2 Mail out surveys to adjacent property owner and residents.
- 1.1.2.3 Tally survey results and other received public input into presentable format to City Staff and City Council.

1.2. Schematic Roll Plot and Graphics (30%)

The following services will be provided as part of the Conceptual Design Phase (30%):

- 1.2.1 Review and research previously prepared construction plans record documents, and other pertinent information related to proposed project.
- 1.2.2 Review City master plans, design standards, specifications, construction details, and other pertinent information that may impact the design. Review of documents will include but not limited to:
 - City of Rockwall Master Thoroughfare Plan
 - City of Rockwall Water/Wastewater Master Plan
 - City of Rockwall Standards of Design and Construction
 - City of Rockwall Trail Master Plan
- 1.2.3 Develop complete and accurate base map showing all existing Right-of-Way (ROW), easements, and utilities.
- 1.2.4 Develop and evaluate typical sections (up to two (2)) to use for Russwood Street and other intersecting streets within the project limits.
- 1.2.5 Develop drainage area maps and analyze street and inlet capacities.
- 1.2.6 Develop horizontal alignments for roadway
- 1.2.7 Develop horizontal alignments for sidewalk & barrier free ramps
- 1.2.8 Develop and evaluate up to two (2) alignments for proposed water lines and wastewater lines.
- 1.2.9 Develop vertical alignment for roadway and cut cross sections at critical points, at center of driveways, alley approaches, cross streets, lead walks, at alignment geometric points and at 25' intervals to evaluate the grading. Determine and show approximate location of sidewalk retaining walls.
- 1.2.10 Review City Master Trail Plan and incorporate hike and bike trails if necessary.
- 1.2.11 Prepare 30% schematic paving plan and profile roll plots, produced at 1" =40' horizontal scale and 1" =5' vertical scale. The horizontal alignment of proposed water lines and sewer lines will be included in the roll plots.
- 1.2.12 Prepare cross sections sheets.
- 1.2.13 Meet with City staff and present concept paving plan and profile roll plots.
- 1.2.14 Incorporate comments and feedback from City staff and other stakeholders prior to public meetings.

1.3. Existing Traffic Analysis and Recommendation (30%)

The following services will be provided as part of the Conceptual Design Phase (30%):

- 1.3.1 City will conduct Traffic Counts, Speed Studies, and Accident Reports from Police Department along Russwood Street.

- 1.3.2 Consultant shall take the data provide by the City and analysis in order to provide a recommendation in memo format signed and sealed of proposed improvements along the corridor.

2. Construction Documents

2.1. Construction Plans, Specifications and Estimates (60%, 90%, 100%)

2.1.1. Submittals

Binkley & Barfield, Inc. will submit 60%, 90% and 100% submittals for the City for review and comment. The following will be required for each submittal:

- Construction Plans
 - Two (2) Full Size copies – 22”x34”
 - Two (2) Half Size copies – 11”x17”
 - One (1) PDF copy
 - One (1) PDF copy– Scanned City comments previous submittal
- Engineers Opinion of Construction Cost
- Construction Contract Template/Specification Book

2.1.2. Construction Plans

Each plan sheet in the construction plans set will conform to the Engineering Drawing Requirements set forth in the City of Rockwall’s Standards of Design and Construction. Plan sheets will also include any other additional documentation, notation, and clarification required by the City’s Project Manager to prove design and constructability of the project. Each stage of the construction plan review process will incorporate any changes associated with City comments on previous submittals.

This design will be submitted with the S. Lakeshore Drive Reconstruction Project. Below is a table of the additional construction plan sheets required and which submittals they are required.

Plan Sheets	60%	90%	100%
Existing Condition Plan (1”=20’ scale)	X	X	X
Horizontal/Vertical Control Sheet (1”=40’ scale)	X	X	X
Typical Sections (Existing and Proposed)	X	X	X
Demolition/Removals Plan (1”=20’ scale)	X	X	X
Roadway Plan/Profiles (1”=20’H, 1’=5’V scale)	X	X	X
Alley and Driveway Plan/Profile (1”=20’H, 1’=5’V scale)		X	X
Intersection Grading Plan (major and critical intersections)		X	X
Pavement Signage and Striping Plan (1”=20’ scale)		X	X
Water Plan/Profile (1”=20’H, 1’=5’V scale)	X	X	X
Sanitary Sewer Plan/Profile (1”=20’H, 1’=5’V scale)	X	X	X
Retaining Wall Plan/Profile (1”=20’H, 1’=5’V scale)	X	X	X
Lighting/Illumination Plan		X	X
Traffic Signal Plans (Existing and Proposed)		X	X
Construction Sequencing Phasing Narrative	X	X	X
Detour Plan (for each Phase)		X	X
Traffic Control Plan (for each phase & typ. sections) (1”=40’ scale)		X	X
Roadway Cross-Sections (25’ int. & crit. pts.) (1”=20’H, 1’=5’V scale)	X	X	X
Structural Layout Sheets		X	X
Details (for each section of plans)		X	X

Each subsection below details out the services to be performed for each section of the construction plan set.

2.1.2.1. Roadway Design

- Incorporate the preliminary design submittal review comments
- Prepare plan / profile sheets (24"x36" plan sheets at a scale of 1"=20' horizontal, and 1"=5' vertical).
- Analyze all driveways within the project and develop driveway adjustment and crosswalk profiles as needed. Typically driveways will be defined vertically by profiles.
- Develop design cross-sections
 - Develop on 25' station intervals and other critical points.
 - Show pavement and subgrade, right-of-way limits, sides slopes, pavement cross slopes, curbs, and retaining walls (if applicable)
 - Cross-sections will be provided in the plan set.
- Prepare roadway details to clarify intent of design
- Modify standard details as needed and include

2.1.2.2. Utilities

2.1.2.2.1. Public (Water, Wastewater, Storm Drainage, etc.)

- Establish the location of existing public utilities based upon information provided by the City, SUE and field survey information

2.1.2.2.2. Franchise Utility Coordination

- Identify franchise utility contacts
- Notify the City if any relocations are required
- Binkley & Barfield, Inc. shall perform the coordination with the franchise utilities if any relocations are required.

2.1.2.2.3. Water

- Prepare all water plan and profiles.
- Check coverage of Fire Hydrants to meet City Standard.
- Prepare water details to clarify intent of design. Compile applicable City Standard details, modify standard details as needed.

2.1.2.2.4. Wastewater

- Prepare all wastewater plans and profiles.
- Prepare wastewater details to clarify intent of design. Compile applicable City Standard details, modify standard details as needed.

2.1.2.3. Lighting/Illumination

- Plans will include relocation of light fixtures, conduit locations, and design of electrical service.
- Engineer will design the street lighting based on the standard ONCOR foundation and lighting standards.
- Layout will be provided for ONCOR approval.
- ONCOR will be responsible for installation of standards and conductors.

2.1.2.4. Traffic Control Plans, Detour Plans, Construction Sequencing/Phasing

- Develop construction sequence plan showing:
 - Construction area for each phase of construction and closure of existing travel lanes (if needed).

- Temporary signing and striping, barricades, and other channelization device
- Narrative of the sequence of work.
- Detour Plan for each construction phase
- Storm sewer construction phasing.
- Public utilities relocation phasing.
- Pedestrian routing during construction.
- Develop typical cross section showing lane widths, edge conditions, channelization and proposed construction area.
- Develop typical driveway staging plans for similar driveways. Develop custom driveway staging layouts for special conditions.
- Prepare traffic control details to clarify intent of design.

2.1.3. Specifications/Construction Contracts

Prepare general notes, specification data, and final Bid Book in accordance with City of Rockwall requirements. Identify and prepare special specifications and/or special provisions applicable to the project. Prepare Bid-Tab sheets of applicable items for Contractor to fill/present bid prices.

- Contact documents, including the following:
 - City of Rockwall standard construction contract forms
 - Notice to bidders
 - Special instructions to bidders
 - Bid form (Bid-Tab) – Electronic for Bidding
 - Standard construction contract
 - Performance bond
 - Payment bond
 - Maintenance bond
 - Certificate of insurance
 - General conditions
 - Special conditions
 - Technical specifications
 - Permits (TXDOT, City of Dallas, etc.)
 - Geotechnical Report

2.1.4. Estimates

Compile an overall opinion of probable construction cost based on current market values. Cost shall be broken out in to separate schedules for each section of the job.

2.2. Agency Permitting/Coordination (City of Dallas, NTMWD, TDLR, etc.)

2.2.1. City of Dallas

- Binkley & Barfield, Inc. to coordinate with the City of Dallas on items related to the project for work within the Lake Ray Hubbard Takeline. This shall include all coordination meetings, plan submittals, permit submittals, etc. in order to achieve acceptance of proposed improvements.

2.2.2. NTMWD

- Binkley & Barfield, Inc. to coordinate with the NTMWD on items related to the project where any improvements cross any NTMWD line or facility. This shall include all coordination meetings, plan submittals, permit submittals, etc. in order to achieve acceptance of proposed improvements.

Special Services

3. Data Collection & Property Research / Topographic and Design Survey

- 3.1. Data Collection and Property Research
 - 3.1.1. Gather existing plat information
 - 3.1.2. Collect property owner and record information
 - 3.1.3. Gather existing ROW and easement information, identify all easements through typical research methodologies (i.e. plats, court house filings, etc.).
 - 3.1.4. Notify residents within survey limits by mail to inform them of pending field work.
- 3.2. Topographic and Design Survey
 - 3.2.1. The limits of the survey shall be from the intersection of Russwood Street and S. Lakeshore Drive to the intersection of Russwood Street and Spring Creek Drive. The survey shall be from ROW line to ROW line (50-foot ROW) of Russwood Street. Survey will include intersecting roadways extending 200 feet along each leg of the minor intersections. (The intersection of Russwood Street and S. Lakeshore Drive plus the first 200 feet of Russwood Street have already been surveyed as part of the S. Lakeshore Drive Reconstruction Project.
 - 3.2.2. Establish horizontal control points at 500' maximum spacing.
 - 3.2.3. Establish a vertical control benchmark circuit as needed throughout the project. Use existing City established monument information for the City and tie survey into.
 - 3.2.4. Set control points, which shall be based on NAD-83, on both sides of the roadway, as required to maintain horizontal control throughout the project limits.
 - 3.2.5. Perform a field survey to identify and locate existing topographic elements within the roadway corridor. All identified topographic elements shall be tied down horizontally and vertically. The field survey shall not be limited to the following:
 - Property corner monumentation
 - Existing pavement, curbs, sidewalks, barrier free ramps, etc.
 - Roadway and lane striping
 - Driveways
 - Existing storm sewer inlets, manholes, junction boxes Headwalls (including culvert sizes and invert elevations)
 - Outfalls, bridges and erosion control
 - Existing driveway culverts and swales (flowlines, sizes, types, etc.)
 - Guardrail
 - Utility manholes, vaults, water valves, water meters, wastewater cleanouts, sprinkler heads, telephone poles, power poles, utility markers, other public utilities and franchise utilities
 - Traffic Signal poles, cabinets, pull boxes and other signal equipment
 - Signs (excluding temporary signs)
 - Trees, including species and caliper (all sizes)
 - Landscape planters, Shrubs, rocks and other features.
 - Buildings and permanent structures
 - Retaining walls
 - Fencing walls
 - Fence limits and material types (excluding temporary fences)
 - Mailboxes (types – wood, brick, stone)
 - Other applicable physical features that could impact design
 - 3.2.6. Perform cross-sections throughout project limits at 25-foot intervals and at grade breaks and prepare cross-section field notes.

- 3.2.7. Prepare a final topographic drawing in digital format (including contours and breaklines) showing the features located in the field, an ASCII coordinate file of the points located in the field, and a hard copy of the coordinates and feature descriptions.
- 3.2.8. Binkley & Barfield, Inc. will perform site visits for the purposes of reviewing the provided survey in the field and making notes for additional survey needs and design considerations.

4. Right-of-Way / Easement Instruments of Conveyance

- 4.1. Prepare ROW instruments (narrative and graphic exhibits of ROW takes) and setting new property corners (for new ROW only) in the field
 - 4.1.1. Up to two (2) ROW parcels
- 4.2. Individual parcel exhibits shall be on 8"x11" paper and pdf copy shall be sealed, dated, and signed by a Registered Professional Land Surveyor and shall contain the following:
 - 4.2.1. Parcel number
 - 4.2.2. Area required
 - 4.2.3. Area remaining
 - 4.2.4. Legal description
 - 4.2.5. Current owner
 - 4.2.6. Any existing platted easements or easements filed by separate instrument including easements provided by utility companies
 - 4.2.7. All physical features
 - 4.2.8. Metes and bounds description of parcel to be acquired. The description shall be provided on a separate sheet from the exhibit. Each type of easement shall be described separately.
- 4.3. Upon written notification by the City of acceptance of the ROW exhibits and instruments, and as directed by the City, the surveyor shall set all corners and points of curvature for the proposed ROW and submit final sealed plans and exhibits, including location of the control points and their NAD-83 reference
- 4.4. Binkley & Barfield, Inc. will provide the information listed in Section 2 to the City and/or their selected ROW and easement acquisition agent. This task will include the following:
 - 4.4.1. Transmittal of survey and existing property information.

5. Geotechnical

- 5.1. Subsurface Exploration
 - 5.1.1. Two (5) borings are planned for this project. The borings and report will be thru a subconsultant.

The locations are as follows:

 - One boring will be located east of the intersection of Russwood Street and S. Lakeshore Drive.
 - One boring will be located west of the intersection of Russwood Street and Spring Creek Drive.
 - 5.1.2. Boring Services – Pavement borings will be sampled to 15 feet. A total of 75 feet for drilling is planned.
 - Check samples for consistency with a hand penetrometer
 - Stake the boring locations using normal taping procedures
 - Backfill bore holes and plug at the surface
- 5.2. Laboratory Services
 - 5.2.1. Considering the planned facilities, anticipated soil conditions, and geology, the following laboratory test will be required for classification purpose and to determine strength characteristics:
 - Visual Classification

- Moisture content and soil identification
- Liquid and plastic limit determinations
- Unconfined compression
- Calibrated hand penetrometer tests
- Lime/ph series tests
- Soluble sulfate tests (to determine lime-induced heaving potential)

5.3. Engineering Services

5.3.1. Prepare an engineering report presenting the following:

- Sample boring location map
- Boring logs and laboratory results
- General soil and ground-water conditions
- Recommendations will be based on a 30 year design life.
- Subgrade design recommendations for lime treated and cement treated
- Pavement design recommendation for reinforced concrete, asphalt or combination of concrete and asphalt system (including pavement thickness, strength, reinforcement size and spacing, and joint spacing)
- Recommendations for retaining walls
- Earthwork recommendations

5.3.2. The geotechnical engineer's design recommendations shall be relied upon by the civil and structural engineers for their design.

5.3.3. Submit one (1) paper copy and one pdf file copy of the report to the City

End of Amendment #1 Scope of Services

STATE OF TEXAS



COUNTY OF ROCKWALL



PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas (“CITY”), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and **Binkley & Barfield, Inc.**, (“ENGINEER”), located at 1801 Gateway Boulevard, Suite 101, Richardson, Texas, 75080, Engineers duly licensed and practicing under the laws of the State of Texas.

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

PROFESSIONAL ENGINEERING SERVICES for S. Lakeshore Drive Reconstruction from Summit Ridge Drive to Tanya Drive.

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

1. Scope of Work

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

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

2. Compensation & Term of Agreement

Cost for such services will be an annual amount not to exceed five hundred eight thousand, seven hundred seventy dollars and no cents (\$508,770.00) and billed as a **lump sum** basis per rates provided in Attachment “B”. Engineer is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the schedule described in Attachment “B”. In the event of termination, Engineer will assist the CITY in arranging a smooth transition process. However, Engineer’s obligation to provide services to the

CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

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

4. Engineer's Standard of Care

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

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

5. Ownership of Documents

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

Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

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

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

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

\$2,000,000 General aggregate limit

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

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

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

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

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

7. INDEMNIFICATION

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES,

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

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

8. Addresses for Notices and Communications

CITY

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

ENGINEER

Antonio "Tony" S. Romo II, P.E.
Binkley & Barfield, Inc.
1801 Gateway Boulevard, Suite 101
Richardson, Texas 75080

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

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract

without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

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

11. Changes

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

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

13. Reports and Information

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

14. Entire Agreement

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

15. Waiver

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

any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

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

17. Survival

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

18. Governing Powers and Law

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

19. Attorney's Fees

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

20. State or Federal Laws

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

EXECUTED in triplicate originals on this 27 day of SEPTEMBER 2018.

Binkley & Barfield, Inc.

By: TS Romo II P.E.
Name: Antonio "Tony" S. Romo II P.E.
Title: Regional Vice President

EXECUTED in triplicate originals on this 2nd day of October 2018.

ATTEST:

Laura Y. Pederz
Executive Secretary

City of Rockwall, Texas

Richard Crowley
Richard Crowley
City Manager

Attachment “A”
S. Lakeshore Drive Reconstruction Project (Summit Ridge Drive to Tanya Drive)
For
City of Rockwall
Scope of Services

Project Understanding

The City of Rockwall (City) wishes to reconstruct S. Lakeshore Drive, an existing two (2) lane undivided concrete roadway, from Summit Ridge Drive to Tanya Drive, approximately 2,500 feet in length. The roadway lies within a residential area of the City of Rockwall. Reconstruction will be two lanes undivided: one vehicle lane (12.5’) in each direction with concrete curb and gutter and 5 ft sidewalks on each side. (Final width to be confirmed in 30% Schematic Alignment). These improvements will be with the existing 50’ Right of Way (ROW); however, the contract will include a provision for 4 parcel takes or easements in the event that they are required. No Traffic Signals modifications are necessary for the new roadway improvements.

Additional design will include storm sewer, sanitary sewer and water improvements. The existing storm sewer will be analyzed using current City drainage criteria and improvements will be designed where the existing system is inadequate. Sanitary sewer will be evaluated for capacity and for physical condition, and will be replaced or augmented based upon the capacity and condition analysis. Water lines will be evaluated to be place within the back of curb and the right-of-way line where possible.

Other design components include coordinating with ONCOR for street lighting, utility coordination, TDLR compliance with ADA and traffic control plans.

Binkley & Barfield, Inc. will provide plans, specifications, estimates, and permits for the project and will support the City of Rockwall’s advertising/bidding and construction phase services.

BASIC SERVICES

1. Schematic Conceptual Design (30%)

1.1. Project Management

- 1.1.1. Conduct internal project kickoff meeting with entire project team and City Staff.
- 1.1.2. Prepare and send Project Status Update (PSU) to City’s Project Manager on monthly basis. PSU will address work completed in previous period, work in progress and/or anticipated to be completed in next period, actions or information needed from City, and a schedule update.
- 1.1.3. Develop design criteria and design decisions tables.
- 1.1.4. Prepare and submit project schedule to City staff and provide general project management activities.
- 1.1.5. Project Administration
 - Prepare project correspondence and invoicing documents

1.2. Project stakeholder coordination

- Develop project stakeholder contact list including but not limited to franchise utilities, City’s water and sewer department, traffic department, and other governmental entity stakeholders City of Dallas and the North Texas Municipal Water District, etc.

- Conduct progress meetings to monitor the development of the project. During this phase of the project, conduct up to two (2) meetings with the City staff regarding project status and coordination issues. The first meeting will be the project kick-off meeting, and the second meeting will be the conceptual design presentation and review.

1.3. Public Meetings and Public Input Surveys

1.3.1. Meetings

1.3.1.1. Attend two (2) public involvement meeting as directed by City staff. Provide exhibits suitable for public meeting use depicting street section, alignments etc. Support City staff during meetings by providing technical information, responding to citizen questions, and recording citizen input.

1.3.1.1.1. First Public Meeting will be with adjacent property owners and residents.

- Mail out all first public meeting notification for the City.
- Revise 30% Schematics Roll Plots based on public input from first public meeting and City direction to be used in second public meeting.

1.3.1.1.2. Second Public Meeting will be with adjacent property owners and residents as well as the neighborhood.

- Mail out all second meeting public meeting notification for the City (Neighborhood to be at a typical 500ft buffer off the street)
- Revise 30% Schematics Roll Plots based on public input from second public meeting and City direction to be used in City Council presentation for schematic and typical section approval.

1.3.2. Public Input Surveys

1.3.2.1 Work with City to develop Public Input Survey to be sent to adjacent property owners and residents.

1.3.2.2 Mail out surveys to adjacent property owner and residents.

1.3.2.3 Tally survey results and other received public input into presentable format to City Staff and City Council.

1.4. Schematic Roll Plot and Graphics (30%)

The following services will be provided as part of the Conceptual Design Phase (30%):

1.4.1 Review and research previously prepared construction plans record documents, and other pertinent information related to proposed project.

1.4.2 Review City master plans, design standards, specifications, construction details, and other pertinent information that may impact the design. Review of documents will include but not limited to:

- City of Rockwall Master Thoroughfare Plan
- City of Rockwall Water/Wastewater Master Plan
- City of Rockwall Standards of Design and Construction
- City of Rockwall Trail Master Plan

1.4.3 Develop complete and accurate base map showing all existing Right-of-Way (ROW), easements, and utilities.

1.4.4 Develop and evaluate typical sections (up to two (2)) to use for S. Lakeshore Drive and other intersecting streets within the project limits.

1.4.5 Develop drainage area maps and analyze street and inlet capacities.

1.4.6 Develop horizontal alignments for roadway

1.4.7 Develop horizontal alignments for sidewalk & barrier free ramps

1.4.8 Develop and evaluate up to two (2) alignments for proposed water lines and wastewater lines.

- 1.4.9 Develop vertical alignment for roadway and cut cross sections at critical points, at center of driveways, alley approaches, cross streets, lead walks, at alignment geometric points and at 25' intervals to evaluate the grading. Determine and show approximate location of sidewalk retaining walls.
- 1.4.10 Review City Master Trail Plan and incorporate hike and bike trails if necessary.
- 1.4.11 Prepare 30% schematic paving plan and profile roll plots, produced at 1" =40' horizontal scale and 1" =5' vertical scale. The horizontal alignment of proposed water lines and sewer lines will be included in the roll plots.
- 1.4.12 Prepare cross sections sheets.
- 1.4.13 Meet with City staff and present concept paving plan and profile roll plots.
- 1.4.14 Incorporate comments and feedback from City staff and other stakeholders prior to public meetings.

1.5. Drainage Analysis (30%)

The following services will be provided as part of the Conceptual Design Phase (30%):

- 1.5.1 Review and research existing construction plans and record documents, historical flooding events and other pertinent information related to the existing drainage infrastructure along, upstream and downstream of the proposed project.
- 1.5.2 Prepare a hydrologic and hydraulic analysis of the existing drainage infrastructure and prepare a report in memo format signed and sealed. Analysis/report shall include the following.

1.5.2.1 Existing drainage infrastructure analysis

- Drainage Area Map of existing conditions/infrastructure.
- Analysis effect on existing system of proposed off-site development or infrastructure improvements currently being planned.
- Drainage calculations – Drainage Area, Inlet, Storm Sewer, Culvert, etc. (to be in City Standard's tabular format)
- Synopsis of hydraulic deficiencies in written and plan format, includes downstream off-site drainage infrastructure.
- Synopsis of structural deficiencies of drainage system as a result of TV inspection in written and plan format.

1.5.2.2 Recommendation of improvements to existing drainage system to meet the City's current 100-year design storm criteria.

- Drainage Area Map of proposed improvements
- Proposed drainage calculations – Drainage Area, Inlet, Storm Sewer, Culvert, etc. (to be in City Standard's tabular format)
- Summary of proposed improvement of drainage infrastructure in written and plan format to fix hydraulic and structural deficiencies in order to meet current City drainage criteria standards.

1.6. Existing Traffic Analysis and Recommendation (30%)

The following services will be provided as part of the Conceptual Design Phase (30%):

- 1.6.1 City will conduct Traffic Counts, Speed Studies, and Accident Reports from Police Department along S. Lakeshore Drive.
- 1.6.2 Consultant shall take the data provide by the City and analysis in order to provide a recommendation in memo format signed and sealed of proposed improvements along the corridor.

2. Construction Documents

2.1. Project Management

- Conduct progress meetings at each stage of the construction documents phase to monitor the development of the project regarding project status, coordination issues and go over City review comments of the plans.
- Coordinate with other utilities, (electric power, cable TV, phone, gas, optic fiber, etc.)
- Prepare and send Project Status Update (PSU) to City’s Project Manager on monthly basis. PSU will address work completed in previous period, work in progress and/or anticipated to be completed in next period, actions or information needed from City, and a schedule update.
- Update project schedule and interim milestones (coordinate with City staff as necessary)
- Project site visits (up to three (3) trips)

2.2. Construction Plans, Specifications and Estimates (60%, 90%, 100%)

2.2.1. Submittals

Binkley & Barfield, Inc. will submit 60%, 90% and 100% submittals for the City for review and comment. The following will be required for each submittal:

- Construction Plans
 - Two (2) Full Size copies – 22”x34”
 - Two (2) Half Size copies – 11”x17”
 - One (1) PDF copy
 - One (1) PDF copy– Scanned City comments previous submittal
- Engineers Opinion of Construction Cost
- Construction Contract Template/Specification Book

2.2.2. Construction Plans

Each plan sheet in the construction plans set will conform to the Engineering Drawing Requirements set forth in the City of Rockwall’s Standards of Design and Construction. Plan sheets will also include any other additional documentation, notation, and clarification required by the City’s Project Manager to prove design and constructability of the project. Each stage of the construction plan review process will incorporate any changes associated with City comments on previous submittals.

Below is a table of the required construction plan sheets and which submittals they are required.

Plan Sheets	60%	90%	100%
Cover Sheet	X	X	X
Legend Sheet	X	X	X
General Notes Sheet	X	X	X
Existing Condition Plan (1”=20’ scale)	X	X	X
Horizontal/Vertical Control Sheet (1”=40’ scale)	X	X	X
Typical Sections (Existing and Proposed)	X	X	X
Erosion Control Plan (1”=40’ scale)		X	X
Demolition/Removals Plan (1”=20’ scale)	X	X	X
Roadway Plan/Profiles (1”=20’H, 1”=5’V scale)	X	X	X
Alley and Driveway Plan/Profile (1”=20’H, 1”=5’V scale)		X	X
Intersection Grading Plan (major and critical intersections)		X	X
Pavement Signage and Striping Plan (1”=20’ scale)		X	X

Drainage Area Map (Existing and Proposed)	X	X	X
Drainage Calculations (Area, Inlet, Storm, Culvert)		X	X
Drainage Plan/Profile (Trunks and Laterals) (1"=20'H, 1'=5'V scale)	X	X	X
Water Plan/Profile (1"=20'H, 1'=5'V scale)	X	X	X
Sanitary Sewer Plan/Profile (1"=20'H, 1'=5'V scale)	X	X	X
Retaining Wall Plan/Profile (1"=20'H, 1'=5'V scale)	X	X	X
Lighting/Illumination Plan		X	X
Traffic Signal Plans (Existing and Proposed)		X	X
Construction Sequencing Phasing Narrative	X	X	X
Detour Plan (for each Phase)		X	X
Traffic Control Plan (for each phase & typ. sections) (1"=40' scale)		X	X
Roadway Cross-Sections (25' int. & crit. pts.) (1"=20'H, 1'=5'V scale)	X	X	X
Structural Layout Sheets		X	X
Details (for each section of plans)		X	X

Each subsection below details out the services to be perform for each section of the construction plan set.

2.2.2.1. Roadway Design

- Incorporate the preliminary design submittal review comments
- Prepare plan / profile sheets (24"x36" plan sheets at a scale of 1"=20' horizontal, and 1"=5' vertical).
- Analyze all driveways within the project and develop driveway adjustment and crosswalk profiles as needed. Typically driveways will be defined vertically by profiles.
- Develop design cross-sections
 - Develop on 25' station intervals and other critical points.
 - Show pavement and subgrade, right-of-way limits, sides slopes, pavement cross slopes, curbs, and retaining walls (if applicable)
 - Cross-sections will be provided in the plan set.
- Prepare roadway details to clarify intent of design
- Modify standard details as needed and include

2.2.2.2. Drainage

- Create Drainage Area Maps (existing and proposed)
- Create Drainage Calculation Sheets (Tables to be formatted to match City Standard's tabular format)
- Identify the need for additional drainage easements to accommodate the proposed offsite drainage improvements (if required)
- Perform final storm sewer sizing and alignment design. Prepare final inlet design sheets and hydraulic design sheets for inclusion in the plans.
- Prepare storm sewer plan/profile sheets depicting storm sewer lines, inlets, junction boxes, connections, manholes, utility crossings and the hydraulic grade lines.
- Prepare profiles for all trunks and laterals (to be profiled along centerline of pipe)
- If drainage flow patterns/areas are changing due to proposed improvements then existing downstream and upstream systems will be analyses and included in plan set to prove that there are no adverse impacts as a result. Full Hydrologic and Hydraulic Calcs Sheets and storm sewer plan and profiles sheets for these existing upstream and downstream systems are to be included in the plan set.

- Prepare drainage details to clarify intent of design.
- Compile applicable City standard details. Modify standard details as needed.
- Prepare erosion control plan.

2.2.2.3. Utilities

2.2.2.3.1. Public (Water, Wastewater, Storm Drainage, etc.)

- Establish the location of existing public utilities based upon information provided by the City, SUE and field survey information

2.2.2.3.2. Franchise Utility Coordination

- Identify franchise utility contacts
- Send one set of plans to each franchise utility for their review will be submitted at each phase. Request each franchise utility to mark up the plans to show the size, type and location of their utilities.
- Notify the City if any relocations are required
- Binkley & Barfield, Inc. shall perform the coordination with the franchise utilities if any relocations are required.
- Attend City ran Franchise Utility Coordination Meetings (typically 2-4 meetings per year are held). Binkley & Barfield, Inc. will give back ground on particular project and coordinate with franchise utility companies on foreseen conflicts and pass out current plan set.

2.2.2.3.3. Water

- Prepare all water plan and profiles.
- Check coverage of Fire Hydrants to meet City Standard.
- Prepare water details to clarify intent of design. Compile applicable City Standard details, modify standard details as needed.

2.2.2.3.4. Wastewater

- Prepare all wastewater plans and profiles.
- Prepare wastewater details to clarify intent of design. Compile applicable City Standard details, modify standard details as needed.

2.2.2.4. Lighting/Illumination

- Plans will include relocation of light fixtures, conduit locations, and design of electrical service.
- Engineer will design the street lighting based on the standard ONCOR foundation and lighting standards.
- Layout will be provided for ONCOR approval.
- ONCOR will be responsible for installation of standards and conductors.

2.2.2.5. Traffic Control Plans, Detour Plans, Construction Sequencing/Phasing

- Develop construction sequence plan showing:
 - Construction area for each phase of construction and closure of existing travel lanes (if needed).
 - Temporary signing and striping, barricades, and other channelization device
 - Narrative of the sequence of work.
 - Detour Plan for each construction phase
 - Storm sewer construction phasing.
 - Public utilities relocation phasing.
 - Pedestrian routing during construction.

- Develop typical cross section showing lane widths, edge conditions, channelization and proposed construction area.
- Develop typical driveway staging plans for similar driveways. Develop custom driveway staging layouts for special conditions.
- Prepare traffic control details to clarify intent of design.

2.2.3. Specifications/Construction Contracts

Prepare general notes, specification data, and final Bid Book in accordance with City of Rockwall requirements. Identify and prepare special specifications and/or special provisions applicable to the project. Prepare Bid-Tab sheets of applicable items for Contractor to fill/present bid prices.

- Contact documents, including the following:
 - City of Rockwall standard construction contract forms
 - Notice to bidders
 - Special instructions to bidders
 - Bid form (Bid-Tab) – Electronic for Bidding
 - Standard construction contract
 - Performance bond
 - Payment bond
 - Maintenance bond
 - Certificate of insurance
 - General conditions
 - Special conditions
 - Technical specifications
 - Permits (TXDOT, City of Dallas, etc.)
 - Geotechnical Report

2.2.4. Estimates

Compile an overall opinion of probable construction cost based on current market values. Cost shall be broken out in to separate schedules for each section of the job.

2.3. Agency Permitting/Coordination (City of Dallas, NTMWD, TDLR, etc.)

2.3.1. City of Dallas

- Binkley & Barfield, Inc. to coordinate with the City of Dallas on items related to the project for work within the Lake Ray Hubbard Takeline. This shall include all coordination meetings, plan submittals, permit submittals, etc. in order to achieve acceptance of proposed improvements.

2.3.2. NTMWD

- Binkley & Barfield, Inc. to coordinate with the NTMWD on items related to the project where any improvements cross any NTMWD line or facility. This shall include all coordination meetings, plan submittals, permit submittals, etc. in order to achieve acceptance of proposed improvements.

SPECIAL SERVICES

3. Data Collection & Property Research / Topographic and Design Survey

3.1. Data Collection and Property Research

- 3.1.1. Gather existing plat information
- 3.1.2. Collect property owner and record information

- 3.1.3. Gather existing ROW and easement information, identify all easements through typical research methodologies (i.e. plats, court house filings, etc.).
- 3.1.4. Notify residents within survey limits by mail to inform them of pending field work.
- 3.2. Topographic and Design Survey
 - 3.2.1. The limits of the survey shall be from the intersection of S. Lakeshore Drive and Summit Ridge Drive to the intersection of S. Lakeshore Drive and Tanya Drive. The survey shall be from ROW line to ROW line (50-foot ROW) of S. Lakeshore Drive. Survey will include intersecting roadways extending 400 feet along each leg of the major intersections and 200 feet along each leg of the minor intersections.
 - 3.2.2. Establish horizontal control points at 500' maximum spacing.
 - 3.2.3. Establish a vertical control benchmark circuit as needed throughout the project. Use existing City established monument information for the City and tie survey into.
 - 3.2.4. Set control points, which shall be based on NAD-83, on both sides of the roadway, as required to maintain horizontal control throughout the project limits.
 - 3.2.5. Perform a field survey to identify and locate existing topographic elements within the roadway corridor. All identified topographic elements shall be tied down horizontally and vertically. The field survey shall not limited to the following:
 - Property corner monumentation
 - Existing pavement, curbs, sidewalks, barrier free ramps, etc.
 - Roadway and lane striping
 - Driveways
 - Existing storm sewer inlets, manholes, junction boxes Headwalls (including culvert sizes and invert elevations)
 - Outfalls, bridges and erosion control
 - Existing driveway culverts and swales (flowlines, sizes, types, etc.)
 - Guardrail
 - Utility manholes, vaults, water valves, water meters, wastewater cleanouts, sprinkler heads, telephone poles, power poles, utility markers, other public utilities and franchise utilities
 - Traffic Signal poles, cabinets, pull boxes and other signal equipment
 - Signs (excluding temporary signs)
 - Trees, including species and caliper (all sizes)
 - Landscape planters, Shrubs, rocks and other features.
 - Buildings and permanent structures
 - Retaining walls
 - Fencing walls
 - Fence limits and material types (excluding temporary fences)
 - Mailboxes (types – wood, brick, stone)
 - Other applicable physical features that could impact design
 - 3.2.6. Perform cross-sections throughout project limits at 25-foot intervals and at grade breaks and prepare cross-section field notes.
 - 3.2.7. Prepare a final topographic drawing in digital format (including contours and breaklines) showing the features located in the field, an ASCII coordinate file of the points located in the field, and a hard copy of the coordinates and feature descriptions.
 - 3.2.8. Binkley & Barfield, Inc. will perform site visits for the purposes of reviewing the provided survey in the field and making notes for additional survey needs and design considerations.

4. Right-of-Way / Easement Instruments of Conveyance

- 4.1. Prepare ROW instruments (narrative and graphic exhibits of ROW takes) and setting new property corners (for new ROW only) in the field
 - 4.1.1. Up to two (2) ROW parcels
- 4.2. Prepare easement instruments (narrative and graphic exhibits of easements required for drainage, City utilities, temporary construction, etc.)
 - 4.2.1. Up to two (2) easement parcels
- 4.3. Individual parcel exhibits shall be on 8"x11" paper and pdf copy shall be sealed, dated, and signed by a Registered Professional Land Surveyor and shall contain the following:
 - 4.3.1. Parcel number
 - 4.3.2. Area required
 - 4.3.3. Area remaining
 - 4.3.4. Legal description
 - 4.3.5. Current owner
 - 4.3.6. Any existing platted easements or easements filed by separate instrument including easements provided by utility companies
 - 4.3.7. All physical features
 - 4.3.8. Metes and bounds description of parcel to be acquired. The description shall be provided on a separate sheet from the exhibit. Each type of easement shall be described separately.
- 4.4. Upon written notification by the City of acceptance of the ROW exhibits and instruments, and as directed by the City, the surveyor shall set all corners and points of curvature for the proposed ROW and submit final sealed plans and exhibits, including location of the control points and their NAD-83 reference
- 4.5. Binkley & Barfield, Inc. will provide the information listed in Section 2 to the City and/or their selected ROW and easement acquisition agent. This task will include the following:
 - 4.5.1. Transmittal of survey and existing property information.

5. Subsurface Utility Engineering (S.U.E.) Services

- 5.1. Provide S.U.E. Services for the purpose of locating horizontal and vertical locations of underground city and franchise utilities, in conjunction with and /or prior to the field survey.
 - 5.1.1 S.U.E. Level 'C' & 'D' will be provided for the entire project limits.
 - 5.1.2 S.U.E. Level 'B' Services will be provided to determine horizontal location of utilities up to 11,800 linear feet.
 - 5.1.3 S.U.E. Level 'A' Services will be provided as follows:
 - Up to ten (10) test holes of 0-5 ft depth will be provided
 - Up to two (2) test holes of 5-10 ft depth will be provided
 - Test holes in addition to those listed above will be provided at the rate per test hole agreed to by the City of Rockwall.
- 5.2. The Binkley & Barfield, Inc. shall arrange and make provisions for access to perform the services specified within this scope. The surveyor shall provide the City with the name and address of the property owners.
- 5.3. The City shall be responsible for the coordination of all ROW and easement acquisitions. Binkley & Barfield, Inc. will provide survey information and easement/ROW documents (sketch and legal description) to the City. Additional ROW and easement documentation services are detailed below in Section 2.

6. Geotechnical

6.1. Subsurface Exploration

6.1.1. Five (5) borings are planned for this project. The borings and report will be thru a subconsultant.

The locations are as follows:

- One boring will be located near S. Lakeshore Drive and Summit Ridge Drive.
- One boring will be located near S. Lakeshore Drive and Rockbrook Drive.
- One borings will be located between the S. Lakeshore Drive and Stonecrest Drive.
- One borings will be located between the S. Lakeshore Drive and Meadowdale Drive.
- One boring will be located near S. Lakeshore Drive and Tanya Drive.

6.1.2. Boring Services – Pavement borings will be sampled to 15 feet. A total of 75 feet for drilling is planned.

- Check samples for consistency with a hand penetrometer
- Stake the boring locations using normal taping procedures
- Backfill bore holes and plug at the surface

6.2. Laboratory Services

6.2.1. Considering the planned facilities, anticipated soil conditions, and geology, the following laboratory test will be required for classification purpose and to determine strength characteristics:

- Visual Classification
- Moisture content and soil identification
- Liquid and plastic limit determinations
- Unconfined compression
- Calibrated hand penetrometer tests
- Lime/ph series tests
- Soluble sulfate tests (to determine lime-induced heaving potential)

6.3. Engineering Services

6.3.1. Prepare an engineering report presenting the following:

- Sample boring location map
- Boring logs and laboratory results
- General soil and ground-water conditions
- Recommendations will be based on a 30 year design life.
- Subgrade design recommendations for lime treated and cement treated
- Pavement design recommendation for reinforced concrete, asphalt or combination of concrete and asphalt system (including pavement thickness, strength, reinforcement size and spacing, and joint spacing)
- Recommendations for retaining walls
- Earthwork recommendations

6.3.2. The geotechnical engineer's design recommendations shall be relied upon by the civil and structural engineers for their design.

6.3.3. Submit one (1) paper copy and one pdf file copy of the report to the City

7. Video Inspection (Storm Sewer)

7.1. Video inspection of existing storm sewer pipe as required to determine structural integrity of existing storm sewer.

7.2. Video inspection of existing sanitary sewer pipe to be inspected by City. Inspection reports, video and analysis of existing line to be submitted to Binkley & Barfield, Inc. for review.

8. Accessibility Review (TDLR)

- Prepare a completed application for submittal to the Texas Department of Licensing and Regulation for review in accordance with the Elimination of Architectural Barriers Act.
- Binkley & Barfield, Inc. to complete application and submit with set of plans to a Registered Accessibility Specialist (RAS) from review and TDLR project registration. All coordination and fees with TDLR compliance will be done by the Consultant.
- While we do not anticipate accessibility revisions to be required, we will address minor revisions to the plans based on review comments from the RAS.

9. Additional Services

Services not specifically identified in the Scope of Services above shall be considered additional and shall be performed on an individual basis upon authorization by the City of Rockwall. Fee for services shall be negotiated at the time of need. Such services shall include, but are not limited to the following:

9.1. Construction staking

9.2. Bid Phase Services

- 9.2.1. Furnishing the City a construction bid set one (1) 11"x17" hard copy and Bid Spec Book.
- 9.2.2. City will be responsible for advertisement of the project in the Local Paper
- 9.2.3. Binkley & Barfield, Inc. will make the plans and specifications will be made available from the Bid document distribution site CityCast.
- 9.2.4. During this phase service to be provided are:
- 9.2.5. Respond to contractor questions and provide design clarifications.
- 9.2.6. Attendance at the pre-bid meeting.
- 9.2.7. Production of all Addenda items and designs changes, submittal to City for review and correction before issuance.
- 9.2.8. Attendance of Bid Opening
- 9.2.9. Tabulating Bids and checking for errors.
- 9.2.10. Checking references and other qualification information for the low bidder and writing a letter of recommendation concerning award of the contract.
- 9.2.11. Returning Bid Bonds to all non-low bidders.

9.3. Construction Phase Services

- 9.3.1. Coordinate with City on needs during the construction phase. The services available are listed below, and may be provided upon the request of the City of Rockwall.
- 9.3.2. Binkley & Barfield, Inc. to provide five (5) full size set of construction plans and contract documents.
- 9.3.3. Consultant to provide survey control staking of baselines for construction of the project.
- 9.3.4. *Pre-Construction Meeting*, Prepare for and attend the Pre-Construction Meeting prior to commencement of Work at the Site.
- 9.3.5. *Visits to Site and Observation of Construction*. If required by City, provide on-site construction observation services to clarify design concepts or assist with solutions needed to overcome obstacles in construction or to study and evaluate possible practical alternative solutions. Makes visits to the Site at intervals as directed by City in order to observe the progress of the Work. Such visits and observations by Binkley & Barfield, Inc. are not intended to be exhaustive or to extend to every aspect of Contractor's work in progress. Observations are to be limited to spot checking, selective measurement, and similar methods of general observation of the Work based on Binkley & Barfield, Inc. 's exercise of professional judgment. Based on information obtained during such visits and such observations, Binkley & Barfield, Inc. will determine if Contractor's work is

- generally proceeding in accordance with the Contract Documents, and Binkley & Barfield, Inc. shall keep City informed of the general progress of the Work.
- 9.3.6. The purpose of Binkley & Barfield, Inc. 's visit to the site will be to enable Binkley & Barfield, Inc. to better carry out the duties and responsibilities assigned in this Agreement to Binkley & Barfield, Inc. during the construction phase by City, and, in addition, by the exercise of Binkley & Barfield, Inc. efforts, to provide City a greater degree of confidence that the completed Work will conform in general to the Contract Documents and that the integrity of the design concept of the completed Project as a functioning whole as in Binkley & Barfield, Inc. indicated in the Contract documents has been implemented and preserved by Contractor. Binkley & Barfield, Inc. shall not, during such visits or as a result of such observation of Contractor's work in progress, supervise, direct, or have control over Contractor's work, nor shall Binkley & Barfield, Inc. have authority over or responsibility for the means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction selected by Contractor, for safety precautions and programs incident to Contractor's work, nor for any failure of Contractor to comply with laws and regulations applicable to Contractor's furnishing and performing the Work. Accordingly, Binkley & Barfield, Inc. _neither guaranties the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform its work in accordance with the Contract Documents.
- 9.3.7. Clarifications and Interpretations. Issue clarifications and interpretations of the Contract documents to City as appropriate to the orderly completion of contractor's work. Such clarifications and interpretations will be consistent with the intent of the Contract Documents. Field Orders authorizing variations from the requirements of the Contract Documents will be made by City.
- 9.3.8. Shop Drawings and Samples. Review and approve or take other appropriate action in respect to Shop Drawings and Samples and other data which Contract is required to Submit, but only for conformance with the information given in the Contract Document and compatibility with the design concept of the completed Project as a functioning whole as indicated in the Contract Documents. Such review and approvals or other action will not extend to means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction or to related safety precautions and programs.
- 9.3.9. Substitutes and "or-equal". Evaluate and determine the acceptability of substitute or "or-equal" materials and equipment proposed by Contractor in accordance with the Contract documents, but subject to the provisions of applicable standards of state or local government entities.
- 9.3.10. Limitation of Responsibilities. Binkley & Barfield, Inc. shall not be responsible for the acts or omissions of any Contractor, or of any of their subcontractors, suppliers, or of any other individual or entity performing or furnishing the Work, Binkley & Barfield, Inc. shall not have the authority or responsibility to stop the work of any Contractor.
- 9.3.11. *Final Construction Walk Through*. Binkley & Barfield, Inc. shall be present at the final construction walk through and develop a final "punch/checklist" for the contractor to use to achieve final project acceptance.
- 9.3.12. Record Drawings, Prepare project "Record Drawing" based on information provided by the Contractor, and/or City as to the actual field placement of the work including any changes or deletions. Binkley & Barfield, Inc. will provide the following deliverables:
- 9.3.13. Electronic copy of the record drawings shall be submitted on CD/DVD or flash drive in all of the following formats.
- AutoCAD (.dwg) format
 - Adobe Portable Document (.pdf) 400 dpi (min) (24"x36")

- 9.3.14. Electronic copy of geotechnical reports, survey data, photographs, and exhibits used for the project, in .pdf or jpg format.
- 9.3.15. Electronic copy of project specifications in Microsoft Word (.doc) and PDF format.
- 9.3.16. Record drawings shall be sealed by the engineer of record in accordance with the Texas Board of Professional Engineers Policy Advisory Opinion Regarding Record Drawings.
- 9.3.17. All field changes and revisions shall be shown and noted in the revision block.
- 9.3.18. Revisions shall be drawn using accepted drafting standards and shall be clear and legible.
- 9.3.19. Line work and notes related to work deleted or changed shall be omitted from the Record Drawing.

9.4. Structural Design

9.4.1.1. Structural

- Structural design and layout of retaining wall (plan and profile)
- Structural design and layout for other elements of the project not covered in the standard details (Junction boxes, stairs, etc.)

9.5. Traffic Signal Design

9.5.1.1. Traffic

9.5.1.1.1. Traffic Signals

- Adjustments to the existing traffic signals
 - Propose adjustments of ground boxes to meet proposed grade.
 - Identify pedestrian accommodations and make adjustments (crosswalks, ADA barrier free ramps, pedestrian signals and push-buttons)
 - Finalize adjustments of ground boxes to meet proposed grade.

-End of Scope of Service-

ATTACHMENT “B”

Payment Schedule

Compensation for Basic Services in Tasks 1-2 shall be on a lump sum basis. The tabulation below establishes the not to exceed amount for each category of contract service:

	<u>Task</u>	<u>Fee</u>
	<u>BASIC SERVICES</u>	
1.	Schematic Conceptual Design (30%)	\$109,497.00
2.	Construction Documents	
2.1	60% Design	\$130,589.00
2.2	90% Design	\$85,834.00
2.3	100% Design	\$27,160.00
	Basic Services Subtotal:	\$353,080.00
Compensation for special services under Tasks 5-8 shall be a labor fee plus expense (reimbursable) basis with the max fee shown below.		
	<u>SPECIAL SERVICES</u>	
3.	Data Collection & Property Research / Topographic and Design Survey	\$46,000.00
4.	Right-of-Way/Easement Instruments of Conveyance	
	(2 ROW documents are assumed @ \$2,400/document)	\$4,800.00
	(2 Easement documents are assumed @ \$2,400/document)	\$4,800.00
5.	Subsurface Utility Engineering (S.U.E.) Services	
5.1	Quality Level ‘C/D’ S.U.E. Services	\$4,250.00
5.2	Quality Level ‘B’ S.U.E. Services (assumes 11,800 LF @ \$1.10/LF)	\$12,980.00
5.3	Quality Level ‘A’ S.U.E. Services	\$19,210.00
6.	Geotechnical	\$5,400.00
7.	Video Inspection (Storm Sewer) (assumes 2,000 LF @ \$4.50)	\$9,000.00
8.	Accessibility Review (TDLR)	\$3,000.00
	Special Services Subtotal*	\$109,440.00
	<u>ENGINEERING SERVICES CONTINGENCY**</u>	\$46,250.00
	<i>** (This service is a miscellaneous amount to be used at the discretion of the City for additional Services outside of the scope of the contract. This item will be controlled by the City and will only be used if the City chooses. The Engineer has no right or guarantee to the use of this Contingency)</i>	
	Project Total*	\$508,770.00

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

ATTACHMENT “C”

Project Schedule

Task Name	Duration	Start	Finish
Notice to Proceed	1 day	Mon 10/15/18	Mon 10/15/18
Design Survey	6 wks	Tue 10/16/18	Mon 11/26/18
Schematic Design 30%	3 mons	Tue 11/27/18	Mon 2/18/19
City Review	1 mon	Tue 2/19/19	Mon 3/18/19
Construction Documents 60%	3 mons	Tue 3/19/19	Mon 6/10/19
City Review	1 mon	Tue 6/11/19	Mon 7/8/19
Construction Documents 90%	3 mons	Tue 7/9/19	Mon 9/30/19
City Review	1 mon	Tue 10/1/19	Mon 10/28/19
Construction Documents 100%	2 wks	Tue 10/29/19	Mon 11/11/19
City Review	1 wk	Tue 11/12/19	Mon 11/18/19

ATTACHMENT "D"

Sub-Consultants

1. Sub-Consultant:

Company Name: ECS Southwest, LLP
Services of the Scope Being Provided: Geotechnical Services
Contact Person: Michael Batuna, P.E. Title: Geotechnical Department Manager
Email: mbatuna@ecslimited.com Phone: 972-392-3222

2. Sub-Consultant:

Company Name: Baseline Corporation
Services of the Scope Being Provided: Design Survey/ROW/Easement Docs
Contact Person: Heather Welch Westfall, RPLS, PLS, ISA Certified Arborist
Title: Director of Surveying, DFW Region
Email: hwestfall@baselinesurveyors.net Phone: 972-535-6325

3. Sub-Consultant:

Company Name: Solaray Engineering
Services of the Scope Being Provided: Subsurface Utility Engineering (S.U.E.)
Contact Person: Don Johnson Jr, P.E. Title: Senior Project Manager
Email: djohnson@solarayengineering.com Phone: 972-247-1516

4. Sub-Consultant:

Company Name: BCAC Underground
Services of the Scope Being Provided: Pipeline TV Service
Contact Person: Ben Goodall Title:
Email: ben@bcacunderground.com Phone: 817-492-1504

5. Sub-Consultant:

Company Name: EMCUE Company
Services of the Scope Being Provided: TDLR Inspection & Registration
Contact Person: Michael Quimbey RAS#0102
Title: Registered Accessibilty Specialist
Email: emcuecompany@aol.com Phone: 214-755-2525



CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Honorable Mayor and City Council

CC: Rick Crowley, City Manager
Joey Boyd, Assistant City Manager
Mary Smith, Assistant City Manager

FROM: Andy Hesser, Director of Parks and Recreation

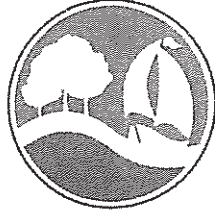
DATE: January 17, 2019

SUBJECT: BASEBALL UMPIRE SERVICES CONTRACT

In December of 2018, staff issued a request for proposals (RFP) to provide professional baseball umpiring services for our Rockwall Baseball & Softball League (RBSL). One qualified response was received. Baseball Nation LLC was the successful respondent. The RFP is included in the packet.

