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AGENDA ROCKWALL CITY COUNCIL

Monday, May 04, 2015

5:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 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 Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)**

III. ADJOURN EXECUTIVE SESSION

AGENDA ROCKWALL CITY COUNCIL

Monday, May 04, 2015
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

IV. RECONVENE PUBLIC MEETING

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DANIELS

VII. PROCLAMATIONS / AWARDS

- p.8** 1. Recognition of Rockwall Police Department Award Recipients
- 2. Police Week Proclamation **p.10**
- p.12** 3. National Safe Boating Week
- 4. National Day of Prayer **p.14**

VIII. OPEN FORUM

IX. CONSENT AGENDA

- p.16** 1. Consider approval of the minutes from the April 20, 2015 regular city council meeting, and take any action necessary.
- p.30** 2. **Z2015-012** - Consider approval of an **ordinance** for a request by Cindy Levandowski on behalf of the owner Terry Rowe for the approval of an amendment to a Specific Use Permit [Ordinance No. 09-28] to allow for a General Retail Store within Planned Development District 50 (PD-50) for a 0.16-acre parcel of land identified as Lot 1, Block 1, Henry Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 907 N. Goliad Street, and take any action necessary **[2nd Reading]**.
- p.34** 3. **P2015-013** - Consider a request by Tony Rangel of Rangel Land Surveying Co. on behalf of Shawn Valk of Platinum Storage for the approval of a final plat for Lot 1, Block A, Platinum Storage Addition being a 5.549-acre tract of land identified as a portion of Tract 2 of the J. Cadle Survey, Abstract No. 65 and the N. M. Ballard Survey, Abstract No. 48, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Corridor (IH-30 OV) Overlay District, located on the west side of Townsend Road south of E. IH-30 and north of SH-276, and take any action necessary.

X. APPOINTMENTS

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

- p.43** 2. Appointment with representative(s) of Eastridge Church of Christ to hear concerns related to expiration of an existing facilities agreement between the City of Rockwall and the church, and take any action necessary.
- p.53** 3. Appointment with Mike Clark of Winkelmann and Associates, representing Kroger Stores, to discuss the variance decision relative to the four (4) sided architecture requirement for the proposed Kroger store location at the southeast corner SH 205 and Quail Run Road and take any action necessary.

XI. PUBLIC HEARING ITEMS

- p.56** 1. **Z2015-013** - Hold a public hearing to discuss and consider a request by Cole Franklin of the Skorburg Company on behalf of Breezy Hill 405, LTD for the approval of an **ordinance** amending Planned Development District 74 (PD-74) to change the concept plan to allow for additional single-family residential lots and allow for changes to the development standards contained in Exhibit 'C' of Ordinance 14-26 for 405.184-acres of land identified as Tract 7 & 7-1 of the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, generally located north of FM-552 and west of Breezy Hill Road, and take any action necessary. **(1st Reading)**

XII. ACTION ITEMS

- p.97** 1. Discuss and consider possible amendment(s) to the Unified Development Code (UDC) related to approved building materials (natural vs. quarried stone) and associated variances, and take any action necessary.
- p.100** 2. Discuss and consider amending the "Policies and Procedures of the Rockwall City Council and Other Boards and Commissions" to call for Open Forum to be held at each regular city council meeting, and take any action necessary.
- p.129** 3. Discuss and consider scheduling the official canvass of the May 9, 2015 General and Special Elections as well as swearing in of newly elected city council members, and take any action necessary.
- p.131** 4. Discuss and consider granting permissions for the City's May 16, 2015 Founders Day Festival at Harry Myers Park related to Chapter 30, Article I, Sec. 30-2, Regulated Activities in Parks of the Code of Ordinances, and take any action necessary.

XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Departmental Reports

p.135 Building Inspections Monthly Report - March 2015

Finance Department Monthly Report - March 2015 **p.150**

p.162 Fire Department Monthly Reports - March 2015

Harbor PD Monthly Report - March 2015 **p.177**

p.179 Internal Operations Department Monthly Report - March 2015

Recreation Monthly Report - March 2015 **p.183**

p.185 Rockwall Animal Adoption Center Monthly Report - March 2015

2. City Manager's Report

XIV. 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 Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)

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

XVI. 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 § 551.086 (Economic Development)

I, Kristy Ashberry, 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 1st day of May, 2015 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Ashberry, City Secretary

Date Removed

Jacky Casey, Assistant Secretary



City of Rockwall
The New Horizon

MEMORANDUM

TO: Honorable Mayor and City Council Members
FROM: Kristy Ashberry, City Secretary
DATE: May 1, 2015
SUBJECT: Agenda item – Police Recognitions

Chief Moeller will be present to help recognize various Police Department personnel who recently received awards.

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Rockwall, Texas

Proclamation

Whereas, approximately 900,000 law enforcement officers serve in communicates across the U.S., including the dedicated members of the Rockwall Police Department; and

Whereas, nearly 60,000 assaults against officers are reported each year, resulting in approximately 16,000 injuries; and

Whereas, since the first recorded death in 1791, more than 20,000 law enforcement officers in the U.S. have made the ultimate sacrifice and been killed in the line of duty; and

Whereas, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.; and

Whereas, hundreds of new names will be added to the memorial this spring to commemorate fallen heroes killed in the last few years; and

Whereas, May 15 is designated as Peace Officers Memorial Day, in honor of fallen officers and their families, and U.S. flags are to be flown at half-staff that day;

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim **May 10-16, 2015** as

POLICE WEEK

in the City of Rockwall, and urge all citizens to publicly salute the service of law enforcement officers both in our community and around the nation.

In Witness Whereof, I hereunto set my hand and official seal this 4th day of May, 2015.

Jim Pruitt, Mayor

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Rockwall, Texas

Proclamation

Whereas, recreational boating continues to grow in popularity with millions of Americans choosing this activity as an ideal way to relax with their families; and

Whereas, increasing public participation in this healthy outdoor sport has emphasized the need for greater attention to courtesy and safety to minimize incidents which often lead to boating mishaps; and

Whereas, a significant number of boaters who have drowned would have had a better chance of surviving had they worn a life jacket; and

Whereas, the U.S. Coast Guard Auxiliary, Flotilla 5-10, Division 5, District 8CR, which represents Lake Ray Hubbard, supports programs which result in our waterways having a relatively safe, accident free record.

Now, therefore, I, Jim Pruitt, Mayor of the City of Rockwall, do hereby proclaim the week of **May 16-22, 2015**, as

Safe Boating Week

in the City of Rockwall and urge all residents to practice safe boating procedures and "Wear It" this week and throughout the boating season.



In Witness Whereof, I hereunto affix my hand and official seal this 4th day of May, 2015.

Jim Pruitt, Mayor

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Rockwall, Texas

Proclamation

Whereas, the first Continental Congress called for a national day of prayer in 1775, as did Abraham Lincoln in 1863; and

Whereas, Congress established National Day of Prayer as an annual event in 1952 by a joint resolution signed by President Truman; and

Whereas, the law was amended and signed by President Reagan in 1988, officially designating the first Thursday in May for its observance; and

Whereas, this year's theme, "Lord, Hear Our Cry," emphasizes the need for individuals, corporately and individually, to place their faith in the unfailing character of their Creator, who is sovereign over all governments, authorities, and men; and

Whereas, to further highlight this year's theme, I Kings 8:28 has been chosen as the designated Scripture, and it reads as follows: "Hear the cry and the prayer that your servant is praying in your presence this day."

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby recognize [Thursday, May 7, 2015](#) as

NATIONAL DAY OF PRAYER

in the City of Rockwall, and invite all citizens to join me on this day and every day to pray for our nation, our state and our city.

In Witness Whereof, I hereunto set my hand and official seal this 4th day of May, 2015.

Jim Pruitt, Mayor

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MINUTES
ROCKWALL CITY COUNCIL
Monday, April 20, 2015
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dennis Lewis and City Council Members David White, Mike Townsend, John Hohenshelt, Scott Milder, and Bennie Daniels. Also present were City Manager Rick Crowley and Assistant City Manager Mary Smith. City legal counsel Patrick Lindner was present (filling in for City Attorney Frank Garza). Assistant City Manager Brad Griggs was absent from the meeting.