Costs for the umpiring services are covered by registration fees collected from each participant, which are deposited into the Recreation Development Fund. Invoices are paid regularly from the Recreation Development Fund to the umpiring company for actual games played. A not to exceed amount of \$120,000 is estimated based on maximum number of possible games to be played for leagues and tournaments. Actual amount could be less depending on league registration numbers, lost games due to rainouts, and tournament participation.

Contingent on City Attorney approval, staff asks that Council consider authorizing the City Manager to negotiate and execute a contract with Baseball Nation LLC in an amount not to exceed \$120,000. Staff is available to answer any questions.



City of Rockwall
The New Horizon

**CITY OF ROCKWALL, TEXAS
REQUEST FOR PROPOSALS
FOR
UMPIRE SERVICES**

PROPOSAL DUE: 3:00 PM, JANUARY 7, 2019

OPENING: CITY HALL
COUNCIL CHAMBERS
385 S. GOLIAD, ROCKWALL, TX 75087

SUBMIT TO: LEA ANN EWING
PURCHASING AGENT
CITY OF ROCKWALL
385 S. GOLIAD, ROCKWALL, TX 75087

REQUEST FOR PROPOSAL
City of Rockwall
UMPIRE SERVICES
February 2019

I) INTRODUCTION

The City of Rockwall, Texas is planning to contract for Umpire services for all youth Baseball leagues and tournaments at the following locations: Leon Tuttle Sports Complex (8 Fields), Yellow Jacket Park (3 Fields), and Harry Myers Park (2 Fields). The City hosts and facilitates multiple leagues and tournaments throughout the year. The City's RBSL (Rockwall Baseball & Softball League) will host:

- Three seasons of youth baseball: spring, summer, and fall.
- A growing number of youth baseball tournaments

II) EXPERIENCE

Preference will be given to companies having demonstrated experience in services of similar scope and complexity. A company resume shall be submitted as part of the proposal. The resume will be attached as part of the Umpire Agreement and shall include, at a minimum, the following items:

- The background and experience of operator in providing quality service through similar umpire operations.
- The background and experience of operator in related professional experience.
- Demonstration of qualifications necessary to operate, train, and evaluate umpires in a highly professional manner.
- The background and experience in training and evaluating umpires.
- Three (3) references with name of contact person and telephone number.

III) CRITERIA FOR AWARD OF CONTRACT

Proposal amounts proposed by responding Umpire service operators for the privilege to provide umpire services will not be the sole determining factor in selecting the umpire operator. The criteria for evaluating the Proposals will be based upon a combination of the following:

- The background and experience of operator in providing quality service through similar umpire operations. 10%
- The background and experience of operator in related professional experiences. 10%
- Proposal amount – 30%
- Demonstration of qualifications necessary to operate the umpires in a highly professional manner. 20%
- The background and experience in training and evaluating umpires. 20%
- Reference responses 10%

The City reserves the right to add other umpire services at their discretion to any of the above-mentioned facilities.

IV) SCOPE OF WORK

Professional services normally required in the operation of umpire services in both league and tournament formats.

The City acknowledges this will be a non-exclusive agreement and the winning umpire provider may provide similar officiating services to other organizations located in the City. The chosen umpire provider must also acknowledge that the City of Rockwall may use other umpires if the chosen provider cannot supply the required umpires for either youth baseball or on a tournament-by-tournament basis. The chosen umpire provider will acknowledge and agrees to give the City priority in umpire assignments during the terms of the awarded agreement.

V) OTHER REQUIREMENTS

Each Proposer should include information as needed to qualify. Proposals must address the following items to be given further consideration for the project: experience with similar projects; availability to perform requested services; ability to perform services within the given timeframe; understanding of the project scope; familiarity with the site; proof of insurance as required by the City of Rockwall.

GAME RATES

Rates based on the following game lengths:

- 50-60 minute games, with 1 umpire
- 75 minute games, with 2 umpires
- 90 minute games, with 2 umpires
- 105 minute games, with two umpires
- Scheduling fee per assigned game
- On site UIC (Umpire in charge)

Estimated game count:

Spring Season- 1200 games

Summer Season-560 games

Fall Season- 800 games

The above game count does not include tournaments.

BACKGROUND CHECKS:

It is the city's position to protect all program participants. The winning provider will demonstrate the ability to conduct Background checks on all umpires. This will be done using a mutually agreed upon process that reflects the intent of the city's "coaches eligibility policy".

TRAINING:

The chosen service provider shall train all umpires. The chosen service provider must demonstrate an ability to execute a clear and concise training program.

REVIEW AND EVALUATION:

Umpire service provider must demonstrate the ability to conduct performance evaluations of each umpire annually.

AFFILIATION:

The chosen service provider must agree to be affiliated with the same governing organizations for tournament and league play if such organizations require them to do so. Service provider will be responsible for paying the registrations fees for each umpire. The City will be affiliated with USSSA. City Reserves the right to offer tournaments under alternative governing bodies.

VI) PROPOSAL CONTENTS

The proposal shall contain the following information:

1. Name of firm(s) and company history.
2. Professional Liability Policy in the amount of \$1,000,000.00 minimum.
3. The background and experience of operator in providing quality service through similar umpire operations.
4. Demonstration of qualifications necessary to operate the umpires in a highly professional manner.
5. The background and experience in training and evaluating umpires.
6. Proposal for contracted services cost.
7. References for performance of like services.

VII) SELECTION CRITERIA

The City will select the umpire service provider considered most qualified to provide the desired services. In addition, the organization that proposes an agreement that allows for the maximum customer service potential for the City will be given the highest ranking(s).

If the City is unable to negotiate a satisfactory proposal, it may commence negotiations with another selected firm. The City reserves the right to reject any and all proposals.

Two (2) copies of the RFP response shall be submitted by 3:00 PM, January 7, 2019:

Lea Ann Ewing
Purchasing Agent
City of Rockwall
385 S. Goliad
Rockwall, TX 75087

For questions, contact:

David Wilson
Athletic Supervisor
City of Rockwall
972-771-7761

I have read and agree to the conditions and requirements stated within this document.

Umpire Services Provider

Date

CITY OF ROCKWALL, TEXAS
General Provisions of the Proposal

1.0 Submission of Proposal

1.1 One (1) original and (1) copy of all Proposal documents shall be submitted in a sealed package or container. Proposal Title and Vendor's name/address and any addenda received should be marked on the outside of the package or container. Facsimile transmittals or offers communicated by telephone will not be accepted. Proposals that are not submitted in a sealed package or container will not be considered.

1.2 Mail Proposals to:

Purchasing Agent
City of Rockwall
385 South Goliad
Rockwall, TX 75087

1.3 Proposals may also be delivered in person to:

Purchasing Agent
City of Rockwall
385 South Goliad
Rockwall, TX 75087

1.4 Delivery of Proposals must be received in the Purchasing Agent's Office no later than the time indicated in this solicitation or subsequent addendum. The Vendor is responsible for the means of delivering the Proposal documents to the location listed in 1.2 or 1.3 on time. Delays due to any instrumentality used to transmit the Proposal including delay occasioned by the Vendor or the City of Rockwall internal mailing system will be the responsibility of the Vendor. The Proposal must be completed and delivered in time to avoid disqualification for lateness due to difficulties in delivery. The time clock in the City's Council Chambers is the official clock for determining whether Proposals are submitted timely. Late Proposals will not be accepted under any circumstances.

3.0 Proposal Due Date and Public Opening

3.1 Proposals will be opened and publicly read aloud at the following location, date and time:

Location: City of Rockwall
City Hall
Council Chambers
385 South Goliad
Rockwall, TX 75087

Due Date: January 7, 2019

Time: 3:00 p.m., local time

Vendors, their representatives and interested persons may be present.

After the contract is awarded, all Proposals will be open for public inspection, to the extent permitted by the law. Proposals received by the Purchasing Agent after the above stated time and date shall not be considered and will be returned to the Vendor unopened.

4.0 Proprietary Information

- 4.1 If a Vendor does not desire proprietary information in the Proposal to be disclosed, they are required to identify all proprietary information in the Proposal. This identification will be done by individually marking each page with the words "Proprietary Information" on which such proprietary information is found. If the Vendor fails to identify proprietary information, they agree that by submission of their Proposal that those sections shall be deemed non-proprietary and made available upon public request.
- 4.2 Vendors are advised that the confidentiality of the Proposals will be protected by the City to the extent permitted by law. Vendors are advised to consider the implications of the Texas Open Records Act, particularly after the Proposal process has ceased and the contract has been awarded. While there is provision in the Texas Open Records Act to protect proprietary information, particularly under Section 3(9) and Section 3(10) of this act where the Vendor can meet certain evidentiary standards, please be advised that a determination on whether those standards have been met will not be decided by the Purchasing Department of the City of Rockwall, but by the Office of the Attorney General of the State of Texas.

5.0 Completion of Proposal

Statements made by a Vendor shall be without ambiguity, and with adequate elaboration, where necessary, for clear understanding.

6.0 Explanations

Any explanation, clarification, or interpretation desired by a Vendor regarding any part of this Request for Proposals (RFB) must be requested in writing from the Purchasing Agent at least seven (7) days prior to published submission deadline, as referenced on the cover of the RFB or addenda. Interpretations, corrections or changes to the RFB made in any other manner are not binding upon the City, and Vendors shall not rely upon such interpretations, corrections or changes. Oral explanations or instructions given before the award of the Contract are not binding. Requests for explanations or clarifications may be emailed to Attn: Purchasing Agent lewing@rockwall.com and the e-mail must clearly identify the RFB by Title.

7.0 Addendum

Any interpretations, corrections or changes to the RFB will be made by addendum. Sole issuing authority of addendum shall be vested in the City of Rockwall Purchasing Agent. Addenda will be emailed to all Vendors who are known to have received a copy of this RFB.

8.0 Withdrawal of Proposal

A Vendor's Proposal may be withdrawn by a duly authorized representative of the Business at any time prior to the Proposal submission deadline, upon presentation of accepted identification as such a representative of the Vendor.

9.0 Award of Proposal

The City of Rockwall reserves the right to accept or reject any and all Proposals and to re-solicit for Proposals, as it shall deem to be in the best interest of the City. Receipt of any Proposal shall under no circumstances obligate the City to accept the lowest cost Proposal. The award of this contract shall be made to the responsible Vendor whose Proposal is determined to be the best-evaluated offer, taking into consideration demonstrated competence and qualifications to provide the equipment solicited in the RFB. Proposal may be awarded on Monday, February 6, 2017 at the regular scheduled City Council meeting.

10.0 Period of Acceptance

Vendor acknowledges that by submitting the Proposal contained herein, Vendor makes an offer, which, if accepted in whole or part by the City of Rockwall, constitutes a valid and binding contract as to any and all items accepted in writing by the City of Rockwall. The period of acceptance of this Proposal is 60 calendar days from the date of opening.

11.0 Tax Exemption

The City of Rockwall is exempt from Federal Excise and State Sales Tax for equipment or material incorporated into the Project; therefore, tax must not be included in this Proposal for these items.

12.0 Cost Incurred in Responding

All costs directly or indirectly related to the preparation of a response to the RFB or any oral presentation required to supplement and/or clarify a Proposal that may be required by the City shall be the sole responsibility of and shall be borne by Vendor(s).

13.0 Negotiations

Any attempt to negotiate or give information on the contents of this Proposal with the City or its representative prior to award shall be grounds for disqualification.

14.0 Contract Incorporation

Vendors should be aware that the contents of this successful Proposal would become a part of the subsequent contractual documents. Failure of a Vendor to accept this obligation may result in the cancellation of any award. Any damages occurring to the City as a result of the Vendor's failure to contract may be recovered from the Vendor.

15.0 Non-Endorsement

If a Proposal is accepted, the awardee shall not issue any news releases or other statements pertaining to the award or servicing of the agreement that state or imply the City of Rockwall endorsement of awardee services.

CITY OF ROCKWALL, TEXAS Standard Terms and Conditions

These standard terms and conditions and any other special terms and conditions listed in General Provisions shall become part of any contract entered into should any or all parts of the Proposal are accepted by the City of Rockwall.

1.0 Error - Quantity

Proposals must be submitted on units of quantity specified - extend and show total where applicable. In the event of discrepancies in extension, the unit price shall govern. The quantities shown on the Proposal form are estimates only and not a guarantee to purchase by the City of Rockwall.

2.0 FOB - Damage

Items shall be Proposal F.O.B. Delivered, City of Rockwall, Rockwall, Texas 75087 and shall include all delivery and packaging costs. The City of Rockwall assumes no liability for goods delivered in damaged or unacceptable condition. The successful Proposer shall handle all claims with carriers, and in case of damaged goods, shall ship replacement goods immediately upon notification by the City of damage.

3.0 Authorized Signature

Proposals MUST show full firm name and address of Proposer, and be manually signed. Failure to do so will disqualify Proposal. Person signing Proposal must show title or AUTHORITY TO BIND HIS FIRM IN A CONTRACT.

4.0 Withdrawal - Alteration of Proposal

Proposals CANNOT be altered or amended after Proposal closing. Alterations made before Proposal closing must be initialed by Proposer guaranteeing authenticity. No Proposal may be withdrawn after Proposal closing without acceptable reason in writing and with the approval of the Director of Finance.

5.0 Invoices

Invoices bill to: Accounts Payable, City of Rockwall, 385 South Goliad, Rockwall, Texas 75087.

6.0 Payment Terms

Normal payment terms are Net 30 provided the goods and/or services received are in satisfactory condition. Any discounts available to the City for early payment should be noted. Discounts may be considered in determining Proposal award. Contractor may be allowed to make weekly draws based on work completed.

7.0 Warranty - Maintenance Agreement

Vendor shall submit with the Proposal response all information regarding warranties and/or maintenance agreements pertaining to said Proposal items. Vendor shall provide the City with a minimum 1-year warranty on labor and materials.

8.0 Delivery Promise - Penalties

Proposals MUST show the number of calendar days required to place the materials in the possession of the City. DO NOT quote shipping dates. Failure to specify the delivery date will obligate Proposer to complete delivery in two (2) weeks from the date the Proposal is awarded. Unrealistically short or undue long delivery promises may cause the Proposal to be disregarded. Consistent failure of a Proposer to meet his delivery promises without a valid reason may cause removal from the Proposal list.

When delivery delay can be foreseen, the Proposer shall give prior notice to the Purchasing Agent, who shall have the right to extend the delivery date if reasons for delay appear acceptable. The Proposer must keep the Purchasing Agent informed at all times of the status of the order. Default in promised delivery, without acceptable reasons, or failure to meet specifications, authorizes the Purchasing Agent to purchase the goods elsewhere, and charge any increase in cost and handling to the defaulting Proposer. Every effort will be made by Purchasing to locate the goods at the same or better price as that originally contracted.

9.0 Delivery Time

Deliveries will be accepted only during normal working hours, 8:00 A.M. to 5:00 P.M. CST, Monday through Friday, at the designated City facility.

10.0 Price Fixing

In submitting a Proposal response to this request, the Proposer thereby certifies that the Proposer has not participated in nor been party to any collusion, price fixing or any other agreements with any company, firm or person concerning the pricing on the enclosed Proposal. Consistent and continued tie Proposals on any commodity could be cause for rejection of all Proposals by the Purchasing Agent and/or investigation by the Attorney General to determine possible Anti-Trust violations.

11.0 Proposal Evaluation and Award

Vendors shall propose on all of the work to be considered. The City reserves the right to make one award and use the best value method for Proposal award. Vendors are to submit Proposals on the form provided in this Proposal packet. Freight / shipping costs are to be included in the Unit Price. Vendors are encouraged to submit any additional information with their Proposal including warranty documentation and additional warranty period cost for the equipment.

All Proposals are evaluated for compliance with qualifications/specifications before the Proposal price is considered. Response to qualification/specification is primary.

12.0 Gratuities

The City may, by written notice to the successful Proposer, cancel this contract without liability to successful Proposer if it is determined by the City that gratuities in the form of entertainment, gifts, or otherwise, were offered or given by the successful Proposer, or any agent or representative of the successful Proposer, to any officer or employee of the City with a view toward securing or amending, or the making of any determinations with respect to the performing of such a contract.

13.0 Indemnity

Vendor shall defend, indemnify and hold harmless the City of Rockwall and all its officers, agents and employees from all suits, actions, or other claims of any character, name and description brought for or on account of any injuries or damages received or sustained by any person, persons or property due to any negligent act or fault of the Vendor, or of any agency, employee, subVendor or supplier in the execution of, or performance under, any contract which may result from Proposal award. Vendor indemnifies and will indemnify and hold harmless the City of Rockwall from liability, claim or demand on their part, agents, servants, customers and/or employees whether such liability, claim or demand arise from event or casualty happening or within the occupied premises themselves or happening upon or in the halls, elevators, entrances, stairways or approaches of or the facilities within which the occupied premises are located. Successful Vendor shall pay any judgment which costs that may be obtained against the City of Rockwall growing out of such injury or damages.

14.0 Period of Performance

If this RFP results in a contract, it shall remain in effect until contract expires, delivery and acceptance of products and/or performance of services ordered. Further, the City of Rockwall may cancel this contract without expense to the City in the event that funds have not been appropriated for expenditures under this contract. The contract may be written with a possible annual renewal up to three (3) consecutive years.

15.0 Right to Assurance

Whenever the City has reason to question the Vendor's intent to perform, the City may demand that the Vendor give written assurance of Vendor's intent to perform. In the event a demand is made, and no assurance is given within ten (10) calendar days, the City may treat this failure as an anticipatory repudiation of the contract.

16.0 Cancellation

The City shall have the right to cancel this contract immediately for default on all or any part of the undelivered portion of this order if Vendor breaches any of the terms hereof, including warranties of seller, or if seller files bankruptcy. Such right of cancellation is in addition to and not in lieu of any other remedies that the City may have in law or equity.

17.0 Termination

The performance of work under this contract may be terminated in whole or in part by the City, with or without cause, at any time upon the delivery to Vendor of a written "Notice of Termination" specifying the extent to which performance of work under the contract is terminated and the date upon which such termination becomes effective. Such right of termination is in addition to and not in lieu of rights of the City as set forth in clause 4.0, herein.

18.0 Assignment – Delegation

No right, interest or obligation of Vendor under this contract shall be assigned or delegated without the written agreement of the City. Any attempted assignment or delegation of Vendor shall be wholly void and totally ineffective for all purposes unless made in conformity with this paragraph.

19.0 Waiver

No claim or right arising out of a breach of this contract may be discharged in whole or in part by a waiver or renunciation of the claim or right unless the waiver or renunciation is supported by consideration, is in writing, and is signed by the aggrieved party.

20.0 Modifications

This contract can be modified or rescinded only by a written agreement signed by both parties.

21.0 Interpretation and Parole Evidence

The contract resulting from the RFP is intended by the parties as a final expression of their agreement and intended as a complete and exclusive statement of the terms of their agreement. No course of prior dealings between the parties and no usage of trade shall be relevant to supplement or explain any term used in this agreement. Acceptance of or acquiescence in a course of performance under this agreement shall not be relevant to determine the meaning of this agreement even though the accepting or acquiescing party has knowledge of the performance and opportunity for objection. Whenever a term defined by the Uniform Commercial Code is used in this agreement, the definition contained in the Code shall control.

22.0 Applicable Law

This agreement shall be governed by the Uniform Commercial Code. Whenever the term "Uniform Commercial Code" is used, it shall be construed as meaning the Uniform Commercial Code as adopted and amended in the State of Texas. Both parties agree that venue for any litigation arising from this contract shall be in Rockwall, Rockwall County, Texas. This contract shall be governed, construed and enforced by the laws of the State of Texas.

23.0 Independent Contractor

Vendor shall operate hereunder as an independent and not as an officer, agent, servant or employee of the City. Vendor shall have exclusive control of, the exclusive right to control, the details of its operations hereunder, and all persons performing same, and shall be solely responsible for the acts and omissions for its officers, agents, employees, vendors, and subcontractors. The doctrine of respondent superior shall not apply as between the City and Vendor, its officers, agents, employees, contractors and subcontractors. Nothing herein shall be construed as creating a partnership or joint enterprise between the City and Vendor, its officers, agents, employees, contractors and subcontractors.

24.0 Force Majeure

If, by any reason of force majeure, either party hereto shall be rendered unable wholly or in part to carry out its obligations under this agreement, such party shall give notice and full particulars of such force majeure in writing to the other party within a reasonable time after occurrence of the event or cause relied upon, and obligation of the party giving such notice, so far as it is affected by such force majeure, shall be suspended during the continuance of the inability then claimed, except hereinafter provided, but not for longer period, and such party shall endeavor to remove or overcome such inability with all reasonable diligence.

25.0 Conflict of Interest

No public official shall have interest in this contract, in accordance with Vernon's Texas Codes Annotated, Local Government Code Title 5, Subtitle C., Chapter 171.

26.0 Laws, Statutes and Other Governmental Requirements

Vendor agrees that he shall be in compliance with all laws, statutes, and other governmental provisions prevailing during the term of this agreement.

27.0 Notices to Parties

Notices addressed to the City pursuant to the provisions hereof shall be conclusively determined to have been delivered at the time same is deposited in the United States mail, in a sealed envelope with sufficient postage attached, addressed to Purchasing Agent, City of Rockwall, 385 South Goliad, Rockwall, Texas 75087, and notices to Vendor shall be conclusively determined to have been delivered at the time same is deposited in the United States mail, in a sealed envelope with sufficient postage attached, addressed to the address given by Vendor in its response to this RFB.

28.0 Severability

In case any one or more of the provisions contained in this agreement shall, for any reason, be held to invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision of this agreement, which agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

29.0 Fiscal Funding Limitation

In the event no funds or insufficient funds are appropriated and budgeted or are otherwise unavailable by any means whatsoever in any fiscal period for payments due under this contract, then the City will immediately notify Vendor of such occurrence and this contract shall be terminated on the last day of the fiscal period for which appropriations were received without penalty or expense to the City of any kind whatsoever, except to the portions of annual payments herein agreed upon for which funds shall have been appropriated and budgeted or are otherwise available.

30.0 Rights to Proposal and Contractual Material

All reports, charts, schedules, or other appended documentation to any Proposal, content of basic Proposal, or contracts and any responses, inquiries, correspondence, and related material submitted by Vendor shall become property of the City of Rockwall upon receipt.

31.0 Copyrights and Rights in Data

Where activities supported by this project produce original computer programs, writings, sound recordings, pictorial reproduction, drawings, or other graphical representation and works of any similar nature (the term computer program includes executable computer programs and supporting data in any form), the City of Rockwall has the right to use, duplicate, and disclose, in whole or in part, in any manner, for any purpose whatsoever and have others do so. If the material is copyrightable, the Vendor may copyright such, and the City of Rockwall reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish and use such materials, in whole or in part to authorize others to do so.

32.0 Disability

In accordance with the provisions of the Americans With Disabilities Act of 1990 (ADA), Vendor warrants that it and any and all of its subcontractors will not unlawfully discriminate on the basis of disability in the provision of services to general public, nor in the availability, terms and/or conditions of employment for applicants for employment with, or employees of Vendor or any of its subcontractors. Vendor warrants it will fully comply with ADA provisions and any other applicable federal, state and local laws concerning disability and will defend, indemnify and hold City harmless against any claims or allegations asserted by third parties or subcontractors against City arising out of Vendor's and/or its subcontractors alleged failure to comply with the above-referenced laws concerning disability discrimination in the performance of this agreement.

33.0 **DISCLOSURE OF CERTAIN RELATIONSHIPS (HB 914).** Effective January 1, 2006, Chapter 176 of the Texas Local Government Code requires that any vendor or person considering doing business with a local government entity disclose in the Questionnaire Form CIQ, the vendor or person's affiliation or business relationship that might cause a conflict of interest with a local government entity. By law, this questionnaire must be filed with the records administrator of the City of Rockwall not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code. A person commits an offense if the person violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor. Forms may be obtained on the City's website at www.rockwall.com, City Departments, Finance Department, Purchasing page.

34.0 Insurance Requirements:

Liability insurance and/or workers' compensation are required by the City for said Proposal item(s), **proof of insurance and/or workers' compensation should be submitted with the Proposal.** The City reserves the right to review all insurance policies pertaining to Proposal item(s) to guarantee that the proper coverage is obtained by the Proposer. CONTRACTOR shall purchase, at his own expense, and maintain such insurance as will protect him from claims under worker's compensation laws, disability benefit laws or other similar employee benefit laws; from claims for damages because of bodily injury, occupational sickness or disease, or death of his employees, and claims insured by usual personal injury liability coverage; from claims for damages because of bodily injury, sickness or disease, or death of any person other than his employees including claims insured by usual personal injury liability coverage; and from claims for injury to or destruction of tangible property, including loss or use resulting there from - any or all of which may arise out of or result of Contractor's operations under the Contract Documents, whether such operations be by himself or by any Subcontractor or anyone directly or indirectly employed by any of them or for whose acts any of them may be legally liable. This insurance shall include the specific coverage and be written for not less than any limits of liability and maximum deductibles specified in the Supplemental Conditions or required by law, whichever is greater, shall include contractual liability insurance and **shall include the City as an additional insured.** The CONTRACTOR shall maintain such additional insurance, as he may deem appropriate. With the exception of the Agreement, CONTRACTOR shall file with the City his Accord certificates of such insurance, acceptable to City; these certificates shall contain a provision that the coverage afforded under the policies will not be canceled or materially changed until at least thirty (30) days prior written notice has been given to City.

- Limits:
Such insurance as will protect the Contractor for damages because of bodily injury, sickness, disease or death of his employees apart from that imposed by Statutory Worker's Compensation laws with such insurance having a minimum limit of liability of not less than \$500,000.
- Such insurance as will protect the Contractor from claims from damages because of bodily injury, personal injury, sickness, disease or death with minimum limits of liability of not less than \$500,000 each occurrence and \$500,000 aggregate.
- Such insurance as will protect the Contractor from claims for damages for injury to or destruction of tangible property of others, including loss of use thereof. Such coverage shall include Broad Form Property Damage and removal of XCU exclusions where applicable. The minimum limits of liability shall be \$1,000,000 per occurrence and \$1,000,000 aggregate.
- Such insurance as will protect the Contractor from claims for damages arising out of the maintenance, operation, or use of any owned, non-owned or hired vehicles. Minimum limits of liability for bodily injury and property damage shall be not less than \$1,000,000 for each occurrence.

- Property insurance including materials not in place at the site to the full insurable value thereof.

All insurance coverages required are MINIMUM coverages and limit amounts, and it shall be the Contractor's responsibility to determine which limits are adequate for the scope and size of this work. These minimum limits may be basic policy limits or any combination of basic limits and umbrella limits. In any event, the Contractor is fully responsible for all losses arising out of, resulting from or connected with operations under this contract whether or not said losses are covered by insurance. The City's acceptance of Certificates of Insurance that in any respect do not comply with the Contract requirements does not release the Contractor from compliance herewith.

The City and Contractor waive all rights against each other for damages caused by fire or other perils to the extent their interests are covered by insurance under this Section, except such rights as they may have to the proceeds of such insurance when held by the City as trustee. The Contractor shall require similar waivers by Subcontractors and Sub-subcontractors.

**35.0 CERTIFICATE OF INTERESTED PARTIES FORM 1295
Definition and Instructions**

Section 2252.908 of the Texas Government Code states that a governmental entity or state agency may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency. The law applies only to a contract of a governmental entity or state agency that either (1) requires an action or vote by the governing body of the entity or agency before the contract may be signed or (2) has a value of at least \$1 million.

All vendors entering into a contract that is approved by City Council must complete a Form 1295.

A business entity must enter the required information on Form 1295 online at <https://www.ethics.state.tx.us/File/> and print a copy of the completed form, which will include a certification of filing that will contain a unique certification number. An authorized agent of the business entity must sign the printed copy of the form and have the form notarized. The completed Form 1295 with the certification of filing must be filed with City.

36.0 Piggyback Contract/Other Entity Clause:

It is the intent of this solicitation that other governmental organizations and agencies throughout the continental United States may purchase identical items at the same unit pricing and the same general terms and conditions, subject to the applicable state laws. Freight/shipping charges are included in the proposal prices for Texas cooperative members. Additional freight/shipping charges that may be required by other organizations and agencies are outside the scope of the base proposal. The City authorizes each governmental entity to make payment directly to the successful proposer. The term of this agreement is one (1) year from the date of contract execution.

**PUBLIC NOTICE
CITY OF ROCKWALL, TEXAS**

Advertisement for Proposal

The City of Rockwall will receive sealed Proposals for Umpire Services until January 7, 2019 at 3:00 PM. Proposals should be delivered to the Purchasing Agent, City of Rockwall, 385 S. Goliad, Rockwall TX 75087 on or before the above due date and time. Proposals will be publicly opened and the names of the proposers read aloud in the City Council Chambers, Rockwall City Hall, 385 S. Goliad, Rockwall, TX 75087. General and Professional liability and statutory Worker's Compensation insurances are required. Proposal document is on file at City of Rockwall Purchasing office and on line at www.rockwall.com. The City of Rockwall reserves the right to reject any and all Proposals or to waive any informalities in the Proposal.

Publish: Herald Banner

December 21, 2018
December 28, 2018

- I. Baseball Nation LLC
1210 W Scyene Rd Ste A
Mesquite, TX 75149
- II. Insurance Certificate available upon request
- III. Baseball Nation opened its doors September 7, 2009. The company originally started with the single focus of a professional indoor training facility in Mesquite, Texas. That focus soon changed in the Spring of 2010 after the acquisition of Chiesl Baseball Complex in Balch Springs, Texas. After hosting league and tournament play for only 6 months the company grew again in the fall of 2010 with the purchase of the BBI complex in Mesquite, Texas. In November 2013, Baseball Nation made its most recent addition when it acquired Triple Creek Academy in McKinney, Texas. Baseball Nation now hosts USSSA league and tournament play at each complex from February—November each year. The indoor facilities operate year-round and accommodate local professional players in the DFW area in the off-season. Baseball Nation currently operates 12 baseball fields and 2 indoor training facilities.

The following number of teams competed in Baseball Nation events over the last 3 calendar years:

2016 | 3,471 Teams (approximately 7,000 games)
2017 | 3,605 Teams (approximately 7,300 games)
2018 | 3,338 Teams (approximately 6,900 games)

Baseball Nation also hosts a High School Fall baseball league each year hosting approximately 50 teams (approximately 300 games).
- IV. Leonard Meyer is a full-time employee of Baseball Nation LLC and handles all umpire scheduling for Baseball Nation events (league & tournaments). Leonard has been an umpire and UIC in North Texas for more than 20 years.
- V. Umpires are contracted from a number of organizations across North and Central Texas.
- VI. Contracted Services Cost:

\$30 | 50-60 minute games, with 1 umpire
\$70 | 75 minute games, with 2 umpires
\$80 | 90 minute games, with 2 umpires
\$90 | 105 minute games, with 2 umpires
\$5 | Scheduling fee per assigned game
\$90 | On site UIC (Umpire in Charge)
- VII. References:

Ben Montgomery | 214.455.6227
Corey Thornton | 214.500.4843
Jeremiah Haar | 817.308.5597

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and City Council

FROM: Rick Crowley, City Manager

DATE: January 18, 2019

SUBJECT: 911 Services Contract

The Council may recall the City's recent action in passing a resolution authorizing the establishment of this entity to enhance funding opportunities for regional 911 services. The sole source of funding for 911 services are the fees that are charged and collected on telephone bills; however, the obligations of the City are noted in the contract.

This item is to secure City Council authorization for the City Manager and Chief of Police to execute the contract documents with NCT911 to provide 911 services in the City.

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CITY OF ROCKWALL, TEXAS

MEMORANDUM

TO: Mayor and City Council

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

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

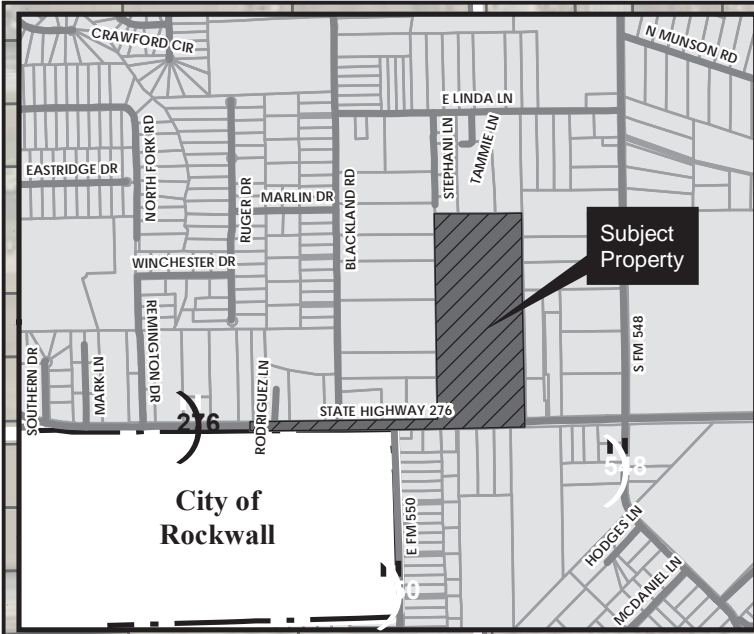
DATE: January 22, 2019

SUBJECT: A2018-005; *Harlan Properties Inc. Annexation*




On January 22, 2019, the City Council will be holding the first (6:00 PM) and second (6:30 PM) public hearings to consider the voluntary annexation of 79.564-acres of land located within the City's Extraterritorial Jurisdiction (ETJ). Suresh Shridharani, on behalf of Harlan Properties Inc., is requesting the annexation for the purpose of incorporating the property into the City of Rockwall to develop a residential subdivision.

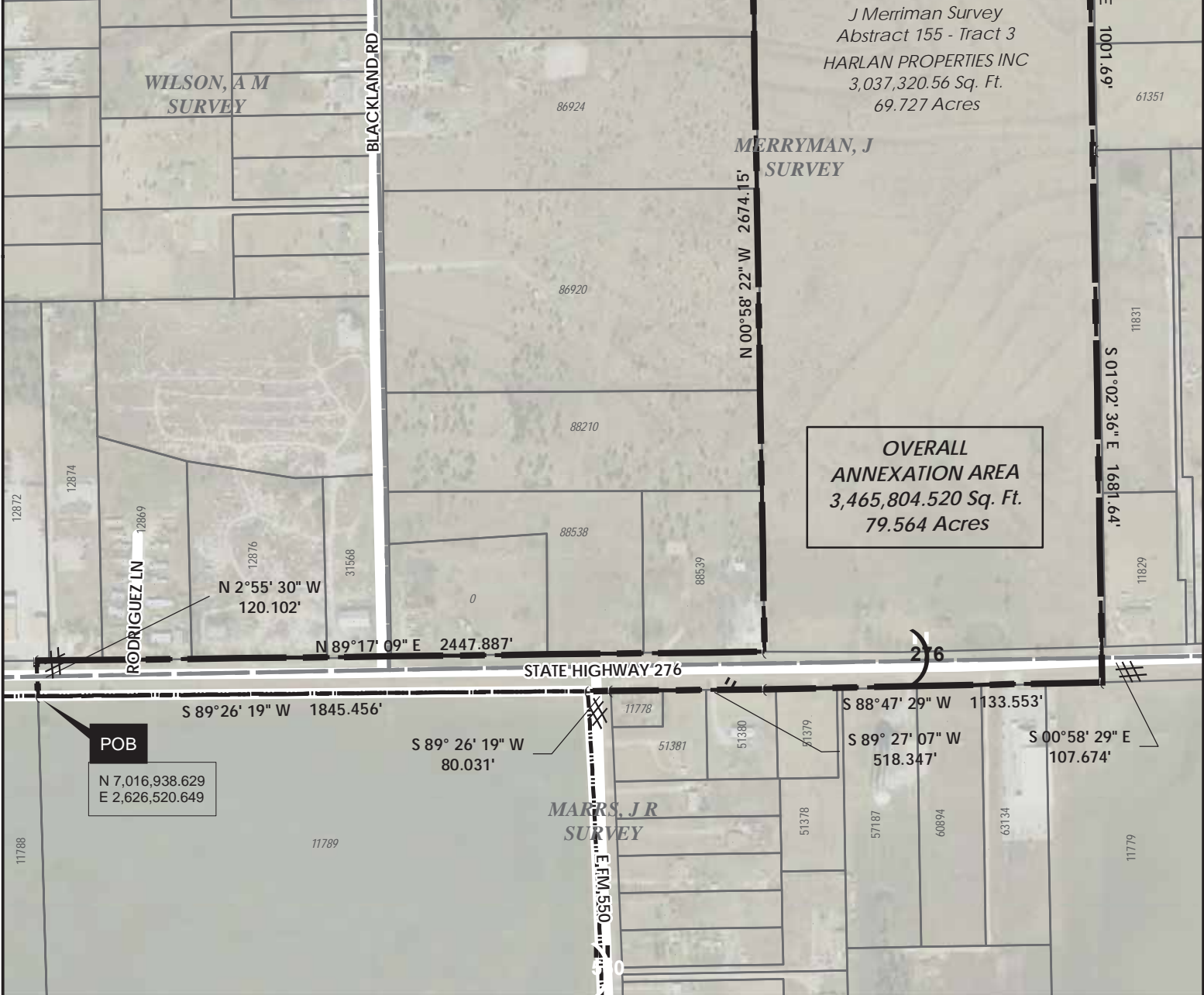
Staff has followed the procedures for annexations as set forth in Chapter 43, *Municipal Annexations*, of the Texas Local Government Code relative to notifying affected property owners and publishing notices in the newspaper and on the City's website. Attached to this memorandum is a location map and service plan for the proposed annexation. In addition, this document has been made available to the public at City Hall and on the City's website.

No action on this matter is required by the City Council on January 22, 2019. The 1st reading of the annexation ordinance is scheduled for February 18, 2019 and the 2nd (*and final*) reading of the ordinance is scheduled for March 4, 2019.



Legend

-  Subject Property
-  Parcels
-  City Limits



**City of
Rockwall**

Date: 11/7/2018
 0 100 200 300 Feet
 CITY OF ROCKWALL GIS

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

STATE HWY 276 EAST ANNEXATION
 79.564 Acres

LEGAL DESCRIPTION

BEING an approximate 79.564 acre tract of land situated in the J. Merriman Survey, Abstract 155, A.M. Wilson Survey, Abstract 223, and J.R. Marr's Survey, Abstract 152 as recorded in the County of Rockwall, Texas and being more particularly described as follows:

BEGINNING at a point in the Northwestern corner of Abstract J.R. Marr's Survey, Tract 10-1 (105.925 acres) and the South Right of Way line of State Highway 276, (NAD83- State Plane Coordinates, North Central Texas Zone 4202, N 7,016,938.629, E 2,626,520.649), said point being the **POINT OF BEGINNING**;

THENCE N.02°55'30"W., crossing State Highway 276, a distance of 120.102 feet for a corner;

THENCE N.89°17'09"E., along the North Right of Way line of State Highway 276, a distance of 2447.887 feet for a corner;

THENCE N.00°58'22"W., along the West property line of Abstract 155, Tract 3 (a 69.727 acre tract) a distance of 2674.15 feet for a corner;

THENCE N.89°31'08"E., along the North property line of said tract, a distance of 297.01 feet for a point;

THENCE N.89°27'50"E., along the North property line, a distance of 491.69 feet for a point;

THENCE N.88°50'01"E., along the North property line, a distance of 343.67 feet for a corner;

THENCE S.00°55'22"E., along the East property line, a distance of 1001.69 feet for a point;

THENCE S.01°02'36"E., along the East property line, a distance of 1681.64 feet for a point;

THENCE S.00°58'29"E., crossing State Highway 276, a distance of 107.674 feet for a corner;

THENCE S.88°47'29"W., along the South Right of Way line of State Highway 276, a distance of 1133.553 feet for a corner;

THENCE S.89°27'07"W., along said Right of Way line, a distance of 518.347 feet for a corner;

THENCE S.89°26'19"W., crossing Farm to Market 550, a distance of 80.031 feet for a corner;

THENCE S.89°26'19"W., continuing along the South Right of Way line of State Highway 276, a distance of 1845.456 feet to the **POINT OF BEGINNING**. Containing 3,465,804.520 square feet or 79.564 acres, more or less.

This description is intended to follow any adjacent recorded tract lines and existing City Limits or Road Right of Way lines.

END OF DESCRIPTION.

SERVICE PLAN FOR ANNEXED AREA

*Annexation Case No. A2018-005
City and County of Rockwall, Texas*

Acreage Annexed: 79.564-acres

Survey Abstract and County: Tract 3 of the J. Merriman Survey, Abstract No. 155, Rockwall County, Texas

Date of Adoption of Annexation Ordinance: March 4, 2019

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

(A) Police Services

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

(B) Fire Services

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

(C) Health and Code Compliance Services

- (1) Enforcement of the City's health ordinances and regulations including, but not limited to, weed and brush ordinances, junked and abandoned vehicle ordinances, food handlers ordinances and animal control ordinances, shall be provided within this area on the effective date of the annexation ordinance. These ordinances and regulations will be enforced through the use of existing personnel. *Complaints of ordinance or regulation violations within this area will be responded and investigated by existing personnel beginning with the effective date of the annexation ordinance.*
- (2) The City's building, plumbing, electrical, gas heating, air conditioning and all other construction codes will be enforced within this area beginning with the effective date of the annexation ordinance. Existing personnel will be used to provide these services.
- (3) The City's zoning, subdivision, and other ordinances shall be enforced in this area beginning on the effective date of the annexation ordinance.

- (4) All inspection services furnished by the City of Rockwall, but not mentioned above, will be provided to this area beginning on the effective date of the annexation ordinance. Any property owner or his/her assigns who in good faith has a new building or structure, as defined in the Comprehensive Zoning Ordinance, under construction on the effective date of annexation shall be exempted from these inspections for that building or structure under construction for a period of one year from the effective date of annexation. For the purpose of this ordinance "under construction" shall mean any work that requires a building permit from the City of Rockwall.
- (5) As development and construction commence within this area, sufficient personnel will be provided to continue to furnish this area the same level of Health and Code compliance services as are furnished throughout the City.

(D) Planning and Zoning Services

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

(E) Recreation and Leisure Services

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

(F) Solid Waste Collection

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

(G) Streets

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

(H) *Water Services*

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

(I) *Sanitary Sewer Services*

- (1) Connections to existing City sanitary sewer mains for sanitary sewage service in this area will be provided in accordance with the existing City policies. Upon connection, sanitary sewage service will be provided at rates established by City ordinances for such services throughout the City.
- (2) Sanitary sewer mains and/or lift stations which are within the annexed area and are connected to City mains shall be maintained by the City of Rockwall beginning with the effective date of the annexation ordinance or upon acquisition by the City.
- (3) Sanitary sewer mains of the City will be extended in accordance with the provisions of the Code of Ordinances and engineering standards and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise available in other parts of the City with topography, land uses, and population densities similar to those reasonably contemplated or projected in the area.
- (4) Previously granted exceptions to the requirements of connections to the city's sanitary sewer treatment system shall be continued until such alternate systems are determined to no longer function to meet the sanitary sewer needs of the subdivision granted the exception.

(J) *Public Utilities*

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

(K) *Miscellaneous*

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

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CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Mayor and City Council

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

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

DATE: January 22, 2019

SUBJECT: Z2018-050; *SUP for Covered Patio at 5808 Constellation Circle*

On January 10, 2019, the Board of Adjustments (BOA) approved a variance [*Order No. BOA 2019-1-V*] to reduce the required rear setback from ten (10) feet to three (3) feet in order to allow the applicant to construct a covered patio on the subject property. Based on this, the applicant has requested to withdraw the Specific Use Permit (SUP) request. According to Section 5, *Application Withdrawal*, of the Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC), any case that has been published in the newspaper and notifications of a public hearing sent out must be placed on the public hearing agenda and acted upon by the applicable body. Staff should note, should the City Council choose to accept the applicant's request, a motion would be required.

From: [David Rains](#)
To: [Miller, Ryan](#)
Subject: RE: SUP Case No. Z2018-050
Date: Thursday, January 17, 2019 9:28:22 AM
Attachments: [PCR@182371639491567.pnq](#)
[PCR@551325546915678.pnq](#)

Ryan,

Please forgive me as it slipped my mind. Please accept this notice to cancel the SUP and consider that case closed. Thank you very for your and your staff's effort and please extend my appreciation to the council for their consideration.

Warm Regards,

David A. Rains, President

Commercial Finance Consultants | Factorhelp, Inc.

Office: 469-402-4000 | Fax: 469-698-3075

Website: www.searchcf.com | www.factorhelp.com

Email: dar@searchcf.com | LinkedIn: www.linkedin.com/in/davidrains

[International Factoring Association's Endorsed Agency](#)

"If you take care of the relationship, the revenue takes care of itself!"

This communication (including any attachments) may contain privileged or confidential information intended for a specific individual and purpose, and is protected by law. If you are not the intended recipient, you should delete this communication and/or shred the materials and any attachments and are hereby notified that any disclosure, copying, or distribution of this communication, or the taking of any action based on it, is strictly prohibited. Thank you.

----- Original Message -----

To: 'David Rains (dar@searchcf.com)' <dar@searchcf.com>

From: Miller, Ryan <RMiller@rockwall.com>

Sent: 1/17/2019 8:16:11 AM

Subject: SUP Case No. Z2018-050

David... I have not received a withdraw letter from you to include in the City Council's packet, and I have to send out packets today. Could you please let me know if you are still wishing to move forward with your SUP case or not so that we can prepare the memo for the City Council. If I have not heard back from you today I will prepare a memo as if you are still moving forward. Thanks.



<![if !vml]>**RYAN C. MILLER, AICP**

DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF ROCKWALL

972.772.6441 OFFICE

RMILLER@ROCKWALL.COM

385 S. GOLIAD STREET • ROCKWALL, TX 75087

HELPFUL LINKS | [CITY OF ROCKWALL WEBSITE](#) | [PLANNING & ZONING DIVISION WEBSITE](#) | [MUNICIPAL CODE WEBSITE](#)
[GIS DIVISION WEBSITE](#) | [CITY OF ROCKWALL INTERACTIVE MAPS](#) | [MAIN STREET DIVISION](#)

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CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 01/22/2019

APPLICANT: Kyle Jenkins; *Jenkins Organization*

AGENDA ITEM: **Z2018-055**; *SUP for Mini-Warehouse*

SUMMARY:

Hold a public hearing to discuss and consider a request by Kyle Jenkins of the Jenkins Organization on behalf of Michael Swiercinsky of 7.1 Ridge, LLC for the approval of a Specific Use Permit (SUP) for a Mini-Warehouse facility on a 2.595-acre tract of land being a portion of Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located southwest of the intersection of W. Yellow Jacket Lane and Ridge Road [FM-740], and take any action necessary.

PURPOSE AND CHARACTERISTICS OF THE REQUEST:

The applicant is requesting approval of a Specific Use Permit (SUP) to allow a *mini-warehouse* (i.e. *Lakeview Storage*) in a Commercial (C) District. The proposed mini-warehouse will be three (3) stories, ~126,600 SF, and contain 800 climate-controlled units. According to the applicant, the mini-warehouse will be constructed to resemble an office building, and is intended to blend in with the surrounding buildings. The facility will be accessible from 6 AM to 10 PM. The majority of the units will be accessed from internal corridors and any exterior doors will be limited to the rear building elevation. The applicant has also stated that the existing tree line will be preserved to provide a natural buffer from the residential properties to the northwest.

According to Section 1.01, *Use of Land and Buildings*, of Article IV, *Permissible Uses*, of the Unified Development Code (UDC) a mini-warehouse facility is permitted in a Commercial (C) District by Specific Use Permit (SUP). Furthermore, section 2.1.10, *Wholesale, Distribution, and Storage*, of Article IV, *Permissible Uses*, of the Unified Development Code (UDC) details the specific land use requirements for a *mini-warehouse facility*. The following is a summary of the applicant’s proposal and its compliance to these land use requirements:

<i>Code Requirement</i>	<i>Proposed Plan</i>	<i>Compliance</i>
The maximum site area shall not exceed five (5) acres.	2.6-Acres	In Conformance
The maximum number of storage units shall not exceed 125 units per acre.	800 total units.	<i>Not In Conformance¹</i>
The maximum height shall not exceed one (1) story, except for the residential unit which shall be less than 36-feet.	The proposed buildings is three (3) stories and ~34-feet in height	<i>Not In Conformance</i>
The minimum number of parking spaces required is two (2). Parking requirement is three (3) spaces plus one (1) per 100 units.	11 parking spaces are required and 11 parking spaces are provided.	In Conformance
No direct access from FM740, SH205, SH66, SH276, FM3097, FM552, FM549 or John King Boulevard.	The concept plan shows one (1) driveway on FM-740.	<i>Not In Conformance</i>
Overhead doors shall not face adjacent streets.	The buildings are not visible from any adjacent streets or roadways.	In Conformance

All exterior walls facing the front, side and rear property lines shall be 100% brick construction.	All exterior walls facing the street will incorporate brick.	In Conformance
The front, side and rear building setback areas shall incorporate clustered landscaping.	The concept rendering shows clustered landscaping along the perimeter of the facility.	In Conformance
Gates shall be incorporated limiting access to the facility.	Wrought iron gates are being proposed.	In Conformance
Screening fences shall be wrought iron or masonry.	Landscape screening and wrought Iron fencing are shown on the site plan.	In Conformance
Concrete shall be used for all paving.	All paving will be concrete.	In Conformance
Roof shall have a minimum roof pitch of 1:3 and be constructed with metal standing seam.	The applicant is proposing to utilize a flat roof design.	<i>Not In Conformance</i>
Lighting standards shall be limited to a maximum of 20-feet in height.	Will be handled at the time of site plan submittal on the Photometric Plan. The SUP Ordinance include this requirement under the Operational Conditions.	Photometric Plan (Site Plan)
A single residential unit not exceeding 1,600 SF in size is permitted.	There will be no residential unit.	In Conformance
Outside Storage shall be prohibited.	The site will not have outside storage.	In Conformance

Notes:

¹: At 2.6-acres a maximum of 325 units are permitted.

ADJACENT LAND USES AND ACCESS:

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

- North:** Directly north of the subject property is a vacant tract of land zoned Commercial (C) District followed by a railroad (*i.e. Union Pacific/Dallas Garland N. E.*). Beyond this is a single-family residential subdivision (*i.e. Lakeridge Park*). This area is zoned Single-Family 10 (SF-10) District.
- South:** Directly south of the subject property is Ridge Road [FM 740], which is identified as a *M4D (Major Collector, four [4] lane, divided roadway)* on the City's Master Thoroughfare Plan. Beyond this is an office building and several commercial businesses (*e.g. Big D Auto Care, Wal-Mart, etc.*) This area is zoned Commercial (C) District.
- East:** Directly east of the subject property a vacant tract of land followed by Ridge Road [FM-740], which is identified as a *M4D (Major Collector, four [4] lane, divided roadway)* on the City's Master Thoroughfare Plan. Beyond this are several commercial businesses (*e.g. Little Caesar's, Everybody Massage, etc.*) These areas are zoned Commercial (C) District.
- West:** Directly west of the subject property is a house of worship (*i.e. Great Faith Church*) and several commercial businesses (*e.g. State Farm, Family Dental, etc.*) followed by a railroad (*i.e. Union Pacific/Dallas Garland N. E.*). Beyond this is a single-family residential subdivision (*i.e. Turtle Cove Subdivision*). This area is zoned Planned Development District 2 (PD-2) for single-family land uses.

STAFF ANALYSIS:

When looking at the requirements contained in the Unified Development Code (UDC), it is important to note that these requirements were drafted with the intent of regulating campus style mini-warehouse facilities. Campus style mini-warehouse facilities typically incorporate multiple buildings that are generally one (1) story in height, and have non-climate controlled storage

units accessible from the exterior of the building. Due to the mini-warehouse requirements, the applicant is seeking variances to the number of units per acre, the maximum number of stories, the pitched roof requirement, and to allow direct access from Ridge Road [FM-740]. The facility proposed by the applicant is a compact design, which allows more units in a smaller footprint. Although the proposed building is three (3) stories, the proposed building is ~34-feet in height, which conforms to the maximum height requirement of 36-feet. Additionally, only two (2) stories will be visible from Ridge Road [FM-740]. The proposed facility is intended to have the appearance of an office building with all units being climate controlled and accessible from the interior of the building. Specifically, the proposed structure is three (3) stories in height--in which only two (2) stories are visible from Ridge Road--and utilizes a flat roof design with a parapet (more typical of an office or commercial development). Since these do not meet the mini-warehouse requirements, variances are required. The proposed driveway shown on the concept plan will require permission from TxDOT as well as a traffic impact analysis (TIA) at the time of site plan. In addition, the applicant is proposing to limit the hours of operation from 6:00 AM to 10 PM, which is consistent to a non-residential land use. The mini-warehouse land use is considered to be a lower-intensity land use that does not generate high volumes of traffic (*i.e. ~15-20 visitors per day according to the applicant*). With that being said, the three (3) requirements not in compliance with the Unified Development Code (UDC) do not appear to negatively impact the surrounding developments. Additionally, the proposed design of the facility (*i.e. appearance of an office building*) provides for easier redevelopment opportunities than the traditional campus style mini-warehouse facilities should the use transition in the future. Staff should note, approval of the applicant's request is a discretionary decision for the City Council, pending a recommendation from the Planning and Zoning Commission. Should this request be approved, the applicant will be required to submit a site plan, landscape plan, photometric plan, and building elevations to the Architectural Review Board (ARB) and the Planning and Zoning Commission. Attached is a concept plan and building elevations, and conformance to these plans is a requirement of the draft ordinance.

NOTIFICATION:

On December 28, 2018, staff sent 77 notices to property owners and residents within 500-feet of the subject property. Additionally, staff notified the Lakeside Village and Turtle Cove Homeowner's Associations (HOA's) which are the only HOA's/Neighborhood Associations within 1,500-feet of the subject property. Additionally, staff posted a sign on the subject property as required by the UDC. At the time this report was drafted, staff had received one (1) email and two (2) notices in opposition and one (1) notice in favor of this request.

RECOMMENDATIONS:

Should the City Council choose to approve the Specific Use Permit (SUP) request, the following conditions of approval should be adopted with this case:

1. The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and summarized as follows:
 - a) The development shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of the attached ordinance.
 - b) The building elevations shall generally conform to the *Concept Building Elevations* depicted in *Exhibit 'C'* of the attached ordinance.
 - c) The maximum number of storage units provided shall not exceed 800 units for the facility.

- d) The maximum number of floors is limited to three (3) stories.
 - e) The mini-warehouse facility shall not be greater than 36-feet in height.
 - f) No outside storage of any kind shall be allowed (*including the outside storage of boats, recreational vehicles, trailers, and motor or self-propelled vehicles*).
 - g) Businesses shall not be allowed to operate within individual storage units.
 - h) The commercial operation of rental trucks and trailers shall be prohibited.
 - i) The developer shall maintain the treeline adjacent to the northwest property line.
2. Any construction or building necessary to complete this request must conform to the requirements set forth by the UDC, the International Building Code, 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 January 15, 2019, the Planning and Zoning Commission's motion to deny the request for approval of a Specific Use Permit (SUP) for a mini-warehouse in a Commercial (C) District passed by a vote of 5-2 with Commissioners Moeller and Lyons dissenting. In accordance with Subsection 8.4, *Protest of Proposed Zoning Change*, of Section 8, *City Council Authority*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC), should the Planning and Zoning Commission recommend denial of a change in zoning, a favorable vote of 3/4 majority of all Council Members present is required in order to be approved.



City of Rockwall

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

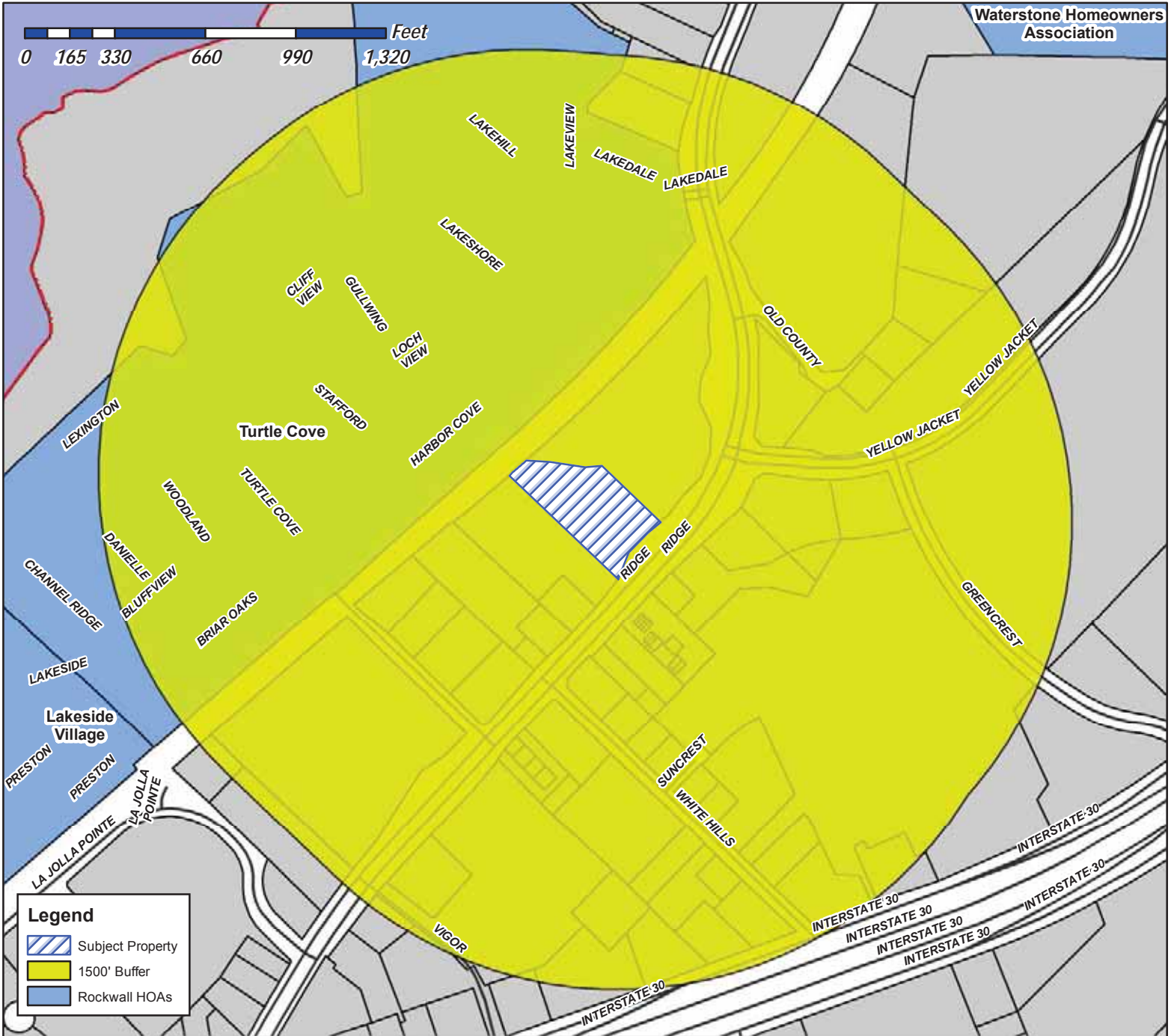
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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



City of Rockwall

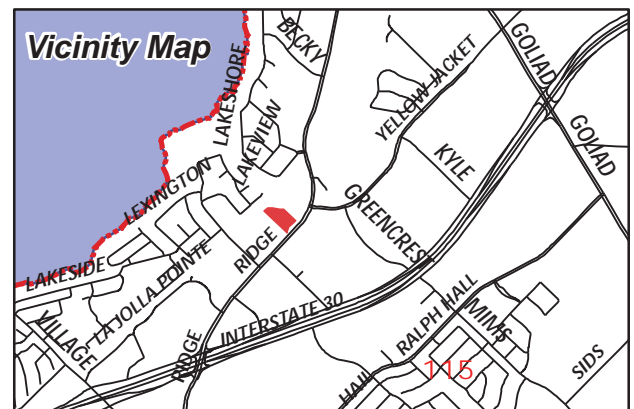
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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Case Number: Z2018-055
Case Name: SUP for a Mini-Warehouse
Case Type: Zoning
Zoning: Commercial (C) District
Case Address: SWC of the Intersection of Ridge Road and Yellow Jacket Lane

Date Created: 12/17/2018
For Questions on this Case Call (972) 771-7745



From: [Morales, Laura](#)
To: [REDACTED]
Cc: [Miller, Ryan](#); [Gonzales, David](#); [Brooks, Korey](#)
Subject: Neighborhood Notification Program: Notice of zoning request
Date: Friday, December 28, 2018 2:40:55 PM
Attachments: [Z2018-HOA Map.pdf](#)
[PUBLIC NOTICE.pdf](#)

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that was published in the Rockwall Herald Banner **December 28, 2018**. The Planning and Zoning Commission will hold a public hearing on **Tuesday 1/15/2019 at 6:00 p.m.**, and the City Council will hold a public hearing on **Tuesday 1/22/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at

<https://sites.google.com/site/rockwallplanning/development/development-cases>

Z2018-055- Hold a public hearing to discuss and consider a request by Kyle Jenkins of the Jenkins Organization on behalf of Michael Swiercinsky of 7.1 Ridge, LLC for the approval of a Specific Use Permit (SUP) for a Mini-Warehouse facility on a 2.595-acre tract of land being a portion of Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located southwest of the intersection of W. Yellow Jacket Lane and Ridge Road [FM-740], and take any action necessary.

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

Sincerely,

Laura Morales

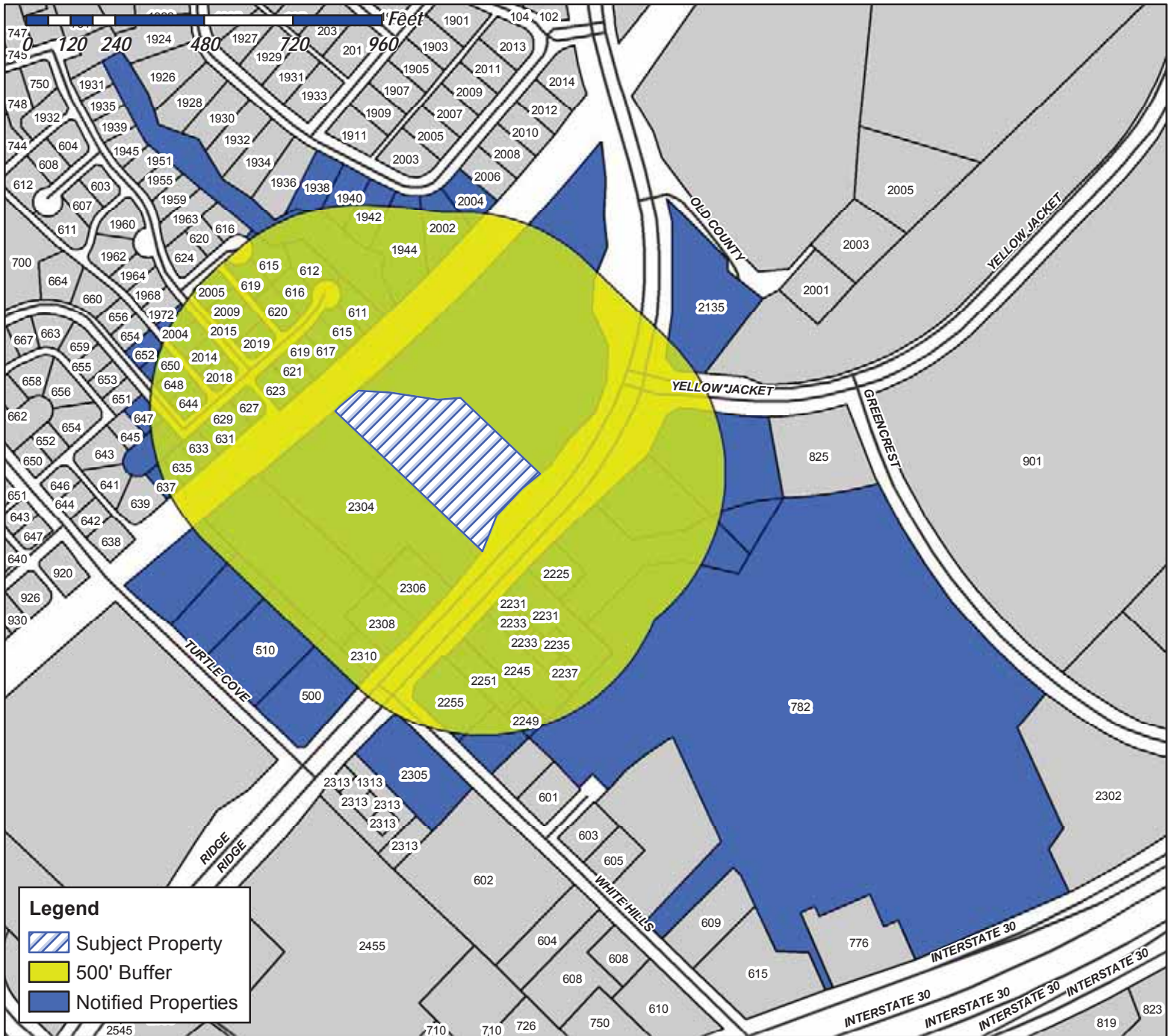
Planning & Zoning Coordinator
City of Rockwall Planning & Zoning Department
972-771-7745 | 972-772-6438
lmorales@rockwall.com | <http://www.rockwall.com/planning/>



City of Rockwall

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

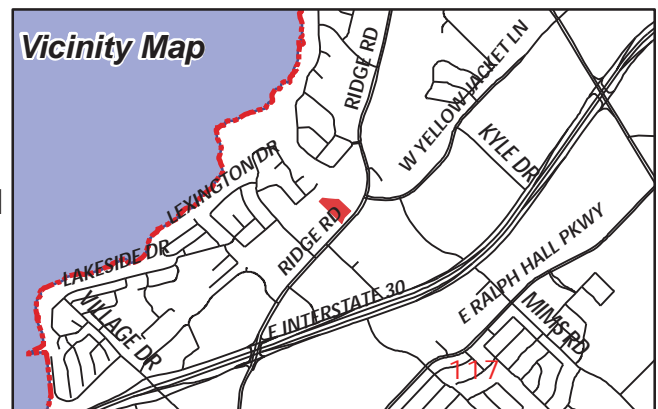
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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



Case Number: Z2018-055
Case Name: SUP for a Mini-Warehouse
Case Type: Zoning
Zoning: Commercial (C) District
Case Address: SWC of the Intersection of Ridge Road and Yellow Jacket Lane

Date Created: 12/12/2018

For Questions on this Case Call (972) 771-7745



7.1 RIDGE LLC
106 E RUSK SUITE 200
ROCKWALL, TX 75087

ONE RIDGE PLACE LP
1121 E SPRING CREEK PKWY STE 110-312
PLANO, TX 75074

VANDERSLICE ROBERT
1408 S LAKESHORE DR
ROCKWALL, TX 75087

JARA PARTNERS LTD
1425 HUNTERS GLEN
ROYSE CITY, TX 75189

FRANK RUSSELL
15 PRINGLE LANE
ROCKWALL, TX 75087

CURRENT RESIDENT
1710 WEISKOPF DR
ROCKWALL, TX 75032

CURRENT RESIDENT
1721 FAIR OAKS LN
ROYSE CITY, TX 75189

WHITE JUDY GAIL
1807 BAYHILL DR
ROCKWALL, TX 75087

STORMS STEWART M
1938 S LAKESHORE DR
ROCKWALL, TX 75087

MORIARTY TIMOTHY I & PAMELA E
1940 S LAKESHORE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1942 LAKESHORE DR
ROCKWALL, TX 75032

PORTELE MICHAEL & PAIGE
1944 LAKESHORE DRIVE
ROCKWALL, TX 75087

BENTO SERGIO
2002 S LAKESHORE DR
ROCKWALL, TX 75087

CHAPMAN BOBBY E II
2004 GULLWING DR
ROCKWALL, TX 75087

CROSS STEVEN C
2004 S LAKESHORE DR
ROCKWALL, TX 75087

BOWLES MARK S II AND
2005 GULLWING DR
ROCKWALL, TX 75087

GIESE DIANE LYNN DOOLIN
2008 GULLWING DR
ROCKWALL, TX 75087

HAYNES NANCY W
2009 GULLWING DR
ROCKWALL, TX 75087

WILLIAMSON KEEGAN DANIEL AND TERRY KING
2014 GULLWING DR
ROCKWALL, TX 75087

LOTT CHERYL R
2015 GULLWING DR
ROCKWALL, TX 75087

HINKLE RONALD E AND DEBRA D
2018 GULLWING DRIVE
ROCKWALL, TX 75087

TANKERSLEY VICKI A
2019 GULLWING DR
ROCKWALL, TX 75087

CURRENT RESIDENT
2135 RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2231 RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2233 RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2235 RIDGE RD STE 200
ROCKWALL, TX 75087

CURRENT RESIDENT
2237 RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2245 RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2249 RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2251 RIDGE RD
ROCKWALL, TX 75032

MMF INVESTMENTS LLC
2255 RIDGE RD SUITE 333
ROCKWALL, TX 75087

CURRENT RESIDENT
2304 RIDGE RD
ROCKWALL, TX 75032

HUDSPETH WARD
2304 RIDGE RD
ROCKWALL, TX 75087

CURRENT RESIDENT
2305 RIDGE RD
ROCKWALL, TX 75032

MCKENNEY CARL K
2306 RIDGE RD STE 2
ROCKWALL, TX 75087

CURRENT RESIDENT
2308 RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2310 RIDGE RD
ROCKWALL, TX 75032

MOUNTAINPRIZE INC
3225 CUMBERLAND BLVD SUITE 100
ATLANTA, GA 30339

CHACKO & ABRAHAM INVESTMENTS LLC
4102 NORWICH DRIVE
GARLAND, TX 75043

CURRENT RESIDENT
500 TURTLE COVE BLVD
ROCKWALL, TX 75032

CURRENT RESIDENT
510 TURTLE COVE BLVD
ROCKWALL, TX 75032

PSB INDEMNITY FAMILY LTD PTRN
510 TURTLE COVE BLVD STE 200
ROCKWALL, TX 75087

IN KYUNG H &
512 SUNSTONE DR
IRVING, TX 75060

GUERRIERO LISA HUDSPETH
537 STANFORD AVE
DALLAS, TX 75209

CURRENT RESIDENT
601 CARRIAGE TRL
ROCKWALL, TX 75087

COIT RIDGE PROPERTIES LLC
6031 SHERRY LN SUITE C
DALLAS, TX 75225

JORDAN MARK S
607 HIGHLAND COLONY PKWY SUITE 200
RICHLAND, MS 39157

BRUCE SCOTT L & CRISTINA V
611 HARBOR COVE DR
ROCKWALL, TX 75087

GIBSON ROBIN S & JOHN
612 HARBOR COVE DRIVE
ROCKWALL, TX 75087

FLORENCIA HECTOR J
615 HARBOR COVE DR
ROCKWALL, TX 75087

FEDDERSON WILLIAM R & PATRICIA L
615 LOCH VIEW COURT
ROCKWALL, TX 75087

BURMANIA DARLENE M & IAN J
616 HARBOR COVE DR
ROCKWALL, TX 75087

CHERRY BEVERLY A REVOCABLE LIVING TRUST
617 HARBOR COVE DR
ROCKWALL, TX 75087

GRIFFITH JOHN E IV & VIVIAN
619 HARBOR COVE DR
ROCKWALL, TX 75087

PRATT CHARLES A AND PATRICIA L
619 LOCH VIEW CT
ROCKWALL, TX 75087

SHAW STEPHANIE AND BRYAN
620 HARBOR COVE DR
ROCKWALL, TX 75087

ROTRAMEL CHRISTIE &
621 HARBOR COVE DR
ROCKWALL, TX 75087

SEAY KENNETH WAYNE & ELIZABETH CAUFIELD
623 HARBOR COVE DRIVE
ROCKWALL, TX 75087

LITHERLAND LORILEE
627 HARBOR COVE DR
ROCKWALL, TX 75087

RICE CARINE
629 HARBOR COVE DR
ROCKWALL, TX 75087

DELAY MANAGEMENT TRUST DELORES
631 HARBOR COVE DRIVE
ROCKWALL, TX 75087

BARROW KYLE
633 HARBOR COVE DR
ROCKWALL, TX 75087

ALFORD JIM AND BARBARA
635 STAFFORD CIR
ROCKWALL, TX 75087

PACHECO ENRIQUE AND JOANN T
637 STAFFORD CIR
ROCKWALL, TX 75087

LAYAN INVESTMENTS INC
6403 CRESTMOOR LN
SACHSE, TX 75048

LEBRESCU JODIE AND ROGER
644 STAFFORD CIRCLE
ROCKWALL, TX 75087

FISH WADE W
647 STAFFORD CIR
ROCKWALL, TX 75087

CURRENT RESIDENT
648 STAFFORD CIR
ROCKWALL, TX 75032

WHITESIDE JANIS G
650 STAFFORD CIR
ROCKWALL, TX 75087

WEST WILLIAM MARSHALL &
652 STAFFORD CIRCLE
ROCKWALL, TX 75087

CURRENT RESIDENT
782 I30
ROCKWALL, TX 75032

CURRENT RESIDENT
9615 COUNTY ROAD 2432
ROCKWALL, TX 75160

TURTLE COVE RESIDENTIAL ASSOC
C/O TURTLE COVE HOA 3102 OAK LAWN AVE
SUITE #202
DALLAS, TX 75219

DAIKER PARTNERS LTD.
PO BOX 1059
ROCKWALL, TX 75087

DAIKER PARTNERS LTD
PO BOX 1059
ROCKWALL, TX 75087

STORMS STEWART M
PO BOX 12632
DALLAS, TX 75225

WAL-MART REAL ESTATE
PO BOX 8050
BENTONVILLE, AR 72712

From: [Planning](#)
To: [Brooks, Korey](#)
Subject: FW: Case No. 22018-055: SUP for Mini Warehouse-Opposed
Date: Friday, January 11, 2019 10:35:18 AM

From: cmrotramel@att.net [REDACTED]
Sent: Friday, January 11, 2019 5:24 AM
To: Planning
Subject: Case No. 22018-055: SUP for Mini Warehouse-Opposed

I received a letter for a zoning request for a mini warehouse and I am very much opposed to this.

This will add to congestion on Ridge Road and devalue property values.

Christie Rotramel
621 Harbor Cove Drive
Turtlecove Subdivision

Sent from Windows Mail



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

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

To Whom It May Concern:

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

Case No. Z2018-055: SUP for Mini Warehouse

Hold a public hearing to discuss and consider a request by Kyle Jenkins of the Jenkins Organization on behalf of Michael Swiercinsky of 7.1 Ridge, LLC for the approval of a Specific Use Permit (SUP) for a Mini-Warehouse facility on a 2.595-acre tract of land being a portion of Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located southwest of the intersection of W. Yellow Jacket Lane and Ridge Road [FM-740], 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, 1/15/2019 at 6:00 p.m.**, and the City Council will hold a public hearing on **Tuesday, 1/22/2019 at 6:00 p.m.** 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:

Korey Brooks
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 **1/22/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
[HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development-cases)

PLEASE RETURN THE BELOW FORM

Case No. Z2018-055: SUP for Mini Warehouse

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.

1. This is a scenic overlay district - Mini warehouses have never been considered scenic.
2. Ridge Rd + Hwy 205 are the entrance to the City - As a property owner of these (3) properties on these streets I want it to remain & stay professional/inviting
3. Mini warehouses are OK but they tend to bring truck traffic, loitering, and sometimes ^{inviting} illegal activities.

Name: R.D. Vanderstiche & D Vanderstiche
Address: 1408 S. Lakeshore 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

PLEASE RETURN THE BELOW FORM

Case No. Z2018-055: SUP for Mini Warehouse

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.

I Am opposed to this zoning change because I would like to see this neighborhood remain somewhat commercial free. This neighborhood is located close to town, yet it remains fairly quiet and will low traffic. Adding these warehouses changes the dynamics of this neighborhood in a bad way. Thanks

Name: Kyle Barrow

Address: 633 HARBOR COVE 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.

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

Notice of Public Hearing • City of Rockwall • 385 South Goliad Street • Rockwall, TX 75087 • [P] (972) 771-7745 • [F] (972) 771-7748

Case No. Z2018-055: SUP for Mini Warehouse

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.

THERE MUST BE A SEPARATE DRIVEWAY. THEY CAN NO LONGER USE THE DRIVEWAY THAT BELONGS TO THIS PROPERTY. THERE SHOULD BE A BARRIER OR SOME KIND OF VISUAL WALL BETWEEN THIS PROPERTY AND THAT.

Name: NONA HUDSPETH

Address: 2304 RIDGE RD. ROCKWALL, TX 75087

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

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

Letter of Explanation

TJO – Ridge Road & Yellow Jacket

On behalf of The Jenkins Organization, Masterplan requests a Specific Use Permit to construct a 3-story, approximately 126,600-square foot, upscale climate controlled self-storage facility on a 2.6-acre property located southwest of the intersection of Ridge Road and Yellow Jacket Lane. It is projected that the balance of the property to the north would be developed with a future neighborhood retail building.

TJO develops and operates best in class self storage facilities in affluent Texas communities such as Craig Ranch in McKinney, Southlake, Frisco, and Bee Cave in the Austin area. TJO is interested in developing a neighborhood friendly facility with excellent customer service in the Rockwall community.

The development proposal includes the following features:

1. Premium architecturally inspired building design
2. Vast majority of units would be accessed from interior corridors
3. Well-lit, safe and secure facility
4. Building will be positioned to minimize height from street and align with adjacent retail
5. Building will step down from Ridge Rd following the topography of the site
6. Low-traffic generator – 15 visitors per day
7. Hours of access and operation from Monday-Sunday 6AM-10PM.

The proposal includes a request for relief from certain provisions of the Unified Development Code as follows:

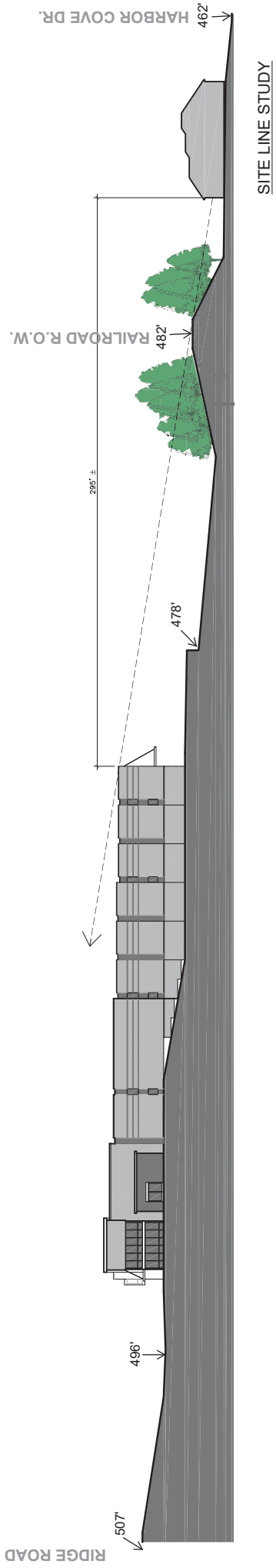
Pitched roof. TJO's building design is modern with clean lines. The roof would be flat with parapets to align with the overall modern design.

Perimeter screening adjacent to residential districts. The grade at the rear driveway will sit well below the grade of Turtle Cove. Moreover, the tree line will be preserved to provide a natural buffer from Turtle Cove to the northwest. Moreover, the elevated railroad berm provides a solid screen and fully blocks view of the subject property from Turtle Cove. A screening wall would sit well below the adjacent property, serving minimal to no purpose. Please refer to the enclosed sight line exhibit for additional information.

Floor-to-area ratio. A maximum floor-to-area ratio of 1.2. Use intensity for a self-storage facility is disproportionately low compared to other commercial uses. This facility would generate approximately 15-20 visitors spread out over an entire day.

One direct access point to Ridge Road. Access is necessary to serve the facility.





ID	NAME	UNITS
1	PUBLIC STORAGE NORTH	526
2	PUBLIC STORAGE	555
3	BUFFALO RIDGE / AGAPE	160
4	THE VAULT SELF STORAGE	325
5	CUBESMART SELF STORAGE	579
6	KRISTY LN STORAGE	111
7	ROCKWALL MINI STORAGE	260
8	H&V SELF STORAGE	80
9	THE STORAGE LOCKER	201
10	STORE N MORE	294

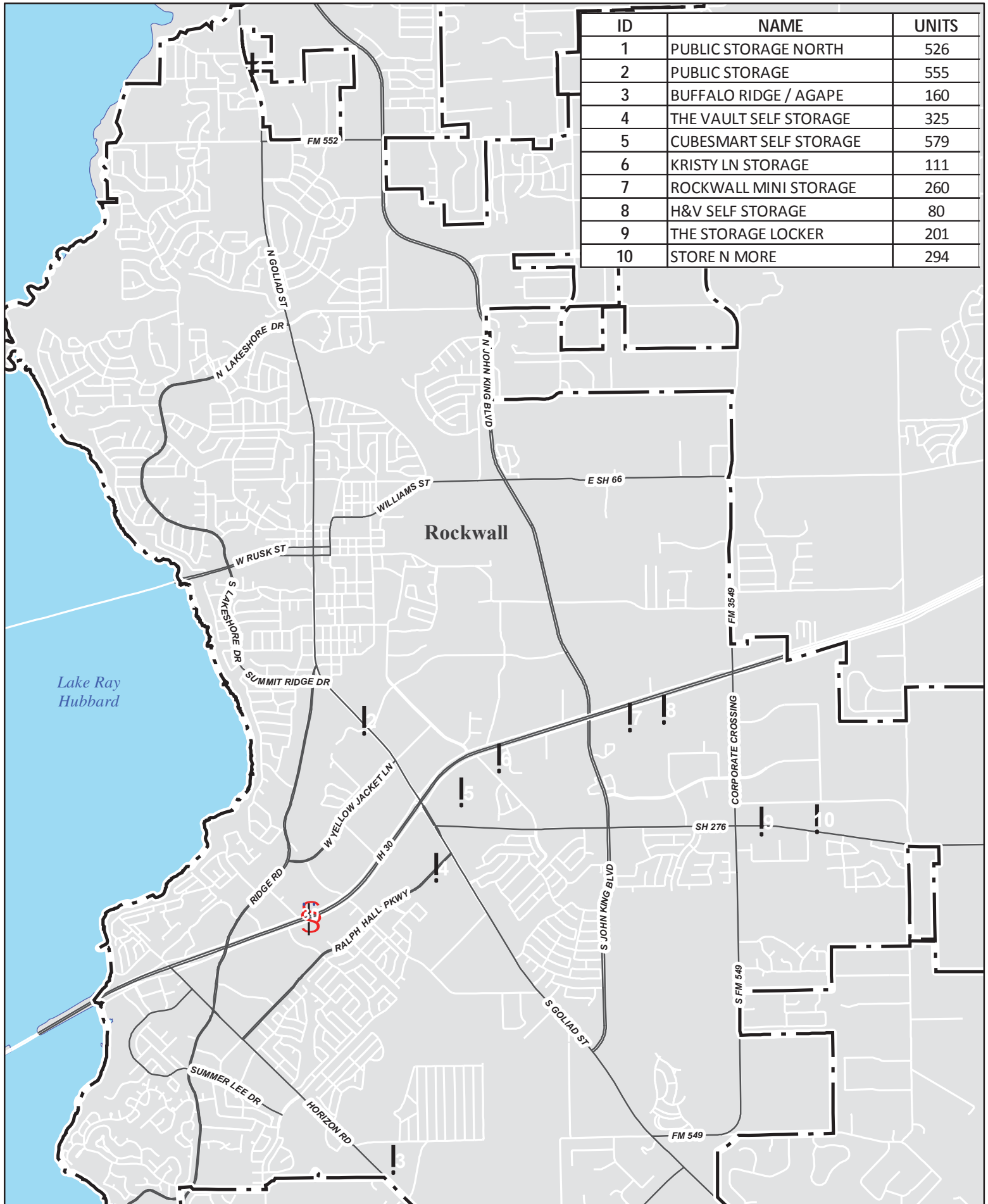


EXHIBIT A

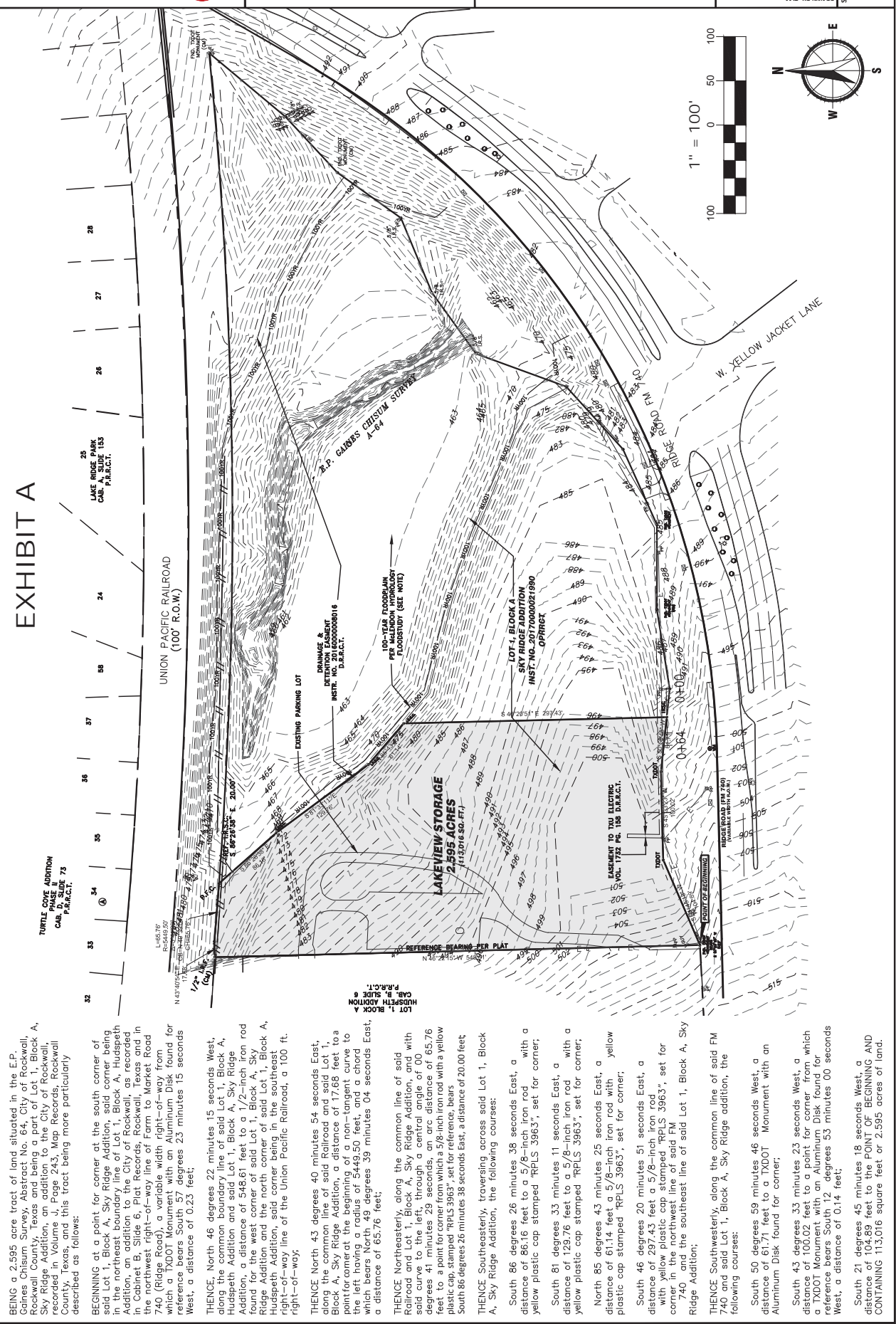
M3 ENGINEERING
 2503 S. GESSNER RD. SUITE 130
 FORT WORTH, TEXAS 76104
 PHONE: 817.555.5100
 WWW.M3ENGINEERING.COM

EXHIBIT A SUP
BOUNDARY EXHIBIT
 DATE: 2011/1/20/18

LAKEVIEW STORAGE
THE JENKINS ORGANIZATION

SCALE: 1" = 100'
FILE: 18003-SITE SUP.DWG
DRAWN BY: TLM
SHEET

A



BEING a 2,595 acre tract of land situated in the E.P. Gaines Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas and being a part of Lot 1, Block A, Sky Ridge Addition, an addition to the City of Rockwall, recorded in Volume J, Page 243, Map Records, Rockwall County, Texas, and this tract being more particularly described as follows:

BEGINNING at a point for corner at the south corner of said Lot 1, Block A, Sky Ridge Addition, as recorded in the northeast boundary line of Lot 1, Block A, Hudspeith Addition, an addition to the City of Rockwall, Texas and in Cabinet B, Slide 6, Plat Records, Rockwall, Texas and in the northwest right-of-way line of Farm to Market Road 740 (Ridge Road), a variable width right-of-way from which a TXDOT Monument with an Aluminum Disk found for reference bears South 57 degrees 23 minutes 15 seconds West, a distance of 0.23 feet;

THENCE North 46 degrees 22 minutes 15 seconds West, along the common boundary line of said Lot 1, Block A, Hudspeith Addition and Lot 1, Block A, Sky Ridge Addition, a distance of 548.61 feet to a 1/2-inch iron rod found for the west corner of said Lot 1, Block A, Sky Ridge Addition and the north corner of said Lot 1, Block A, Hudspeith Addition, said corner being in the southeast right-of-way line of the Union Pacific Railroad, a 100 ft. right-of-way;

THENCE North 43 degrees 40 minutes 54 seconds East, along the common line of said Railroad and said Lot 1, Block A, Sky Ridge Addition, a distance of 17.68 feet to a point coming at the beginning of a non-tangent curve to which bears North 49 degrees 39 minutes 04 seconds East, a distance of 65.76 feet;

THENCE Northeasterly, along the common line of said Railroad and Lot 1, Block A, Sky Ridge Addition, and with said curve to the left, through a central angle of 00 degrees 41 minutes 29 seconds, an arc distance of 65.76 feet to a point for corner from which a 5/8-inch iron rod with a yellow plastic cap, stamped "RPLS 3963", set for reference, bears South 86 degrees 26 minutes 38 seconds East, a distance of 20.00 feet;

THENCE Southeasterly, traversing across said Lot 1, Block A, Sky Ridge Addition, the following courses:
 South 86 degrees 26 minutes 38 seconds East, a distance of 86.16 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963", set for corner;

South 81 degrees 33 minutes 11 seconds East, a distance of 129.76 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963", set for corner;

North 85 degrees 43 minutes 25 seconds East, a distance of 61.14 feet, a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963", set for corner;

South 46 degrees 20 minutes 51 seconds East, a distance of 297.43 feet, a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963", set for corner in the northwest line of said FM 740 and the southeast line of said Lot 1, Block A, Sky Ridge Addition;

THENCE Southwesterly, along the common line of said FM 740 and said Lot 1, Block A, Sky Ridge Addition, the following courses:
 South 50 degrees 59 minutes 46 seconds West, a distance of 61.71 feet to a TXDOT Monument with an Aluminum Disk found for corner;

South 43 degrees 33 minutes 23 seconds West, a distance of 100.02 feet to a point for corner from which a TXDOT Monument with an Aluminum Disk found for reference bears South 12 degrees 53 minutes 00 seconds West, a distance of 0.14 feet;

South 21 degrees 45 minutes 18 seconds West, a distance of 104.89 feet to the **POINT OF BEGINNING**, AND CONTAINING 113,016 square feet or 2,595 acres of land.

2.595 ACRES (DWG)

BEING a 2.595 acre tract of land situated in the E.P. Gaines Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas and being a part of Lot 1, Block A, Sky Ridge Addition, an addition to the City of Rockwall, recorded in Volume J, Page 243, Map Records, Rockwall County, Texas, and this tract being more particularly described as follows:

BEGINNING at a point for corner at the south corner of said Lot 1, Block A, Sky Ridge Addition, said corner being in the northeast boundary line of Lot 1, Block A, Hudspeth Addition, an addition to the City of Rockwall, as recorded in Cabinet B, Slide 6, Plat Records, Rockwall, Texas and in the northwest right-of-way line of Farm to Market Road 740 (Ridge Road), a variable width right-of-way from which a TXDOT Monument with an Aluminum Disk found for reference bears South 57 degrees 23 minutes 15 seconds West, a distance of 0.23 feet;

THENCE, North 46 degrees 22 minutes 15 seconds West, along the common boundary line of said Lot 1, Block A, Hudspeth Addition and said Lot 1, Block A, Sky Ridge Addition, a distance of 548.61 feet to a 1/2-inch iron rod found for the west corner of said Lot 1, Block A, Sky Ridge Addition and the north corner of said Lot 1, Block A, Hudspeth Addition, said corner being in the southeast right-of-way line of the Union Pacific Railroad, a 100 ft. right-of-way;

THENCE North 43 degrees 40 minutes 54 seconds East, along the common line of said Railroad and said Lot 1, Block A, Sky Ridge Addition, a distance of 17.68 feet to a point for corner at the beginning of a non-tangent curve to the left having a radius of 5449.50 feet, and a chord which bears North 49 degrees 39 minutes 04 seconds East, a distance of 65.76 feet;

THENCE Northeasterly, along the common line of said Railroad and Lot 1, Block A, Sky Ridge Addition, and with said curve to the left, through a central angle of 00 degrees 41 minutes 29 seconds, an arc distance of 65.76 feet to a point for corner from which a 5/8-inch iron rod with a yellow plastic cap, stamped "RPLS 3963", set for reference, bears South 86 degrees 26 minutes 38 seconds East, a distance of 20.00 feet;

THENCE Southeasterly, traversing across said Lot 1, Block A, Sky Ridge Addition, the following courses:

South 86 degrees 26 minutes 38 seconds East, a distance of 86.16 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963", set for corner;

South 81 degrees 33 minutes 11 seconds East, a distance of 129.76 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963", set for corner;

North 85 degrees 43 minutes 25 seconds East, a distance of 61.14 feet a 5/8-inch iron rod with yellow plastic cap stamped "RPLS 3963", set for corner;

South 46 degrees 20 minutes 51 seconds East, a distance of 297.43 feet a 5/8-inch iron rod with yellow plastic cap stamped "RPLS 3963", set for corner in the northwest line of said FM 740 and the southeast line of said Lot 1, Block A, Sky Ridge Addition;

THENCE Southwesterly, along the common line of said FM 740 and said Lot 1, Block A, Sky Ridge addition, the following courses:

South 50 degrees 59 minutes 46 seconds West, a distance of 61.71 feet to a TXDOT Monument with an Aluminum Disk found for corner;

South 43 degrees 33 minutes 23 seconds West, a distance of 100.02 feet to a point for corner from which a TXDOT Monument with an Aluminum Disk found for reference bears South 12 degrees 53 minutes 00 seconds West, a distance of 0.14 feet;

South 21 degrees 45 minutes 18 seconds West, a distance of 104.89 feet to the POINT OF BEGINNING AND CONTAINING 113,016 square feet or 2.595 acres of land.

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A MINI-WAREHOUSE FACILITY IN A COMMERCIAL (C) DISTRICT, SITUATED ON A 2.595-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF LOT 1, BLOCK A, SKY RIDGE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DEPICTED IN *EXHIBIT 'A'* AND DESCRIBED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Kyle Jenkins of the Jenkins Organization on behalf of Michael Swiercinsky for the approval of a Specific Use Permit (SUP) to allow a *mini-warehouse facility* in a Commercial (C) District on a 2.595-acre tract of land being described as a portion of Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, and being more specifically depicted in *Exhibit 'A'* and described in *Exhibit 'B'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated reference herein; and

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

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

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

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the conditions set forth in Subsection 2.1.10, *Wholesale, Distribution, and Storage*, of Section 2, *Use Standards*, of Article IV, *Permissible Uses*, and Subsection 4.5, *Commercial (C) District*, of Section 4, *Commercial District and Subsection 6.8, Scenic Overlay (SOV) District*, of Section 6, *Overlay Districts* of Article V, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*], as

heretofore amended and as may be amended in the future, and shall be subject to the following operational conditions:

2.1 OPERATIONAL CONDITIONS

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

- 1) The development shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance.
- 2) The building elevations shall generally conform to the *Concept Building Elevations* depicted in *Exhibit 'C'* of this ordinance.
- 3) The maximum number of storage units provided shall not exceed 400 units for the facility.
- 4) The maximum number of floors is limited to three (3) stories.
- 5) The mini-warehouse facility shall not be greater than 36-feet in height.
- 6) No outside storage of any kind shall be allowed (*including the outside storage of boats, recreational vehicles, trailers, and motor or self-propelled vehicles*).
- 7) Businesses shall not be allowed to operate within individual storage units.
- 8) The commercial operation of rental trucks and trailers shall be prohibited.
- 9) The developer shall maintain the *treeline* adjacent to the northwest property line.

2.2 COMPLIANCE

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

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

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

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

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

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

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 4TH DAY OF FEBRUARY, 2019.**

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 22, 2019

2nd Reading: February 4, 2019

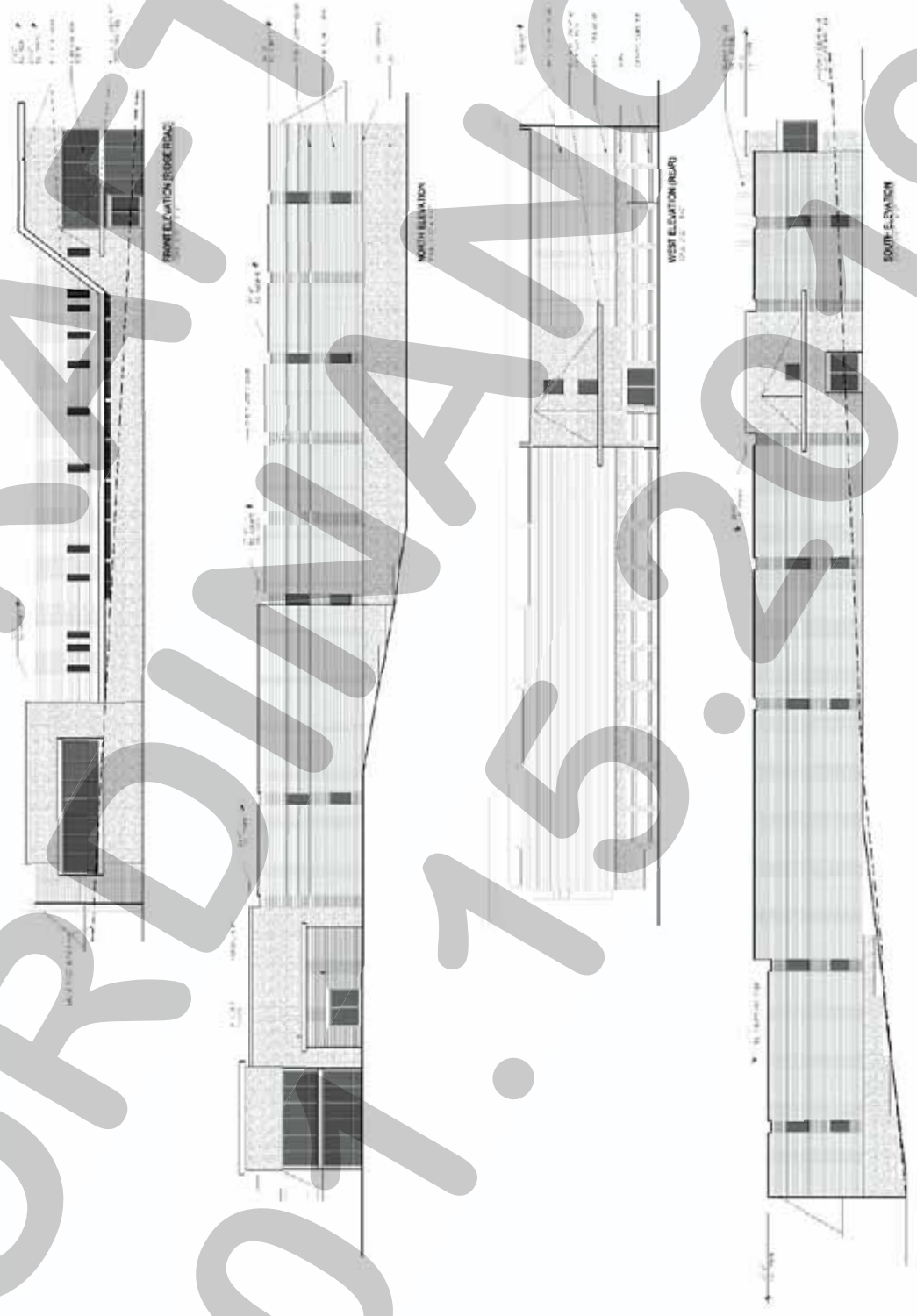


SCHEMATIC DESIGN REVIEW

NO.	DATE	DESCRIPTION

Lakeview Storage
 A new facility for The Denver Organization
 Ridge Road, Rockwell, Texas

1830
 11.13.18
SUP-1



exterior elevations

DRAFT
ORDINANCE
0.15.2019



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CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 01/22/2019

APPLICANT: Bill Bricker, *Columbia Development Company, LLC*

AGENDA ITEM: **Z2018-057**; *Amendment to Planned Development 59 (PD-59)*

SUMMARY:

Hold a public hearing to discuss and consider a request by Bill Bricker of Columbia Development Company, LLC for the approval of an amendment to Planned Development District 59 (PD-59) for the purpose of incorporating a 0.786-acre tract of land for Residential-Office (RO) District land uses being a 56.586-acre tract of land identified as a portion of R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 52 (PD-52) and Planned Development District 59 (PD-59), located between W. Washington Street and T. L. Townsend Drive, and take any action necessary.