II. WORK SESSION

Mayor Pruitt announced that this item was mistakenly included on the posted meeting agenda and that no work session will actually be held this evening.

Mayor Pruitt then read the below listed discussion items into the public record before recessing the meeting into Executive Session at 4:01 p.m.

III. 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 matters related to land lease operations at Ralph Hall Municipal Airport pursuant to Section 551.071 (Consultation with Attorney).
2. Discussion regarding deliberation of appointment of public officer to North TX Municipal Water District Board, pursuant to Section 551.074 (personnel matters).
3. Discussion regarding incentives to tenured employees and possible legal issues pursuant to Section 551.074 (Personnel Matters) and Section 551.071 (Consultation with Attorney).
4. Discussion regarding legal claim related to back up of city sewage line in Random Oaks Subdivision pursuant to Section 551.071 (Consultation with Attorney)
5. Discussion regarding legal claim: Jack R. Athey vs. Rockwall Police Chief Mark Moeller, Rockwall County Emergency Services Corporation, and the City of Rockwall pursuant to Section 551.071 (Consultation with Attorney)
6. Discussion regarding the Animal Services Shelter and Adoption Services Agreement between the City of Rockwall and Collin County Humane Society pursuant to Section 551.071 (Consultation with Attorney).

- 47 7. Discussion regarding City Manager's performance evaluation and
48 contract pursuant to Section 551.074 (Personnel Matters) and Section
49 551.071 (Consultation with Attorney)

50
51 **IV. ADJOURN EXECUTIVE SESSION**

52
53 **Executive Session was adjourned at 5:30 p.m.**

54
55 **V. RECONVENE PUBLIC MEETING**

56
57 **Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all seven city council**
58 **members being present.**

59
60 **VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

61
62 **Mayor Pro Tem Lewis made a motion to reappoint Bill Lofland to serve as one of the**
63 **city's two representatives on the North Texas Municipal Water District Board (term will**
64 **expire May 31, 2017). Councilmember White seconded the motion, which passed by a**
65 **vote of 7 ayes to 0 nays.**

66
67 **Mayor Pro Tem Lewis made a motion to approve the first amendment to the employment**
68 **agreement for Rockwall City Manager Rick Crowley effective April 6, 2015.**
69 **Councilmember White seconded the motion, which passed by a vote of 7 in favor with 0**
70 **against.**

71
72 **VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER SCOTT MILDER**

73
74 **Councilmember Milder delivered the invocation and led the Pledge of Allegiance.**

75
76 **VIII. PROCLAMATIONS / AWARDS**

- 77
78 1. Motorcycle Safety and Awareness Month

79
80 **Mayor Pruitt called forth several representatives of various motorcycle clubs who were**
81 **present. After brief introductions, he then read and presented the proclamation to this**
82 **group. Representatives of the group expressed interest in partnering with the city to**
83 **install "Share the Road" (with motorcyclists) signs.**

- 84
85 2. 9-1-1 Dispatcher Appreciation Day

86
87 **Mayor Pruitt called forth the Dispatch Manager, Kim Barry, and Dispatch Supervisors**
88 **Kristina Williams, Tosha Marks as well as dispatcher Christopher Minckler. The mayor**
89 **then read and presented staff with this proclamation.**

- 90
91 3. Animal Control Officer Appreciation Day

92
93 **Mayor Pruitt called forth Joyce Ross, Animal Control Officer for the City of Rockwall, to**
94 **whom he then read and presented the proclamation.**