PURPOSE & BACKGROUND:

The subject property is a 0.786-acre tract of land that is located between Washington Street and T. L. Townsend Drive and is currently part of Planned Development District 52 (PD-52) for Heavy Commercial (HC) District land uses. The tract of land is currently vacant and is adjacent to Planned Development District 59 (PD-59). The applicant is requesting the approval of an amendment to Planned Development District 59 (PD-59) to incorporate the subject property and designate it for Residential-Office (RO) District land uses.

On October 18, 2004, the City Council passed *Ordinance No. 04-59*, establishing Planned Development District 59 (PD-59) as the Park Place Subdivision. In its current configuration, Park Place consists of the following Phases: [1] Phase 1, which is zoned for Neighborhood Services (NS) District land uses; [2] Phase 2, which is zoned for Single-Family 7 (SF-7) District land uses; and [3] Phase 3, which is zoned for Single-Family 7 (SF-7) and Residential-Office (RO) District (*i.e. live/work*) land uses. The applicant is proposing to establish Phase 4 by incorporating the subject property for Residential-Office (RO) District land uses and removing the Residential-Office (RO) District land uses from Phase 3 (*i.e. Phase 3 will only allow SF-7 land uses*). A concept plan has been submitted showing that the new Phase will be adjacent to the western boundary of Phase 3 and will consist of five (5) additional lots accessible via Park Place Boulevard. One (1) of the lots currently exists in Phase 3.

ADJACENT LAND USES AND ACCESS:

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

North: Directly north of the subject property is a vacant tract of land within the Park Place Subdivision followed by several single-family homes. These areas are zoned Planned Development District 52 (PD-52) for Heavy Commercial (HC) District land uses, Single-Family 7 (SF-7) District, and Planned Development District 59 (PD-59) for Single-Family 7 (SF-7) District land uses.

South: Directly south of the subject property is a railroad (*i.e. Union Pacific/Dallas Garland N. E.*) followed by several vacant tracts of land and the Rockwall County maintenance facility.

Beyond this is Whitmore Drive and two (2) commercial businesses (*i.e. Ensearch Bail Bonds and Back Street Salon*). These areas are zoned Commercial (C) District and Light Industrial (LI) District.

East: Directly east of the subject property are several single-family homes within the Park Place Subdivision followed by a horizontal mixed-use development containing residential, retail/office, and industrial land uses (*i.e. Park Station*) that is currently in the development phase. These areas are zoned Planned Development District 59 (PD-59) and Planned Development District 87 (PD-87).

West: Directly west of the subject property is Townsend Drive, which is identified as an M4D (*major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan. This is followed by the RSID bus barn. Beyond this are metal buildings followed by several single-family homes. These areas are zoned Planned Development District 52 (PD-52) for Heavy Commercial (HC) District land uses and Single-Family 7 (SF-7) District.

CHARACTERISTICS OF THE REQUEST:

The applicant has submitted a concept plan and development standards for the existing and proposed Phases of the Park Place Subdivision. The characteristics and development standards for each phase are as follows:

Phase 1: Neighborhood Services (1.8-Acres)

Phase 1 is existing and no changes are being proposed. This phase is subject to the Neighborhood Services (NS) District land uses. A summary of the density and dimensional requirements for Phase 1 is as follows:

Minimum Lot Width ⁽¹⁾	60'
Minimum Lot Depth	100'
Minimum Lot Area	6,000 SF
Minimum Front Yard Setback ⁽²⁾	15'
Minimum Side Yard Setback	20'
Minimum Distance Between Buildings	15'
Maximum Height	36'
Minimum Rear Yard Setback	20'
Maximum Lot Coverage	60%
Maximum Building Size	5,000 SF

General Notes:

- ¹: The minimum lot width shall be measured at the *Front Yard Building Setback*.
- ²: The location of the *Front Yard Building Setback* as measured from the front property line.

Phases 2 & 3: Single-Family 7 (53.6-Acres)

Phases 2 & 3 are existing and both phases allow single-family land uses; however, Phase 3 also allows Residential-Office (RO) District (*i.e. live/work*) land uses. The applicant is proposing to remove the Residential-Office (RO) District land uses from Phase 3, and transition it to Phase 4. This means that Phase 3 will be subject to the Single-Family 7 (SF-7) District land uses. A summary of the density and dimensional requirements for Phases 2 & 3 are as follows:

Minimum Lot Width ⁽¹⁾	40'
Minimum Lot Area	4,000 SF
Minimum Average Lot Area	7,000 SF
Minimum Front Yard Setback ^{(2) & (3)}	10'
Minimum Side Yard Setback ⁽⁴⁾	5'
Minimum Side Yard Adjacent to a Street	10'
Minimum Distance Between Buildings	15'

Maximum Height ⁽³⁾	36'
Minimum Rear Yard Setback ^(4, 5)	10'
Maximum Lot Coverage	60%

General Notes:

- ¹: The minimum lot width shall be measured at the *Front Yard Building Setback*.
- ²: The location of the *Front Yard Building Setback* as measured from the front property line.
- ³: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
- ⁴: The minimum side yard setback for an internal lot or a lot abutting open space or HOA common area is five (5) feet. For yards abutting a street, the minimum side yard setback shall be 10-feet.
- ⁵: Lots with double frontage shall have a minimum rear yard setback of 15 feet.

Phase 4 Residential-Office (1.3-Acres)

The proposed Phase 4 will contain approximately five (5) residential-office units and will be designed to a residential scale (*i.e. the buildings will be designed to look like the existing homes within Park Place*). Since the phase will have residential adjacency, the applicant is proposing to prohibit certain uses within Phase 4 (*e.g. assisted living facility, landfill, transit passenger facility, etc.*) and allow other uses (*e.g. general store larger than 2,000 SF, hair salon, office building more than 5,000 SF*) with a Specific Use Permit (SUP). This phase will be subject to the Residential-Office (RO) District land uses with the exception of the uses outlined in the attached ordinance. A summary of the density and dimensional requirements is as follows:

Minimum Lot Width ⁽¹⁾	60'
Minimum Lot Depth	100'
Minimum Lot Area	6,000 SF
Minimum Front Yard Setback ⁽²⁾	10'
Minimum Side Yard Setback	5'
Minimum Distance Between Buildings	15'
Maximum Height ⁽³⁾	36'
Minimum Rear Yard Setback	10'
Maximum Lot Coverage	60%

General Notes:

- ¹: The minimum lot width shall be measured at the *Front Yard Building Setback*.
- ²: The location of the *Front Yard Building Setback* as measured from the front property line.
- ³: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the residential-office structure.

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

The Future Land Use Plan adopted with the OurHometown Vision 2040 Comprehensive Plan designates the subject property for Medium-Density Residential land uses, which is characterized as developments containing greater than 2½ units-per-acre, but not higher than three (3) units-per-acre unless an increased amenity is provided, in which event 3½ units-per-acre can be allowed. Should this request be approved, the designation would need to be changed to Live/Work land uses, which is characterized as low-intensity office/retail land uses that are similar in scale and scope to the adjacent residential properties. Although this does not conform to the Future Land Use Plan, given the subject property's current zoning of Heavy Commercial (HC) District, this request will bring the property closer to conformance with the Future Land Use Plan. The change of designation has been made a condition of approval.

STAFF ANALYSIS:

When looking at the applicant's request (*i.e. to amend PD-59 to incorporate a tract of land for residential-office land uses*), the live/work units provide a transition from the single-family residential land uses east of the subject property to the light industrial and heavy commercial land uses to the west of the subject property. The incorporation of the subject property as residential-office units seems to be appropriate given its proximity to the adjacent railroad, does not appear to negatively affect the adjacent properties, and will not preclude the properties from being single-family units.

With that being said, approval of this request is discretionary to the City Council, pending a recommendation from the Planning and Zoning Commission.

NOTIFICATION:

On December 28, 2018, staff mailed 194 notices to property owners and occupants within 500-feet of the subject property. Additionally, staff posted a sign on the subject property as required by the UDC. At the time this report was drafted, staff had received seven (7) notices in favor and one (1) notice in opposition of this case.

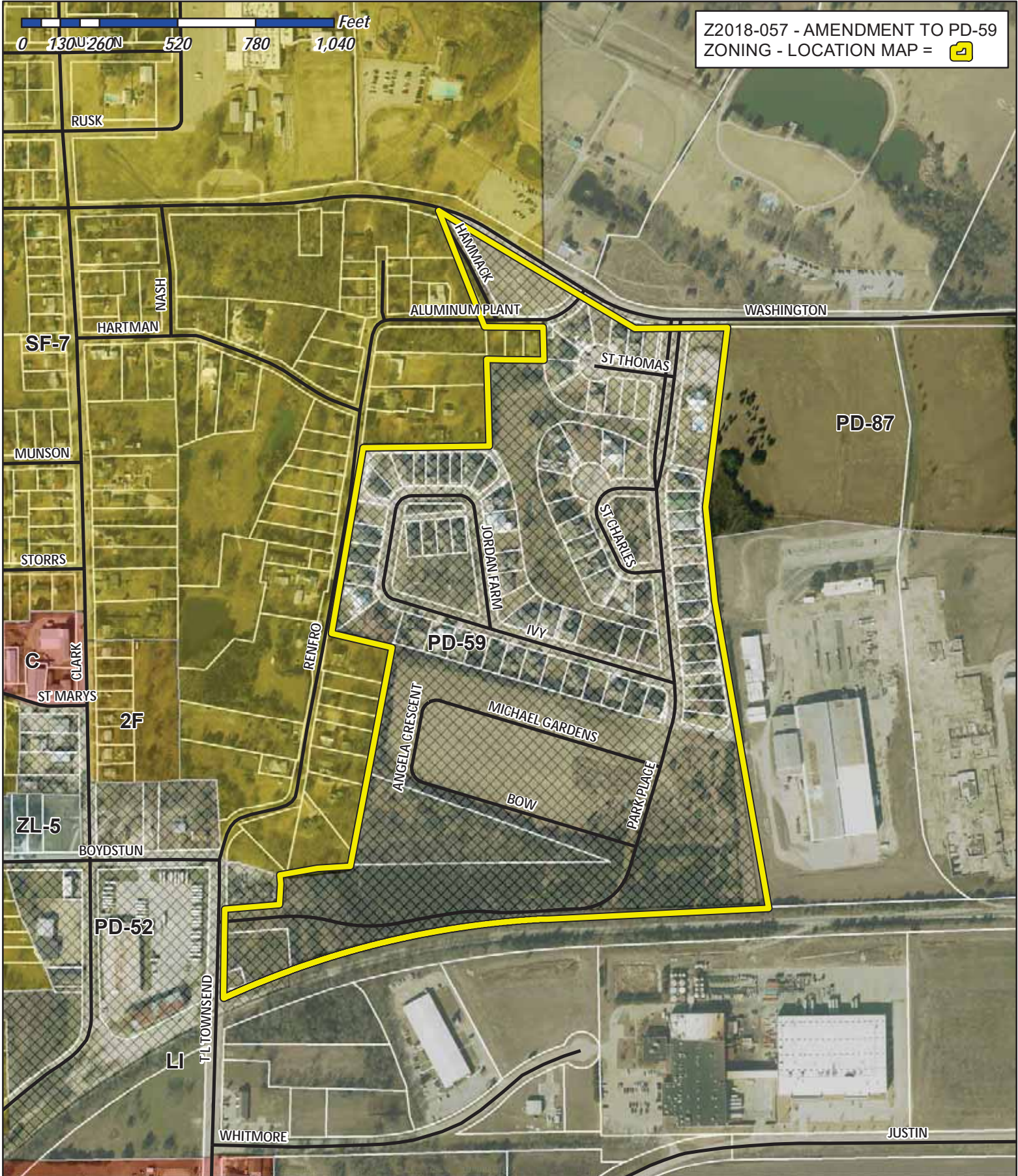
RECOMMENDATIONS:

Should the City Council choose to approve the applicant's request to amend Planned Development District 59 (PD-59) to incorporate a 0.786-acre tract of land for Residential-Office (RO) District land uses, staff would propose the following conditions of approval:

- 1) The applicant shall be responsible for maintaining compliance with the conditions contained within the *Planned Development District* ordinance;
- 2) By approving this zoning change, the City Council will effectively be approving changes to the Comprehensive Plan and Future Land Use Plan. Specifically, this will change the designation of the subject property from a Medium-Density Residential designation to a Live/Work designation; and
- 3) 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 January 15, 2019, the Planning and Zoning Commission's motion to recommend approval of the amendment to Planned Development 59 (PD-59) with staff recommendations passed by a vote of 7-0.



City of Rockwall

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

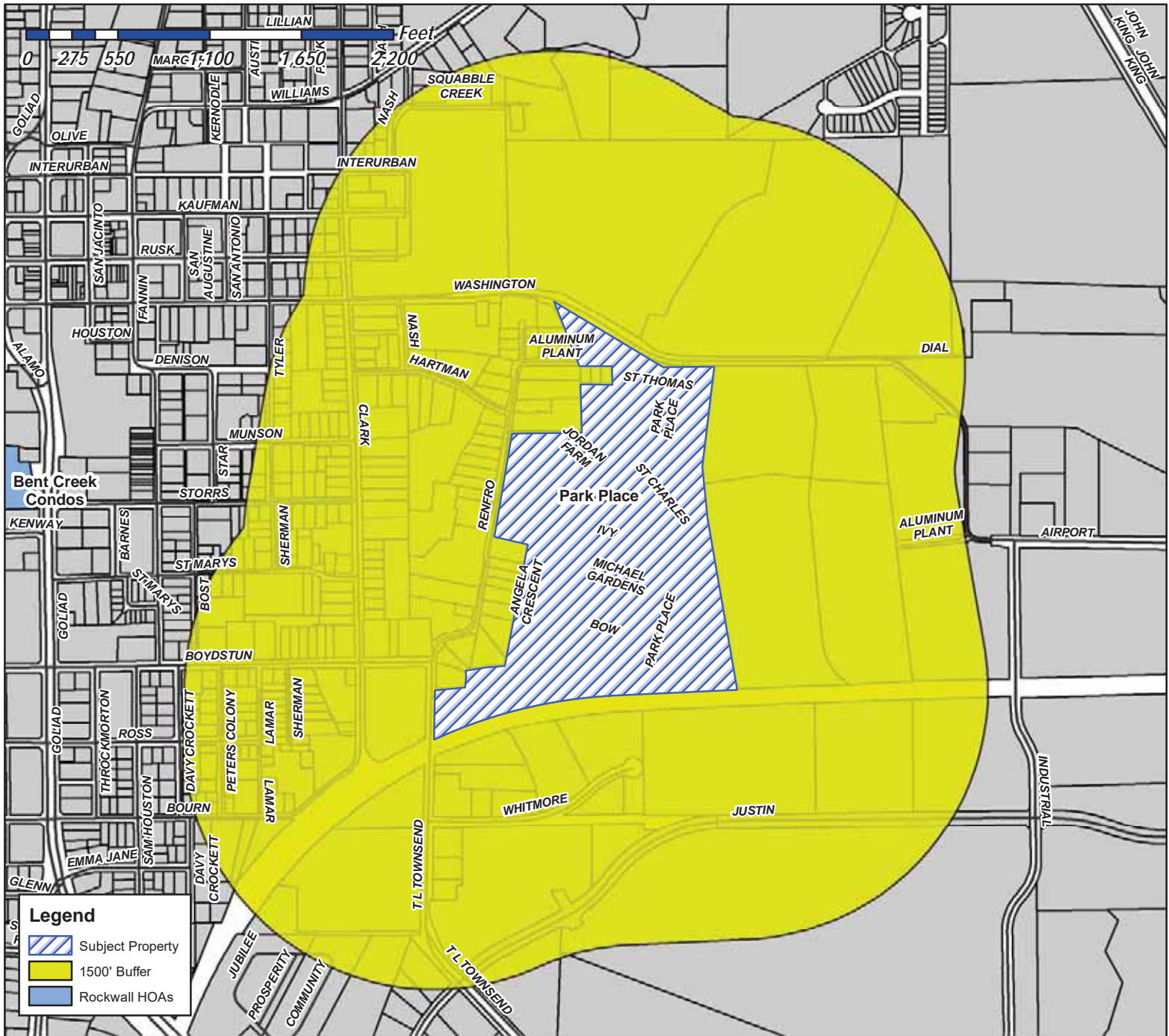
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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



City of Rockwall

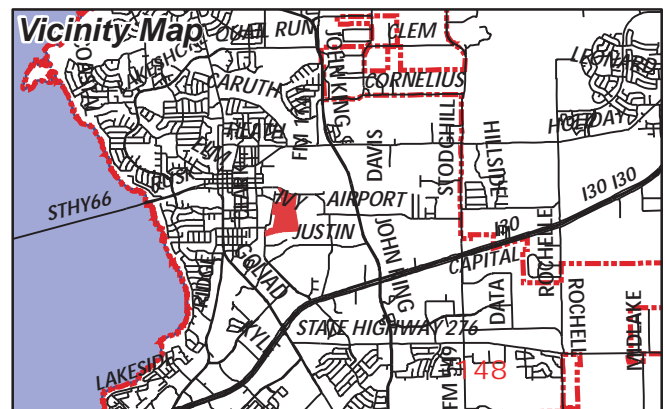
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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



Case Number: Z2018-057
Case Name: Amendment to PD-59
Case Type: Zoning
Zoning: PD-59 & PD-57
Case Address: Between W. Washington Street and T.L. Townsend Drive

Date Created: 12/17/2018
 For Questions on this Case Call (972) 771-7745

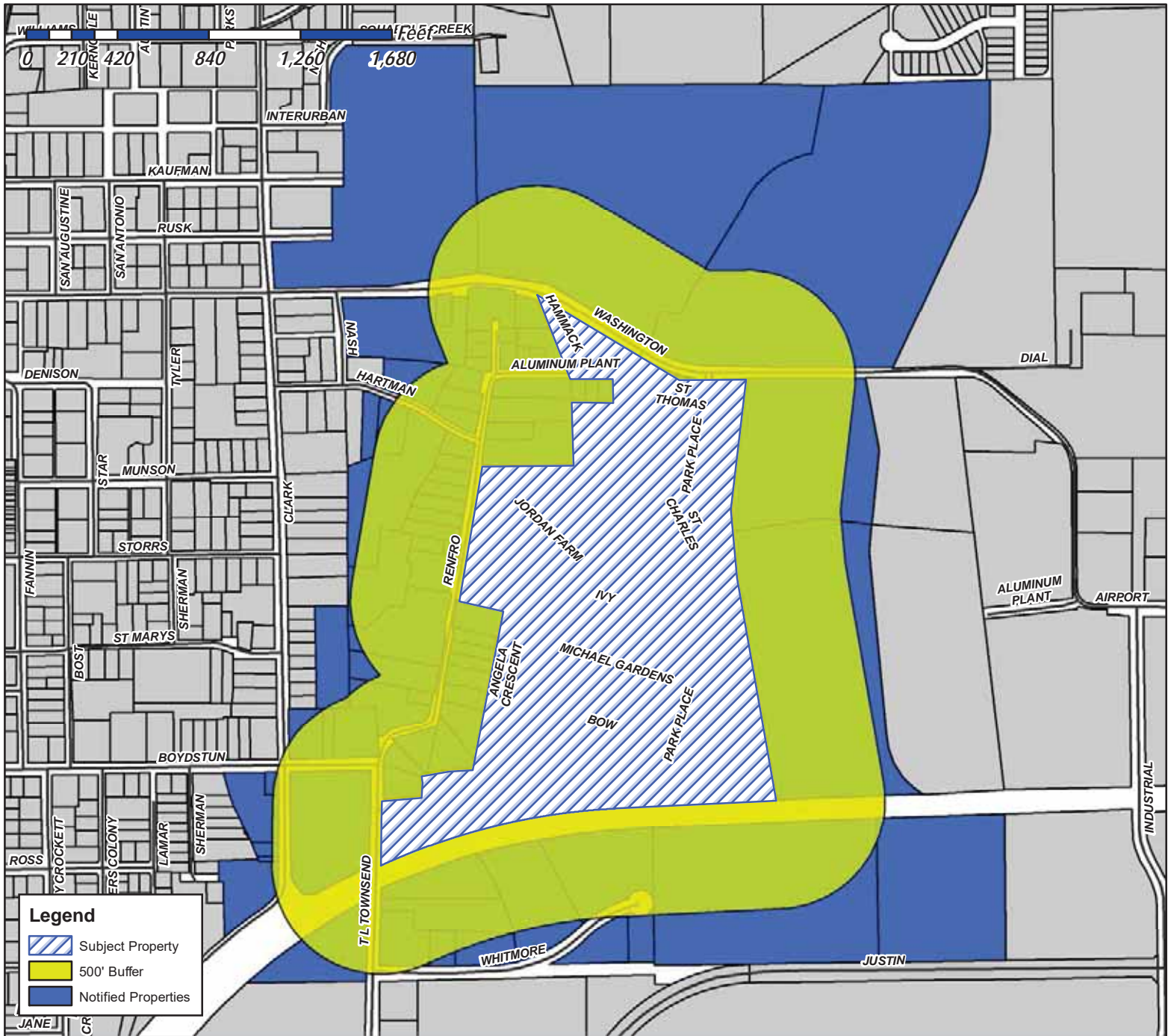




City of Rockwall

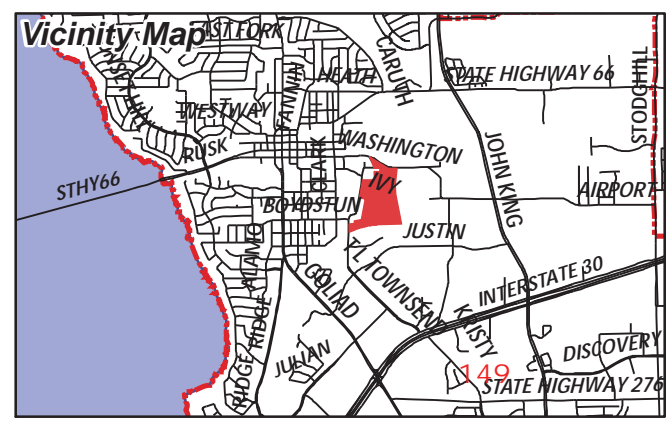
Planning & Zoning Department
 385 S. Goliad Street
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CURRENT RESIDENT
1001 ST CHARLES CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1002 ST CHARLES CT
ROCKWALL, TX 75087

TENNEY LYNN H III AND CHRISTINE L
1002 IVY LN
ROCKWALL, TX 75087

TROSPER MARK AND GLORIA
1007 ST. CHARLES CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1008 ST CHARLES CT
ROCKWALL, TX 75087

RIPP KEEGAN & NICOLA
1008 IVY LANE
ROCKWALL, TX 75087

CURRENT RESIDENT
1009 IVY LN
ROCKWALL, TX 75087

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

CURRENT RESIDENT
1014 ST CHARLES CT
ROCKWALL, TX 75087

MOORE BECKY INEZ AND
CYNTHIA ANN HUDDLESTON
1014 IVY LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1015 ST CHARLES CT
ROCKWALL, TX 75087

BUCKNER DANA RENEE
1015 IVY LN
ROCKWALL, TX 75087

ARCHER ADAM AND SHAUNA
1020 IVY LANE
ROCKWALL, TX 75087

DAVID DAVID A AND CHRISTINE A
1020 SAINT CHARLES CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1021 IVY LN
ROCKWALL, TX 75087

LEWIS WANDA C
1023 SAINT THOMAS CT
ROCKWALL, TX 75087

FECHT JARED W & JULIE
1026 IVY LN
ROCKWALL, TX 75087

YOUNG PHIL & KATHY
1026 SAINT CHARLES COURT
ROCKWALL, TX 75087

IVEY BRUCE AND TINA
1026 ST THOMAS CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1027 IVY LN
ROCKWALL, TX 75087

FOX DENNIS AND KAREN
1027 ST THOMAS CT
ROCKWALL, TX 75087

BCL REAL ESTATE LLC
103 GROSS RD
MESQUITE, TX 75149

CONFIDENTIAL
1031 SAINT THOMAS COURT
ROCKWALL, TX 75087

JACKSON JOEY W AND ANITA L
1032 IVY LANE
ROCKWALL, TX 75087

FIELDS SHAY AND JONI
1032 ST CHARLES COURT
ROCKWALL, TX 75087

EDWARDS EDWINA W REVOCABLE TRUST
EDWINA W EDWARDS TRUSTEE
1034 ST THOMAS CT
ROCKWALL, TX 75087

EDWARDS EDWINA W REVOCABLE TRUST
EDWINA W EDWARDS TRUSTEE
1034 ST THOMAS CT
ROCKWALL, TX 75087

EDWARDS EDWINA W REVOCABLE TRUST
EDWINA W EDWARDS TRUSTEE
1034 ST THOMAS CT
ROCKWALL, TX 75087

JOHNSON RICHARD ERIC AND DIANNA MUNRO
1035 SAINT THOMAS CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1038 ST THOMAS CT
ROCKWALL, TX 75087

ALMQUIST DANA
1038 IVY LANE
ROCKWALL, TX 75087

BEER TERRY L AND
CYNTHIA OLSON
1039 ST THOMAS CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1040 ST CHARLES CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1042 ST THOMAS CT
ROCKWALL, TX 75087

SMITH TAMMY WILLIAMS AND RICHARD
1044 IVY LN
ROCKWALL, TX 75087

SMITH RICHARD AND TAMMY
1044 IVY LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1046 ST CHARLES CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1046 ST THOMAS CT
ROCKWALL, TX 75087

CONFIDENTIAL
1050 IVY LANE
ROCKWALL, TX 75087

HOULE GARY AND AYURNI NAKAMURA
114 MISCHIEF LN
ROCKWALL, TX 75032

TUCKER JANA
120 PLEASANT HILL LN
FATE, TX 75189

CURRENT RESIDENT
1200 E WASHINGTON
ROCKWALL, TX 75087

OLIVARES JAIME
1209 QUAIL DR
GARLAND, TX 75040

CURRENT RESIDENT
1250 JUSTIN RD
ROCKWALL, TX 75087

SOMMER RICHELLE AND RICHARD
131 COPTER LN
FATE, TX 75189

ARCHULETA JOSEPH AND KATHY
1403 ST THOMAS
ROCKWALL, TX 75087

CHADICK CABE
1403 WINDSOR DRIVE
MCKINNEY, TX 75070

HOGUE MIKE AND VICKY
1498 HUBBARD DR
FORNEY, TX 75126

TAH MS BORROWER LLC
C/O TRICON AMERICAN HOMES LLC
1508 BROOKHOLLOW DRIVE
SANTA ANA, CA 92705

VRANA MARK AND
PAM VRANA
1650 JOHN KING BLVD APT 3107
ROCKWALL, TX 75032

LAKEVIEW SUMMIT PROPERTIES LLC
1870 HILLCROFT DR
ROCKWALL, TX 75087

CURRENT RESIDENT
202 HAMMACK LN
ROCKWALL, TX 75087

CURRENT RESIDENT
202 RENFRO ST
ROCKWALL, TX 75087

CURRENT RESIDENT
203 RENFRO ST
ROCKWALL, TX 75087

CURRENT RESIDENT
204 RENFRO ST
ROCKWALL, TX 75087

CANNEDY ELIZABETH R AND RANDY D
206 RENFRO ST
ROCKWALL, TX 75087

CURRENT RESIDENT
207 S NASH ST
ROCKWALL, TX 75087

POWELL SEAN DAVID
208 DWYER CT
ROCKWALL, TX 75032

RIJU LTD PARTNERSHIP, A TEXAS LTD
PARTNERSHIP
210 GLENN AVE
ROCKWALL, TX 75087

P & P ENTERPRISES
230 MYERS RD
HEATH, TX 75032

SHERMAN JOCELYN D
233 WILLINGHAM DR
COPPELL, TX 75019

JOE & DAVID TACOS LTD
2455 RIDGE RD #135
ROCKWALL, TX 75087

LIGHTFOOT MARSHALL & CYNTHIA
256 WINDY LN
ROCKWALL, TX 75087

PIGEON MICHAEL AND COLLEEN
2603 W 10TH ST
DALLAS, TX 75211

CORDOSO FRANCISCO
2848 TANGLEGLEN DR
ROCKWALL, TX 75032

CURRENT RESIDENT
301 RENFRO ST
ROCKWALL, TX 75087

GLASS JO KAY HARRIS
301 MEADOWDALE
ROCKWALL, TX 75087

CHERRY JOHN T
303 RENFRO STREET
ROCKWALL, TX 75087

CURRENT RESIDENT
305 PARK PLACE
ROCKWALL, TX 75087

COLUMBIA DEVELOPMENT CO LLC
ATTN BILL BRICKER
305 PARK PLACE BLVD
ROCKWALL, TX 75087

PRATER SAMUEL LEE AND LAUREN NICOLE
305 RENFRO ST
ROCKWALL, TX 75087

WERCHAN ALLEN AND KELLI
309 GLENN AVE
ROCKWALL, TX 75087

COX GERALD GLEN & ROSALBA
3150 HAYS LN
ROCKWALL, TX 75087

BUCHANAN DAVID
365 JORDAN FARM CIRCLE
ROCKWALL, TX 75087

STRADTMANN TROY H
366 RENFRO ST
ROCKWALL, TX 75087

CURRENT RESIDENT
369 JORDAN FARM CIR
ROCKWALL, TX 75087

CLINE DAVID W AND INA L
373 JORDAN FARM CIRCLE
ROCKWALL, TX 75087

CURRENT RESIDENT
374 RENFRO ST
ROCKWALL, TX 75087

JOHNSON JENNIFER
377 JORDAN FARM CIRCLE
ROCKWALL, TX 75087

CURRENT RESIDENT
381 JORDAN FARM CIR
ROCKWALL, TX 75087

HALL JESSIE MARIE AND
JAMIE KATE HALL
382 RENFRO ST
ROCKWALL, TX 75087

CURRENT RESIDENT
385 JORDAN FARM CIR
ROCKWALL, TX 75087

CITY OF ROCKWALL
ATTN;MARY SMITH
385 S GOLIAD ST
ROCKWALL, TX 75087

CAVAZOS BRUNO III AND STACI
389 JORDAN FARM CIR
ROCKWALL, TX 75087

PEURIFOY REBECCA
393 JORDAN FARM CIR
ROCKWALL, TX 75087

BIETENDORF GUY A AND CYNTHIA K
BIETENDORF
397 JORDAN FARM CIRCLE
ROCKWALL, TX 75087

CURRENT RESIDENT
400 RENFRO ST
ROCKWALL, TX 75087

CLARK JERRY W & PAMELA
401 RENFRO ST
ROCKWALL, TX 75087

CURRENT RESIDENT
402 RENFRO ST
ROCKWALL, TX 75087

CURRENT RESIDENT
404 RENFRO ST
ROCKWALL, TX 75087

FREDERICK MARSHA
405 JORDAN FARM CIR
ROCKWALL, TX 75087

BARRON GARY S AND DELL S
405 PARK PLACE BLVD
ROCKWALL, TX 75087

CURRENT RESIDENT
406 RENFRO ST
ROCKWALL, TX 75087

CURRENT RESIDENT
408 JORDAN FARM CIR
ROCKWALL, TX 75087

CURRENT RESIDENT
408 RENFRO ST
ROCKWALL, TX 75087

CURRENT RESIDENT
410 RENFRO ST
ROCKWALL, TX 75087

KESSLAR MARILYNN
411 JORDAN FARM CIRCLE
ROCKWALL, TX 75087

JONES KENNETH AND CINDY
411 PARK PLACE BLVD
ROCKWALL, TX 75087

CURRENT RESIDENT
412 RENFRO ST
ROCKWALL, TX 75087

FLYNT GARY & NANCY
414 JORDAN FARM CIRCLE
ROCKWALL, TX 75087

CURRENT RESIDENT
417 JORDAN FARM CIR
ROCKWALL, TX 75087

COLBERT PHILIP AND MARGIE
417 PARK PLACE BLVD
ROCKWALL, TX 75087

CURRENT RESIDENT
420 JORDAN FARM CIR
ROCKWALL, TX 75087

HOWARD DALE E AND JOYCE
420 JORDAN FARM CIRCLE
ROCKWALL, TX 75087

RADNEY STEPHEN P AND MARTHA M
423 JORDAN FARM CIR
ROCKWALL, TX 75087

STANLEY STEVE AND ROBIN
423 PARK PLACE BLVD
ROCKWALL, TX 75087

STANLEY STEVEN B AND ROBIN
423 PARK PLACE BLVD
ROCKWALL, TX 75087

DALLAS-GARLAND & NORTHEASTERN RAILROAD
C/O GENESEE & WYOMING RAILROAD
425 E SOUTHLAKE BLVD #100
SOUTHLAKE, TX 76092

WALKER ANTHONY W AND JENNIFER
426 JORDAN FARM CIR
ROCKWALL, TX 75087

RADNEY FAMILY TRUST
STEPHEN P AND MARTHA RADNEY
429 JORDAN FARM CIRCLE
ROCKWALL, TX 75087

MORGAN WILBUR J AND NANCY F
429 PARK PLACE BLVD
ROCKWALL, TX 75087

CURRENT RESIDENT
434 JORDAN FARM CIR
ROCKWALL, TX 75087

CURRENT RESIDENT
435 JORDAN FARM CIR
ROCKWALL, TX 75087

ROLLINS DANNY & JONNA
4505 LAKE HILL DR
ROWLETT, TX 75089

KRAEMER TERESA A
4525 COLE AVENUE #1105
DALLAS, TX 75205

CURRENT RESIDENT
500 RENFRO ST
ROCKWALL, TX 75087

LOVOI JOSEPH J SR AND VELMA J
501 PARK PLACE BLVD
ROCKWALL, TX 75087

SAMPLES CLARENCE E & ELVA NELL
502 RENFRO ST
ROCKWALL, TX 75087

SAMPLES CLARENCE E & ELVA NELL
502 RENFRO ST
ROCKWALL, TX 75087

SAMPLES CLARENCE E & ELVA NELL
502 RENFRO ST
ROCKWALL, TX 75087

WARDELL JOHN P AND JULIE ANN C
506 RENFRO STREET
ROCKWALL, TX 75087

CURRENT RESIDENT
507 RENFRO ST
ROCKWALL, TX 75087

RASMUSSEN MICHAEL AND DELILA RASMUSSEN
507 PARK PLACE BLVD
ROCKWALL, TX 75087

GARCIA MELISSA P AND
JOE DOWELL LOFTIS JR AKA JOE DOWELL LOFTIS
513 PARK PLACE BLVD
ROCKWALL, TX 75087

HOGUE ALLEN
513 RIDGEVIEW DR
ROCKWALL, TX 75087

BLACKWOOD SCOTT W & GLENITA G
5205 S FM 549
ROCKWALL, TX 75032

CURRENT RESIDENT
523 PARK PLACE BLVD
ROCKWALL, TX 75087

PROPER GROUP, LLC
5250 TX-78 SUITE 750-299
SACHSE, TX 75048

CURRENT RESIDENT
535 PARK PLACE BLVD
ROCKWALL, TX 75087

HENRY PATRICIA A
541 PARK PLACE BLVD
ROCKWALL, TX 75087

DUKE JERI L
5911 PINEY BIRCH COURT
KINGWOOD, TX 77345

CURRENT RESIDENT
601 PARK PLACE BLVD
ROCKWALL, TX 75087

CURRENT RESIDENT
601 RENFRO ST
ROCKWALL, TX 75087

CURRENT RESIDENT
601 RENFRO ST
ROCKWALL, TX 75087

HOGUE MARVIN E & JOYCE M
LIFE ESTATE
602 RENFRO ST
ROCKWALL, TX 75087

CONWAY MICHAEL AND JEAN
603 S GOLIAD ST
ROCKWALL, TX 75087

CALDWELL KEVIN L & LINDA D
605 RENFRO ST
ROCKWALL, TX 75087

CURRENT RESIDENT
606 RENFRO ST
ROCKWALL, TX 75087

CURRENT RESIDENT
607 PARK PLACE BLVD
ROCKWALL, TX 75087

GOOD EARTH FUNDING INC
607 HIGHLAND COLONY PKWY SUITE 200
RIDGELAND, MS 39157

GOOD EARTH FUNDING INC
607 HIGHLAND COLONY PKWY SUITE 200
RIDGELAND, MS 39157

HARRINGTON DEBORAH
607 RENFRO ST
ROCKWALL, TX 75087

RUFF DAVE & ANNE
6105 LAKESHORE DR
ROWLETT, TX 75089

RUFF DAVID & ANNE
6105 LAKESHORE DR
ROWLETT, TX 75089

CURRENT RESIDENT
613 PARK PLACE BLVD
ROCKWALL, TX 75087

ABBOTT TODD & WHITNEY
619 RENFRO ST
ROCKWALL, TX 75087

ABBOTT TODD & WHITNEY
619 RENFRO STREET
ROCKWALL, TX 75087

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

CURRENT RESIDENT
702 S CLARK ST
ROCKWALL, TX 75087

CURRENT RESIDENT
703 TOWNSEND DR
ROCKWALL, TX 75087

CURRENT RESIDENT
703 E BOYSTUN AVE
ROCKWALL, TX 75087

CURRENT RESIDENT
705 E BOYDSTUN AVE
ROCKWALL, TX 75087

CURRENT RESIDENT
706 S CLARK ST
ROCKWALL, TX 75087

CURRENT RESIDENT
707 TOWNSEND
ROCKWALL, TX 75087

CURRENT RESIDENT
707 S CLARK
ROCKWALL, TX 75087

CURRENT RESIDENT
709 E BOYDSTUN AVE
ROCKWALL, TX 75087

GILLIAM ROBERT W JR & PERRILYN
712 HARTMAN ST
ROCKWALL, TX 75087

PIERCY DUANE AND JENNIFER
713 HARTMAN
ROCKWALL, TX 75087

HOOVER LINDA WEST-
716 HARTMAN STREET
ROCKWALL, TX 75087

CURRENT RESIDENT
720 E WASHINGTON
ROCKWALL, TX 75087

CURRENT RESIDENT
724 E WASHINGTON ST
ROCKWALL, TX 75087

DANIEL MICHAEL D
801 ALUMINUM PLANT RD
ROCKWALL, TX 75087

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

WISE ALICE
803 ALUMINUM PLANT ROAD
ROCKWALL, TX 75087

CURRENT RESIDENT
805 ALUMINUM PLANT RD
ROCKWALL, TX 75087

VARNER ROBERT R JR &
GLEN COX
815 TL TOWNSEND
ROCKWALL, TX 75087

POOL STOP INC
838 STEGER TOWN RD
ROCKWALL, TX 75032

WOOD WILLIAM AND SANDIE
8718 CLEARLAKE DR
ROWLETT, TX 75088

WARDELL JOHN P & JULIE C
880 IVY LN
ROCKWALL, TX 75087

CURRENT RESIDENT
886 IVY LN
ROCKWALL, TX 75087

OGDEN DONNA AND WENDELL
891 IVY LN
ROCKWALL, TX 75087

HARRILL EVELYN
892 IVY LN
ROCKWALL, TX 75087

RAGSDALE ELIZABETH J LIFE ESTATE
LISA JANE BAKER & DONALD KIRK RAGSDALE
895 IVY LN
ROCKWALL, TX 75087

MASON MARSHA
901 IVY LN
ROCKWALL, TX 75087

CURRENT RESIDENT
902 ALUMINUM PLANT RD
ROCKWALL, TX 75087

WILLMON WENDY LYNN
904 ALUMINUM PLANT RD
ROCKWALL, TX 75087

CURRENT RESIDENT
905 IVY LN
ROCKWALL, TX 75087

STATON CARL E & BOBBIE JANE
906 ALUMINUM PLANT RD
ROCKWALL, TX 75087

BENEDETTO MATT
907 W HOLIDAY RD
ROCKWALL, TX 75087

MOORE CONNIE JO
908 COUNTRY CLUB DR
HEATH, TX 75032

BUCHANAN BARRY D & MELISSA M
908 IVY LN
ROCKWALL, TX 75087

CURRENT RESIDENT
914 IVY LN
ROCKWALL, TX 75087

CURRENT RESIDENT
915 WHITMORE
ROCKWALL, TX 75087

CURRENT RESIDENT
920 WHITMORE
ROCKWALL, TX 75087

WHITMORE MANUFACTURING CO
930 WHITMORE DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
930/1250 JUSTIN RD
ROCKWALL, TX 75087

RUSHING JOE L & DONNA S
9414 SHEARER ST
ROWLETT, TX 75088

MARTIN CHARLES TED & RHONDA K
995 ST CHARLES CT
ROCKWALL, TX 75087

HITT FLOYD ESTATE
DOROTHY SUE HITT MATTHIES AND
LYNDEL RAY TIPTON JR INDEPENDENT CO
EXECUTORS 7836 YAMINI DR
DALLAS, TX 75230

COX STEPHEN
M/R
, TX

CCO TRANSFERS LLC
ATTN; PROPERTY TAX DEPT
P.O. BOX 7467
CHARLOTTE, NC 28241

CCO TRANSFERS LLC
ATTN; PROPERTY TAX DEPT
P.O. BOX 7467
CHARLOTTE, NC 28241

PODINA HERB AND LAURA
PO BOX 1586
ROCKWALL, TX 75087

ALLISON DEANNA JO
PO BOX 1624
ROCKWALL, TX 75087

MISHLER MICHAEL L AND RHONDA
PO BOX 38
ROCKWALL, TX 75087

DAVIS SHAUNTE AND JACOB
PO BOX 462311
GARLAND, TX 75046

HOWELL RONALD L AND MICHELE L
PO BOX 761
ROCKWALL, TX 75087



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

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

To Whom It May Concern:

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

Case No. Z2018-057: Amendment to PD-59

Hold a public hearing to discuss and consider a request by Bill Bricker of Columbia Development Company, LLC for the approval of an amendment to Planned Development District 59 (PD-59) for the purpose of incorporating a 0.786-acre tract of land for Residential-Office (RO) District land uses being a 56.586-acre tract of land identified as a portion of R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 52 (PD-52) and Planned Development District 59 (PD-59), located between W. Washington Street and T. L. Townsend Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 1/15/2019 at 6:00 p.m.**, and the City Council will hold a public hearing on **Tuesday, 1/22/2019 at 6:00 p.m.** 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:

Korey Brooks
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 **1/22/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
[HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development-cases)

PLEASE RETURN THE BELOW FORM

Case No. Z2018-057: Amendment to PD-59

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.

I am a current resident of Park Place. I believe this request by Bill Bricker of Columbia should be granted as Bill has done a great job developing Park Place.

Name: *Shay A. Fields*
Address: *1032 St. Charles Ct - 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.

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



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

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

To Whom It May Concern:

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Case No. Z2018-057: Amendment to PD-59

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Korey Brooks
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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Your comments must be received by **1/22/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
 Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
[HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development-cases)

----- PLEASE RETURN THE BELOW FORM -----

Case No. Z2018-057: Amendment to PD-59

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.

I am familiar with the details of the zoning change request and am in favor of it. It is a good change for the neighborhood of Park Place.
Barry Buchanan

Name: **Barry Buchanan**
 Address: **908 Ivy Ln, 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



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

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

To Whom It May Concern:

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

Case No. Z2018-057: Amendment to PD-59

Hold a public hearing to discuss and consider a request by Bill Bricker of Columbia Development Company, LLC for the approval of an amendment to Planned Development District 59 (PD-59) for the purpose of incorporating a 0.786-acre tract of land for Residential-Office (RO) District land uses being a 56.586-acre tract of land identified as a portion of R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 52 (PD-52) and Planned Development District 59 (PD-59), located between W. Washington Street and T. L. Townsend Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 1/15/2019 at 6:00 p.m.**, and the City Council will hold a public hearing on **Tuesday, 1/22/2019 at 6:00 p.m.** 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:

**Korey Brooks
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 **1/22/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
[HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development-cases)

--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2018-057: Amendment to PD-59

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.

[Redacted area]

Name: Dennis Fox
Address: 1627 St Thomas Ct 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.

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

Michael Rasmussen

To: planning@rockwall.com
Subject: Subject: Case No Z2018-057 PZ 1/15 City Council 1/22
Expires: Thursday, January 17, 2019 12:00 AM

Korey Brooks planning@rockwall.com
Rockwall Planning and Zoning Dept
385 S. Goliad Street
Rockwall, TX 75087

Subject: Case No Z2018-057 PZ 1/15 City Council 1/22
Request to consider Bill Bricker of Columbia Development amendment to add .786 acre tract of land.....

I am in agreement to the proposed change adding additional acreage and RO (Residential Office) designation to new addition. However in addition it should be noted that Mr. Bricker has indicated simultaneously removing the existing 20 lots currently designated as LW (See Item A Below)

I do not see this language in the zoning notice.

A) "At the same time we will remove the LW from the 20 lots in the current Ph III, so that at no time in the future can the use be office or commercial related."

Original Request Sent to HOA From Mr. Bricker

3) "Our case is simple. I want to bring this acre of HC land into Park Place as Residential Office (RO) use. It will be combined with one lot on the south side of Park Place Blvd to create a total of 5 lots. RO zoning is the new name which is a more restrictive designation for LW and is the same as the zoning for the North Goliad district. This RO area along Goliad is looking nice, and has some very compatible uses with surrounding residential homes. In bringing them into the HOA, we will control the architecture and the buildings will look to be Park Place homes."

Respectfully,
Michael Rasmussen
507 Park Place Blvd
Rockwall TX 75087



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

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

To Whom It May Concern:

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

Case No. Z2018-057: Amendment to PD-59

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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Case No. Z2018-057: Amendment to PD-59

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.

See Attached Letter

Empty space for handwritten comments or reasons.

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.

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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Case No. Z2018-057: Amendment to PD-59

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.

GREAT PLAN!

Name: *John WARDEN, OWNER*

Address: *506 REVERO, ROCKWALL, TX 75087*

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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Case No. Z2018-057: Amendment to PD-59

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.

GREAT PLAN!

Name: *John Wardell, Resident*

Address: *880 Ivy, Rockwall, TX, 75087*

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385 S. Goliad Street
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Director of Planning & Zoning



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Case No. Z2018-057: Amendment to PD-59

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.

Improves The subdivision.

Name: *Mike Mishler*
Address: *1009 Joy Ln. Rockwall, TX 75087*

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Case No. Z2018-057: Amendment to PD-59

Please place a check mark on the appropriate line below:

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

*Good use of an awkward piece of land -
 Probably would have difficulty if other
 uses because of shape, size, & proximity
 to railroad tracks*

Name: *MIKE & JEAN SONWAY*
 Address: *435 JORDAN FARM CIRCLE*

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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PHONE: (972) 771-7745
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To Whom It May Concern:

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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PLEASE RETURN THE BELOW FORM

Case No. Z2018-057: Amendment to PD-59

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.

See Attached Letter

Name: *Debbie & Paul Harrington*
 Address: *607 Benfro Street, 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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January 11, 2019

Paul & Debbie Harrington
607 Renfro Street
Rockwall, Texas 75087

RE: Park Place III Development
Case No. Z2018-057: Amendment PD-59

To whom it may concern at City Hall,

While improvements are welcome, the negative impact of the modifications being made to the current 100 year flood plain in this area is not. The flood plain has been narrowed and the water has no place to channel, but into our backyards. Our yards are turning to mush. The development has changed the grade of the land and the ground is not absorbing the water as it did. The proposed drainage systems will not handle the heavy spring rains that come in less than 30 minutes. This is affecting our property value, and the enjoyment of use of our backyard and garden areas.

In addition, we are opposed to anymore residential/office housing in our neighborhood. Our residential street currently does not handle the normal traffic flow let alone adding additional traffic will make it worse and not safe.

If you don't live here, you don't know!

Sincerely,


Paul & Debbie Harrington

cc: Whitney Abbott
Sarah Hager
Bill Bricker



**Columbia
Development
Company, L.L.C.**

305 Park Place Blvd.
Rockwall, Texas 75087
Tel 972.722.2439
Cell 214.801.6157
bill@parkplacerockwall.com

December 28, 2018

City of Rockwall
385 S. Goliad St
Rockwall, TX 75087

Columbia Development Company, LLC is requesting a zoning case to amend and add some desired uses for Park Place West. There are two driving thoughts behind this request.

One, to bring a tract of land currently zoned as PD-52 which is generally Heavy Commercial (HC) into the PD_59 of Park Place. This will allow restricting uses to be more compatible with Park Place residents and residential development and at the same time allow controlled live/work units as well as some commercial use. These lots would be part of the HOA and be subject to HOA approval as far as the designs.

The second is to remove the Area 3 commercial use from PD-59 on up to 19 lots leaving them as residential lots only. Original planning for Ph III included this "Live/Work" component as this was a popular idea. As time has passed and the demand for Park Place residential lots is strong enough, I feel the Live/Work use would be incompatible with the balance of the community.

By rezoning the area we will eliminate potential unwanted use of some of the lots now and in the future while adding a viable and useful area zoned for services to the neighborhood and community.

Sincerely;

A handwritten signature in blue ink that reads "C.W. Bricker". The signature is written in a cursive, slightly slanted style.

C.W. Bricker
President

ZONING DESCRIPTION - PD 59

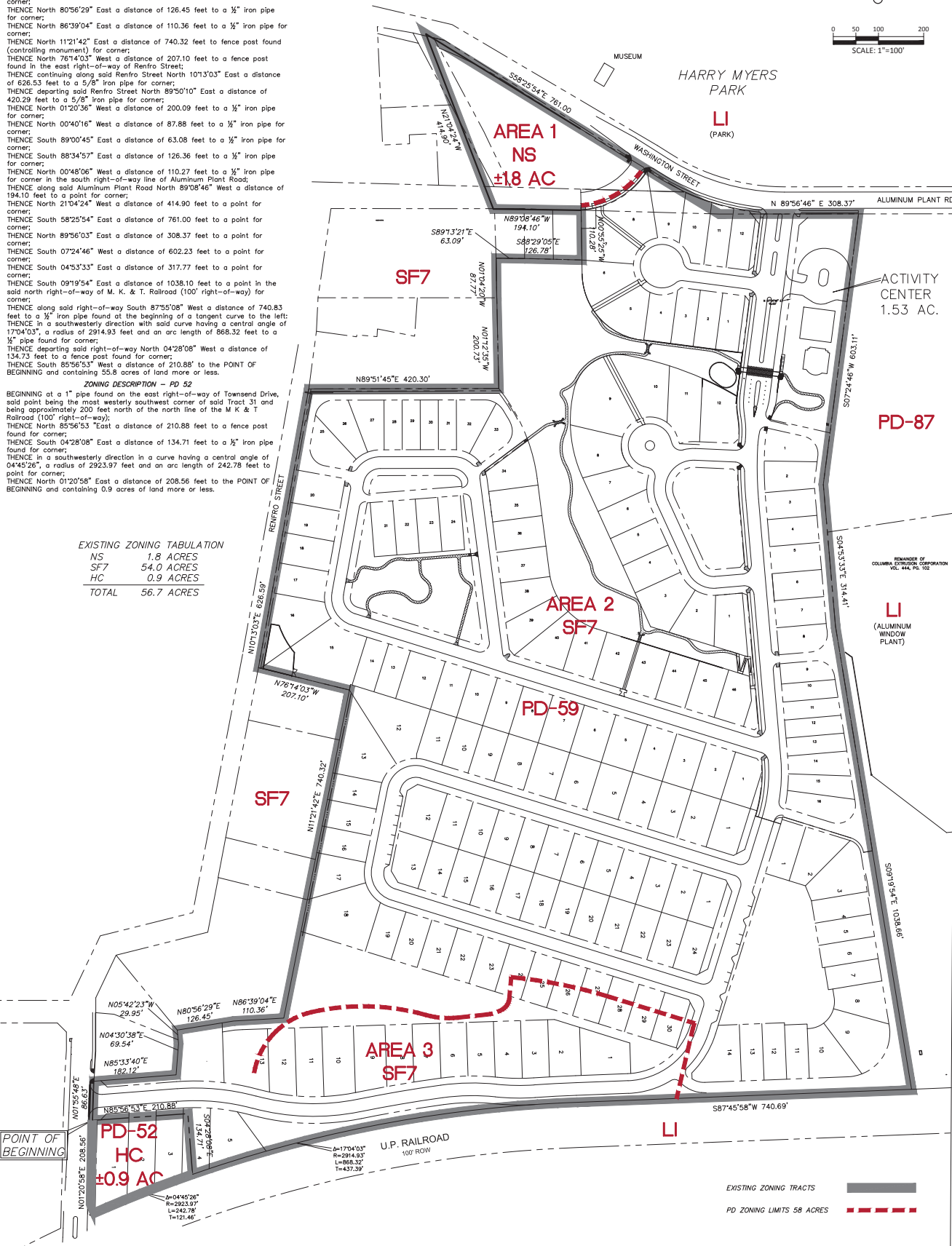
BEING a tract of land situated in the R. Ballard Survey, Abstract Number 29, in the City of Rockwall, Rockwall County, Texas, and being a part of Tract 31 as recorded in Volume 444, Page 102, and all of Tract 32 as recorded in Volume 444, Page 146 Deed Records, Rockwall County, Texas, and being more particularly described as follows:
 BEGINNING at a 1" pipe found on the east right-of-way of Townsend Drive, said point being the most westerly southwest corner of said Tract 31 and being approximately 200' north of the north line of the M K & T Railroad (100' right-of-way);
 THENCE continuing along said High School Drive North 01°56'15" East a distance of 86.67 feet to a 5/8" iron pipe for corner;
 THENCE departing said High School Drive North 85°34'29" East a distance of 182.10 feet to a 5/8" iron pipe for corner;
 THENCE North 04°30'38" East a distance of 69.54 feet to a 1/2" iron pipe for corner;
 THENCE North 05°42'23" West a distance of 29.95 feet to a 1/2" iron pipe for corner;
 THENCE North 80°56'29" East a distance of 126.45 feet to a 1/2" iron pipe for corner;
 THENCE North 86°39'04" East a distance of 110.36 feet to a 1/2" iron pipe for corner;
 THENCE North 11°21'42" East a distance of 740.32 feet to fence post found (controlling monument) for corner;
 THENCE North 76°14'03" West a distance of 207.10 feet to a fence post found in the east right-of-way of Renfro Street;
 THENCE continuing along said Renfro Street North 101°3'03" East a distance of 626.53 feet to a 5/8" iron pipe for corner;
 THENCE departing said Renfro Street North 89°50'10" East a distance of 420.29 feet to a 5/8" iron pipe for corner;
 THENCE North 01°20'36" West a distance of 200.09 feet to a 1/2" iron pipe for corner;
 THENCE North 00°40'16" West a distance of 87.88 feet to a 1/2" iron pipe for corner;
 THENCE South 89°00'45" East a distance of 63.08 feet to a 1/2" iron pipe for corner;
 THENCE South 88°34'57" East a distance of 126.36 feet to a 1/2" iron pipe for corner;
 THENCE North 00°48'06" West a distance of 110.27 feet to a 1/2" iron pipe for corner in the south right-of-way line of Aluminum Plant Road;
 THENCE along said Aluminum Plant Road North 89°08'46" West a distance of 194.10 feet to a point for corner;
 THENCE North 21°04'24" West a distance of 414.90 feet to a point for corner;
 THENCE South 58°25'54" East a distance of 761.00 feet to a point for corner;
 THENCE North 89°56'03" East a distance of 308.37 feet to a point for corner;
 THENCE South 07°24'46" West a distance of 602.23 feet to a point for corner;
 THENCE South 04°53'33" East a distance of 317.77 feet to a point for corner;
 THENCE South 09°19'54" East a distance of 1038.10 feet to a point in the said north right-of-way of M. K. & T. Railroad (100' right-of-way) for corner;
 THENCE along said right-of-way South 87°55'08" West a distance of 740.83 feet to a 1/2" iron pipe found at the beginning of a tangent curve to the left; THENCE in a southerly direction with said curve having a central angle of 17°04'03", a radius of 2914.93 feet and an arc length of 866.32 feet to a 1/2" pipe found for corner;
 THENCE departing said right-of-way North 04°28'08" West a distance of 134.73 feet to a fence post found for corner;
 THENCE South 85°56'53" West a distance of 210.88' to the POINT OF BEGINNING and containing 55.8 acres of land more or less.

ZONING DESCRIPTION - PD 52

BEGINNING at a 1" pipe found on the east right-of-way of Townsend Drive, said point being the most westerly southwest corner of said Tract 31 and being approximately 200 feet north of the north line of the M K & T Railroad (100' right-of-way);
 THENCE North 85°56'53" East a distance of 210.88 feet to a fence post found for corner;
 THENCE South 04°28'08" East a distance of 134.71 feet to a 1/2" iron pipe found for corner;
 THENCE in a southerly direction in a curve having a central angle of 04°45'26", a radius of 2923.97 feet and an arc length of 242.78 feet to point for corner;
 THENCE North 01°20'58" East a distance of 208.56 feet to the POINT OF BEGINNING and containing 0.9 acres of land more or less.

EXISTING ZONING TABULATION

NS	1.8 ACRES
SF7	54.0 ACRES
HC	0.9 ACRES
TOTAL	56.7 ACRES



EX A

PARK PLACE
 PD 59
 ROCKWALL TEXAS
 EXISTING ZONING PLAN

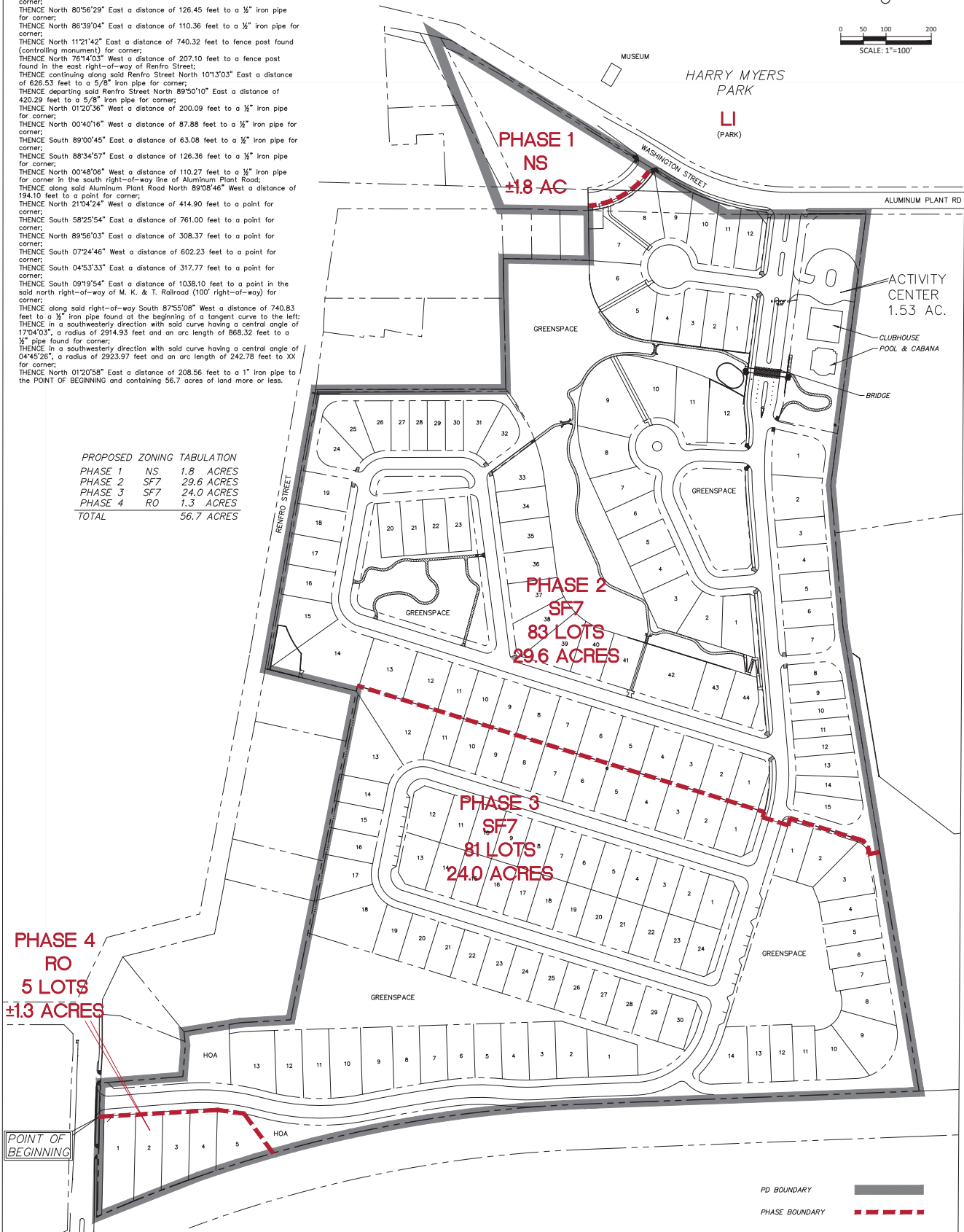


TOMDEN ENGINEERING, L.L.P.
 5815 MEADOWCREST
 DALLAS, TX 75230
 (214) 679-1679
 FIRM No. 19244 tjones@tomden.com

ZONING DESCRIPTION - REVISED PD 59

BEING a tract of land situated in the R. Ballard Survey, Abstract Number 29, in the City of Rockwall, Rockwall County, Texas, and being a part of Tract 31 as recorded in Volume 444, Page 102, and all of Tract 32 as recorded in Volume 444, Page 146 Deed Records, Rockwall County, Texas, and being more particularly described as follows:
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 THENCE North 11°21'42" East a distance of 740.32 feet to fence post found (controlling monument) for corner;
 THENCE North 76°14'03" West a distance of 207.10 feet to a fence post found in the east right-of-way of Renfro Street;
 THENCE continuing along said Renfro Street North 10°13'03" East a distance of 626.53 feet to a 5/8" iron pipe for corner;
 THENCE departing said Renfro Street North 89°50'10" East a distance of 420.29 feet to a 5/8" iron pipe for corner;
 THENCE North 01°20'36" West a distance of 200.09 feet to a 1/2" iron pipe for corner;
 THENCE North 00°40'16" West a distance of 87.88 feet to a 1/2" iron pipe for corner;
 THENCE South 89°00'45" East a distance of 63.08 feet to a 1/2" iron pipe for corner;
 THENCE South 88°34'57" East a distance of 126.36 feet to a 1/2" iron pipe for corner;
 THENCE North 00°48'06" West a distance of 110.27 feet to a 1/2" iron pipe for corner in the south right-of-way line of Aluminum Plant Road;
 THENCE along said Aluminum Plant Road North 89°08'46" West a distance of 194.10 feet to a point for corner;
 THENCE North 21°04'24" West a distance of 414.90 feet to a point for corner;
 THENCE South 58°25'54" East a distance of 761.00 feet to a point for corner;
 THENCE North 89°56'03" East a distance of 308.37 feet to a point for corner;
 THENCE South 07°24'46" West a distance of 602.23 feet to a point for corner;
 THENCE South 04°53'33" East a distance of 317.77 feet to a point for corner;
 THENCE South 09°19'54" East a distance of 1038.10 feet to a point in the said north right-of-way of M. K. & T. Railroad (100' right-of-way) for corner;
 THENCE along said right-of-way South 87°55'08" West a distance of 740.83 feet to a 1/2" iron pipe found at the beginning of a tangent curve to the left;
 THENCE in a southwesterly direction with said curve having a central angle of 17°04'03", a radius of 2914.93 feet and an arc length of 868.32 feet to a 1/2" pipe found for corner;
 THENCE in a southwesterly direction with said curve having a central angle of 04°45'26", a radius of 2923.97 feet and an arc length of 242.78 feet to XX for corner;
 THENCE North 01°20'58" East a distance of 208.56 feet to a 1" iron pipe to the POINT OF BEGINNING and containing 56.7 acres of land more or less.

PROPOSED ZONING TABULATION			
PHASE 1	NS	1.8	ACRES
PHASE 2	SF7	29.6	ACRES
PHASE 3	SF7	24.0	ACRES
PHASE 4	RO	1.3	ACRES
TOTAL		56.7	ACRES



EX B

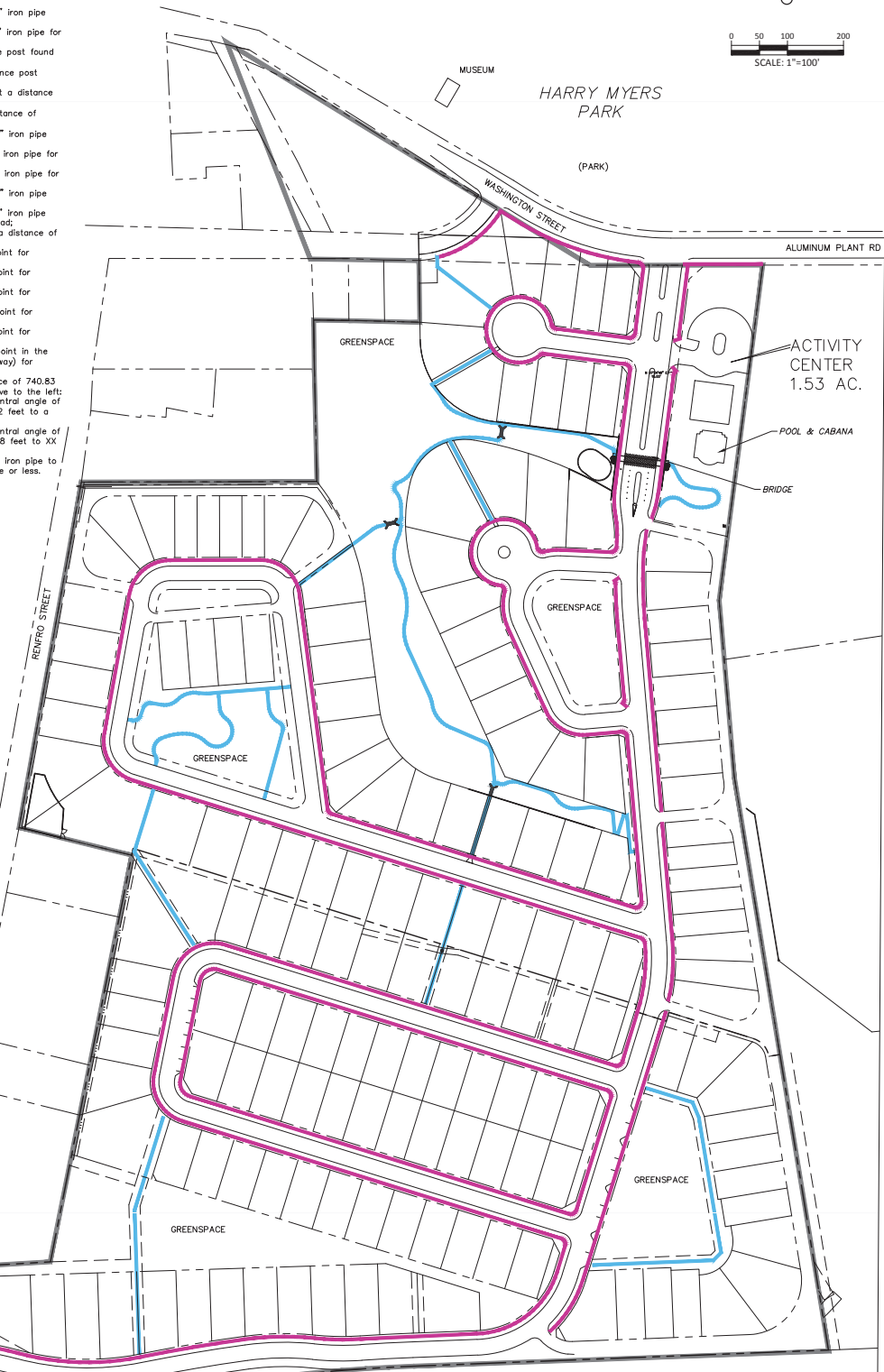
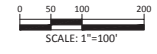
PARK PLACE
 PD 59
 ROCKWALL TEXAS
 CONCEPT PLAN



TOMDEN ENGINEERING, L.L.P.
 5815 MEADOWCREST
 DALLAS, TX 75230
 (214) 679-1679
 FIRM No. 19244 tjones@tomden.com
 12.11.2018

ZONING DESCRIPTION - REVISED PD 59

BEING a tract of land situated in the R. Ballard Survey, Abstract Number 29, in the City of Rockwall, Rockwall County, Texas, and being a part of Tract 31 as recorded in Volume 444, Page 102, and all of Tract 32 as recorded in Volume 444, Page 146 Deed Records, Rockwall County, Texas, and being more particularly described as follows:
 BEGINNING at a 1" pipe found on the east right-of-way of Townsend Drive, said point being the most westerly southwest corner of said Tract 31 and being approximately 200' north of the north line of the M K & T Railroad (100' right-of-way);
 THENCE continuing along said High School Drive North 01°56'15" East a distance of 86.67 feet to a 5/8" iron pipe for corner;
 THENCE departing said High School Drive North 85°34'29" East a distance of 182.10 feet to a 5/8" iron pipe for corner;
 THENCE North 04°30'38" East a distance of 69.54 feet to a 1/2" iron pipe for corner;
 THENCE North 05°42'23" West a distance of 29.95 feet to a 1/2" iron pipe for corner;
 THENCE North 80°56'29" East a distance of 126.45 feet to a 1/2" iron pipe for corner;
 THENCE North 86°39'04" East a distance of 110.36 feet to a 1/2" iron pipe for corner;
 THENCE North 112°1'42" East a distance of 740.32 feet to fence post found (controlling monument) for corner;
 THENCE North 76°14'03" West a distance of 207.10 feet to a fence post found in the east right-of-way of Renfro Street;
 THENCE continuing along said Renfro Street North 10°13'03" East a distance of 626.53 feet to a 5/8" iron pipe for corner;
 THENCE departing said Renfro Street North 89°50'10" East a distance of 420.29 feet to a 5/8" iron pipe for corner;
 THENCE North 01°20'36" West a distance of 200.09 feet to a 1/2" iron pipe for corner;
 THENCE North 00°40'16" West a distance of 87.88 feet to a 1/2" iron pipe for corner;
 THENCE South 89°00'45" East a distance of 63.08 feet to a 1/2" iron pipe for corner;
 THENCE South 88°34'57" East a distance of 126.36 feet to a 1/2" iron pipe for corner;
 THENCE North 00°48'06" West a distance of 110.27 feet to a 1/2" iron pipe for corner in the south right-of-way line of Aluminum Plant Road;
 THENCE along said Aluminum Plant Road North 89°08'46" West a distance of 194.10 feet to a point for corner;
 THENCE North 21°04'24" West a distance of 414.90 feet to a point for corner;
 THENCE South 58°25'54" East a distance of 761.00 feet to a point for corner;
 THENCE North 89°56'03" East a distance of 308.37 feet to a point for corner;
 THENCE South 07°24'46" West a distance of 602.23 feet to a point for corner;
 THENCE South 04°53'33" East a distance of 317.77 feet to a point for corner;
 THENCE South 09°19'54" East a distance of 1038.10 feet to a point in the said north right-of-way of M. K. & T. Railroad (100' right-of-way) for corner;
 THENCE along said right-of-way South 87°55'08" West a distance of 740.83 feet to a 1/2" iron pipe found at the beginning of a tangent curve to the left;
 THENCE in a southwesterly direction with said curve having a central angle of 17°04'03", a radius of 2914.93 feet and an arc length of 868.32 feet to a 1/2" pipe found for corner;
 THENCE in a southwesterly direction with said curve having a central angle of 04°45'26", a radius of 2923.97 feet and an arc length of 242.78 feet to XX for corner;
 THENCE North 01°20'58" East a distance of 208.56 feet to a 1" iron pipe to the POINT OF BEGINNING and containing 56.7 acres of land more or less.



POINT OF BEGINNING

— CITY SIDEWALK
 — PRIVATE PEDESTRIAN PATH

EX C

PARK PLACE
 PD 59
 ROCKWALL TEXAS
 PEDESTRIAN PLAN



TOMDEN ENGINEERING, L.L.P.
 5815 MEADOWCREST
 DALLAS, TX 75230
 (214) 679-1679
 FIRM No. 19244 tjones@tomden.com

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO AMEND PLANNED DEVELOPMENT DISTRICT 59 (PD-59) [ORDINANCE NO.'s 04-59 AND - 6-51] AND PLANNED DEVELOPMENT DISTRICT 52 (PD-52) [ORDINANCE NO. 16-45] FOR THE PURPOSE OF INCORPORATING A 0.789-ACRE TRACT OF LAND FOR RESIDENTIAL-OFFICE (RO) DISTRICT LAND USES BEING A 56.586-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF THE R. BALLARD SURVEY, ABSTRACT NO. 29, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ZONED PLANNED DEVELOPMENT DISTRICT 52 (PD-52) AND PLANNED DEVELOPMENT DISTRICT 59 (PD-59) AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' AND DEPICTED HEREIN BY EXHIBIT 'B'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by the applicant Bill Bricker of Columbia Development Company, LLC, for the approval of an amendment to Planned Development District 59 (PD-59) for the purpose of incorporating a 0.786-acre tract of land for Residential-Office (RO) District land uses, being a 56.586-acre tract of land identified as a portion of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 52 (PD-52) [Ordinance No. 16-45] and Planned Development District 59 (PD-59) [Ordinance No.'s 04-59 and 06-51], located between W. Washington Street and T. L. Townsend Drive and more fully described in Exhibit 'A' and depicted in Exhibit 'B' of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 59 (PD-59) [Ordinance No.'s 04-59 and 06-51], Planned Development District 52 (PD-52) [Ordinance No. 16-45], 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.'s 04-59 and 06-51;

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 (UDC) [Ordinance No. 04-38] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future;

SECTION 3. That development of the *Subject Property* shall be in accordance with the *Planned Development Concept Plan*, contained 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 4. That development of the *Subject Property* shall be in accordance with the *Development Standards*, described in Exhibit 'F' of this ordinance, attached hereto and incorporated herein by

reference as *Exhibit 'F'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

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

SECTION 6. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 7. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code 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 8. 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 FEBRUARY, 2019.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 22, 2019

2nd Reading: February 4, 2019

BEING a tract of land situated in the R. Ballard Survey, Abstract Number 29, in the City of Rockwall, Rockwall County, Texas, and being a part of Tract 31, as recorded in Volume 444, Page 102, and all of Tract 32 as recorded in Volume 444, Page 146 Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1" pipe found on the east right-of-way of Townsend Drive, said point being the most westerly southwest corner of said Tract 31 and being approximately 200' north of the north line of the M K & T Railroad (100' right-of-way);

THENCE continuing along said High School Drive North 01°56'15" East a distance of 86.67 feet to a 5/8" iron pipe for corner;

THENCE departing said High School Drive North 85°34'29" East a distance of 182.10 feet to a 5/8" iron pipe for corner;

THENCE North 04°30'38" East a distance of 69.54 feet to a ½" iron pipe for corner;

THENCE North 05°42'23" West a distance of 29.95 feet to a ½" iron pipe for corner;

THENCE North 80°56'29" East a distance of 126.45 feet to a ½" iron pipe for corner;

THENCE North 86°39'04" East a distance of 110.36 feet to a ½" iron pipe for corner;

THENCE North 11°21'42" East a distance of 740.32 feet to fence post found (controlling monument) for corner;

THENCE North 76°14'03" West a distance of 207.10 feet to a fence post found in the east right-of-way of Renfro Street;

THENCE continuing along said Renfro Street North 10°13'03" East a distance of 626.53 feet to a 5/8" iron pipe for corner;

THENCE departing said Renfro Street North 89°50'10" East a distance of 420.29 feet to a 5/8" iron pipe for corner;

THENCE North 01°20'36" West a distance of 200.09 feet to a ½" iron pipe for corner;

THENCE North 00°40'16" West a distance of 87.88 feet to a ½" iron pipe for corner;

THENCE South 89°00' 45" East a distance of 63.08 feet to a ½" iron pipe for corner;

THENCE South 88°34'57" East a distance of 126.36 feet to a ½" iron pipe for corner;

THENCE North 00°48'06" West a distance of 110.27 feet to a ½" iron pipe for corner in the south right-of-way line of Aluminum Plant Road;

THENCE along said Aluminum Plant Road North 89°08'46" West o distance of 194.10 feet to a point for corner;

THENCE North 21°04'24" West a distance of 414.90 feet to a point for corner;

THENCE South 58°25'54" East a distance of 761.00 feet to a point for corner;

THENCE North 89°56'03" East a distance of 308.37 feet to a point for corner;

THENCE South 07°24' 46" West a distance of 602.23 feet to a point for corner;

THENCE South 04°53'33" East a distance of 317.77 feet to a point for corner;

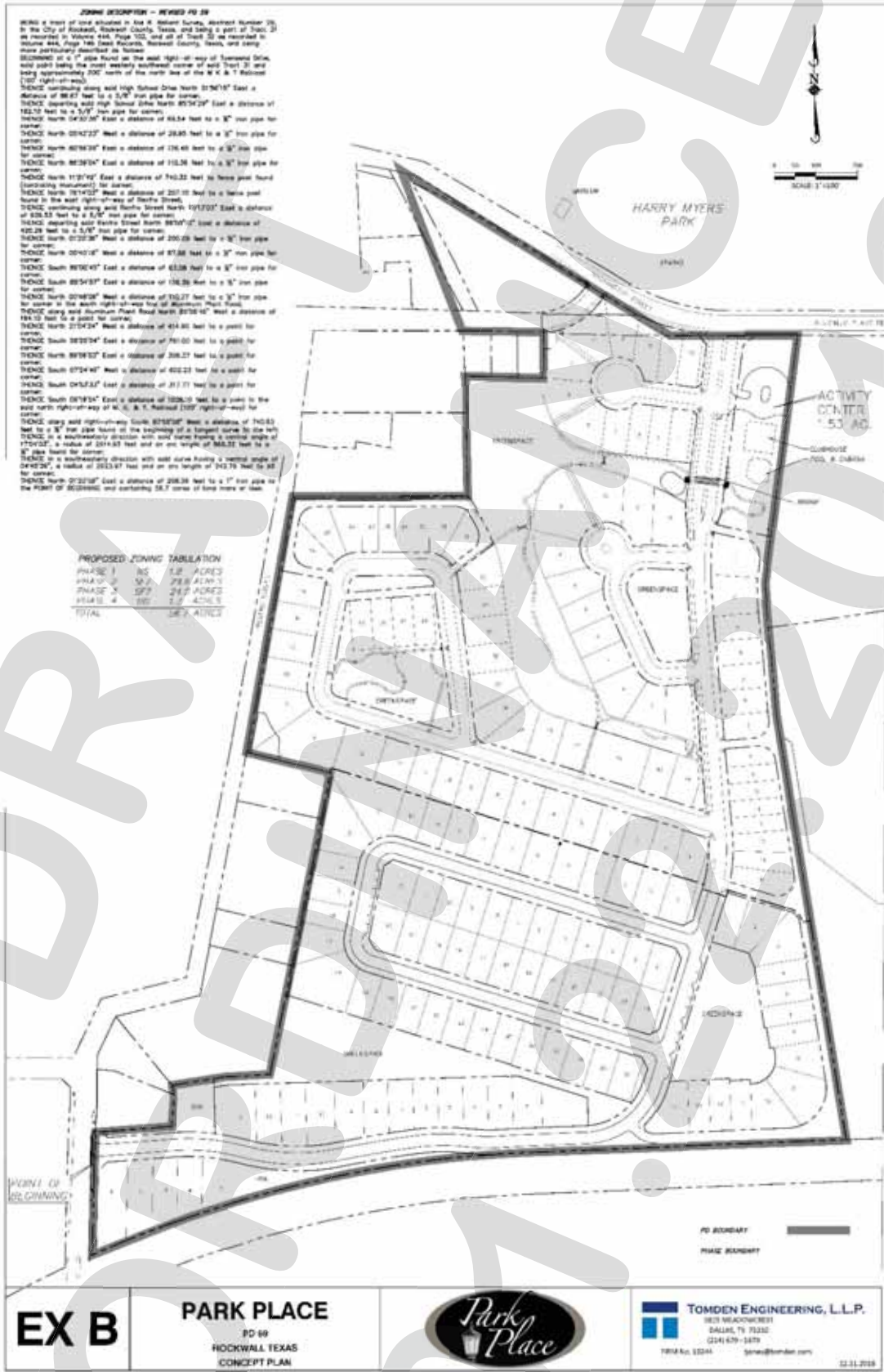
THENCE South 09°19'54" East a distance of 1038.10 feet to a point in the said north right-of-way of M. K. & T. Railroad (100' right-of-way) for corner;

THENCE along said right-of-way South 87°55'08" West a distance of 740.83 feet to a ½" iron pipe found at the beginning of a tangent curve to the left;

THENCE in a southwesterly direction with said curve having a central angle of 17°04'03", a radius of 2914.93 feet and an arc length of 868.32 feet to a ½" pipe found for corner;

THENCE In a southwesterly direction with sold curve having a central angle of 04°45'26", a radius of 2923.97 feet and an arc length of 242.78 feet to XX for corner;

THENCE North 01°20'58" East a distance of 208.56 feet to a 1" iron pipe to the POINT OF BEGINNING and containing 56.7 acres of land more or less.



ZONING DESCRIPTION - REVISED PD 69

WHERE a tract of land situated in the 44 section Tarrant, southeast Number 10, in the City of Rockwall, Rockwall County, Texas, and being a part of Tract 21 as recorded in Volume 444, Page 752, and all of Tract 22 as recorded in Volume 444, Page 146 both in Rockwall, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at 6 1/2' pole located on the east right-of-way of Spangford Drive, said pole being the most westerly southwest corner of said Tract 21 and being approximately 200' north of the north line of the M. & T. Railroad (100' right-of-way).

THENCE continuing along said High School Drive North 07°45'14" East a distance of 88.47 feet to a 3/4" iron pipe for corner;

THENCE departing said High School Drive North 85°54'29" East a distance of 182.02 feet to a 3/4" iron pipe for corner;

THENCE North 04°37'36" East a distance of 68.54 feet to a 3/4" iron pipe for corner;

THENCE North 02°12'27" West a distance of 28.85 feet to a 3/4" iron pipe for corner;

THENCE North 80°18'30" East a distance of 136.48 feet to a 3/4" iron pipe for corner;

THENCE North 88°38'04" East a distance of 110.26 feet to a 3/4" iron pipe for corner;

THENCE North 11°27'14" East a distance of 740.32 feet to fence post found (containing monument) for corner;

THENCE North 07°14'27" West a distance of 207.10 feet to a fence post found in the east right-of-way of Debra Street;

THENCE continuing along said Debra Street North 191°10' East a distance of 638.53 feet to a 3/4" iron pipe for corner;

THENCE departing said Debra Street North 88°07'17" East a distance of 402.28 feet to a 3/4" iron pipe for corner;

THENCE North 07°22'38" West a distance of 200.28 feet to a 3/4" iron pipe for corner;

THENCE North 02°45'18" West a distance of 87.88 feet to a 3/4" iron pipe for corner;

THENCE South 89°02'18" East a distance of 63.08 feet to a 3/4" iron pipe for corner;

THENCE South 85°54'57" East a distance of 136.26 feet to a 3/4" iron pipe for corner;

THENCE North 02°14'28" West a distance of 701.00 feet to a pole for corner;

THENCE North 89°18'37" East a distance of 308.21 feet to a pole for corner;

THENCE South 07°14'48" West a distance of 402.21 feet to a pole for corner;

THENCE South 08°52'37" East a distance of 317.71 feet to a pole for corner;

THENCE South 08°18'54" East a distance of 100.26 feet to a pole in the east north right-of-way of M. & T. Railroad (100' right-of-way) for corner;

THENCE along said right-of-way South 87°52'57" West a distance of 740.83 feet to a 3/4" iron pipe located at the beginning of a curved curve to the left with THENCE in a southeasterly direction with said curve having a vertical angle of 175°02', a radius of 293.87 feet and an arc length of 742.78 feet to 62' for corner;

THENCE in a southeasterly direction with said curve having a vertical angle of 175°02', a radius of 293.87 feet and an arc length of 742.78 feet to 62' for corner;

THENCE North 07°22'38" East a distance of 206.28 feet to a 1" iron pipe to the POINT OF BEGINNING and containing 58.7 acres of less more or less.

PROPOSED ZONING TABULATION

PHASE 1	NS	1.8	ACRES
PHASE 2	SA	28.8	ACRES
PHASE 3	SF3	24.2	ACRES
PHASE 4	NS	1.7	ACRES
TOTAL		56.5	ACRES

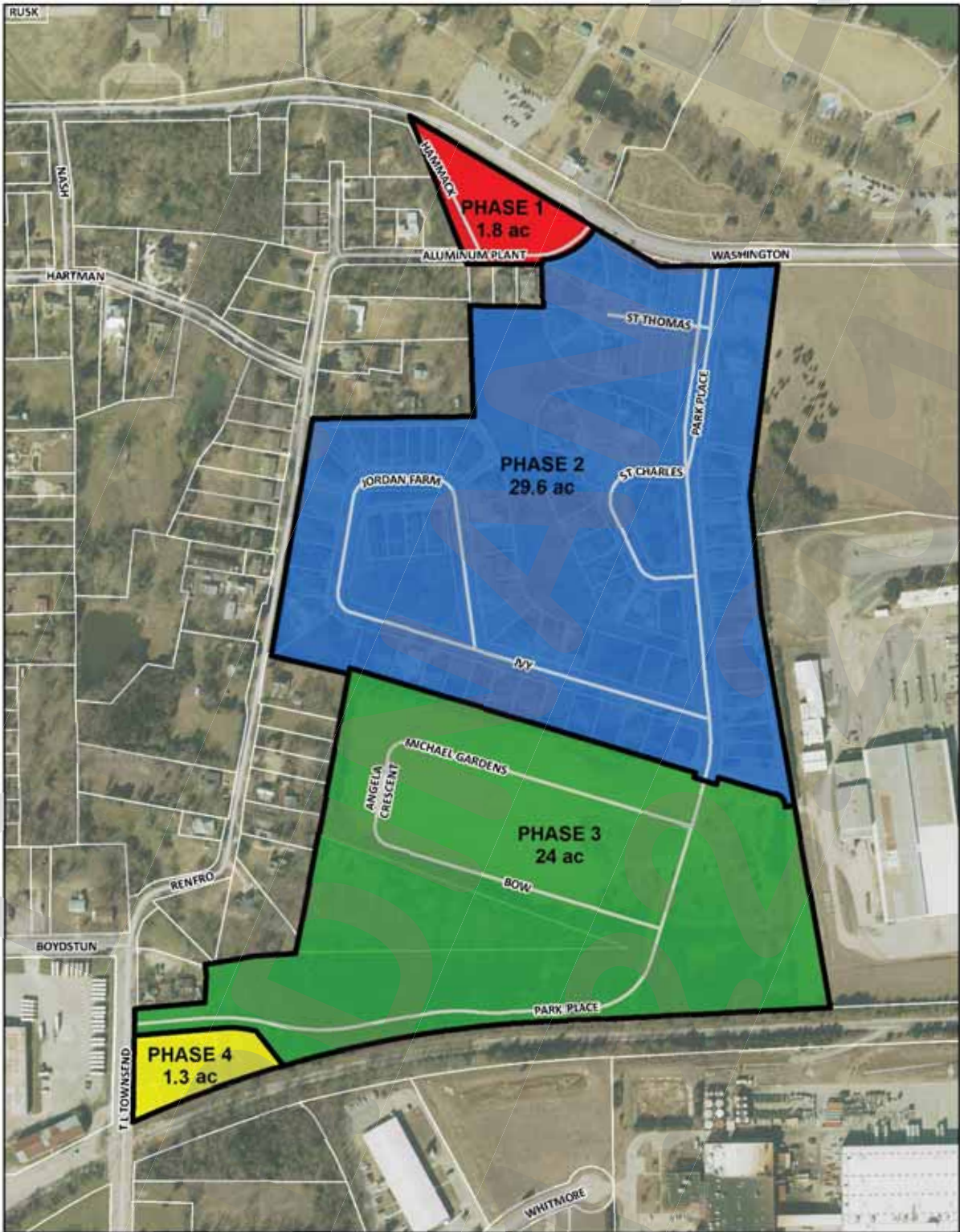
EX B

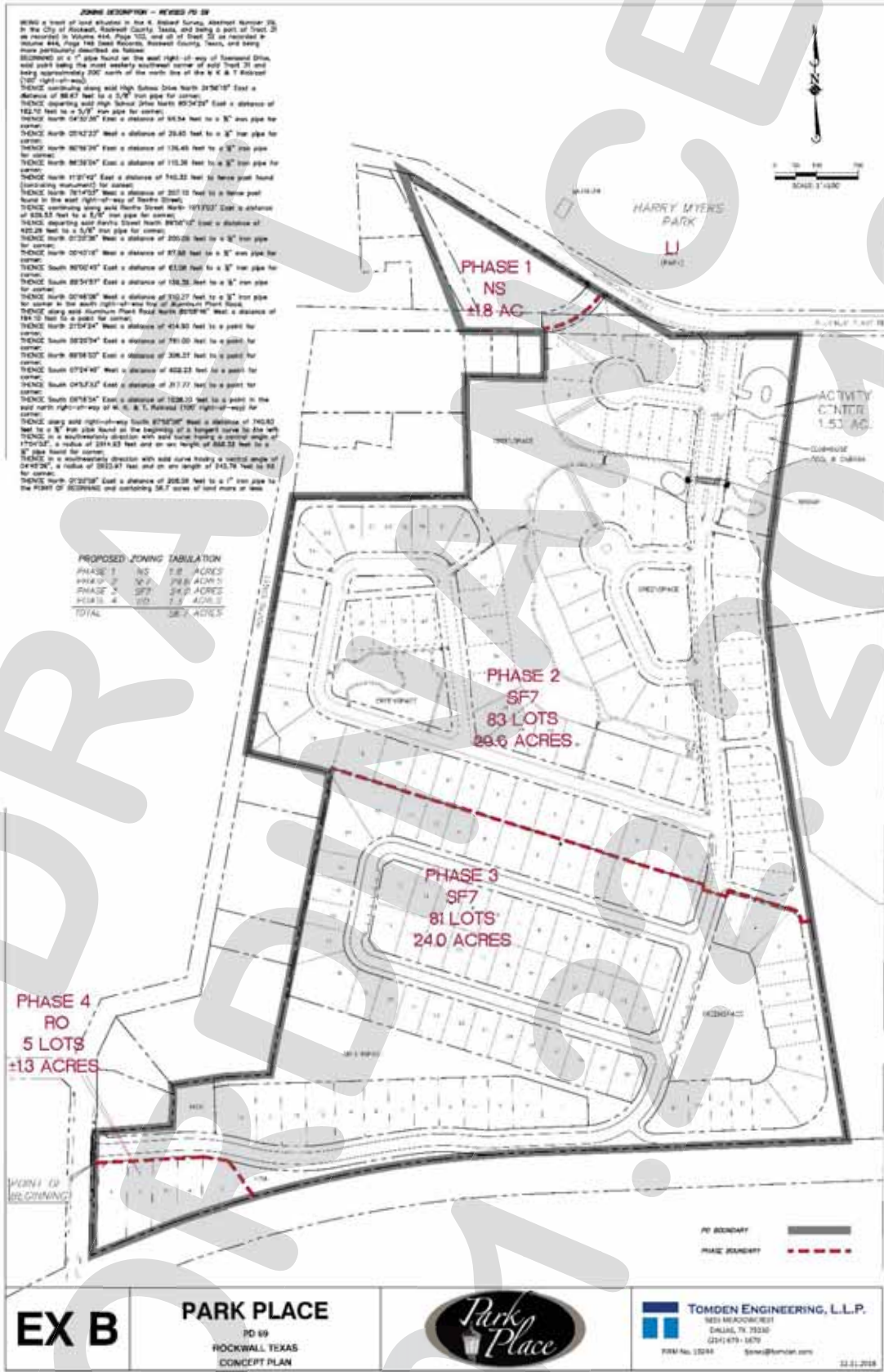
PARK PLACE
 PD 69
 ROCKWALL, TEXAS
 CONCEPT PLAN

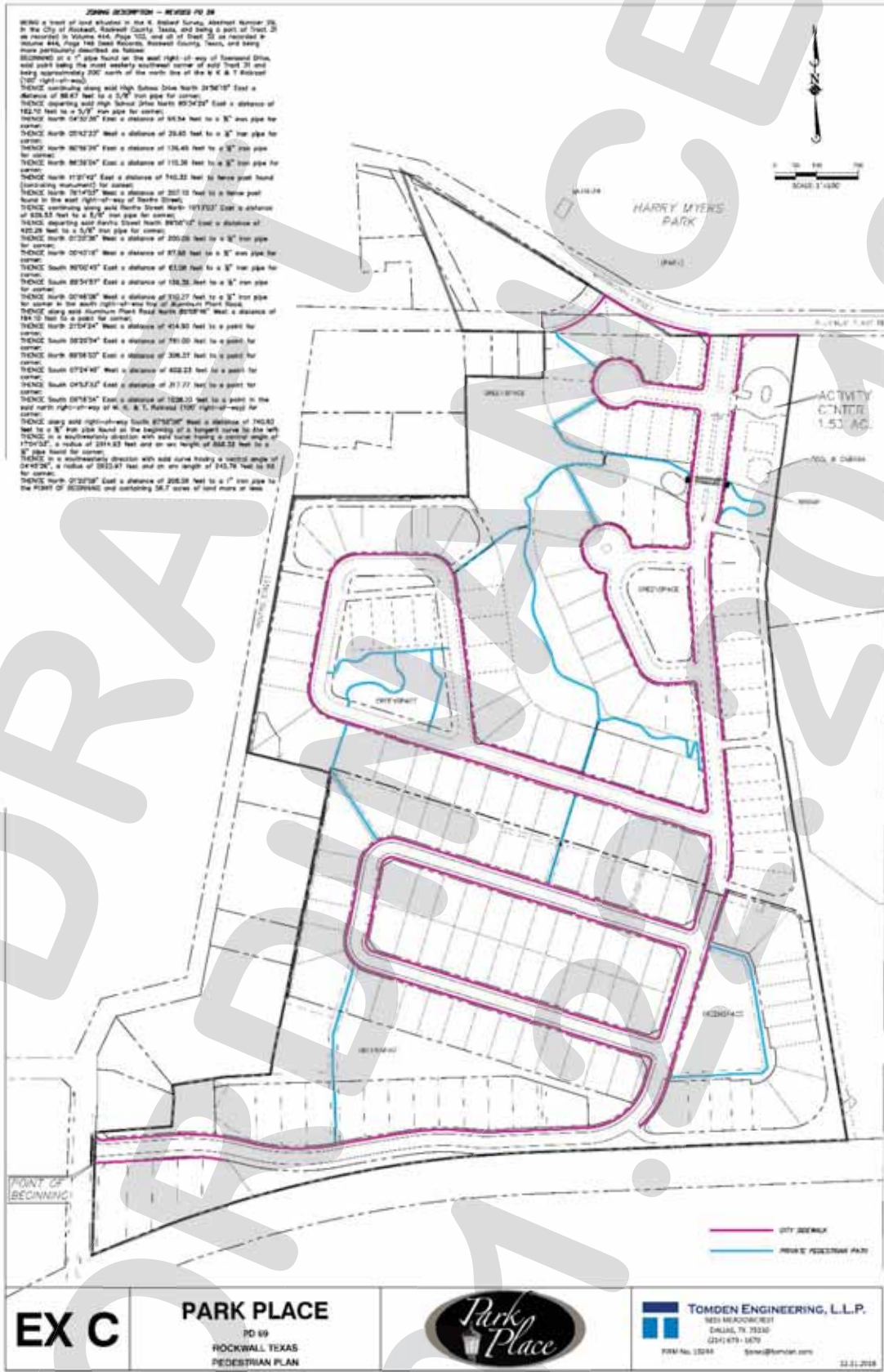


TOMDEN ENGINEERING, L.L.P.
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 DALLAS, TX 75226
 (214) 679-1479
 TMM No. 12244 info@tomden.com

02.11.2018







Phases 1-4 (56.586-Acres): Development Standards for all Phases

- (1) *Streetscape Standards.* The following aspects of development shall be reviewed in conjunction with a preliminary plat and/or site plan:
 - (a) *Street Lighting.* Street lighting shall be compatible with neo-traditional design methods, the Old Town Rockwall Historic District guidelines, and any proposed guidelines for the City's Downtown Plan.
 - (b) *Street Signage and Traffic Control.* Signage and traffic control methods shall be compatible with neo-traditional design and complement the surrounding historic areas of the City.
 - (c) *Street Sections.* A PD Development Plan shall include any alternative street and alley cross-sections, paving methods, use of street trees, and other proposed engineering details.
- (2) *Private Parks and Open Space.* Details for private parks and open space as indicated in *Exhibit 'B'* shall be subject to the following requirements and approved as part of the preliminary plat and/or site plan:
 - (a) A site/landscape plan for all open space, pocket parks, the community center, and trail systems. The development plan and/or preliminary plat shall also be reviewed by the City's Parks and Recreation Board.
 - (b) All city-required trails and public sidewalks shall be constructed with concrete and meet all City standards.
 - (c) Drainage area trails, which shall be maintained by the HOA, may be constructed with asphalt.
 - (d) The developer shall install a screening fence adjacent to the railroad along the south boundary of the subject property. The exact location, construction material(s), and height of the screening fence shall be reviewed and approved as part of the required site plan.
- (3) *Hardscape.* Hardscape plans--depicted in *Exhibit 'E'*--indicating the location of all sidewalks and trails shall be reviewed and approved with the preliminary plat and/or final plat.
- (4) *Fence Standards.* All fences shall be required to be wrought iron or tubular steel and vinyl shall be a minimum of four (4) feet in height; however, may not exceed a maximum of eight (8) feet in height unless situated in the front yard. Front yard fences shall meet the following requirements:
 - (a) No front yard fences shall be located within a public right-of-way;
 - (b) The maximum height for a front yard fence is 42-inches (*i.e.* 3 ½ feet); and
 - (c) All front yard fences shall be open or *picket-style* fencing constructed of wrought iron, tubular steel, or vinyl.

Phase 1: Neighborhood Services (1.8-Acres)

- (1) *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, *Phase 1* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the land uses permitted for the Neighborhood Services (NS) District as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance*

- (2) *No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future.
- (3) *Density and Dimensional Requirements.* Unless specifically provided by this Planned Development ordinance, *Phase 1* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the development standards for the Neighborhood Services (NS) District as stipulated in Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future. All lots shall conform to the standards depicted in *Table 1*, which are as follows:

Table 1: Density and Dimensional Requirements

<i>Minimum Lot Width</i> ⁽¹⁾	60'
<i>Minimum Lot Depth</i>	100'
<i>Minimum Lot Area</i>	6,000 SF
<i>Minimum Front Yard Setback</i> ⁽²⁾	15'
<i>Minimum Side Yard Setback</i>	20'
<i>Minimum Distance Between Buildings</i>	15'
<i>Maximum Height</i>	36'
<i>Minimum Rear Yard Setback</i>	20'
<i>Maximum Lot Coverage</i>	60%
<i>Maximum Building Size</i>	5,000 SF

General Notes:

¹: The minimum lot width shall be measured at the *Front Yard Building Setback*.

²: The location of the *Front Yard Building Setback* as measured from the front property line.

- (4) *Building Standards.* All development shall be subject to site plan and Architectural Review Board (ARB) review and shall adhere to the following building standards:
 - (a) *Masonry Requirements.* The minimum masonry requirement for the exterior façades of all buildings shall be 80%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard horizontal lap-siding (e.g. *HardiBoard* or *Hardy Plank*) and/or similar cementitious products may be used for up to 100% of the exterior of the building pending conformance with the anti-monotony restrictions outlined in this ordinance. Stucco (i.e. *three [3] part stucco* or similar) shall be prohibited.
 - (b) *Roof Design Requirements.* All structures having a footprint of 6,000 SF or less shall be constructed with a pitched roof system.
 - (c) *Architectural Requirements.* All units shall be architecturally finished on all sides of the building that are visible from a public right-of-way or open space. This should include the detailing and features. This will be reviewed by the Architectural Review Board (ARB) for conformance.
- (5) *Landscape Buffer.* A minimum 10-foot landscape buffer shall be required along all street frontages. The buffer shall include a minimum of one (1) tree per 30 linear feet.
- (6) *Signage.* Permanent, free-standing signage for Phase 1 shall be limited to one (1) monument not exceeding five (5) feet in height or a maximum of 60 SF in area.
- (7) *Lighting.* In addition to the outdoor lighting requirements stipulated in Article VII, Environmental Performance, of the Unified Development Code (UDC), no light pole, pole base, or combination thereof shall exceed 20-feet in height. All lighting fixtures shall focus downward and be contained on the subject property

Phases 2 & 3: Single-Family 7 (53.6-Acres)

- (1) **Permitted Uses.** Unless specifically provided by this Planned Development ordinance, *Phases 2 & 3* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the land uses permitted for the Single-Family 7 (SF-7) District as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future.
- (2) **Density and Dimensional Requirements.** Any development on *Phases 2 & 3* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the development standards required for properties in a Single-Family 7 (SF-7) District as stipulated by Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future.