97 **IX. CONSENT AGENDA**
98

- 99 1. Consider approval of the minutes from the April 6, 2015 regular city
100 council meeting, and take any action necessary.
- 101 2. Consider authorizing the City Manager to execute an agreement with
102 Insituforms Technologies LLC to repair wastewater pipe damage at the
103 Random Oaks subdivision in the amount of \$16,750 and approval of a
104 wastewater operations budget amendment of \$20,000 to provide funding
105 for the project and take any action necessary
- 106 3. Z2015-011 - Consider approval of an ordinance for a City initiated zoning
107 request for the approval of a text amendment to Article IX, Tree
108 Preservation, Section 11.1, Tree fund administration, of the Unified
109 Development Code [Ordinance No. 04-38] for the purpose of modifying
110 this section of the code, and take any action necessary. (2nd reading)
- 111 4. P2015-012 - Consider a request by Warren Corwin of Corwin Engineering
112 on behalf of Ryan Joyce of the Skorburg Company (BH Phase V 80'
113 POD, SF, LTD) for the approval of a preliminary plat for 79 single family
114 residential lots, identified as Phase V of the Breezy Hill Subdivision, being
115 a 25.597-acre tract of land situated within the J. Strickland Survey,
116 Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned
117 Planned Development District 74 (PD-74) for Single Family 10 (SF-10)
118 District land uses, situated on the west side of Breezy Hill Road north of
119 the intersection Breezy Hill Road and FM-552, and take any action
120 necessary.
- 121 5. Discuss and consider approval of a resolution associated with dedication
122 of open space at the Park at Stone Creek as part of the Texas Parks and
123 Wildlife Department grant process, and take any action necessary.

124 **Mayor Pro Tem Lewis pulled item #2 and asked that it be held for consideration until later**
125 **on in the meeting.**
126

127 **Councilmember White made a motion to approve the remaining items (#s 1, 3, 4, and 5).**
128 **Councilmember Milder seconded the motion. The ordinance was read as follows:**
129

130 **CITY OF ROCKWALL**
131 **ORDINANCE NO. 15-13**
132

133 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,**
134 **TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE**
135 **NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED,**
136 **BY AMENDING SECTION 11.1 OF ARTICLE IX, TREE PRESERVATION;**
137 **PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF**
138 **TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;**
139 **PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A**
140 **REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**
141

142 **The motion passed unanimously of council (7-0).**
143
144

Consent Agenda item #2 was addressed following Appointment Item #4. Regarding Consent Agenda item #2, City Engineer Tim Tumulty explained that it appears a contractor who was working on the HOA's retaining wall at some point in the past hit the sewer line and dropped rock and concrete into the existing sewer pipe. He explained that this agenda item will provide funding needed in order to make repairs to the line. Mayor Pro Tem Lewis made a motion to approve Consent Agenda item #2. Mayor Pruitt seconded the motion. After brief comments, the motion passed by a vote of 7 ayes to 0 nays.

Public Hearing items were addressed next by Council.

X. APPOINTMENTS

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

Chairman of the Planning & Zoning Commission, Craig Renfro, came forth and briefed the council on recommendations of the Commission relative to items on tonight's city council meeting agenda. No action was taken concerning this agenda item.

2. Appointment with Frank Conroy of Fox, Byrd & Company PC to present the city's Fiscal Year 2014 Comprehensive Annual Financial Report, and take any action necessary.

Mr. Frank Conroy came forth and briefed the Council on results of the city's FY2014 annual audit. He generally indicated that the city's finances are in good shape. The general fund balance for reserves is favorable as well. He indicated that, overall, the City of Rockwall is being managed with sound financial management. The council took no action concerning this agenda item.

3. Appointment with Mr. Tom Galli to hear update regarding a Memorial Day concert scheduled to be held at The Harbor on Sunday evening, May 24th at 7:00 p.m., and take any action necessary.

Mr. Galli came forth to address the council. He indicated that the promotional poster for the concert was designed by a local veteran who served in military and in the 'global war on terror.' He indicated that this event aims to serve as a recurring civic commemoration to honor those who have served and to educate citizens on those who have served and on past wars which have taken place. He briefed the council on the musicians who are slated to perform as well as the narrator who is scheduled to emcee the event. He further indicated that the Rockwall Police Department Honor Guard and the Rockwall Community Band will play a part in the event as well.

Mayor Pruitt thanked Mr. Galli and his counterparts for taking on this project. He expressed appreciation regarding the program they have put together. Councilmember Milder asked who is supporting and funding the event. He indicated that the city has provided funding and a budget; however, the expenses will be very minor. In addition, the local American Legion, some local businesses, local Boy Scout groups and the Hilton Hotel are all playing some role in making the event possible. The council took no action concerning this agenda item.