Table 2: SF-7 Lot Dimensional Requirements

Minimum Lot Width ⁽¹⁾	40'
Minimum Lot Area	4,000 SF
Minimum Average Lot Area	7,000 SF
Minimum Front Yard Setback ^{(2) & (3)}	10'
Minimum Side Yard Setback ⁽⁴⁾	5'
Minimum Side Yard Adjacent to a Street	10'
Minimum Distance Between Buildings	15'
Maximum Height ⁽³⁾	36'
Minimum Rear Yard Setback ^(4, 5)	10'
Maximum Lot Coverage	60%

General Notes:

- ¹: The minimum lot width shall be measured at the *Front Yard Building Setback*.
- ²: The location of the *Front Yard Building Setback* as measured from the front property line.
- ³: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
- ⁴: The minimum side yard setback for an internal lot or a lot abutting open space or HOA common area is five (5) feet. For yards abutting a street, the minimum side yard setback shall be 10-feet.
- ⁵: Lots with double frontage shall have a minimum rear yard setback of 15 feet.

- (3) **Building Standards.** Housing type and construction shall generally conform to the *Architectural Styles* depicted in *Exhibit 'G'* of this ordinance; however, all development shall adhere to the following building standards:
 - (a) **Masonry Requirements.** The minimum masonry requirement for all exterior façades (*excluding walls on a porch, patio, courtyard, or breezeway*) greater than 100 SF shall be 80%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*) and/or similar cementitious products may be used for up to 100% of the exterior of the building pending conformance with the anti-monotony restrictions outlined in this ordinance. Stucco (*i.e. three [3] part stucco or similar*) shall be prohibited.
 - (b) **Anti-Monotony.** An anti-monotony standard shall not allow the same structure—in terms of materials and elevation--any closer than five (5) houses apart on either side of the street.
 - (c) **Common Areas and Open Space.** All common areas, dedicated landscape easements, and open space areas shall be maintained by a Homeowner's Association, which shall be created subject to the requirements of the City's Subdivision Ordinance and filed prior to approval of the final plat(s)

- (d) *Guest Quarters/Secondary Living Unit.* A guest quarters/secondary living unit shall be permitted by-right within Phases 2 & 3 and subject to the following conditions:
- (i) Such quarters must be ancillary to the primary use;
 - (ii) The area of such quarters shall not exceed 30% of the area of the main structure;
 - (iii) The area of such quarters shall also conform to the maximum lot coverage for the overall lot;
 - (iv) No such use may be sold or conveyed separately without meeting the requirements of the zoning district and the *Subdivision Ordinance*; and
 - (v) Such quarters shall be designed for temporary occupancy or as a secondary living unit. These structures are not to be used as rental accommodations.
- (4) *Access.* Lots with rear yards that abut Renfro Street shall not have access from Renfro Street.

Phase 4: Residential-Office (1.3-Acres)

- (1) *Permitted Uses.* Unless specifically provided by this Planned Development District Ordinance, *Phase 4* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the land uses permitted for the Residential-Office (RO) District as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future; however, the following conditions shall apply:

The following land uses shall be expressly prohibited on the *Phase 4*:

- Accessory Building
- Bed and Breakfast
- Convent or Monastery
- Daycare (7 or more children)
- Residential Care Facility
- Assisted Living Facility
- Convalescent Care Facility/Nursing Home
- Congregate Care Facility
- General Retail Store*
- Group or Community Home
- Halfway House
- Library, Art Gallery, or Museum (Public)
- Railroad Yard or Shop
- Studio-Art, Photography, or Music
- Shoe and Boot Repair and Sales
- Transit Passenger Facility
- Antenna, Accessory
- Antenna, Commercial
- Antenna, Amateur Radio
- Antenna, Dish
- Wireless Communication Tower
- Utilities (Non-Municipally Owned or Controlled), Including Sanitary Landfill and Wastewater Treatment
- Municipally Owned or Controlled Facilities, Utilities, and Use

*General Retail Store less than 2,000 SF shall be allowed by-right. General Retail Stores larger than 2,000 SF shall require a Specific Use Permit

The following land uses shall be permitted by Specific Use Permit (SUP) on the Phase 4:

- General Retail Store*
- Hair Salon, Manicurist
- Office Building, 5,000 SF or More
- Restaurant, Less Than 2,000 SF w/o Drive-Thru
- Solar Energy Collector Panels and Systems

*General Retail Store less than 2,000 SF shall be allowed by-right. General Retail Stores larger than 2,000 SF shall require a Specific Use Permit

- (2) *Density and Dimensional Requirements.* Any development on Phase 4 as depicted in Exhibits 'C' & 'D' of this ordinance shall be subject to the development standards required for properties in a Residential-Office (RO) District as stipulated by Article V, *District Development Standards*, of the Unified Development Code [Ordinance No. 04-38] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future; however, all development shall adhere to the following building standards:

Table 3. *Density and Dimensional Requirements*

<i>Minimum Lot Width</i> ⁽¹⁾	60'
<i>Minimum Lot Depth</i>	100'
<i>Minimum Lot Area</i>	6,000 SF
<i>Minimum Front Yard Setback</i> ⁽²⁾	10'
<i>Minimum Side Yard Setback</i>	5'
<i>Minimum Distance Between Buildings</i>	15'
<i>Maximum Height</i> ⁽³⁾	36'
<i>Minimum Rear Yard Setback</i>	10'
<i>Maximum Lot Coverage</i>	60%

General Notes:

¹: The minimum lot width shall be measured at the *Front Yard Building Setback*.

²: The location of the *Front Yard Building Setback* as measured from the front property line.

³: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the residential-office structure.

- (3) *Building Standards.* *Building Standards.* Housing type and construction shall generally conform to the *Architectural Styles* depicted in *Exhibit 'G'* of this ordinance; however, all development shall adhere to the following building standards:

(a) *Masonry Requirements.* The minimum masonry requirement for all exterior façades (*excluding walls on a porch, patio, courtyard, or breezeway*) greater than 100 SF shall be 90%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard horizontal lap-siding (*e.g. HardyBoard or Hardy Plank*) and/or similar cementitious products may be used for up to 100% of the exterior of the building pending conformance with the anti-monotony restrictions outlined in this ordinance. Stucco (*i.e. three [3] part stucco or similar*) shall be prohibited.

(b) *Anti-Monotony.* An anti-monotony standard shall not allow the same structure—in terms of materials and elevation—any closer than five (5) houses apart on either side of the street.

- (c) *Common Areas and Open Space.* All common areas, dedicated landscape easements, and open space areas shall be maintained by a Homeowner's Association, which shall be created subject to the requirements of the City's Subdivision Ordinance and filed prior to approval of the final plat(s).
- (d) *Guest Quarters/Secondary Living Unit.* A guest quarters/secondary living unit shall be permitted by-right within Phases 2 & 3 and subject to the following conditions:
- (i) Such quarters must be ancillary to the primary use;
 - (ii) The area of such quarters shall not exceed 30% of the area of the main structure;
 - (iii) The area of such quarters shall also conform to the maximum lot coverage for the overall lot; and
 - (iv) No such use may be sold or conveyed separately without meeting the requirements of the zoning district and the *Subdivision Ordinance*.
 - (v) Such quarters shall be designed for temporary occupancy or as a secondary living unit. These structures are not to be used as rental accommodations.
- (4) *Access.* Lots with rear yards that abut Renfro Street shall not have access from Renfro Street.
- (5) *Parking Requirements.* Parking requirements for Phase 4 shall be all follows:
- (a) Two (2) parking spaces per lot for single-family uses.
 - (b) One (1) additional space per 500 SF for non-residential uses as permitted by this ordinance. Off-site common or shared parking agreements shall be considered for Phase 4, subject the review of the proposed parking area(s) with the required development plan.



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CITY OF ROCKWALL, TEXAS

MEMORANDUM

TO: Mayor and City Council

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

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

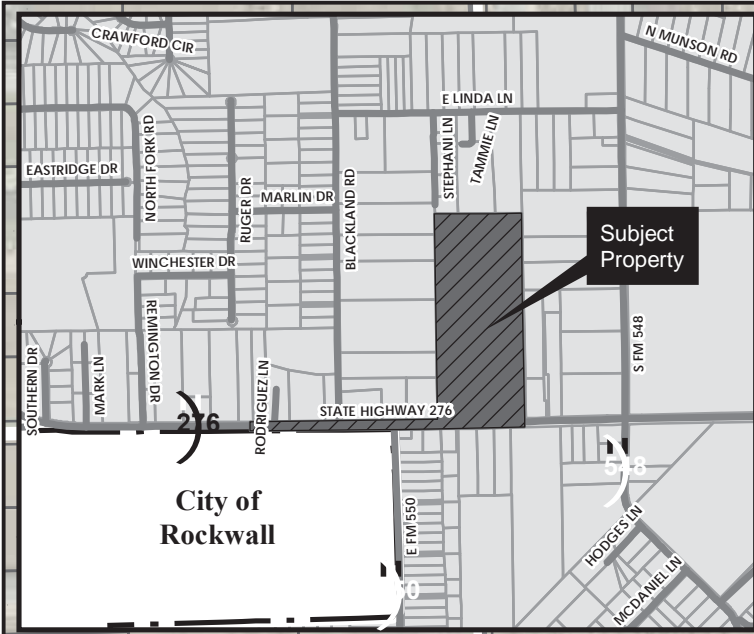
DATE: January 22, 2019

SUBJECT: A2018-005; *Harlan Properties Inc. Annexation*




On January 22, 2019, the City Council will be holding the first (6:00 PM) and second (6:30 PM) public hearings to consider the voluntary annexation of 79.564-acres of land located within the City's Extraterritorial Jurisdiction (ETJ). Suresh Shridharani, on behalf of Harlan Properties Inc., is requesting the annexation for the purpose of incorporating the property into the City of Rockwall to develop a residential subdivision.

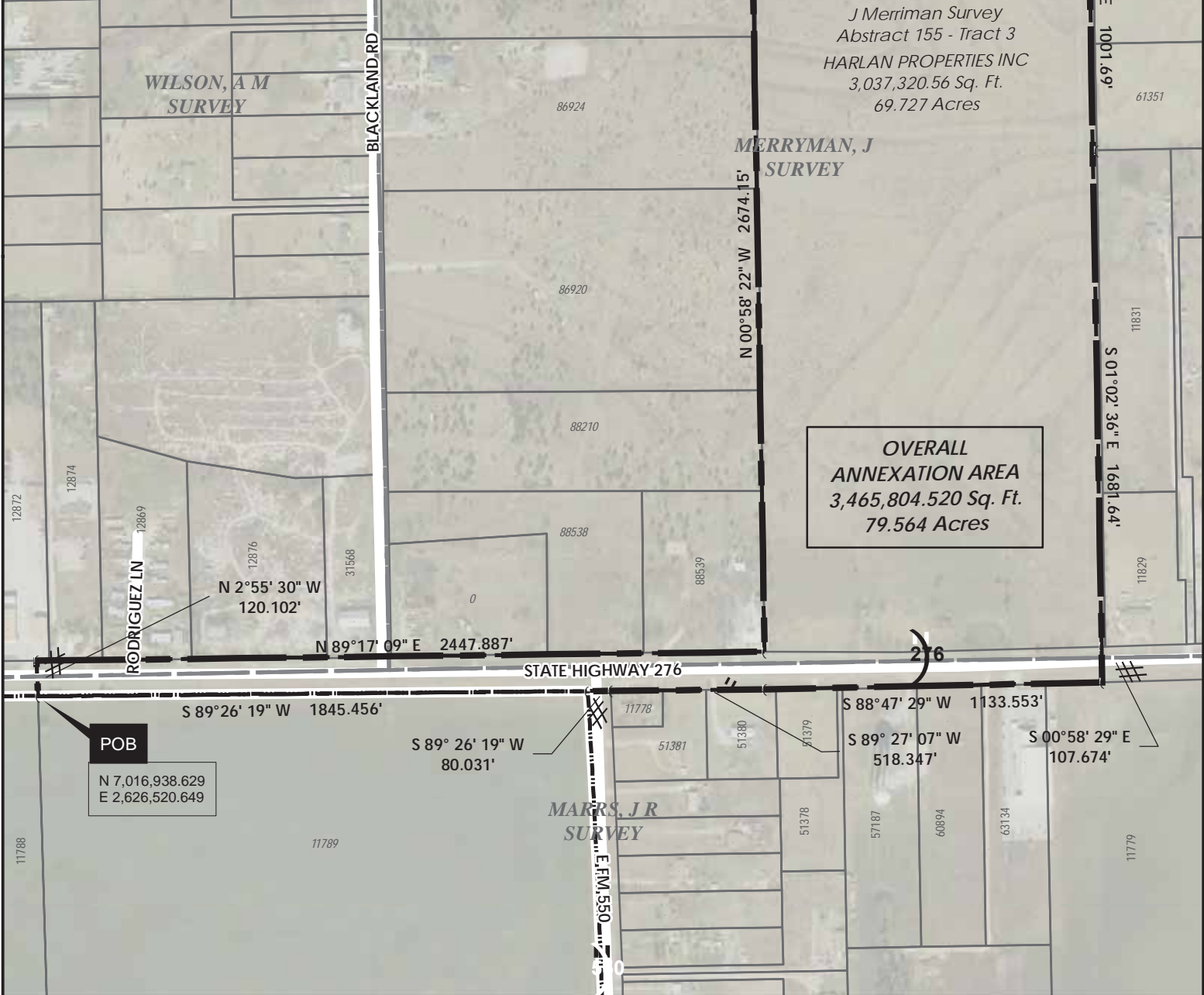
Staff has followed the procedures for annexations as set forth in Chapter 43, *Municipal Annexations*, of the Texas Local Government Code relative to notifying affected property owners and publishing notices in the newspaper and on the City's website. Attached to this memorandum is a location map and service plan for the proposed annexation. In addition, this document has been made available to the public at City Hall and on the City's website.

No action on this matter is required by the City Council on January 22, 2019. The 1st reading of the annexation ordinance is scheduled for February 18, 2019 and the 2nd (*and final*) reading of the ordinance is scheduled for March 4, 2019.



Legend

-  Subject Property
-  Parcels
-  City Limits



*J Merriman Survey
Abstract 155 - Tract 3
HARLAN PROPERTIES INC
3,037,320.56 Sq. Ft.
69.727 Acres*

**OVERALL
ANNEXATION AREA
3,465,804.520 Sq. Ft.
79.564 Acres**

POB
N 7,016,938.629
E 2,626,520.649

LEGAL DESCRIPTION

BEING an approximate 79.564 acre tract of land situated in the J. Merriman Survey, Abstract 155, A.M. Wilson Survey, Abstract 223, and J.R. Marr's Survey, Abstract 152 as recorded in the County of Rockwall, Texas and being more particularly described as follows:

BEGINNING at a point in the Northwestern corner of Abstract J.R. Marr's Survey, Tract 10-1 (105.925 acres) and the South Right of Way line of State Highway 276, (NAD83- State Plane Coordinates, North Central Texas Zone 4202, N 7,016,938.629, E 2,626,520.649), said point being the **POINT OF BEGINNING**;

THENCE N.02°55'30"W., crossing State Highway 276, a distance of 120.102 feet for a corner;

THENCE N.89°17'09"E., along the North Right of Way line of State Highway 276, a distance of 2447.887 feet for a corner;

THENCE N.00°58'22"W., along the West property line of Abstract 155, Tract 3 (a 69.727 acre tract) a distance of 2674.15 feet for a corner;

THENCE N.89°31'08"E., along the North property line of said tract, a distance of 297.01 feet for a point;

THENCE N.89°27'50"E., along the North property line, a distance of 491.69 feet for a point;

THENCE N.88°50'01"E., along the North property line, a distance of 343.67 feet for a corner;

THENCE S.00°55'22"E., along the East property line, a distance of 1001.69 feet for a point;

THENCE S.01°02'36"E., along the East property line, a distance of 1681.64 feet for a point;

THENCE S.00°58'29"E., crossing State Highway 276, a distance of 107.674 feet for a corner;

THENCE S.88°47'29"W., along the South Right of Way line of State Highway 276, a distance of 1133.553 feet for a corner;

THENCE S.89°27'07"W., along said Right of Way line, a distance of 518.347 feet for a corner;

THENCE S.89°26'19"W., crossing Farm to Market 550, a distance of 80.031 feet for a corner;

THENCE S.89°26'19"W., continuing along the South Right of Way line of State Highway 276, a distance of 1845.456 feet to the **POINT OF BEGINNING**. Containing 3,465,804.520 square feet or 79.564 acres, more or less.

This description is intended to follow any adjacent recorded tract lines and existing City Limits or Road Right of Way lines.

END OF DESCRIPTION.

SERVICE PLAN FOR ANNEXED AREA

*Annexation Case No. A2018-005
City and County of Rockwall, Texas*

Acreage Annexed: 79.564-acres

Survey Abstract and County: Tract 3 of the J. Merriman Survey, Abstract No. 155, Rockwall County, Texas

Date of Adoption of Annexation Ordinance: March 4, 2019

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

(A) Police Services

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

(B) Fire Services

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

(C) Health and Code Compliance Services

- (1) Enforcement of the City's health ordinances and regulations including, but not limited to, weed and brush ordinances, junked and abandoned vehicle ordinances, food handlers ordinances and animal control ordinances, shall be provided within this area on the effective date of the annexation ordinance. These ordinances and regulations will be enforced through the use of existing personnel. *Complaints of ordinance or regulation violations within this area will be responded and investigated by existing personnel beginning with the effective date of the annexation ordinance.*
- (2) The City's building, plumbing, electrical, gas heating, air conditioning and all other construction codes will be enforced within this area beginning with the effective date of the annexation ordinance. Existing personnel will be used to provide these services.
- (3) The City's zoning, subdivision, and other ordinances shall be enforced in this area beginning on the effective date of the annexation ordinance.

- (4) All inspection services furnished by the City of Rockwall, but not mentioned above, will be provided to this area beginning on the effective date of the annexation ordinance. Any property owner or his/her assigns who in good faith has a new building or structure, as defined in the Comprehensive Zoning Ordinance, under construction on the effective date of annexation shall be exempted from these inspections for that building or structure under construction for a period of one year from the effective date of annexation. For the purpose of this ordinance "under construction" shall mean any work that requires a building permit from the City of Rockwall.
- (5) As development and construction commence within this area, sufficient personnel will be provided to continue to furnish this area the same level of Health and Code compliance services as are furnished throughout the City.

(D) Planning and Zoning Services

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

(E) Recreation and Leisure Services

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

(F) Solid Waste Collection

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

(G) Streets

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

(H) *Water Services*

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

(I) *Sanitary Sewer Services*

- (1) Connections to existing City sanitary sewer mains for sanitary sewage service in this area will be provided in accordance with the existing City policies. Upon connection, sanitary sewage service will be provided at rates established by City ordinances for such services throughout the City.
- (2) Sanitary sewer mains and/or lift stations which are within the annexed area and are connected to City mains shall be maintained by the City of Rockwall beginning with the effective date of the annexation ordinance or upon acquisition by the City.
- (3) Sanitary sewer mains of the City will be extended in accordance with the provisions of the Code of Ordinances and engineering standards and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise available in other parts of the City with topography, land uses, and population densities similar to those reasonably contemplated or projected in the area.
- (4) Previously granted exceptions to the requirements of connections to the city's sanitary sewer treatment system shall be continued until such alternate systems are determined to no longer function to meet the sanitary sewer needs of the subdivision granted the exception.

(J) *Public Utilities*

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

(K) *Miscellaneous*

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

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CITY OF ROCKWALL, TEXAS

MEMORANDUM

TO: Mayor and City Council

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

FROM: David Gonzales, *Planning and Zoning Manager*

DATE: January 22, 2019

SUBJECT: Z2018-058; *SUP for a Craft Winery & Commercial Amusement/Recreation (Outdoor)*

At the Planning and Zoning Commission meeting on January 15, 2019, the Planning and Zoning Commission held a public hearing and approved a motion to recommend approval of a Specific Use Permit (SUP) to allow for a *Craft Winery and Commercial Amusement/Recreation (Outdoor)*. The motion was approved by a vote of 5 to 2 with Commissioners Lyons and Chodun dissenting. The applicant, Tim McCallum, has requested to postpone the public hearing scheduled for Tuesday, January 22, 2019, due to a conflict in his schedule that will not allow him to be present at this meeting. This means that the proposed City Council public hearing for this case will be held on February 4, 2018.

According to Section 6.2, *Public Hearing Postponements, Recess, and Continuations*, of the Article II, Authority and Administrative Procedures, of the Unified Development Code (UDC), a public hearing may be postponed by announcing the postponement at the public hearing and indicating the time and place the new hearing is scheduled to begin. The announcement of a postponement shall be sufficient notice and no additional notice shall be required.

Exhibit 'A'
Letter Requesting Postponement

Gonzales, David

From: Tim McCallum [REDACTED]
Sent: Friday, January 18, 2019 9:07 AM
To: Gonzales, David
Cc: Miller, Ryan
Subject: Re: SUP for Winery

David,

Please accept this email as a formal request to move our initial public hearing to the following meeting, February 4th, 2019. That would make our second public hearing on February 18th, 2019 according to the City Council meeting schedule. When you have time, I would appreciate your confirmation of those days. Unfortunately, I was called out of town for work on the 21st and 22nd, prohibiting me from being available for the originally scheduled time next week. I appreciate your help and thank you.

Respectfully,

Tim McCallum
He Wines She Dines, LLC

CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 01/22/2019

APPLICANT: Tim McCallum

AGENDA ITEM: **Z2018-058**; *SUP for a Craft Winery and Commercial Amusement/Recreation (Outdoor)*

SUMMARY:

Hold a public hearing to discuss and consider a request by Tim McCallum of He Wines She Dines, LLC on behalf of Buffalo Creek Business Park, LTD for the approval of a Specific Use Permit (SUP) for a *Craft Winery and Commercial Amusement/Recreation (Outdoor)* on a 7.2-acre tract of land identified as Tracts 20-01 & 20-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 203 County Line Road, and take any action necessary.

PURPOSE AND CHARACTERISTICS OF THE REQUEST:

The applicant, Tim McCallum, has submitted a request for a Specific Use Permit (SUP) to allow a *Craft Winery and Commercial Amusement/Recreation (Outdoor)* facility to be located within a Commercial (C) District. Currently, the subject property -- at 203 County Line Road -- is being operated as a warehouse and shipping facility for the applicant's wine club (*i.e. no retail sales*). The applicant has stated that they would like the opportunity to expand this use to a *Craft Winery* for the purpose of allowing wine to be mixed, produced and sold on-site. With this request, the applicant has submitted a floor plan showing the proposed *Craft Winery* layout, which will be situated in a 1,250 SF building. Of this area, 500 SF of the building [*i.e. 40% of total SF*] will be dedicated for the retail sales and tasting component of the on-site manufactured product. The remaining 750 SF will be used for wine display racks, an overhead storage area, blending tanks, and wine barrels. Additionally, the applicant has provided a concept plan for the *Commercial Amusement/Recreation (Outdoor)* use [*i.e. outdoor venue*], which will be located outdoors in front of the facility. The applicant has indicated to staff that this area will be used on a limited and infrequent basis. In addition, Mr. McCallum has submitted a letter indicating that the use of the outdoor venue will only take place on a scheduled basis, Thursday through Monday (*i.e. nights, weekends, and occasionally on Mondays and holidays*). The outdoor venue will include a seating area, space for food vendors, and space for live music [*e.g. acoustic guitar*].

According to Section 1.1, *Land Use Schedule*, of Article IV, *Permissible Uses*, of the Unified Development Code (UDC), both the *Craft Winery* and *Commercial Amusement/Recreation (Outdoor)* land uses require approval of a Specific Use Permit (SUP) in a Commercial (C) District. Additionally, Section 2.1.6, of Article IV, *Permissible Uses*, of the UDC, defines a *Craft Winery* as being a small scale manufacturing and retail operation that is subject to the following conditions: (1) the total building area (*i.e. area under roof*) is less than 12,000 SF, and (2) the total floor area dedicated to the direct sale of the on-site manufactured product does not exceed a maximum of 40% of the total floor area. The section also goes on to list the permitted accessory uses as:

- (a) a tasting room to dispense product manufactured on site for on premise consumption,
- (b) a meeting/banquet facility,

- (c) a restaurant, and/or
- (d) the retail sales of on-site manufactured product for off-premise consumption.

Included in the attached packet is the applicant's letter outlining the proposed business plan, a concept plan depicting the outdoor venue, a floor plan for the *Craft Winery*, and a draft ordinance containing regulations for the proposed land uses. Based on staff's review, the applicant's request does appear to be in conformance with these requirements; however, the approval of a Specific Use Permit (SUP) is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

ADJACENT LAND USES AND ACCESS:

The subject property is generally situated north of the intersection of Horizon Road [FM-3097] and County Line Road, and is addressed as 203 County Line Road. The land uses adjacent to the subject property are as follows:

- North:* Directly north of the subject property is a 14.374-acre tract of land, restricted as open space and drainage per the requirements of Planned Development District 75 (PD-75).
- South:* Directly south of the subject property is a continuation of the Buffalo Creek Business Park, LTD, which represents a 6.841-acre portion of a larger 9.84-acre tract of land identified as Tracts 20, 20-05, and 20-06 of the W. W. Ford Survey, Abstract No. 80. Currently on this property are several non-residential structures, which are occupied (*i.e. multi-tenant strip centers and individual standing buildings*). All of these properties are zoned Commercial (C) District.
- East:* Directly east of the subject property is a continuation of Buffalo Creek Business Park, LTD, which represents a 1.00-acre portion of a larger 9.84-acre tract of land identified as Tracts 20-03 of the W. W. Ford Survey, Abstract No. 80. This property is currently occupied with a non-residential structure, and is zoned Commercial (C) District.
- West:* Directly west of the subject property and beyond the Buffalo Creek Business Park, LTD is Horizon Road [FM-3097], which is identified as an TXDOT4D (*i.e. Texas Department of Transportation, four [4] lane, roadway*) on the City's Master Thoroughfare Plan. Beyond this thoroughfare is a 39.347-acre tract of land identified as Tract 93-01, of the E. Teal Survey, Abstract No. 207 and is zoned Agricultural (AG) District. The Buffalo Creek Business Park, LTD is zoned Commercial (C) District.

NOTIFICATION:

On January 2, 2019, staff mailed 63 notices to property owners and residents within 500-feet of the subject property. Staff did not send a neighborhood notification as there were no Home Owners Associations (HOA's) participating in the Neighborhood Notification Program within 1500-feet of the subject property. Additionally, staff posted a sign on the subject property as required by the UDC. At the time this report was drafted, staff had received one e-mail opposed to the applicant's request.

RECOMMENDATIONS:

Should the City Council choose to approve the applicant's request, staff would offer the following conditions of approval:

- 1) The operation of the *Craft Winery* and *Commercial Amusement/Recreation (Outdoor)* on the subject property shall be subject to the following operational conditions, which are contained in the SUP ordinance:

A. *Craft Winery:*

- 1) The maximum square footage of the building used for a winery shall not exceed 12,000 SF in total building area, and is depicted in *Exhibit 'C'* of the draft ordinance.
- 2) The areas dedicated to the direct sale of the on-site manufactured product shall not exceed 40% of the total floor area of the building, and is depicted in *Exhibit 'D'* of the draft ordinance.
- 3) The hours open to the public for this facility shall be limited to Sunday through Saturday, 11:00 AM to 12:00 AM.

B. *Commercial Amusement/Recreation (Outdoor)*

- 1) The operation of a *Commercial Amusement/Recreation (Outdoor)* use shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance.
 - 2) The *Subject Property* may be used for all permitted accessory uses as well as the use of an *outdoor venue* that may include live music and food truck vendors as depicted in *Exhibit 'B'* of this ordinance. The use of temporary tents or similar uses must be made of fire retardant materials and meet the City's fire codes.
 - 3) The hours of operation associated with the *Outdoor Venue* for this facility shall be limited to Thursday through Monday, 11:00 AM to 12:00 AM.
 - 4) There shall be no outside storage of equipment, furniture, or other materials associated with the operation of this business or from any outdoor gatherings on the *Subject Property*.
 - 5) No parking associated with the uses permitted on the *Subject Property* shall be permitted along County Line Road or Horizon Road [FM-3097].
- 2) Any construction or building necessary to complete this request must conform to the requirements set forth by the *UDC*, the *International Building Code*, 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 RECOMMENDATION:

On January 15, 2019, the Planning and Zoning Commission's motion to recommend approval of the Specific Use Permit (SUP) to allow for a *Craft Winery* and *Commercial Amusement/Recreation (Outdoor)* with staff conditions passed by a vote of 5 to 2 with Commissioners Lyons and Chodun dissenting.



Z2018-058 - SUP FOR CRAFT WINERY AND COMMERCIAL AMUSEMENT (OUTDOOR) ZONING - LOCATION MAP =

PD-75

COUNTY LINE

Subject Property

C

HORIZON

AG



City of Rockwall

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

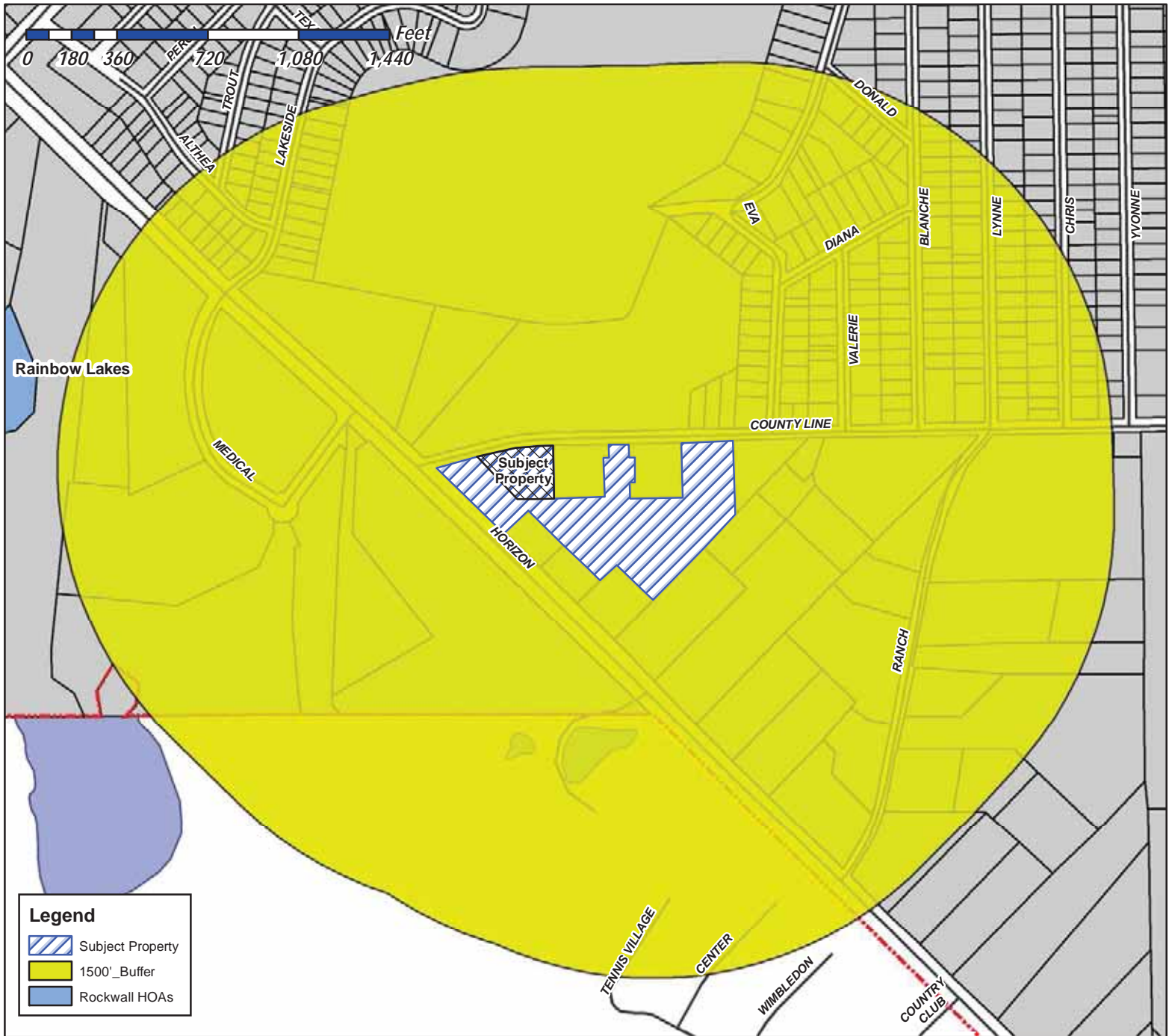
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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



City of Rockwall

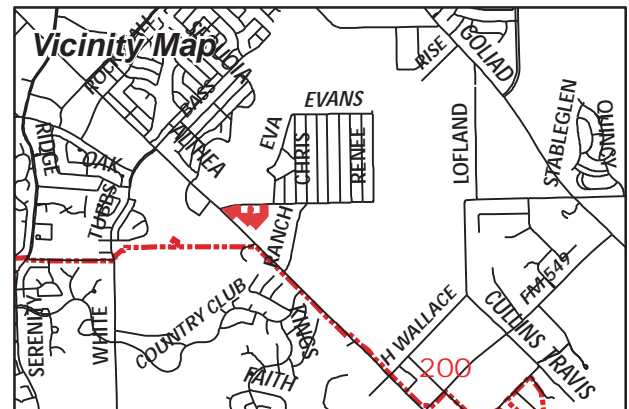
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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Case Number: Z2018-058
Case Name: SUP for a Craft Winery and Commercial Amusement (Outdoor)
Case Type: Zoning
Zoning: Commercial (C) District
Case Address: 203 County Line Road

Date Created: 12/18/2018
 For Questions on this Case Call (972) 771-7745

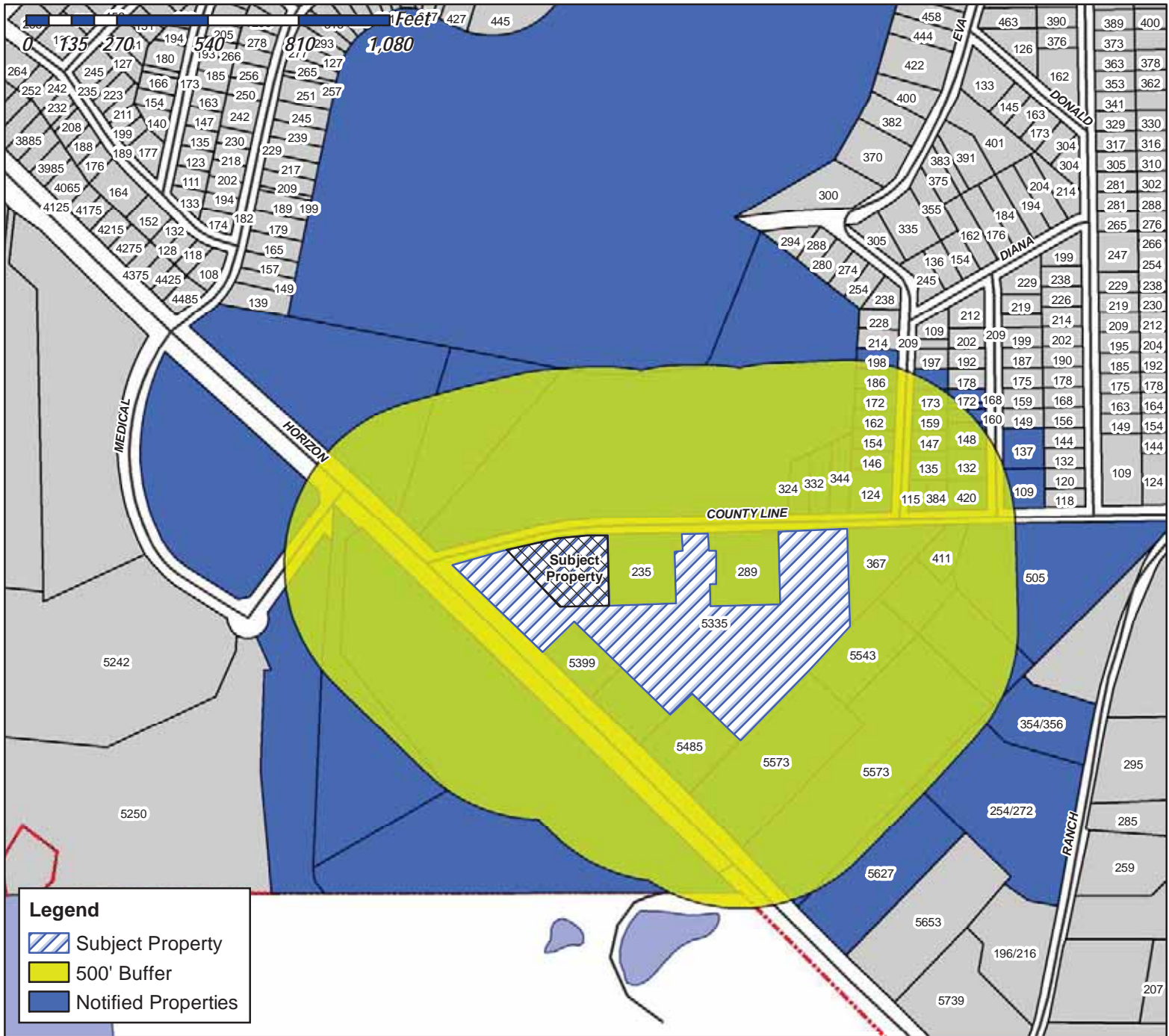




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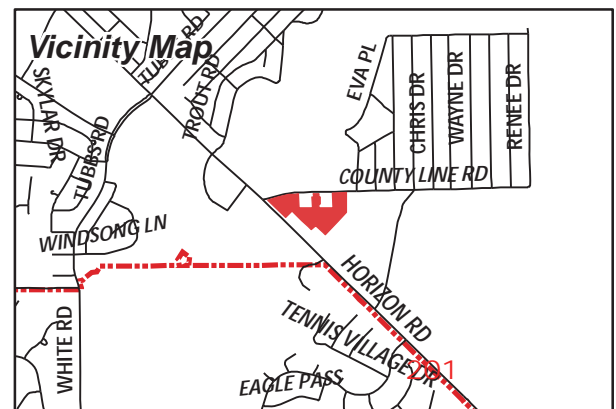
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For Questions on this Case Call (972) 771-7745



WOLFORD BILLY E & KATHY
103 EAGLE NEST
MABANK, TX 75156

SILVA BERTHA
1041 E FM 552
ROCKWALL, TX 75087

SALAS ALBERTO R & ADELA A
109 VALERIE PL
ROCKWALL, TX 75032

CURRENT RESIDENT
115 EVA PL
ROCKWALL, TX 75032

GRIZZEL ROYCE LEE JR
124 EVA PLACE
ROCKWALL, TX 75032

PAVON MARISOL
132 VALERIE PL
ROCKWALL, TX 75032

MONTELONGO MOISES
135 EVA PLACE
ROCKWALL, TX 75032

MOONEY GERALD M & JEWELL F REV LIV TR
137 VALERIE PL
ROCKWALL, TX 75032

CURRENT RESIDENT
146 EVA
ROCKWALL, TX 75032

CURRENT RESIDENT
147 EVA PL
ROCKWALL, TX 75032

VALDEZ MARY ESTHER
148 VALERIE PL
ROCKWALL, TX 75032

CURRENT RESIDENT
154 EVA PL
ROCKWALL, TX 75032

MORALES RAMIRO JR
159 EVA PLACE
ROCKWALL, TX 75032

DURAN ROCIO
160 VALERIE PL
ROCKWALL, TX 75032

DEL RIO ALBERTO & MONICA
162 EVA PL
ROCKWALL, TX 75032

CURRENT RESIDENT
168 VALERIE PL
ROCKWALL, TX 75032

LOZANO ISIDRO
1705 HIGH MEADOW DR
GARLAND, TX 75040

CURRENT RESIDENT
172 EVA PL
ROCKWALL, TX 75032

CURRENT RESIDENT
172 VALERIE PL
ROCKWALL, TX 75032

CURRENT RESIDENT
173 EVA PL
ROCKWALL, TX 75032

5543 FM3097 LLC
1809 BRISTOL LANE
ROCKWALL, TX 75032

SILVA MARIA
186 EVA PL
ROCKWALL, TX 75032

ORTEGA RUBEN
187 EVA PL
ROCKWALL, TX 75032

BARRON BENICIO
195 ROSEMARIE DR
LEBANON, OH 45036

CONTRERAS MANUEL AND MARIA G
198 EVA PL
ROCKWALL, TX 75032

BUFFALO CREEK BUSINESS PARK LTD
2324 EAST I 30
ROYSE CITY, TX 75189

BUFFALO CREEK BUSINESS PARK LTD
2324 W INTERSTATE 30
ROYSE CITY, TX 75189

CURRENT RESIDENT
235 COUNTY LINE RD
ROCKWALL, TX 75032

PATRIOT PAWS SERVICE DOGS
254 RANCH TRL
ROCKWALL, TX 75032

CURRENT RESIDENT
254/272 RANCH TRL
ROCKWALL, TX 75032

KELLY EDDY D & SHARON RENEE REV LIV TR
289 COUNTY LINE RD
ROCKWALL, TX 75032

JIMENEZ TERESA HERNANDEZ &
321 PANOLA CT
ROYSE CITY, TX 75189

CURRENT RESIDENT
324 COUNTY LINE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
332 COUNTY LINE RD
ROCKWALL, TX 75032

SILVA JUAN C
332 E LINDA LN
ROYSE CITY, TX 75189

CURRENT RESIDENT
344 COUNTY LINE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
354/356 RANCH TRL
ROCKWALL, TX 75032

RAMIREZ RAUL & TERESA
358 TROUT ST
ROCKWALL, TX 75032

RAMIREZ RAUL
358 TROUT ST
ROCKWALL, TX 75032

CURRENT RESIDENT
367 COUNTY LINE RD
ROCKWALL, TX 75032

RAMIREZ PETRA & JOSE ARTURO
384 COUNTY LINE RD
ROCKWALL, TX 75032

BIG LEAGUE SPORTS ACADEMY INC
405 CHATHAM ST
SUNNYVALE, TX 75182

CURRENT RESIDENT
411 COUNTY LINE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
420 COUNTY LINE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
505 COUNTY LINE RD
ROCKWALL, TX 75032

BIG LEAGUE SPORTS ACADEMY INC
505 COUNTY LINE RD
ROCKWALL, TX 75032

LEJ PARTNERS LTD
5100 ELDORADO PKWY 0
MCKINNEY, TX 75070

MARKSQUARED INVESTMENTS LLC
517 COYOTE RD
SOUTHLAKE, TX 76092

CURRENT RESIDENT
5335 FM3097
ROCKWALL, TX 75032

KELLY REX ALLEN
5399 FM 3097
ROCKWALL, TX 75032

KELLY A R
5485 FM 3097
ROCKWALL, TX 75032

RANGELL JUAN JOSE
554 WILLOW RIDGE CIR
ROCKWALL, TX 75032

CURRENT RESIDENT
5543 FM3097
ROCKWALL, TX 75032

MATTHEWS GERALD W & DONNA C
5550 HORIZON RD
ROCKWALL, TX 75032

CURRENT RESIDENT
5573 FM3097
ROCKWALL, TX 75032

ALONZO JOSE O
5627 HORIZON RD
ROCKWALL, TX 75032

JWS LAND LTD
5900 S LAKE FOREST DR 0
MCKINNEY, TX 75070

GAMEZ DAVID
614 E BOYDSTUN ST
ROCKWALL, TX 75087

JERRY KISICK CUSTOM HOMES INC
6505 W PARK BLVD 0
PLANO, TX 75093

FINCHER LINDA
916 BROWNFIELD
MESQUITE, TX 75150

NORTH TEXAS MUNICIPAL WATER DIST
P O BOX 2408
WYLIE, TX 75098

PEOPLES BILLY
P O BOX 35
ROCKWALL, TX 75087

NORTH TEXAS MUNICIPAL WATER DIST
PO BOX 2408
WYLIE, TX 75098

Gonzales, David

From: Planning
Sent: Tuesday, January 15, 2019 8:45 AM
To: Gonzales, David
Subject: FW: Craft Winery

From: Patty Ramirez [mailto:████████████████████]
Sent: Monday, January 14, 2019 5:44 PM
To: Planning
Subject: Craft Winery

It has come to my notice that we were sent a letter over the proposition of a winery in our neighborhood. Although some individuals would be in favor of said winery, we would oppose the construction of the winery in our neighborhood to avoid issues with intoxicated people near the area that is home to many families. The traffic that builds up in the area would rather be an inconvenience to this business.

Sincerely,
Jose Arturo and Petra Ramirez
384 County Line Rd. Rockwall, Tx 75032

To Whom It May Concern:

He Wines She Dines began as a food review and blog website in 2014. We are a husband and wife team that travels the world looking for the best places to eat, drink and enjoy time together! After garnering thousands of followers, we had so many people asking us about wines to drink, what to buy, and how to order, that we decided we would start a wine club. Pursuing that effort, we quickly realized we needed to be a winery to ship product to our followers. With that in mind, we got our federal winery permit and import license and begin working with wineries in California and France to produce amazing wines to bring to Rockwall. We began operating in the Fall of 2016 at 203 County Line Rd, Rockwall, TX 75032. Until the Fall of 2018, we had never been open to the public. We are predominately an online business that sells to individual members through an e-commerce business model and directly to restaurants. To date, 100% of our production has been done in either Lodi, California or Champagne, France. Additionally, we buy wines from other distributors and wineries to offer a diverse mix of high-quality wines to our members.






In October of 2018, we began hosting a series of periodic "warehouse sales and tastings". During these periodic Saturday events we have been open for limited hours(12-5pm) for patrons to come, try and purchase our wines at lower than retail prices. We have only hosted 3 events this year and they have been very well received.

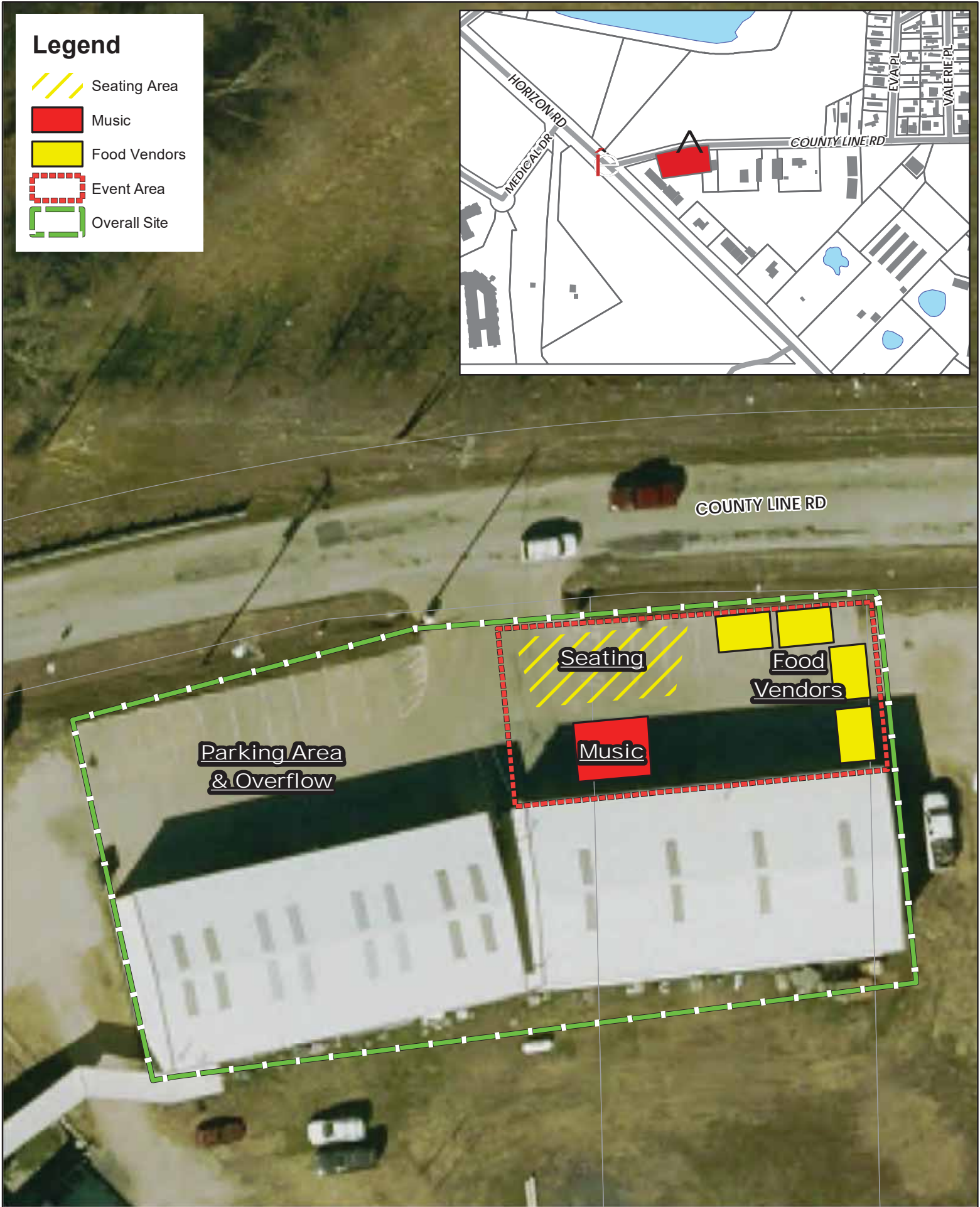
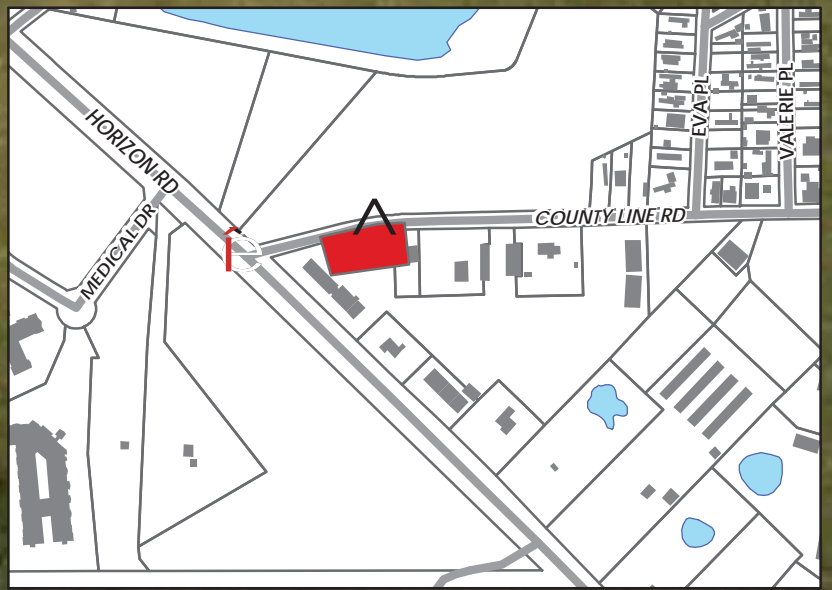
Moving forward we need a SUP for two primary reasons. First, we are preparing to begin limited production runs, barrel storage and some blending operations at our facility. A new SUP is required for this. Second, we want to expand our ability to have tastings and host events at our facility. These events would be limited in scope, but would potentially include live music, food trucks and seating areas for patrons to enjoy our wines. During these events, the guest area would be contained with a temporary barrier. We may use temporary tents or other covers, umbrellas, etc. for sun and rain protection. We plan to keep a conservative schedule but would like for these events to be held on nights, weekends and holidays ranging from Thursdays-Sundays with occasional Mondays or key National holidays. Our maximum operating hours would be between 11am-12am. No equipment, furniture or materials would be stored outside of the facility.