- 194
195 4. Appointment with Mrs. JoAnn Marsh and her neighbors to hear concerns
196 related to sewage issues in their neighborhood (Random Oaks
197 subdivision), and take any action necessary.

198 **Chris and JoAnn Marsh**
199 **1947 Random Oaks Drive**
200 **Rockwall, TX**

201
202 **Mr. Marsh indicated that about seventy-five homes are located within the Random Oaks**
203 **subdivision, which is near the CVS and is generally located near SH-205 at Quail Run. He**
204 **generally indicated that several sewage-related concerns have been present in the**
205 **neighborhood for many years, ever since they moved into their home. Mrs. Marsh**
206 **proceeded to share a PowerPoint presentation with the city council, which highlighted a**
207 **history of the problem, steps the city has previously taken to help resolve problems,**
208 **health related concerns she and her son have had, a sewage backup that recently**
209 **occurred at her neighbor's home in January of this year, and an overall plea for the city**
210 **to resolve their issues.**

211
212 **Mr. Marsh came forth and provided additional details concerning the sewage-related**
213 **problems. He suggested that perhaps there is a city lift station that is not sufficient.**

214
215 **Larry Brown came forth and indicated that he moved into Random Oaks in 1997. In**
216 **January of this year, he and his wife were home when they witnessed sewage backing up**
217 **in both of their bathrooms, including in the shower, tub and toilets. Two homes,**
218 **including his in January of this year and one back in 2008, have sustained sewage-**
219 **related damage.**

220
221 **Tom and Mitzi Zopp**
222 **502 Bending Oaks**
223 **Rockwall, TX**

224
225 **Mr. and Mrs. Zopp came forth and indicated they moved into their home in 1998. They**
226 **have been noticing a sewage smell while on their daily, evening walks ever since they**
227 **moved into Random Oaks. She has personally called the city about three times for water**
228 **mains that have broken at the top of the hill, which has caused water to rush down into**
229 **their yard.**

230
231 **Mrs. Marsh again came forth and shared a hand drawn map with council member to**
232 **depict where she and her neighbors live. She indicated that the manhole the city**
233 **uncovered in their driveway in about 2011 has exploded twice. Generally speaking, she**
234 **and her neighbors have smelled sewage ever since they have lived in Random Oaks (for**
235 **at least fifteen or twenty years, if not more).**

236
237 **Councilmember Milder asked for City Engineer Tim Tumulty to explain why they city**
238 **installed a manhole in the Marsh's driveway. Mr. Tumulty indicated that the contractor**
239 **who built their home had covered up an existing manhole when he poured their**
240 **driveway. So they city uncovered it.**

Mayor Pro Tem Lewis indicated that his brother lives near the Marsh's, on the same street in fact. His brother has indicated to him that he has experienced some smell-related problems.

Mayor Pruitt thanked Mr. and Mrs. Marsh and their neighbors for coming forth and sharing these concerns with the city council. He then explained that the City Council will address Consent Agenda item #2, which deals with taking steps to repair the broken/damaged sewer line underneath the retaining wall that the HOA's contractor impacted while doing work on the wall. The council took no action concerning this Appointment Item.

XI. PUBLIC HEARING ITEMS

1. Z2015-012 - Hold a public hearing to discuss and consider the approval of an ordinance for a request by Cindy Levandowski on behalf of the owner Terry Rowe for the approval of an amendment to a Specific Use Permit [Ordinance No. 09-28] to allow for a General Retail Store within Planned Development District 50 (PD-50) for a 0.16-acre parcel of land identified as Lot 1, Block 1, Henry Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 907 N. Goliad Street, and take any action necessary [1st Reading].

Senior Planner David Gonzales provided background information related to this agenda item. He explained that the owner is currently wishing to open up a boutique type store selling merchandise for ladies and babies. It will occupy about 500 square feet of the existing 1,000 square foot home/business. A description of the operation being proposed, including the anticipated days and hours of operation were included in council member packets. Notices were sent out to property owners and HOA's located within 500' of the subject property. Two notices were received back in favor, and one was received back in opposition. The Planning & Zoning Commission has recommended approval of this item as previously indicated by Chairman Renfro.

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

Councilmember White made a motion to approve Z2015-012 with staff recommendations. Councilmember Townsend seconded the motion.