Thank you for your consideration and Cheers!

Tim and Jennifer McCallum
He Wines She Dines

Legend

-  Seating Area
-  Music
-  Food Vendors
-  Event Area
-  Overall Site

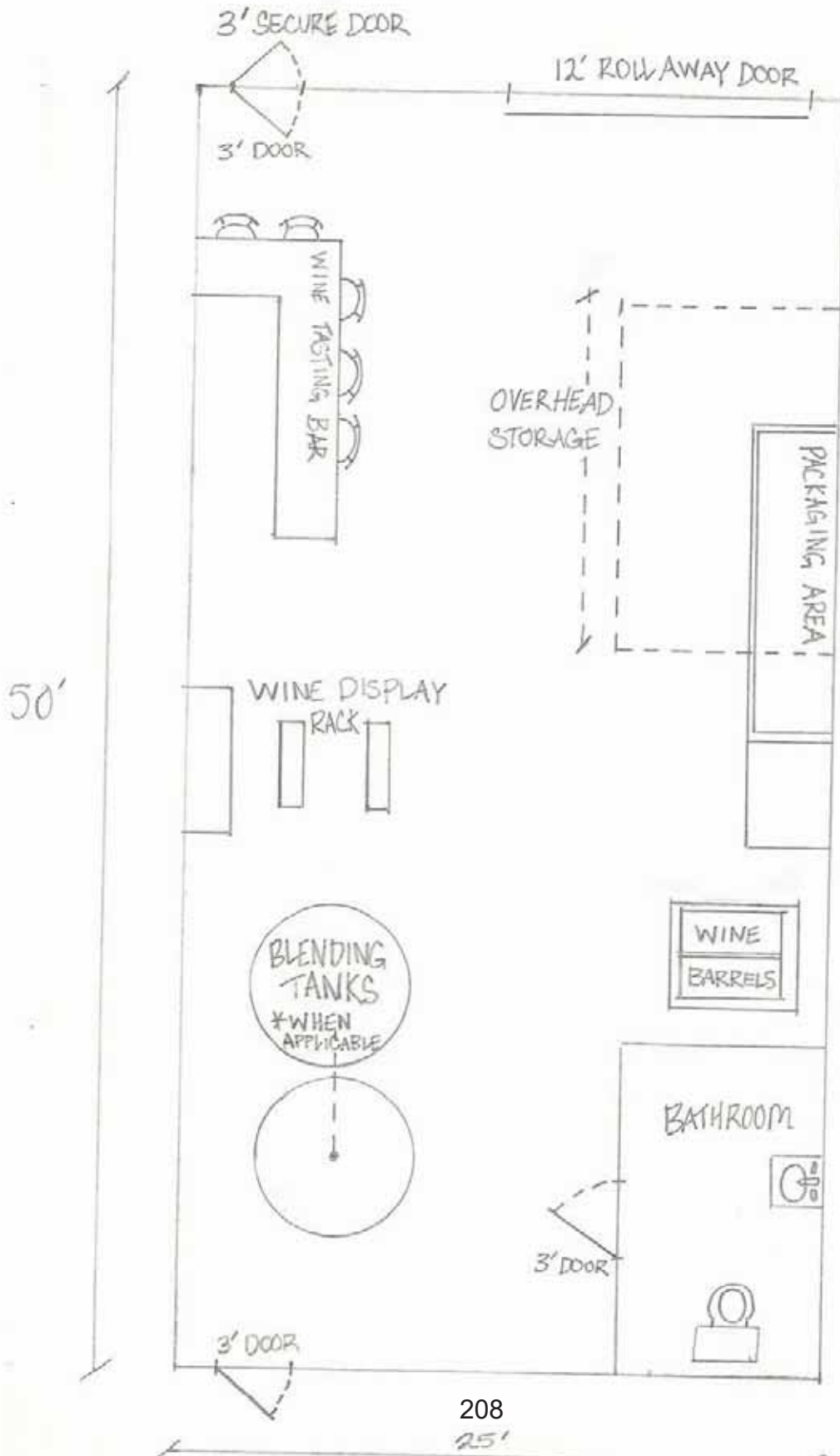


HE WINES SHE DINES, LLC

203 COUNTY VINE RD.

ROCKWALL TX, 75032

Sqft. 1,250

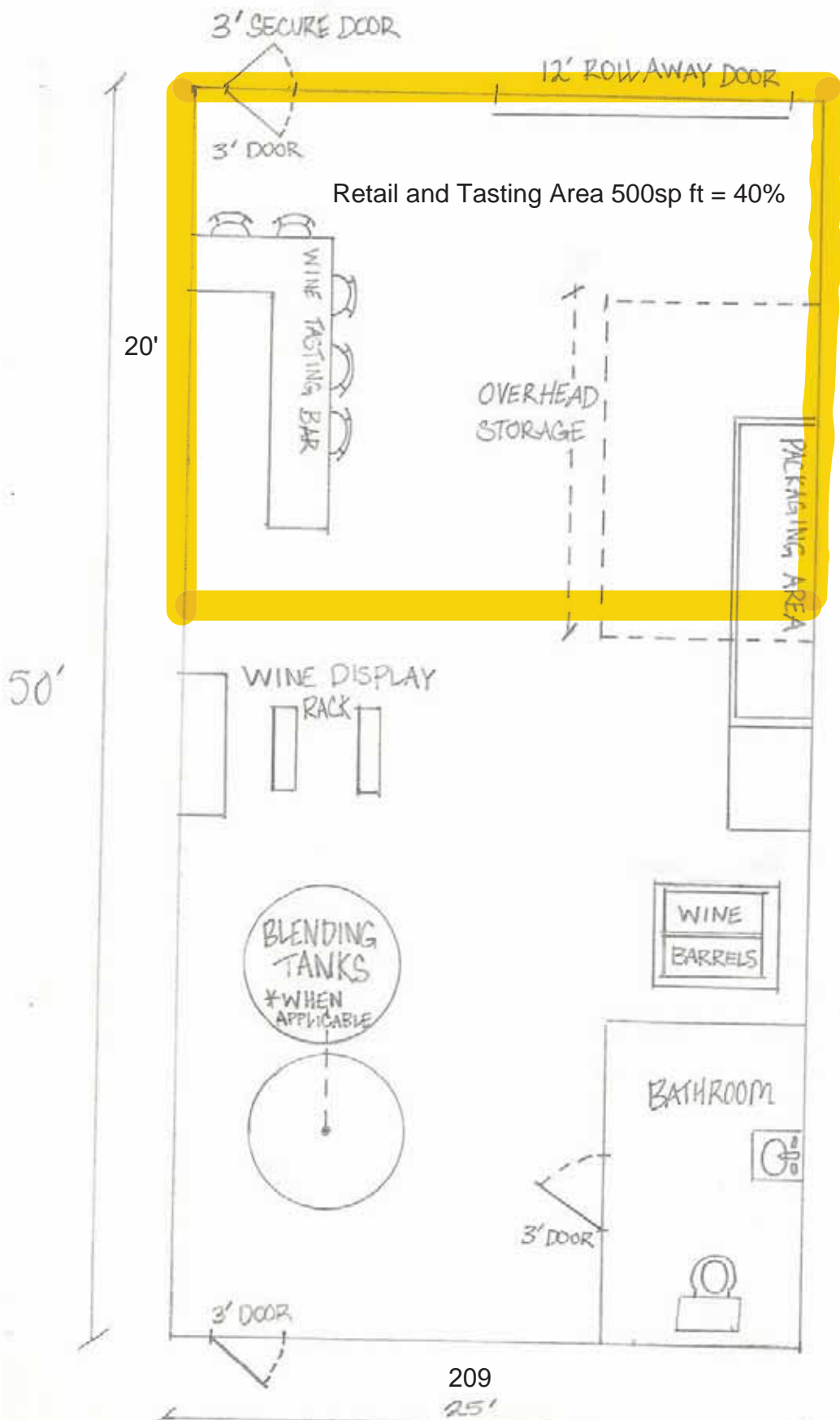


HE WINES SHE DINES, LLC

203 COUNTY VINE RD.

ROCKWALL TX, 75032

Sqft. 1,250



CITY OF ROCKWALL

ORDINANCE NO. 19-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A CRAFT WINERY AND COMERCIAL AMUSEMENT/RECREATION (OUTDOOR) ON A 7.2-ACRE TRACT OF LAND, ADDRESSED AS 203 COUNTY LINE ROAD AND BEING IDENTIFIED AS TRACTS 20-01 & 20-07 OF THE W. W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Tim McCallum of He Wines She Dines, LLC for the approval of a Specific Use Permit (SUP) for a *Craft Winery and Commercial Amusement/Recreation (Outdoor)* for the purpose of establishing a *Craft Winery* in conjunction with an outdoor venue on a 7.2-acre Tract of land, zoned Commercial (C) District, being identified as Tract 20-01 & 20-07 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, addressed as 203 County Line Road, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

SECTION 1. That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a *Craft Winery and Commercial Amusement/Recreation (Outdoor)* as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code [Ordinance No. 04-38] on the *Subject Property*, and

SECTION 2. That the *Subject Property* shall be used and developed only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in *Section 1.1, Land Use Schedule*, of Article IV, *Permissible Uses*, and *Section 4.5, Commercial (C) District*, of Article V, *District Development Standards*, of the Unified

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

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Craft Winery* and *Commercial Amusement/Recreation (Outdoor)* use on the *Subject Property* and conformance to these requirements is necessary for continued operations:

A. *Craft Winery:*

- 1) The maximum square footage of the building used for a winery shall not exceed 12,000 SF in total building area, and is depicted in *Exhibit 'C'* of the draft ordinance;
- 2) The areas dedicated to the direct sale of the on-site manufactured product shall not exceed 40% of the total floor area of the building, and is depicted in *Exhibit 'D'* of the draft ordinance; and,
- 3) The hours open to the public for this facility shall be limited to Sunday through Saturday, 11:00 AM to 12:00 AM.

B. *Commercial Amusement/Recreation (Outdoor)*

- 1) The development and operation of a *commercial amusement/recreation (outdoor)* use shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance;
- 2) The *Subject Property* may be used for all permitted accessory uses as well as the use of an *outdoor venue* that may include live music and food truck vendors as depicted in *Exhibit 'B'* of this ordinance. The use of temporary tents or similar uses must be made of fire retardant materials and meet the City's fire codes;
- 3) The hours of operation associated with the *outdoor venue* for this facility shall be limited to Thursday through Monday, 11:00 AM to 12:00 AM;
- 4) There shall be no outside storage of equipment, furniture, or other materials associated with the operation of this business or from any outdoor gatherings on the *Subject Property*; and,
- 5) No parking associated with the uses permitted on the *Subject Property* shall be permitted along County Line Road or Horizon Road [FM-3097].

2.2 COMPLIANCE

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

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

Development Code (UDC).

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

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

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

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

SECTION 7. That this ordinance shall take effect immediately from and after its passage 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 4TH DAY OF FEBRUARY, 2019.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 22, 2019

2nd Reading: February 4, 2019

Exhibit 'A':

Legal Description: Tracts 20-01 & 20-7 of the W.W. Ford Survey, Abstract No. 80

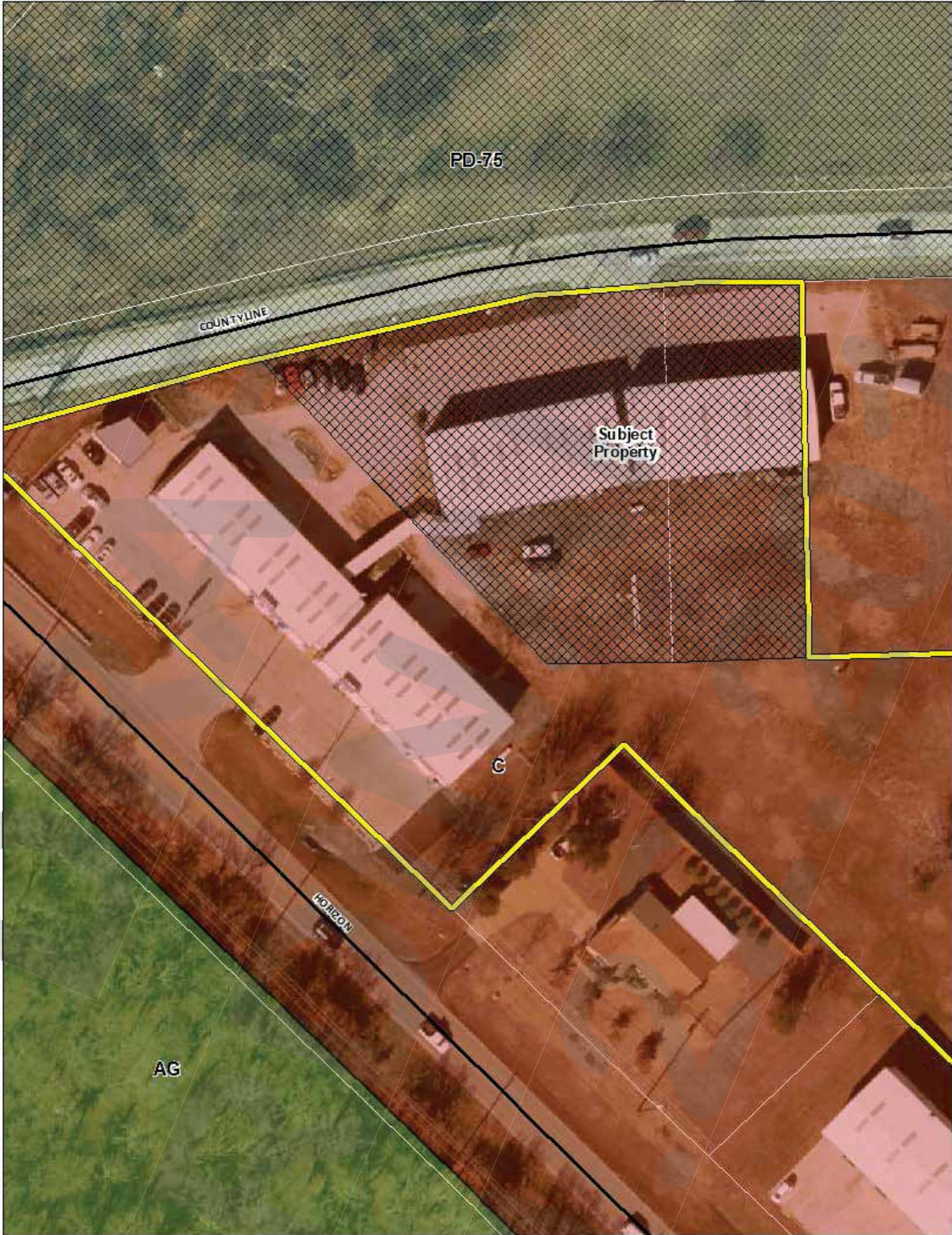


Exhibit 'B':
Concept Plan

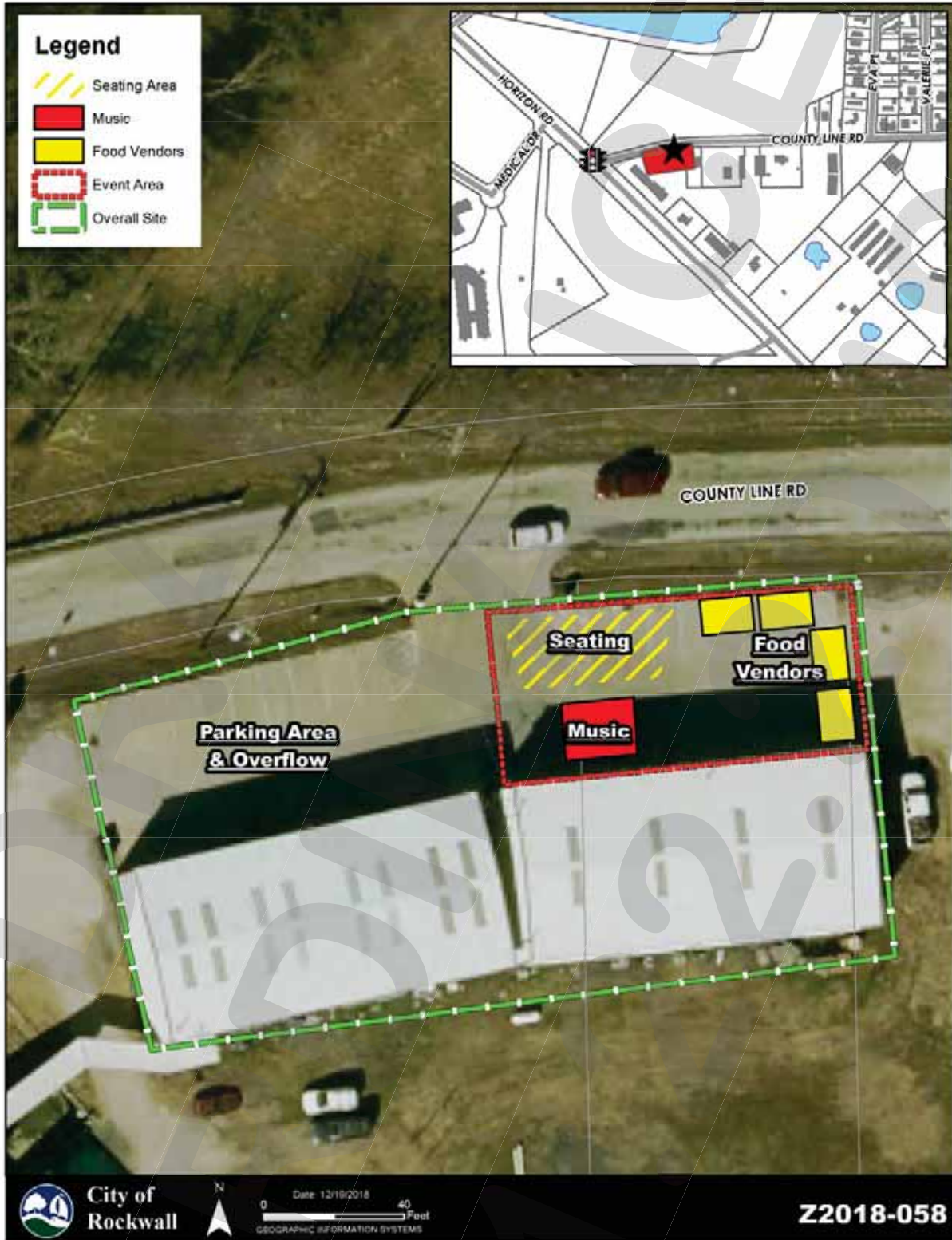


Exhibit 'C':
Floor Plan

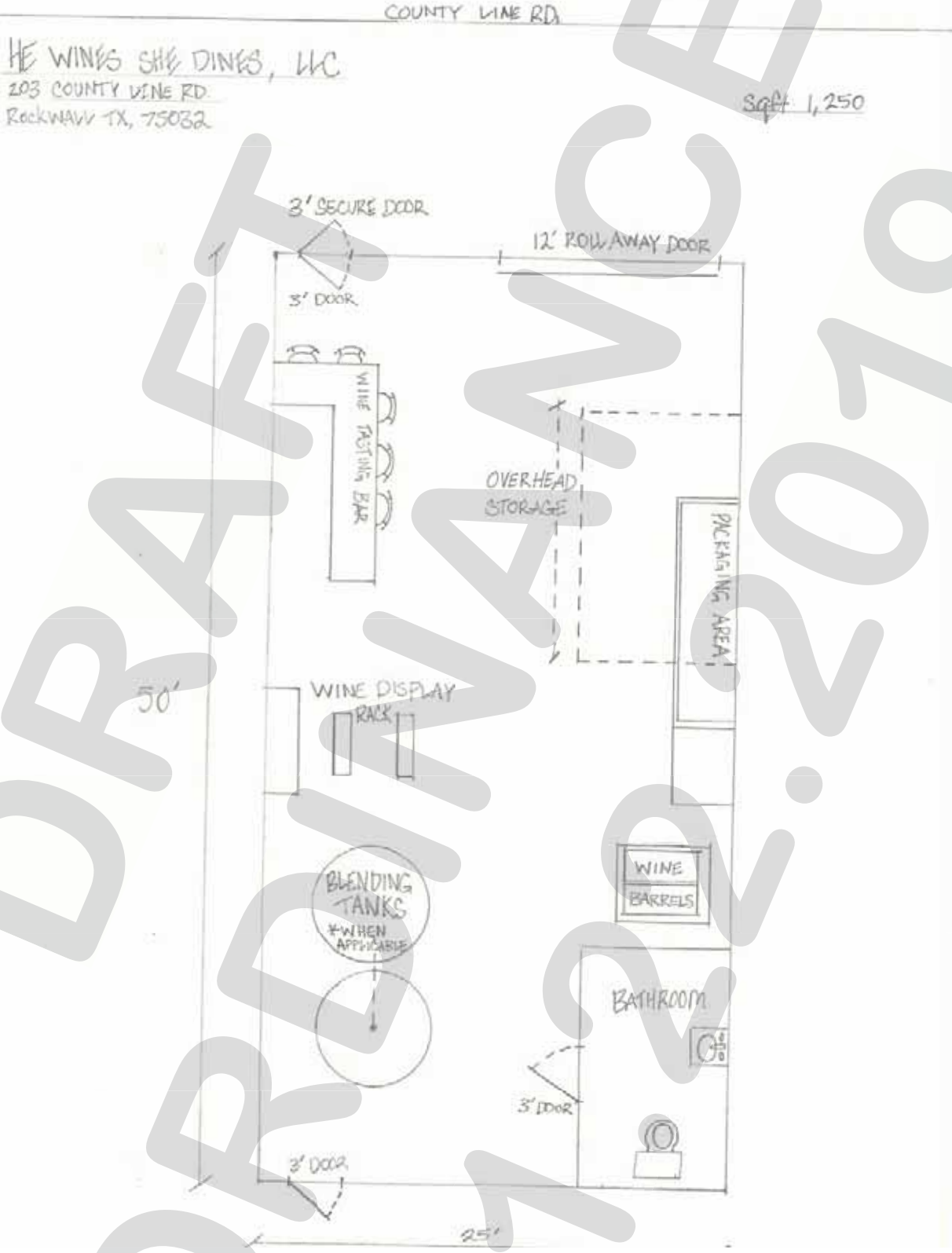
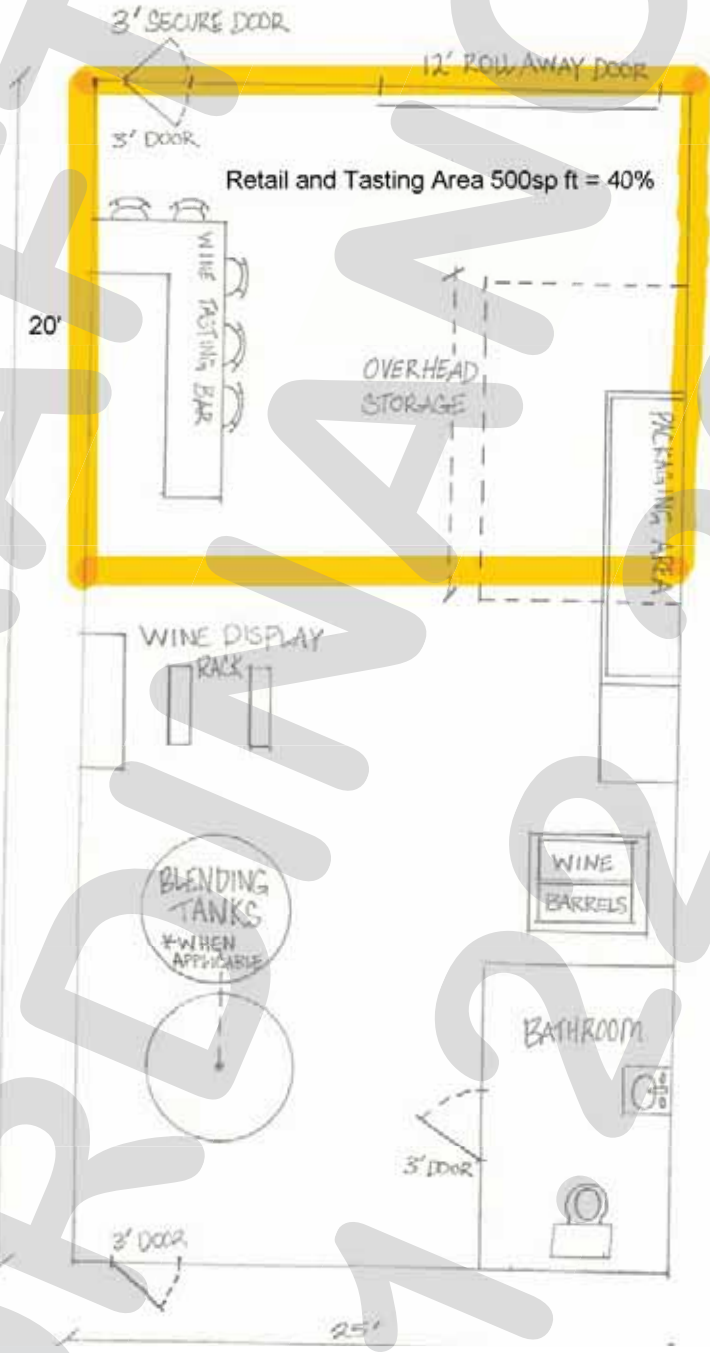


Exhibit 'D':
Retail and Tasting Area Plan

HE WINES SHE DINES, LLC
203 COUNTY VINE RD.
Rockwall TX, 75082

Sqft: 1,250



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CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 01/22/2019

APPLICANT: Heather Cullins

AGENDA ITEM: **Z2018-059**; *Zoning Change (SFE-2.0 to SFE-1.5)*

SUMMARY:

Hold a public hearing to discuss and consider a request by Heather Cullins for the approval of a zoning change from a Single-Family Estate 2.0 (SFE-2.0) District to Single Family Estate 1.5 (SFE-1.5) District on a 3.03-acre tract of land identified as Tract 1-01 of the T. Dean Survey, Abstract No. 69, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 2.0 (SFE-2.0) District, addressed as 1085 Dalton Road, and take any action necessary.

BACKGROUND INFORMATION AND PURPOSE:

The applicant is requesting a change in zoning from a Single-Family Estate 2.0 (SFE-2.0) District to a Single-Family Estate 1.5 (SFE-1.5) District for the purpose of subdividing the subject property. The subject property is situated on a 3.03-acre tract of land, zoned Single-Family Estate 2.0 (SFE-2.0) District, and is addressed as 1085 Dalton Road.

The subject property was annexed in 1983 [*Ordinance No. 83-57*] and was part of a larger tract of land. In 2018, the previous property owner requested to rezone the subject property from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District [*Z2017-045*] and platted [*P2017-049*] the tract of land. As part of this case, the previous property owner stated the purpose of platting the property was to create two (2) lots (*i.e. Lots 1 & 2, Hodgdon Addition*) to construct a single-family home on Lot 1. The applicant purchased the subject property (*i.e. Lot 1*) in 2017 for the purpose of constructing a single-family home. According to the applicant, after purchasing the subject property, another property was discovered and the plan to construct a single-family home on the subject property was abandoned. The applicant as also stated there have been inquiries about purchasing the subject property; however, the size of the lot (*i.e. 3.05-acres*) was too large, and potential buyers only wanted half or a portion of the lot. Based on this, the applicant is requesting to re-zone the subject property with the intent of subdividing the tract of land into two (2) ~1½-acre lots. Currently, floodplain traverses the property and should any improvements impact the floodplain, a flood study could be required.

ADJACENT LAND USES AND ACCESS:

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

North: Directly north of the subject property is Dalton Road, which is identified as a M4U (*Major Collector, four [4] lane, undivided roadway*). Beyond this is a tract of vacant land that is zoned Agriculture (AG) District.

South: Directly south of the subject property is a single-family residential subdivision [*i.e. Promenade Harbor*] zoned Single-Family 10 (SF-10) District. Beyond this is Asbourne Drive which is identified as a *Minor Collector*.

East: Directly east of the subject property is a single-family residential subdivision [*i.e. The Shores*] zoned Planned Development District 3 (PD-3). Beyond this is a large tract of land that is zoned Agricultural (AG) District.

West: Directly west of the subject property is a single-family residential subdivision [*i.e. Promenade Harbor*] zoned Single-Family 10 (SF-10) District. Beyond this is a large tract of land [*i.e. the Takeline*] that is outside of the City Limits.

UNIFIED DEVELOPMENT CODE:

According to the purpose statements stipulated in Subsection 3.02, *Single-Family Estate 1.5 (SFE-1.5) District*, of Article V, *District Development Standards*, of the Unified Development Code (UDC), the Single-Family Estate 1.5 (SFE-1.5) District is the “...proper zoning classification for rural, estate lots that are a minimum of 1½-acres. Since the subject property is 3.03-acres, it conforms to the requirements of the Single-Family Estate 1.5 (SFE-1.5) District development standards. The following is a summary of the minimum development standards for a property within a Single-Family 1.5 (SFE-1.5) District:

<i>Ordinance Provisions</i>	<i>Zoning District Standards</i>
<i>Minimum Lot Area</i>	<i>65,340 SF</i>
<i>Minimum Lot Width</i>	<i>150-Feet</i>
<i>Minimum Lot Depth</i>	<i>250-Feet</i>
<i>Minimum Front Yard Setback</i>	<i>50-Feet</i>
<i>Minimum Rear Yard Setback</i>	<i>10-Feet</i>
<i>Minimum Side Yard Setback</i>	<i>25-Feet</i>
<i>Maximum Height</i>	<i>36-Feet</i>
<i>Minimum Masonry Requirement</i>	<i>80%</i>
<i>Minimum Dwelling SF</i>	<i>2,500</i>
<i>Maximum Building Coverage</i>	<i>35%</i>
<i>Minimum Length of Driveway</i>	<i>20-Feet</i>

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

The Future Land Use Plan adopted with the OurHometown Vision 2040 Comprehensive Plan, designates the subject property for *Low Density Residential* land uses, which is defined as developments with two (2) units per acre or less. The applicant’s request is in conformance with this designation and will not require any changes to the Future Land Use Map.

STAFF ANALYSIS:

When analyzing the applicant’s request (*i.e. to rezone the subject property for the purpose of subdividing the tract of land*) and the size of the subject property (*i.e. three [3]-acres*), the Single-Family Estate 1.5 (SFE-1.5) District appears to be an appropriate zoning district. Although the subject property could be divided into two (2) smaller estate lots (*i.e. two [2] 1½ - acre lots*) if this zoning change is approved, this request would not change the *Low Density Residential (LDR)* land use designation on the property. With that being said, approval of a zoning change is discretionary for the City Council, pending a recommendation by the Planning and Zoning Commission.

NOTIFICATION:

On December 28, 2018, staff mailed 68 notices to property owners and residents within 500-feet of the subject property. Staff also notified the Promenade Harbor and the Shores/Ray Hubbard Homeowner’s Associations (HOA’s) which are the only HOA’s/Neighborhood Associations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Staff also advertised the public hearings in the Rockwall Harold Banner as required by the Unified Development Code (UDC). At the time this case memo was drafted staff had received one (1) notice in opposition of this case. Since this represents more than 20% of the properties within the 200-foot notification buffer, a 3/4 majority vote of all Council Members present is required for this request to be approved.

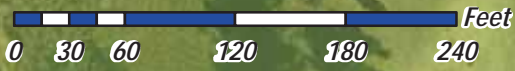
RECOMMENDATIONS:

Should the City Council approve the change in zoning, staff would recommend the following conditions of approval:

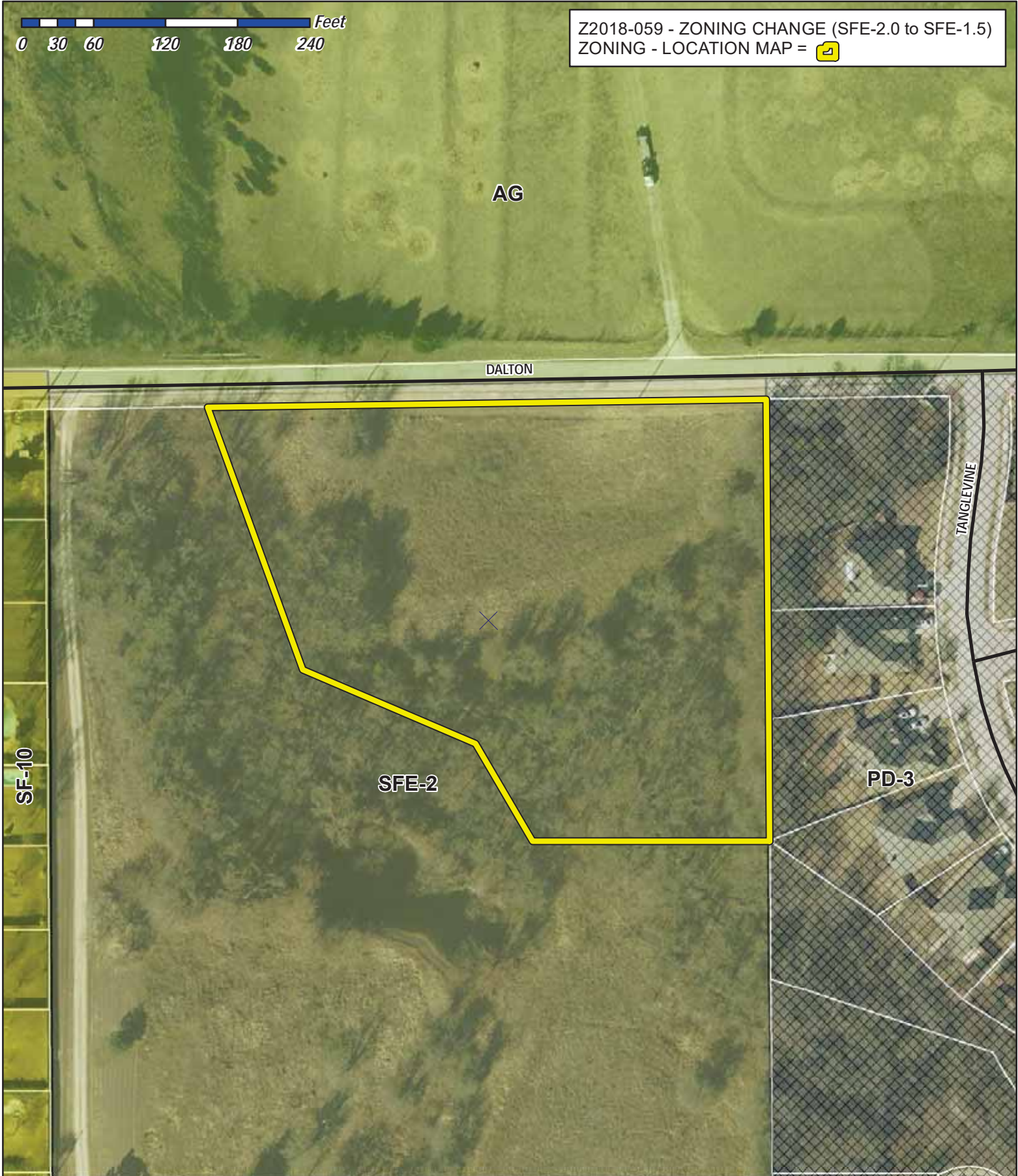
- 1) Any construction or building necessary to complete this change in zoning request must conform to the requirements set forth by the UDC, the International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements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

PLANNING AND ZONING COMMISSION:

On January 15, 2019, the Planning and Zoning Commission's motion to recommend approval of the zoning change from a Single-Family Estate 2.0 (SFE-2.0) District to a Single-Family 1.5 (SFE-1.5) District with staff recommendations passed by a vote of 7-0.



Z2018-059 - ZONING CHANGE (SFE-2.0 to SFE-1.5)
ZONING - LOCATION MAP =



City of Rockwall

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

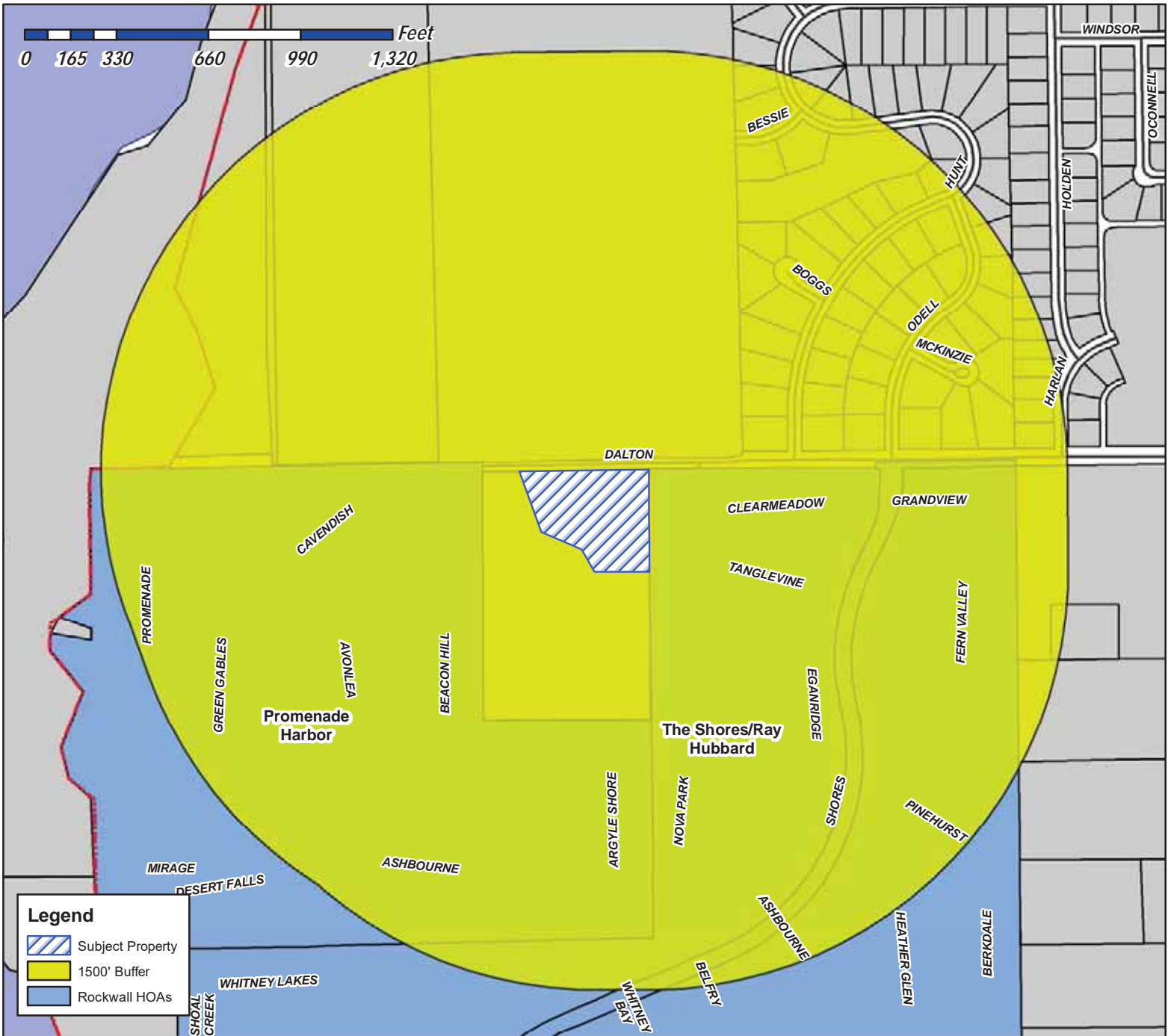
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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



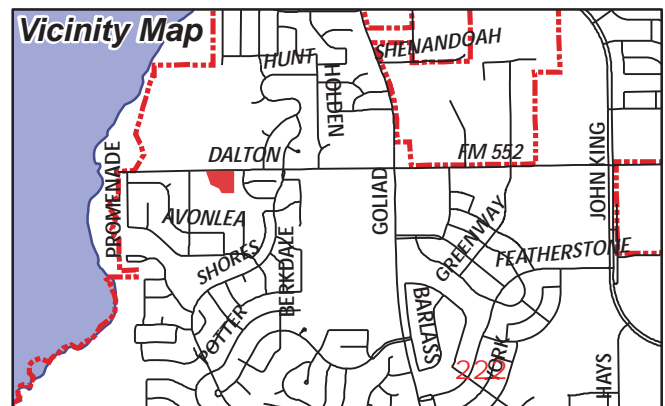
City of Rockwall

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

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Case Number: Z2018-059
Case Name: Zoning Change (SFE-2.0 to SFE-1.5)
Case Type: Zoning
Zoning: SFE-2 District
Case Address: 1085 Dalton Road



Date Created: 12/17/2018
For Questions on this Case Call (972) 771-7745

From: [Morales, Laura](#)
To: [REDACTED]
Cc: [Miller, Ryan](#); [Gonzales, David](#); [Brooks, Korey](#)
Subject: Neighborhood Notification Program: Notice of zoning request
Date: Friday, December 28, 2018 2:46:40 PM
Attachments: [PUBLIC NOTICE.pdf](#)
[Z2018-059 HOA Map.pdf](#)

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that was published in the Rockwall Herald Banner **December 28, 2018**. The Planning and Zoning Commission will hold a public hearing on **Tuesday 1/15/2019 at 6:00 p.m.**, and the City Council will hold a public hearing on **Tuesday 1/22/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at

<https://sites.google.com/site/rockwallplanning/development/development-cases>

Z2018-059- Hold a public hearing to discuss and consider a request by Heather Cullins for the approval of a zoning change from a Single-Family Estate 2.0 (SFE-2.0) District to Single Family Estate 1.5 (SFE-1.5) District on a 3.03-acre tract of land identified as Tract 1-01 of the T. Dean Survey, Abstract No. 69, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 2.0 (SFE-2.0) District, addressed as 1085 Dalton Road, and take any action necessary.

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

Sincerely,

Laura Morales

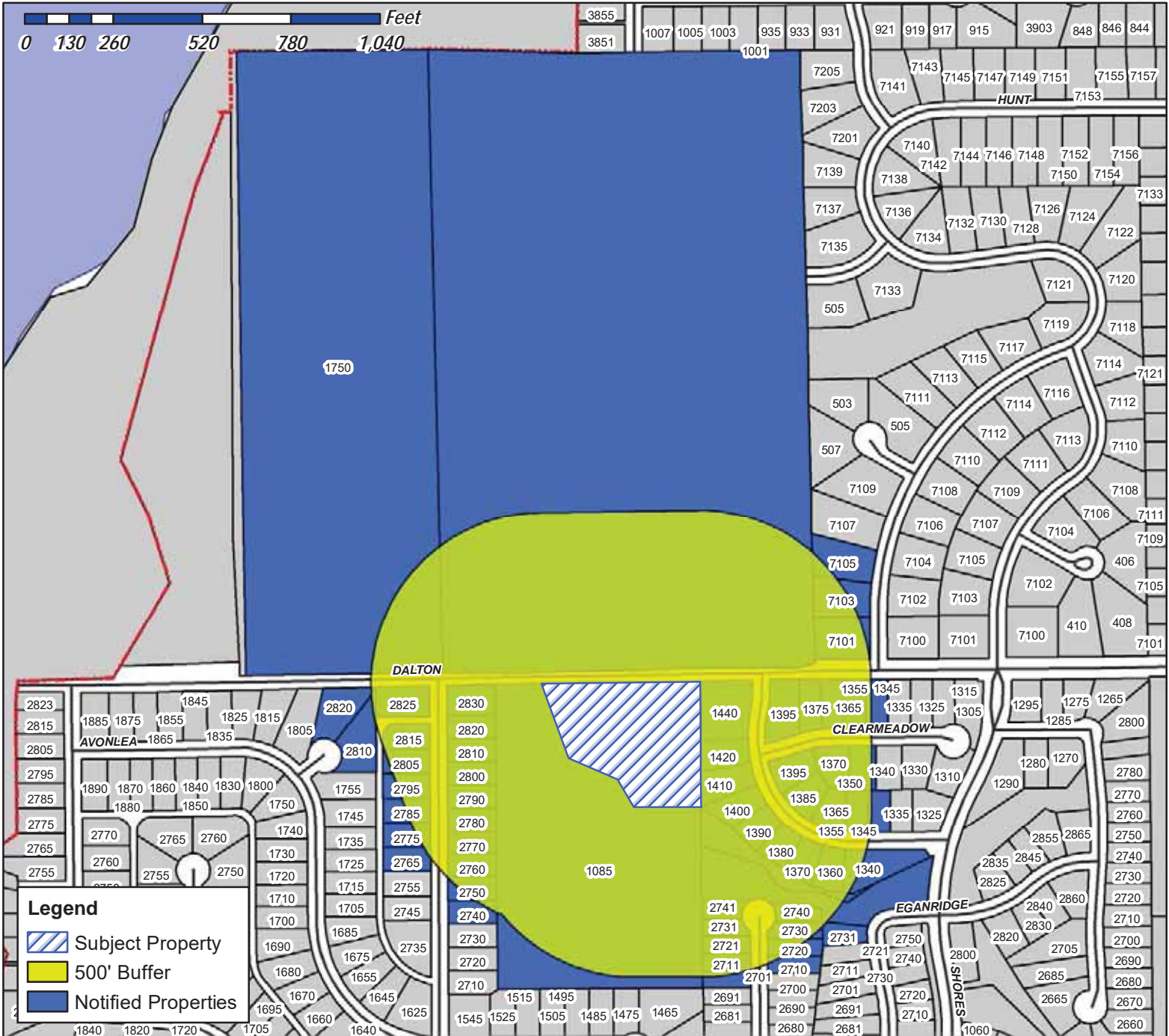
Planning & Zoning Coordinator
City of Rockwall Planning & Zoning Department
972-771-7745 | 972-772-6438
lmorales@rockwall.com | <http://www.rockwall.com/planning/>



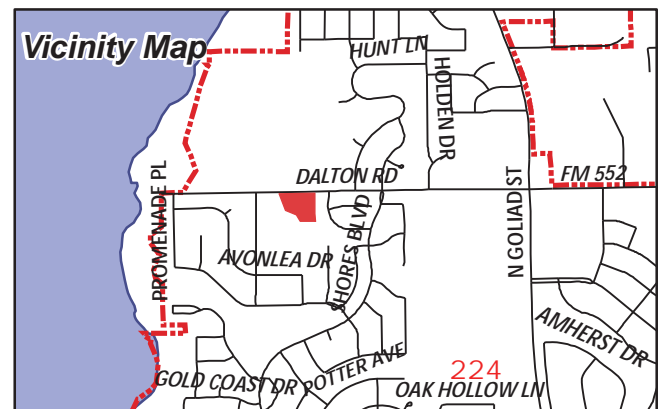
City of Rockwall

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

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Case Number: Z2018-059
Case Name: Zoning Change (SFE-2.0 to SFE-1.5)
Case Type: Zoning
Zoning: SFE-2 District
Case Address: 1085 Dalton Road



Date Created: 12/17/2018

For Questions on this Case Call (972) 771-7745

CULLINS KENNETH & HEATHER
1020 TIMBERLINE DR
HEATH, TX 75032

CURRENT RESIDENT
1085 DALTON RD
ROCKWALL, TX 75087

WALKER LEONARD A JR & TRESSIA Y
1340 TANGLEVINE LN
ROCKWALL, TX 75087

SWAN OLGA MARIE GARCIA AND
REGINA K SWAN
1345 CLEAR MEADOW COURT
ROCKWALL, TX 75087

JESTER IRVING P & ALICE
1345 TANGLEVINE LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1350 CLEARMEADOW CT
ROCKWALL, TX 75087

CURRENT RESIDENT
1355 TANGLEVINE DR
ROCKWALL, TX 75087

SANDERS BRIAN PETER AND CASSANDRA ALICE
1355 CLEAR MEADOW CT
ROCKWALL, TX 75087

SAMPLES CHRISTINA ELISE
1360 TANGLEVINE LN
ROCKWALL, TX 75087

THOMSON MARTA CAGLE AND WARREN KIT
1365 CLEARMEADOW CT
ROCKWALL, TX 75087

HEARN LESLIE
1365 TANGLEVINE DR
ROCKWALL, TX 75087

VANDERVER WES A & SARA A
1370 CLEAR MEADOW COURT
ROCKWALL, TX 75087

HOLMES WILLIAM JR
1370 TANGLEVINE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1375 CLEARMEADOW CT
ROCKWALL, TX 75087

LANGFORD JAMES GORDON & PEGGY
1380 TANGLEVINE LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1385 TANGLEVINE DR
ROCKWALL, TX 75087

NEECE DAVID W SR & LYNNE MARIE
1390 TANGLEVINE LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1395 TANGLEVINE DR
ROCKWALL, TX 75087

HOWARD STEPHANIE RAMAGE AND
GREGORY MAYO HOWARD
1395 CLEAR MEADOW CT
ROCKWALL, TX 75087

ALLEN DARONDA RENEE
1400 TANGLEVINE LN
ROCKWALL, TX 75087

BRINKLEY JESSE K
1410 TANGLEVINE DR
ROCKWALL, TX 75087

SHOLTIS EUGENE J JR AND SHANNON L
1420 TANGLEVINE LN
ROCKWALL, TX 75087

COFFMAN THOMAS E &
LINDA DARNELL
1431 COASTAL DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1440 TANGLEVINE DR
ROCKWALL, TX 75087

CLARK CHARLES L & SANDRA J TRUSTEES
CHARLES L & SANDRA J CLARK FAMILY TRUST
1739 MORLEY STREET
SIMI VALLEY, CA 93065

WILLIS MICHAEL & LISA
1750 DALTON RD
ROCKWALL, TX 75087

ALVES SAMUEL
2080 BERKDALE LN
ROCKWALL, TX 75087

LANGSTON TIFFINI S
215 HARRIS COVE
LONGVIEW, TX 75605

PARKS NADINE R
2701 NOVA PARK CT
ROCKWALL, TX 75087

SMITHERS VICTORIA & DAVID
2710 NOVA PARK CT
ROCKWALL, TX 75087

MICHIE JOHN D & PHYLLIS R
2711 NOVA PARK CT
ROCKWALL, TX 75087

IZAK MARY L
2720 NOVA PARK CT
ROCKWALL, TX 75087

CURRENT RESIDENT
2721 NOVA PARK CT
ROCKWALL, TX 75087

GILMORE PATRICK
2730 NOVA PARK CT
ROCKWALL, TX 75087

NIEBUR ALAN R & COURTNEY
2731 EGANRIDGE LN
ROCKWALL, TX 75087

LOWRANCE ALVA BERNICE LIFE ESTATE AND
PAMELA KAY GUTHRIE AND ROBERT LYNN
LOWRANCE
2731 NOVA PARK CT
ROCKWALL, TX 75087

KEEL DON E & NANCY A
2740 BEACON HILL DR
ROCKWALL, TX 75087

NABI HOSNI A & LYNN
2740 NOVA PARK CT
ROCKWALL, TX 75087

WOODDELL SCOTT W AND DEBBIE L
2741 NOVA PARK CT
ROCKWALL, TX 75087

GRASTY RAYMOND B
2750 BEACON HILL DR
ROCKWALL, TX 75087

SIMMONS JANAH
2760 BEACON HILL DR
ROCKWALL, TX 75087

SCHAFFHAUSER SUSAN K
2765 BEACON HILL DR
ROCKWALL, TX 75087

CURRENT RESIDENT
2770 BEACON HILL DR
ROCKWALL, TX 75087

THOMPSON DONALD AND MARY
2775 BEACON HILL DR
ROCKWALL, TX 75087

BRITTAIN WAYNE W &
BARBARA J
2780 BEACON HILL DR
ROCKWALL, TX 75087

BERGMANN KATHARINA
2785 BEACON HILL DR
ROCKWALL, TX 75087

PALMIERI SALVATORE & THERESE A
2790 BEACON HILL DR
ROCKWALL, TX 75087

CURRENT RESIDENT
2795 BEACON HILL DR
ROCKWALL, TX 75087

ONEILL KATHLEEN E
2800 BEACON HILL DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
2810 BEACON HILL DR
ROCKWALL, TX 75087

MCDANIEL DAVID L & LINDA D
2810 CAVENDISH CT
ROCKWALL, TX 75087

WALKER DONALD H
2815 BEACON HILL DR
ROCKWALL, TX 75087

HOLBROOK SANDRA
2820 BEACON HILL DR
ROCKWALL, TX 75087

EDWARDS SUSAN L
2820 CAVENDISH CT
ROCKWALL, TX 75087

JOHNSON DAVID J
2825 BEACON HILL DR
ROCKWALL, TX 75087

JACOBSON KYLE AND CHLOE A REED
2830 BEACON HILL DR
ROCKWALL, TX 75087

CHIU THOMAS
301 CRESTBROOK
ROCKWALL, TX 75087

AMH 2015-2 BORROWER LLC
30601 AGOURA RD 0
AGOURA HILLS, CA 91301

ALEJOS ERIK J
6500 CHAMPION GRANDVIEW WAY APT 33201
AUSTIN, TX 78750

NABORS MIKE N ETUX JULIE
7101 HUNT LN
ROCKWALL, TX 75087

DOWNS MICHAEL
7103 HUNT LN
ROCKWALL, TX 75087

CURRENT RESIDENT
7105 HUNT LN
ROCKWALL, TX 75087

CSH 2016-2 BORROWER LLC
8665 EAST HARTFORD DR 0
SCOTTSDALE, AZ 85255

ARP 2014-1 BORROWER LLC
ATTN: PROPERTY TAX DEPARTMENT
AGOURA HILLS, CA 91301

HODGDON DAVID L & SUE WYCHE
PO BOX 1106
ROCKWALL, TX 75087

ESB PRIVATE TRUST
FROST BANK TRUSTEE
PO BOX 226657
DALLAS, TX 75222

FLORES JAMES AND
PATRICIA ORR FLORES
PO BOX 237
ROCKWALL, TX 75087

FLORES JAMES & PATRICIA
PO BOX 992
ROCKWALL, TX 75087



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

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

To Whom It May Concern:

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

Case No. Z2018-059: Zoning Change (SFE 2.0-SFE-1.5)

Hold a public hearing to discuss and consider a request by Heather Cullins for the approval of a zoning change from a Single-Family Estate 2.0 (SFE-2.0) District to Single Family Estate 1.5 (SFE-1.5) District on a 3.03-acre tract of land identified as Tract 1-01 of the T. Dean Survey, Abstract No. 69, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 2.0 (SFE-2.0) District, addressed as 1085 Dalton Road, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 1/15/2019 at 6:00 p.m.**, and the City Council will hold a public hearing on **Tuesday, 1/22/2019 at 6:00 p.m.** 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:

**Korey Brooks
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 **1/22/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
[HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development-cases)

----- PLEASE RETURN THE BELOW FORM -----

Case No. Z2018-059: Zoning Change (SFE 2.0-SFE-1.5)

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.