The ordinance was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 15-
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 AMEND SPECIFIC USE PERMIT (SUP) NO. S-68**

[ORDINANCE NO. 09-28] TO ALLOW FOR A GENERAL RETAIL STORE IN A RESIDENTIAL-OFFICE (RO) DISTRICT, ON A 0.16-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1, BLOCK 1, HENRY ADDITION, GENERALLY LOCATED AT 907 N. GOLIAD STREET, AND ZONED PLANNED DEVELOPMENT DISTRICT NO. 50 (PD-50), 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 7 ayes to 0 nays.

2. P2015-008 - Hold a public hearing to discuss and consider a request by Michael Clark for the approval of a residential replat for Lots 6 & 7, Block K, Sanger Brothers Addition, being a 0.23-acre parcel of land currently identified as the eastern ½ of Lot 3, Block K, Sanger Brothers Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 808 Sam Houston Street, and take any action necessary.

Mr. Gonzales provided brief background information concerning this agenda item. He indicated that thirty-eight notices were sent out to adjacent property owners. One notice was received back by staff expressing opposition to this item. The Planning & Zoning Commission has recommended its approval with staff recommendations (vote of 7 to 0).

Mayor Pruitt opened the public hearing and asked if anyone would like to come forth and speak. There being no one, Mayor Pruitt then closed the public hearing.

Councilmember Townsend made a motion to approve P2015-008. Councilmember White seconded the motion, which passed unanimously of council (7 - 0).

XII. ACTION ITEMS

1. Discuss and consider approval of a resolution regarding TxDot planning for SH205, and take any action necessary.

City Manager Rick Crowley provided background information concerning this agenda item, generally indicating that the City of Rockwall prefers that John King Boulevard be designated as the preferred, future route for SH-205. Mayor Pruitt indicated that he, another council member, and Mr. Crowley recently met with the city's state representatives to discuss their strong support and preference for John King to be utilized for this purpose. It fiscally makes the most sense for the state of Texas and for the city, as the city does not wish to have large trucks and large amounts of traffic traversing through the historic downtown area. This designation, should it occur, would mean that Goliad would be extended northward through downtown and would be taken over and maintained as a city owned and operated street.

Mayor Pruitt made a motion to approve the resolution. Councilmember White seconded the motion. Councilmember White indicated that he would like this resolution to be sent to TXDOT, our state representatives as well as our county representatives. After brief comments, the motion passed by a vote of 7-0.

- 344
345 2. Discuss and consider a recommendation from the City Council's Hotel
346 Tax Subcommittee regarding a supplemental funding request from the
347 Soroptimist Club for the annual Country Fair and take any action
348 necessary.

349 **Assistant City Manager Mary Smith provided brief background information concerning**
350 **this agenda item. She indicated that a request of up to \$20,000 was recently reviewed by**
351 **the city council subcommittee (Lewis, White and Townsend), and the sub-committee is**
352 **recommending that the council consider approving \$2,500 of funding for this event. The**
353 **funding, if approved, will be utilized for the 2nd annual Country Fair being held by the**
354 **local Soroptimist group at the end of May.**

355
356 **Mayor Pro Tem Lewis made a motion to approve the recommended \$2,500 of funding.**
357 **Councilmember White seconded the motion, which passed by a vote of 7 ayes to 0 nays.**
358

- 359 3. SP2015-007 - Discuss and consider a request by Maria Bonilla of
360 Winkelmann and Associates, Inc. on behalf of Mark Matise of MAKKO
361 Goliad I, LP for the approval of a site plan and associated variances for a
362 grocery store and fuel center on a 11.28-acre tract of land identified as
363 Lots 2 & 3, Block A, Quail Run Retail Addition, City of Rockwall, Rockwall
364 County, Texas, zoned Planned Development District 5 (PD-5) for General
365 Retail (GR) District land uses, situated within the North SH-205 Overlay
366 (N. SH-205 OV) District, located at the southeast corner of the
367 intersection of N. Goliad Street (SH-205) and E. Quail Run Road, and
368 take any action necessary.

369 **Senior Planner David Gonzales provided brief background information related to this**
370 **agenda item. He explained that this building will include six gas pumps as well as a**
371 **drive-thru pharmacy on the north end of the building (with three drive-thru lanes). Also,**
372 **a truck loading dock area will be located on the south end of the building along with the**
373 **detention pond area. He explained that the size of the building requires a 30' landscape**
374 **buffer. This buffer will be included along with an additional 30' fire lane access**
375 **designation (the building sits 60' back). As part of the landscape buffer between the**
376 **building and residential properties, southern Live Oaks as well as Junipers and a**
377 **masonry screening fence will be placed between the store and the adjacent residential**
378 **neighborhood. The Architectural Review Board (ARB) did review the proposed**
379 **articulations for this proposed development. He explained the nature of various variance**
380 **requests that the applicant is asking of council, explaining that the variances are for**
381 **items, including masonry materials, stone requirements, articulation requirements and**
382 **architectural finishing, all of which will not be visible to anyone because they are in the**
383 **rear of the building (4th side) and will not be visible to drivers or to the neighborhood**
384 **behind the development. He explained that two of the variance requests (A&D for**
385 **masonry requirements and four-sided architecture) require a ¾ super majority vote of the**
386 **council for approval, and the remaining two variance requests require a simple majority**
387 **vote. Mr. Gonzales mentioned that a treescape plan, previously approved in 2002, has**
388 **resulted in some outstanding tree mitigation left on the property. The owners plan to pay**
389 **\$6,375 into the city's Tree Mitigation Fund in order to satisfy the outstanding tree**
390 **mitigation on the property.**

391
392 **Michael Clark**
393 **Winkelmann and Associates**

6750 Hillcrest Plaza, Suite #325
Dallas, Texas 75230

Mr. Clark came forth and indicated that he and several representatives of Kroger are present this evening. He respectfully requested approval of this item tonight.

Gary Huddleston
Director of Public Affairs, Kroger
1331 East Airport Freeway
Irving, Texas 75062

Mr. Huddleston explained that normal deliveries would occur between 6:00 a.m. and 11:00 p.m.; however, they are happy to comply with any expressed city requirement. Mayor Pruitt expressed concerns about trucks making deliveries having trouble coming out onto Memorial and then trying to make a tough turn onto SH-205. He is also concerned about truck traffic accessing the loading dock only to / from Memorial Drive.

Mr. Clark indicated that he envisions truck traffic coming in on Quail Run and then onto Memorial Drive.

Councilmember Milder asked the applicant to consider flipping the proposed location of the loading dock in order to locate it at the other end of the building instead of where it is currently proposed to be located. Councilmember Milder went on to express some concern about the large square footage that is being proposed associated with this particular Kroger development. He believes this square footage is perhaps out of sorts with the large, residential area that exists in the north part of town. It was clarified that this particular Kroger store will be the same size as the currently expanded store located in the south part of town.

Councilmember White asked if this proposed store is allowed to be 90,000 square feet on this particular lot. Mr. Crowley indicated that, yes, the store is allowed to be that size without special approval by Council. The only reason it is coming before the city council this evening is for review and votes concerning the variance requests.

Councilmember Daniels asked what implications would be posed if the loading dock were flipped to the south side rather than the north side of the building. Mr. Clark indicated that it would pose some significant problems because the distance from the ground up to the loading dock would be significantly increased due to the elevation of the ground on the south end of the building versus the north end.

Mr. Crowley indicated that flipping the loading dock to the other side of the building would result in some aesthetic impacts as well.

Mr. Huddleston indicated that the pharmacy traffic will be much more significant than the delivery truck traffic, and these customers will be better served on the Quail Run side of the building.

Lengthy discussion took place related to delivery truck traffic.

Assistant Police Chief Riggs expressed agreement with the city council's concerns about delivery truck traffic turning right onto SH-205, expressing that it would be best if those

truck turned onto Quail Run instead, as it is difficult for a driver to make it across traffic at this location.

Councilmember Hohenshelt suggested that trucks could come out onto Memorial and then work their way to SH-205; however, at that point, perhaps signage could be placed to indicate that all trucks must turn right (no left turn).

Mr. Huddleston indicated that Kroger delivery trucks could be mandated, from within the company, to not turn left onto SH-205.