This property was rezoned AG to SFE-2.0 in Nov 2017 at the request of Heather Cullins.

50% of the 3.03 Acres is in a FEMA Flood Plane A with a buildable area of 30,315 Sq Ft.

The creation of the proposed SFE-1.5 lots would bring the buildable area down to 11,940 Sq Ft due to side setbacks. This is not a desirable situation.

Name: **David Hodgdon**

Address: **1085 Dalton Road, Rockwall, TX 75087 214-514-5599**

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

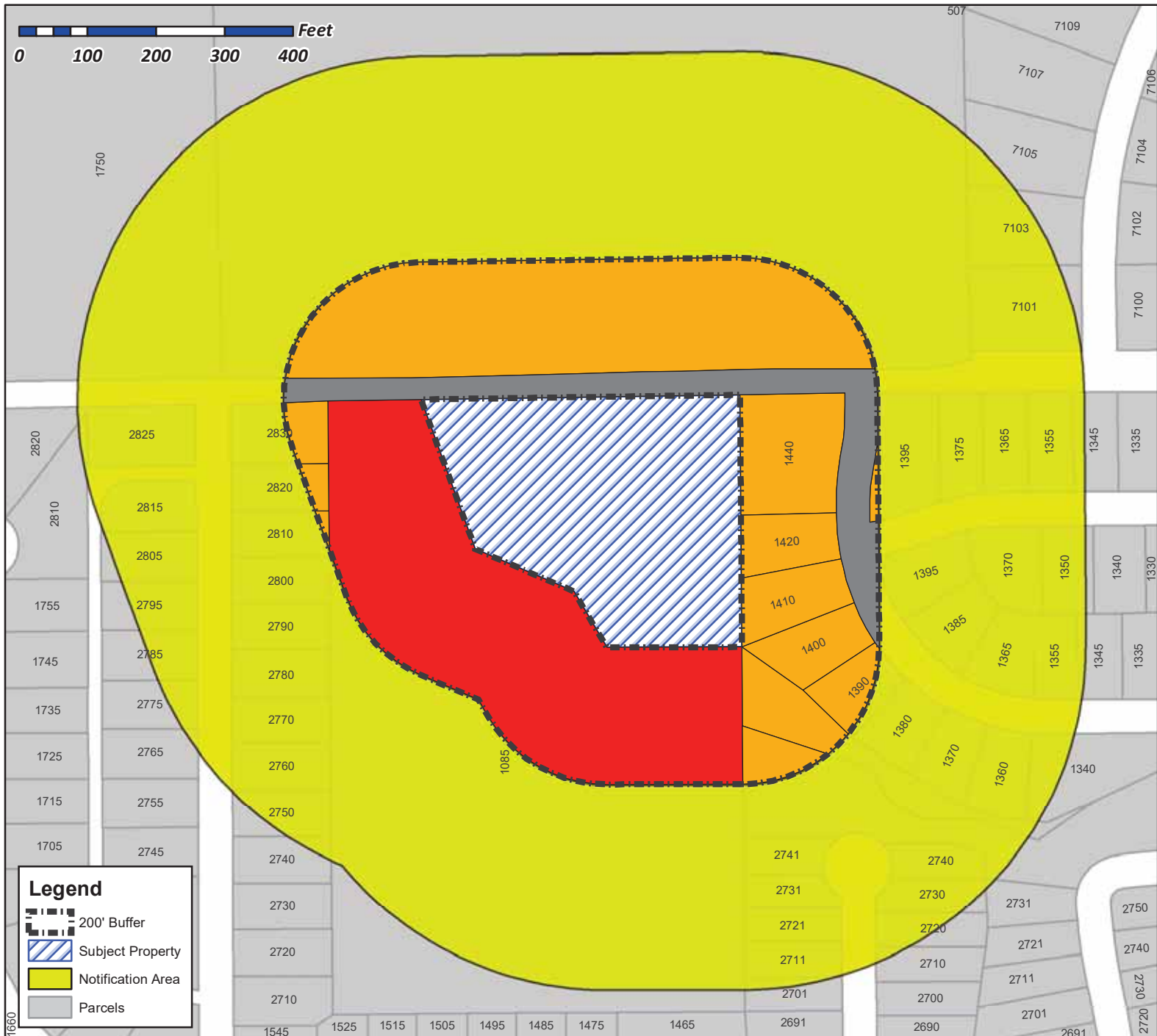
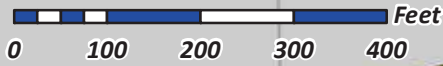
PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



City of Rockwall

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

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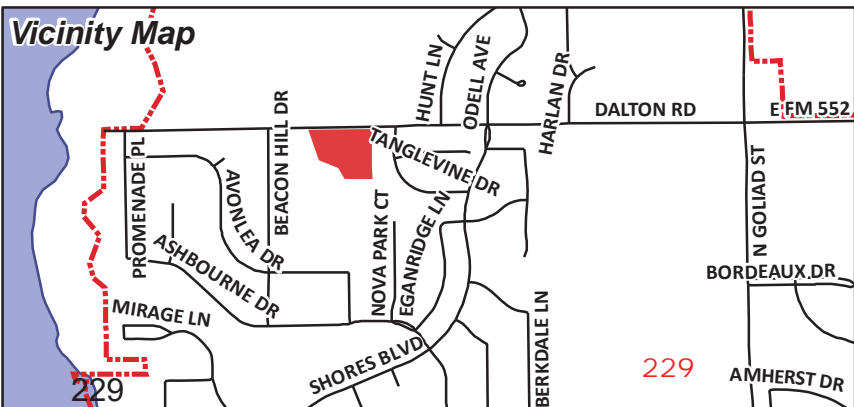


Legend

- 200' Buffer
- Subject Property
- Notification Area
- Parcels

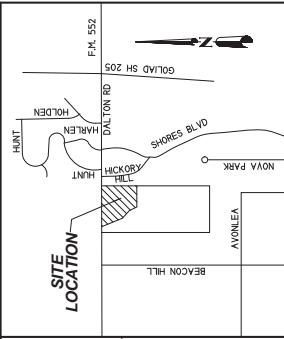
Z2018-059 - ZONING CHANGE (SFE 2.0 - SFE 1.5)

- AGAINST 37.13%
- FOR 0.00%
- NO RESPONSE 52.06%
- ROW 10.81%



Date Created: 1/15/2019

For Questions on this Case Call (972) 771-7745



VICINITY MAP
N.T.S.



SHEET 1 OF 2

SYMBOL LEGEND	
	10' LANDSCAPE ESMT
	10' FENCE ALLOWANCE
	50' PRIVATE STREET PER PLAT
	50' BUILDING LINE
	100 YR W.S. ELEVATION
	15' SANITARY SEWER ESMT
	ZONE A
	ZONE X
	CITY OF ROCKWALL MONUMENT
	FINAL PLAT
	DRAINAGE ESMT
	1/2' IRF
	100 YR W.S. ELEVATION
	MIN FIN. FLOOR ELEVATION

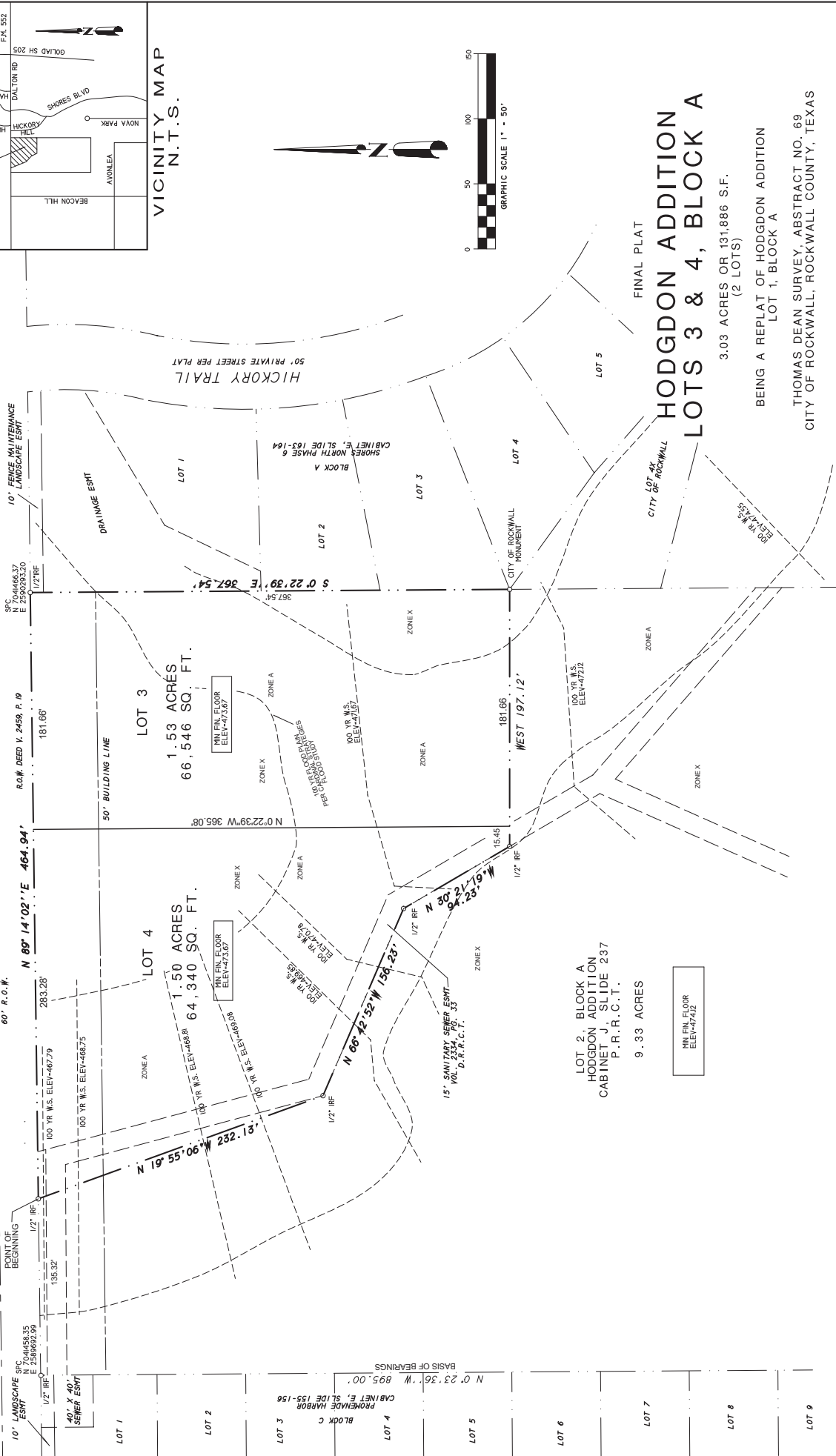
DATE: NOVEMBER 15, 2018
 SCALE: 1" = 50'
 CLIENT: SHILLINE

OWNER: H. CULLINS
 HEATHER CULLINS
 120 TIMBERLINE DRIVE
 HEATH, TEXAS 75032

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

CASE P2018

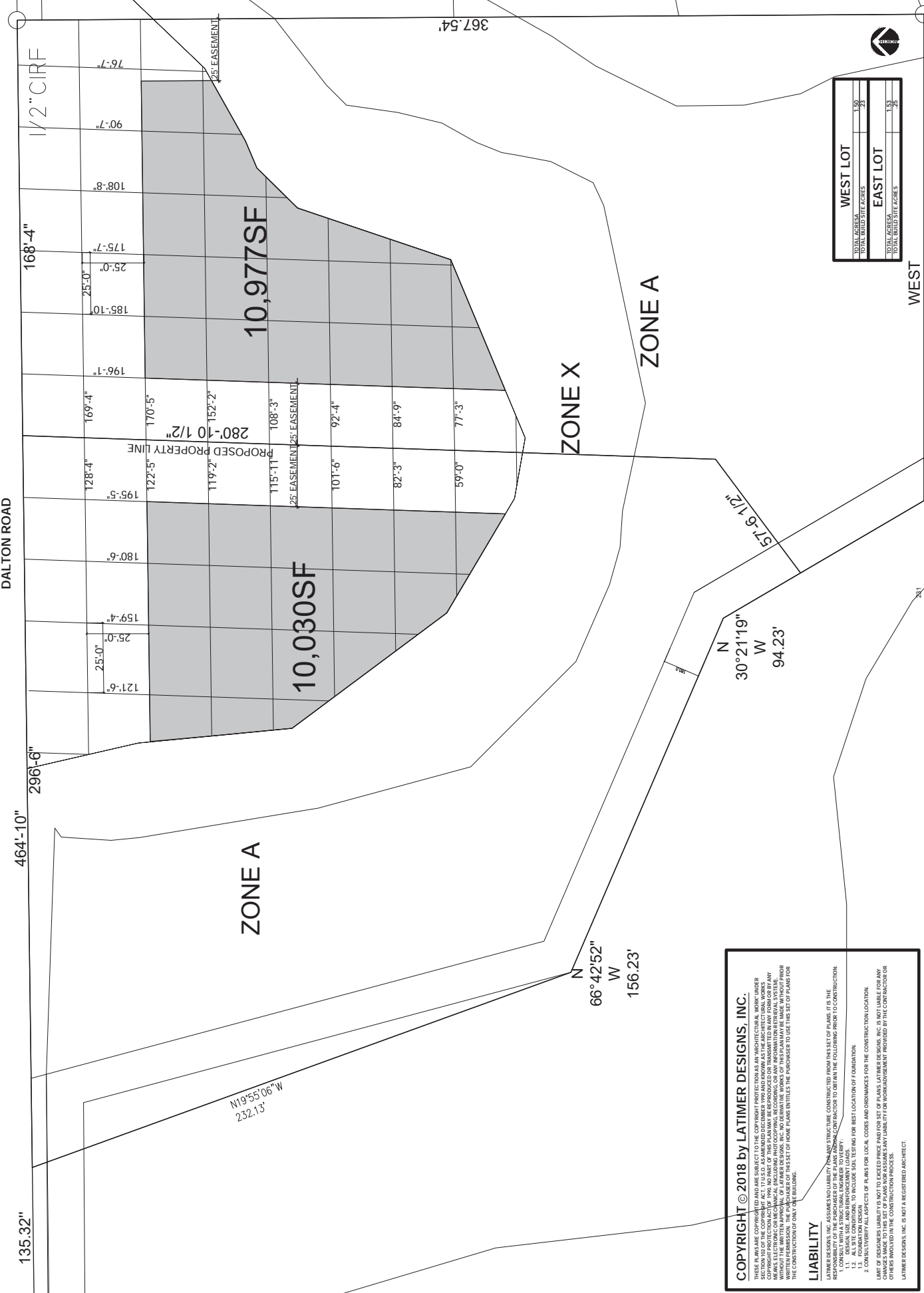
DALTON ROAD
60' R.O.W.



- NOTES
- 1) According to F.E.M.A. Flood Insurance Rate Map, Community Flood No. 48397C0030, L. 4th ed. SEPT 28, 2008, this property lies in Zones A & X. Part of this property does appear to lie within a 100-year flood plain.
 - 2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.
 - 3) ALL 1/2" IRF ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."
 - 4) NO CONSTRUCTION, FILL, CUT, OR CROSSING THE FLOOD PLAIN WITHOUT AN APPROVED FLOOD STUDY AND ENGINEERED PLANS.
 - 5) OWNERS RESPONSIBLE FOR ALL MAINTENANCE, REPAIR AND REPLACING OF ALL DRAINAGE SYSTEMS ON THE LOTS.

REVISIONS

WEST LOT	
TOTAL ACRES	1.89
TOTAL BUILT SITE ACRES	2.83
EAST LOT	
TOTAL ACRES	1.93
TOTAL BUILT SITE ACRES	2.83



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THESE PLANS ARE COPYRIGHTED AND ARE SUBJECT TO THE COPYRIGHT PROTECTION AS AN ARCHITECTURAL WORK UNDER FEDERAL COPYRIGHT LAW. ANY REPRODUCTION OR TRANSMISSION OF THESE PLANS WITHOUT THE WRITTEN PERMISSION OF LATIMER DESIGNS, INC. IS STRICTLY PROHIBITED. THESE PLANS ARE PROVIDED AS A SERVICE TO THE CLIENT AND ARE NOT TO BE USED FOR ANY OTHER PURPOSE. LATIMER DESIGNS, INC. ASSUMES NO LIABILITY FOR ANY STRUCTURE CONSTRUCTED FROM THIS SET OF PLANS. IT IS THE RESPONSIBILITY OF THE CLIENT TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AUTHORITIES PRIOR TO CONSTRUCTION.

LIABILITY

1. LATIMER DESIGNS, INC. ASSUMES NO LIABILITY FOR ANY STRUCTURE CONSTRUCTED FROM THIS SET OF PLANS. IT IS THE RESPONSIBILITY OF THE CLIENT TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AUTHORITIES PRIOR TO CONSTRUCTION.

2. CONSULT WITH A STRUCTURAL ENGINEER TO VERIFY THE FOUNDATION DESIGN AND CONSTRUCTION TO OBTAIN THE FOLLOWING PRIOR TO CONSTRUCTION:

1. ALL SITE CONDITIONS TO INCLUDE SOIL TESTING FOR BEST LOCATION OF FOUNDATION.
2. FOUNDATION DESIGN.
3. CONSULT WITH LOCAL CODES AND ORDINANCES FOR THE CONSTRUCTION LOCATION.

ANY CHANGES MADE TO THIS SET OF PLANS OR ASSUMES ANY LIABILITY FOR MODIFICATION PROVIDED IN THE CONTRACT OR OTHERS INVOLVED IN THE CONSTRUCTION PROCESS.

LATIMER DESIGNS, INC. IS NOT A REGISTERED ARCHITECT.

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM A SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT TO A SINGLE-FAMILY ESTATE 1.5 (SFE-1.5) DISTRICT ON A 3.03-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1-01 OF THE T. DEAN SURVEY, ABSTRACT NO. 69, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DEPICTED IN *EXHIBIT 'A'* AND FURTHER DESCRIBED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Heather Cullins for a change in zoning from a Single-Family Estate 2.0 (SFE-2.0) District to a Single-Family Estate 1.5 (SFE-1.5) District on a 3.03-acre tract of land identified as Tract 1-01 of the T. Dean Survey, Abstract No. 69, City of Rockwall, Rockwall County, Texas, zoned Single-Family 2.0 (SFE-2.0) District and more fully depicted in *Exhibit 'A'* and described in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code (UDC) [*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 Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from a Single-Family 2.0 (SFE-2.0) District to a Single-Family 1.5 (SFE-1.5) District;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a Single-Family 1.5 (SFE-1.5) District as stipulated in Section 1.1, *Use of Land and Buildings*, of Article IV, *Permissible Uses* and Section 3.2, *Single-Family Estate 1.5 (SFE-1.5) District*, of Article V, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4TH DAY OF FEBRUARY, 2019.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 22, 2019

2nd Reading: February 4, 2019

Legal Description: Tract 1-01 of the T. Dean Survey, Abstract No. 169



All that certain lot, tract or parcel of land situated in the THOMAS DEAN SURVEY, ABSTRACT NO. 69, City of Rockwall, Rockwall County, Texas, and being all of Lot 1, Block A, HODGDON ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet J, Slide 237 of the Plat Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with plastic cap found for corner at the north most Northeast corner of Lot 2, and at the northwest corner of Lot 1, Block A of said Hodgdon Addition, and in the South right-of-way line of Dalton Road, per Volume 2459, Page 19 of the Real Property Records of Rockwall County, Texas;

THENCE N. 89 deg. 14 min. 02 sec. E. along the South right-of-way line of Dalton Road, a distance of 464.94 feet to a 1/2" iron rod with plastic cap found for corner at the northwest corner of Lot 1, Block A of SHORES NORTH PHASE 6, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet E, Slide 163 of the Plat Records of Rockwall County, Texas;

THENCE S. 00 deg. 22 min. 39 sec. E. along the west of said Addition and the east line of Hodgdon tract, a distance of 367.54 feet to a concrete City of Rockwall monument found for corner at the southeast corner of said Lot 1, Block A, Hodgdon Addition;

THENCE WEST along the south boundary line of said Lot 1, a distance of 197.12 feet to a 1/2" iron rod found for corner;

THENCE N. 30 deg. 21 min. 19 sec. W. along the west line of Lot 1, a distance of 94.23 feet to a 1/2" iron rod found for corner;

THENCE N. 66 deg. 42 min. 52 sec. W. a distance of 156.23 feet to a 1/2" iron rod found for corner;

THENCE N. 19 deg. 55 min. 06 sec. W. a distance of 232.13 feet to the POINT OF BEGINNING and containing 131,886 square feet or 3.03 acres of land.

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CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 01/22/2019

APPLICANT: Kevin Hickman; *PegasusAblon*

AGENDA ITEM: **SP2018-043**; *Harbor Village*

SUMMARY:

Discuss and consider a request by Kevin Hickman of PegasusAblon on behalf of Rockwall Rental Properties, LP for the approval of a waiver in conjunction with an approved site plan for a 375-unit condominium building on a 6.2-acre tract of land identified as Lot 9, Block A, Harbor-Rockwall Addition and Tract 16 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 (IH-30) Overlay District, located at the southwest corner of the intersection of the IH-30 frontage road and Lakefront Trail, and take any action necessary.

PURPOSE AND BACKGROUND:

On January 15, 2019, the Planning and Zoning Commission approved a site plan for a 375-unit condominium development [*Case No. SP2018-043*] for the subject property. Prior to this approval and on June 17, 2013, the City Council approved *Ordinance No. 13-16*, which allocated 399 urban residential units (*i.e. condominiums*) to a concept plan that showed two (2) condominium buildings being constructed on the subject property (*i.e. one [1] adjacent to Lakefront Trail consisting of 349-units and one [1] adjacent to the Harbor Fountain consisting of 50-units*). This approval was later amended on December 18, 2017, when the City Council approved *Ordinance No. 17-64*. The new amendment allocated an additional 51-units to the previously entitled 399-units, bringing the total number of entitled units to 450 urban residential units. This PD Development Plan establishes provisions for the construction of two (2) condominium buildings (*i.e. construction schedule*). The 375-unit condominium development -- *adjacent to Lakefront Trail* -- will be the first of two (2) buildings and, based on the conditions of *Ordinance No. 17-64*, will be required to obtain a building permit by June 1, 2019. Additionally, the development is required to have civil engineering plans and a final plat approved prior to the issuance of a building permit. Should a building permit *not* be issued by June 1, 2019, staff will provide a report to the Planning and Zoning Commission and City Council indicating the progress of the development. After review, the Planning and Zoning Commission and City Council may -- *after proper notice* -- initiate public hearings for the revocation of the additional 26 urban residential units.

DENSITY AND DIMENSIONAL REQUIREMENTS:

The proposed five (5) story condominium building will be located within the *Harbor Residential Subdistrict* and will be comprised of a total of 335,224 SF. Off-street parking for future residents will be provided via a parking garage that is integrated into the design of the building, and is accessible from Lakefront Trail and the IH-30 Frontage Road. Additionally, the applicant is showing a two (2) level public parking garage consisting of 180 parking spaces. The public parking garage will be located along Lakefront Trail, southeast of and adjacent to the 50-foot pedestrian walkway. The applicant has indicated that this parking garage will be constructed prior to the condominium building.

The proposed pedestrian walkway, located in between the public parking garage and the condominium building, will incorporate all of the streetscape elements required by PD-32 [Ordinance No. 17-22], and provide an upgraded pavestone paver (*i.e. antique terra-cotta; herringbone pattern*), decorative trees with up-lighting, assorted plantings, pedestrian benches, and pedestrian scaled lighting features. In addition, the plan shows that units facing onto the walkway will have stoops allowing direct access to the pedestrian path. The pedestrian walkway is intended to provide access to the Harbor Fountain and the potential future public park site from the 180 space public parking garage being constructed with this project.

According to Planned Development District 32 (PD-32) [Ordinance No. 17-22], the subject property is located within the *Harbor Residential Subdistrict*, which allows *Urban Residential (Condominium Units Only)* as a *by-right* land use. Based on the submitted site plan package -- *site plan, landscape/streetscape plan, treescape plan, photometric plan, and building elevations* -- the proposed case is in conformance with the requirements stipulated by *Ordinance No. 17-22, Resolution No. 10-40*, and the UDC with the exception of the waiver being requested in the *Waiver Request* section of this case memo. A summary of the applicable requirements for this case are as follows:

<i>Ordinance Provisions</i>	<i>Interior Subdistrict Standards</i>	<i>Conformance to the Standards</i>
<i>Setback Distance from ROW (Lakefront Trail)</i>	<i>0-Feet</i>	<i>30-ft; In Conformance</i>
<i>Building Form</i>	<i>45% Building Façade Fronting Lakefront Trail & IH-30 Frontage Road</i>	<i>x>45%; In Conformance</i>
<i>Ground Floor Land Uses</i>	<i>Retail, Restaurant, Residential</i>	<i>Residential; In Conformance</i>
<i>Upper Floor Land Uses</i>	<i>Residential & Office</i>	<i>Residential; In Conformance</i>
<i>Maximum Building Height</i>	<i>5-Stories or 75-Feet</i>	<i>x=5-Stories/75-ft Height; In Conformance</i>
<i>First Floor Minimum Commercial Height</i>	<i>15-Feet</i>	<i>x<15-ft (variable heights); Waiver Requested</i>
<i>Encroachments to Street</i>	<i>5-Feet</i>	<i>0-Feet; In Conformance</i>
<i>Surface Parking Setbacks from ROW</i>	<i>10-Feet</i>	<i>NA; structured parking provided</i>
<i>Maximum Surface Parking</i>	<i>10% Surface Parking</i>	<i>x<10%; Lakefront Trail In Conformance</i>
<i>Minimum Number of Pedestrian Ways</i>	<i>1 Per Block Face</i>	<i>1; In Conformance</i>
<i>Minimum Masonry Percentage</i>	<i>90%</i>	<i>x>90%; In Conformance</i>
<i>Minimum Stone Requirement</i>	<i>20% Each Façade</i>	<i>x≥20%; In Conformance</i>
<i>Minimum Landscaping Percentage</i>	<i>With Streetscape Plan Elements</i>	<i>Streetscape Elements Incorporated with Landscape Plan; In Conformance</i>
<i>Maximum Lot Coverage</i>	<i>80%</i>	<i>x<80%; In Conformance</i>

WAIVER REQUEST:

According to *Ordinance No. 17-22*, “(i)n order to provide flexibility and create high quality projects, an applicant for development within the PD District [PD-32] may request a waiver of the following District or Subdistrict standards: (1) Building Placement Requirements, (2) Landscape Standards, (3) Parking Requirements, (4) Parking Garage Design Standards, and (5) Increased Building Height in any Subdistrict.” Based on the applicant’s submittal, staff has identified the following waiver to the requirements of *Ordinance No. 17-22*:

1) *Building Form and Placement Requirements.*

- i. *1st Floor Height.* According to the *Harbor Residential Subdistrict* all buildings should incorporate a first floor that is built to a commercial height with a minimum height of 15-feet. The proposed building incorporates a variable height of 9’-1 1/8” to 14’-1 1/8” and

is less than the required first floor height. The applicant is requesting a waiver to this requirement.

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

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

In this case, the proposed project does appear to meet the general intent of the *Harbor Residential Subdistrict*. It should be noted that the first floor height requirement has been waived for all other condominium projects in the Harbor District; however, granting any waivers to the requirements of *Ordinance No. 17-22* is a discretionary decision for the City Council, pending a recommendation from the Planning and Zoning Commission, and should be taken on a case-by-case basis. *The waiver for this case requires a simple majority vote for approval.*

ARCHITECTURAL REVIEW BOARD (ARB):

On January 2, 2019, the Architectural Review Board (ARB) did *not* establish a quorum. The following Board Members were absent: Roberts, Mitchell, Tovar, Miller, Johnson, and Niell. On January 15, 2019, the Architectural Review Board (ARB) reviewed the building elevations. A motion to recommend approval of the elevations passed by a vote of 6 to 1 with Board Member Miller dissenting. Additionally, the motion included a recommendation of approval of the waiver to the 1st floor building height as indicated in staff's report.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

On January 15, 2019, the Planning and Zoning Commission's motion to approve the site plan with staff conditions and Architectural Review Board's (ARB) recommendations passed by a vote of 7 to 0. Additionally, the motion included a recommendation of approval for the waiver to the 1st floor building height as indicated in staff's report.



SP2018-043 - SITE PLAN FOR HARBOR VILLAGE
 SITE PLAN - LOCATION MAP = [icon]

City of Rockwall

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

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



Winkelmann & Associates, Inc.
 CONSULTING CIVIL ENGINEERS & SURVEYORS
 12101 W. UNIVERSITY BLVD., SUITE 1000, DALLAS, TEXAS 75244
 TEL: 972-443-8888 FAX: 972-443-8889
 WWW.WINKELMANN-ASSOCIATES.COM

18080-04-SP18-04
 12/17/2018

ROCKWALL, TEXAS
HARBOR VILLAGE
SITE PLAN

NO.	DATE	REVISION
1.	12/17/2018	APPROX.
2.	01/04/2019	SITE PLAN RESUBMITTAL
3.		MC
4.		
5.		
6.		

VICINITY MAP
 NOT TO SCALE

46,666ft Overall Length
 8,353ft Min Body Height
 1,269ft Track Width
 45,000 Min. Wheel Angle
 Lock-to-lock time

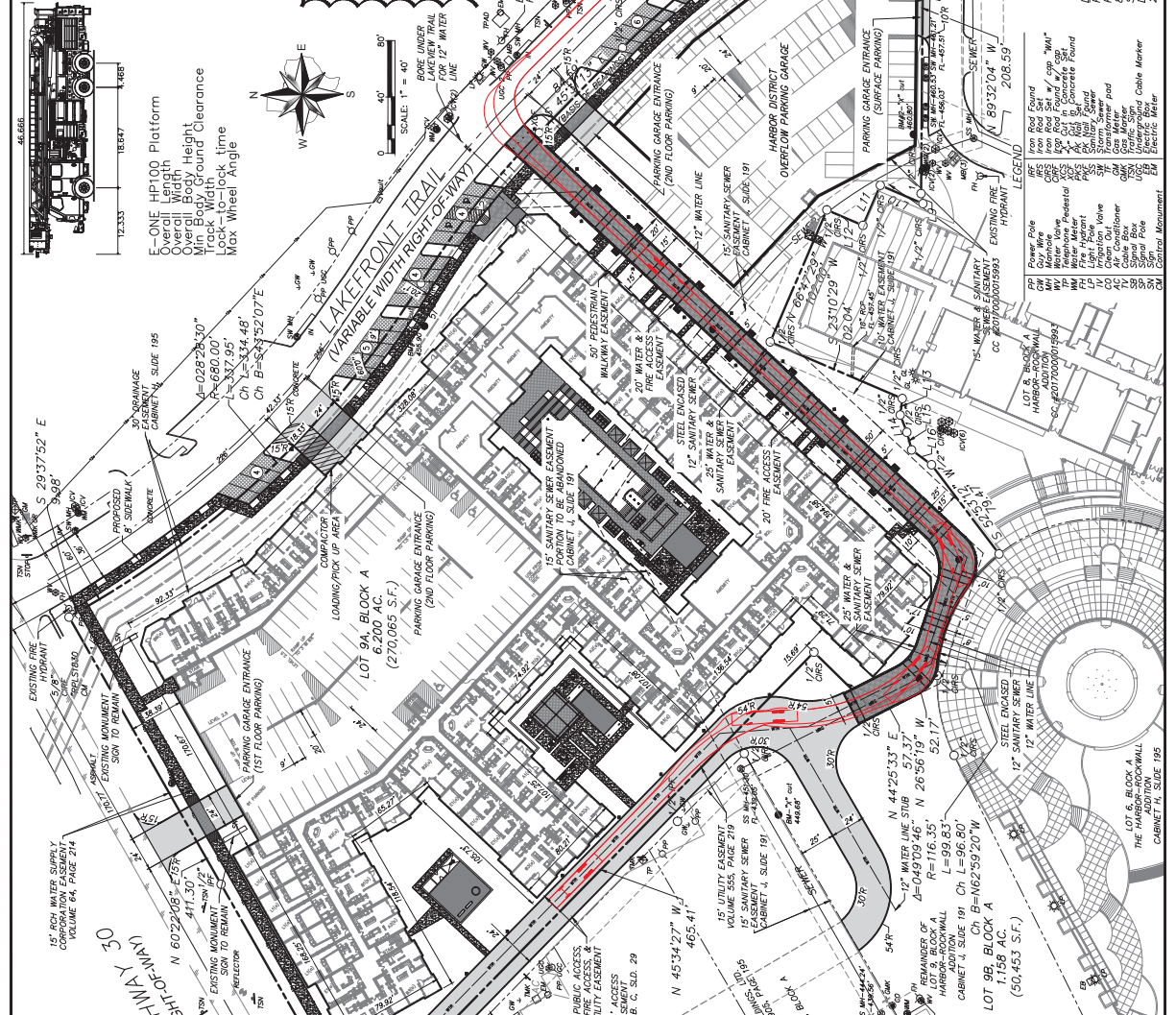
NOTICES TO CONTRACTOR...
 EXISTING UNDERGROUND PUBLIC PRIVATE AND FRANCHISE UTILITIES/FACILITIES AFFECT THIS SITE AND ARE DEPICTED ON THE PLANS WERE PROVIDED BY WINKELMANN & ASSOCIATES, INC. SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THESE UTILITIES/FACILITIES OR OF IDENTIFYING EXACT LOCATIONS OF SAID FACILITIES ON THE PLANS BEYOND WHAT IS STATED ABOVE.
 CONTRACTORS SHALL CALL 811 A MINIMUM OF 48 HOURS PRIOR TO ANY EXCAVATION OR DEMOLITION ACTIVITIES UNTIL AFTER SAID FACILITIES HAVE BEEN IDENTIFIED AND/OR PLANNED PER 811 OR BY THE FACILITY OWNERS.
 CONTRACTORS SHALL BE WHOLLY RESPONSIBLE FOR ANY DAMAGE THAT MAY OCCUR TO SAID FACILITIES DUE TO WORK BEING DONE ON THIS SITE.

DO NOT REMOVE

DELIVERABLES

OWNER: HARBOUR VILLAGE PROPERTIES, LP
DEVELOPER: BRONKHORST, KEVIN
AGENT: KEVIN HICKMAN
ADDRESS: 8222 DOUGLAS AVENUE, DALLAS, TX 75248
PHONE: 972-210-0351
FAX: 972-210-0351
EMAIL: KEVIN.HICKMAN@HARBORVILLAGE.COM

CASE NO. SP2018-043



TYPE	AREA (SF)	% TOTAL AREA	1 st Floor	2 nd Floor	3 rd Floor	4 th Floor	5 th Floor
L1	807	16.42%	0	0	0	0	0
L2	250	5.16%	0	0	0	0	0
L3	242	4.98%	0	0	0	0	0
L4	863	17.72%	0	0	0	0	0
L5	1,206	24.79%	0	0	0	0	0
L6	1,301	26.94%	0	0	0	0	0
L7	1,243	25.52%	0	0	0	0	0
L8	1,243	25.52%	0	0	0	0	0
L9	1,243	25.52%	0	0	0	0	0
L10	1,243	25.52%	0	0	0	0	0
L11	1,243	25.52%	0	0	0	0	0
L12	1,243	25.52%	0	0	0	0	0
L13	1,243	25.52%	0	0	0	0	0
L14	1,243	25.52%	0	0	0	0	0
L15	1,243	25.52%	0	0	0	0	0
L16	1,243	25.52%	0	0	0	0	0
TOTAL	4,923	100.00%	0	0	0	0	0

TYPE	AREA (SF)	% TOTAL AREA	1 st Floor	2 nd Floor	3 rd Floor	4 th Floor	5 th Floor
L1	807	16.42%	0	0	0	0	0
L2	250	5.16%	0	0	0	0	0
L3	242	4.98%	0	0	0	0	0
L4	863	17.72%	0	0	0	0	0
L5	1,206	24.79%	0	0	0	0	0
L6	1,301	26.94%	0	0	0	0	0
L7	1,243	25.52%	0	0	0	0	0
L8	1,243	25.52%	0	0	0	0	0
L9	1,243	25.52%	0	0	0	0	0
L10	1,243	25.52%	0	0	0	0	0
L11	1,243	25.52%	0	0	0	0	0
L12	1,243	25.52%	0	0	0	0	0
L13	1,243	25.52%	0	0	0	0	0
L14	1,243	25.52%	0	0	0	0	0
L15	1,243	25.52%	0	0	0	0	0
L16	1,243	25.52%	0	0	0	0	0
TOTAL	4,923	100.00%	0	0	0	0	0

STRENGTH TABLE

NO.	DELTA	RADIUS LENGTH	CH. L	CH. B
C1	12°35'10"	620.00'	136.19'	135.92'
C2	12°35'10"	620.00'	136.19'	135.92'

LINE TABLE

LINE #	BEARING	DISTANCE
L9	S79°07'41"W	7.21'
L10	N23°10'29"E	32.83'
L11	N66°36'24"W	31.00'
L12	N23°10'29"E	27.95'
L13	N62°35'15"W	61.70'
L14	S68°32'14"W	11.20'
L15	S75°28'22"W	12.97'
L16	S30°32'06"W	17.64'

REFER TO LANDSCAPE PLANS FOR PARKER DETAILS

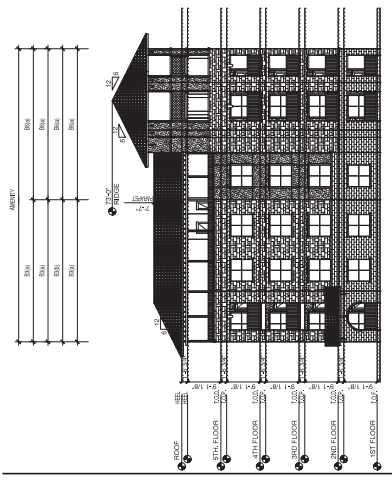
LAKEFRONT TRAIL CITY PAVING

OPENWAY PAVEMENT (TYP.)
 4" ASPHALT OVER 4" SAND
 4.5 SACK MINIMUM
 W/ #3 BARS AT 24" C-C
 BOTH WAYS

HEAVY DUTY PAVEMENT
 7"-800 PS CONCRETE
 W/ #3 BARS AT 18" O.C.E.K.

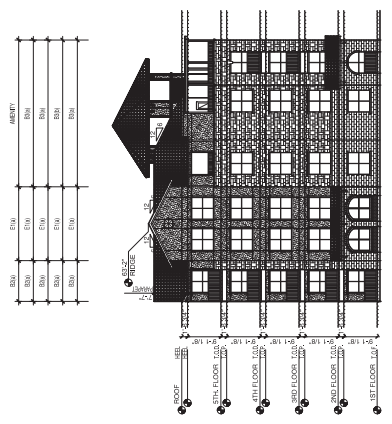
REQUIREMENTS:
 1.5 SPER UNIT
 583 SPACES
 997 SPACES
 597 SPACES
 1.5 PER UNIT
 12 SPACES
 12 SPACES
 182 SPACES
 OVERFLOW PARKING PROVIDED

OVERFLOW PARKING PROVIDED



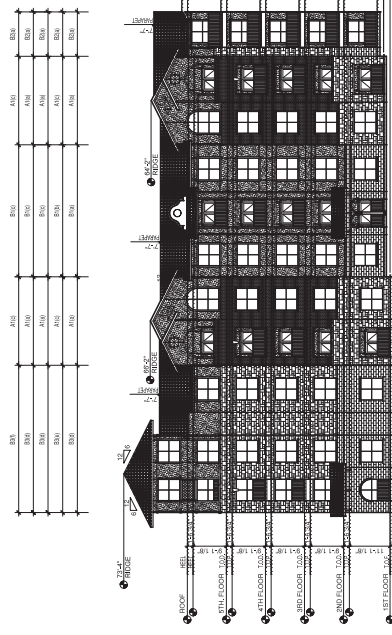
1 BUILDING ELEVATION
SCALE: 1/16" = 1'-0"

STUCCO	794 S.F.	29%
BRICK	0 S.F.	0%
STONE	1,410 S.F.	51%
SPIT FACE CMU	916 S.F.	20%
TOTAL	2,780 S.F.	100%



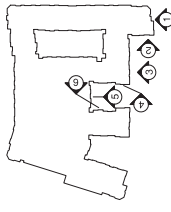
2 BUILDING ELEVATION
SCALE: 1/16" = 1'-0"

STUCCO	896 S.F.	45%
BRICK	0 S.F.	0%
STONE	933 S.F.	40%
SPIT FACE CMU	417 S.F.	17%
TOTAL	2,346 S.F.	100%

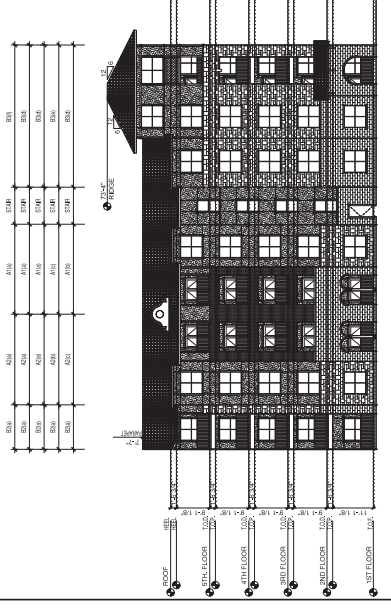


3 BUILDING ELEVATION
SCALE: 1/16" = 1'-0"

STUCCO	2,014 S.F.	40%
BRICK	930 S.F.	19%
STONE	1,408 S.F.	28%
SPIT FACE CMU	676 S.F.	13%
TOTAL	5,028 S.F.	100%

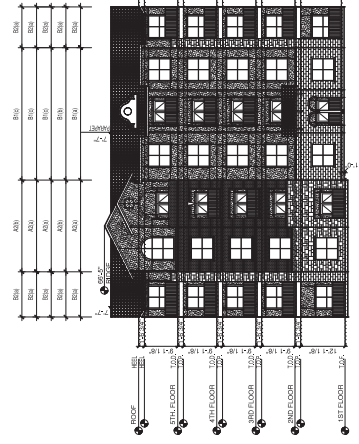


7 BUILDING KEY



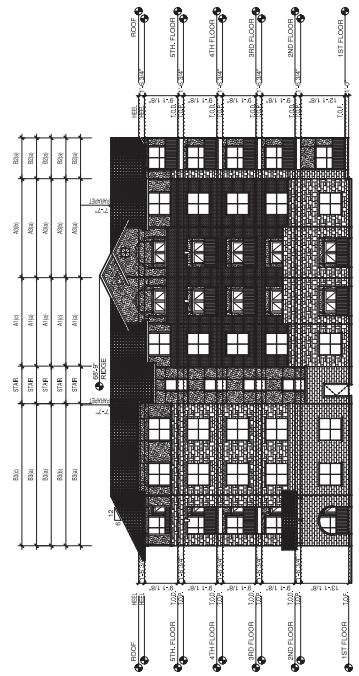
4 BUILDING ELEVATION
SCALE: 1/16" = 1'-0"

STUCCO	1,831 S.F.	46%
BRICK	365 S.F.	10%
STONE	992 S.F.	25%
SPIT FACE CMU	766 S.F.	19%
TOTAL	3,954 S.F.	100%



5 BUILDING ELEVATION
SCALE: 1/16" = 1'-0"

STUCCO	1,425 S.F.	52%
BRICK	492 S.F.	18%
STONE	434 S.F.	16%
SPIT FACE CMU	373 S.F.	14%
TOTAL	2,724 S.F.	100%



6 BUILDING ELEVATION
SCALE: 1/16" = 1'-0"

STUCCO	1,134 S.F.	27%
BRICK	1,024 S.F.	24%
STONE	1,515 S.F.	35%
SPIT FACE CMU	596 S.F.	14%
TOTAL	4,269 S.F.	100%

TOTAL SOUTH-WEST ELEVATION (A4-11 #1.3.5) (A4-12 #1.3.5)	19,391 SF.
TOTAL BLDG. FACADE:	6,721 SF.
TOTAL STONE AMOUNT:	35%

CASE NO. SP2018-043

HARBOR VILLAGE

PEGASUS ABLON

DWELLING UNITS IN ROCKWALL, TEXAS FOR

ISSUED FOR PLAN APPROVAL

SITE: 01-04-19

BGO ARCHITECTS

4802 Bellway Drive
Addicks, TX 75001
214.582.6578
bgoarchitects.com

DATE: 12-14-18

PROJECT: 17126

SHEET NUMBER: A4-11

BUILDING ELEVATION



BL	BLOCK	FLAHERTY BLOCKWORK
B1	BRICK	ALCO BRICKWORK
S1	STONE	WELLSVILLE STONEWORK
P1	WOODS ENTRY WINDOW TRIM, DOOR TRIM	PAFFENHOFER WOODWORK
P2	WOODS ENTRY WINDOW TRIM, SASHING	PAFFENHOFER WOODWORK
P3	PATIO, BALCONY, GUTTER, BRACKET, TRIM	PAFFENHOFER WOODWORK
P4	ORNAMENTAL TRIM	PAFFENHOFER WOODWORK
P5	FABRIC AWNING	PAFFENHOFER WOODWORK
P6	BALCONY METAL FEATURE	PAFFENHOFER WOODWORK
W1	WINDOWS	PAFFENHOFER WOODWORK
R1	TRIM, CONCRETE EDGE	PAFFENHOFER WOODWORK
D1	DOWNPOUT	PAFFENHOFER WOODWORK

HARBOR VILLAGE DWELLING UNITS MATERIAL BOARD
ROCKWALL, TEXAS

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