Councilmember White indicated that TXDOT has previously indicated that no traffic signal is warranted at Memorial Drive; however, he questions if this topic may need to be raised again and reconsidered by TXDOT. Mr. Crowley indicated that the city can certainly raise this concern; however, it is very likely that, if this were to happen at all, it would take a very, very long time (a number of years), if at all.

Mr. Crowley briefed the council on the city originally instituting masonry and stone materials on the façade of buildings being developed. At that time, he explained, those sorts of materials looked the best; however, since that time, many cultured type stones have come to look just as good as natural stone.

A Kroger representative came forth and indicated that the supply and quicker availability of the cultured stone works best for them. Also, cultured stone was previously utilized on the existing Kroger store that is located on the south side of town.

Councilmember Townsend made a motion to approve SP2015-007, variance requests A&D (masonry material (use of cultured stone veneer instead of natural stone) and 4-sided Architecture (not meeting architectural finishing (materials, detailing and features) on the 4th / rear side of the building). Councilmember White seconded the motion, which failed by a vote of 5 ayes to 2 nays (Pruitt and Milder) (a $\frac{3}{4}$ (super majority) vote of council was required for approval).

Councilmember Townsend made a motion to approve SP2015-007, including variance requests B&C (stone requirements and articulation requirements (horizontal and vertical articulation for rear of the building)). Councilmember White seconded the motion, which passed by a vote of 5 in favor with 2 against (Pruitt and Milder).

Mayor Pruitt indicated that Tom Thumb, who is Kroger's major competitor and is located very near down the road, was required to utilize real stone, so he believes Kroger should have to as well.

Councilmember White indicated he would like staff to place an agenda item on the next city council meeting agenda to consider modifying the city's existing ordinance regulations to allow cultured stone to be utilized in lieu of real stone. Mayor Pro Tem Lewis echoed the desire to revisit the city's ordinance regulations related to use of cultured stone.

Mr. Gonzales pointed out that a city council vote is still needed to approve the site plan itself. The site plan approval would include the photometrics, landscaping, building elevations and the site plan itself.

Councilmember Townsend made a motion to approve the site plan for SP2015-007 with the condition that Kroger will submit a letter agreeing to have their delivery trucks turn right onto SH-205 (Goliad) off of Memorial Drive. Councilmember White seconded the motion, which passed by a vote of 6 in favor with 1 against (Milder).

4. Discuss and consider installing public restrooms in the downtown area, and take any action necessary.

Mayor Pro Tem Lewis indicated he placed this agenda item on for discussion after hearing from several citizens concerning this subject.

Councilmember White asked what citizens are currently doing for restrooms when they attend downtown events. Mr. Crowley indicated that at, for example Farmers Market, the restrooms at The Center are available for use. Lewis expressed some concern about The Center not being open during the upcoming live music series that is scheduled to be held on Friday and Saturday nights. He is also concerned about "life safety issues" associated with downtown visitors having to cross SH-66 in order to get to The Center to utilize public restrooms when that building is open.

Councilmember Milder suggested the city put up signage at events indicating that public restrooms are available at The Center if/when that option will work for events scheduled downtown. It was indicated by staff that sometimes private rentals mean that people are occupying The Center in the evenings when city sponsored events, such as the upcoming music series, may be scheduled. This could pose an unwanted conflict with individuals who have paid to rent out The Center for personal events.

Mr. Crowley indicated that the city spent about \$125,000 on restrooms that were somewhat recently installed at the Tuttle Ball Fields. This amount does not include the land. Also, cost associated with restroom facilities of this nature would depend on availability of electrical and sewage-related infrastructure as well as land availability.

Mayor Pruitt asked if restaurants and merchants downtown have a problem with patrons or downtown visitors utilizing their restrooms. Mr. Crowley indicated that staff has not yet had these sorts of discussions with restaurants and businesses currently located in the downtown area. However, he pointed out that some locations probably do not have public restrooms available for use by their patrons at this time. Mr. Crowley indicated The Center is already open on Saturday mornings for use by the public when attending the Farmer's Market.

Councilmember Milder asked if the city's mobile restroom facility could be utilized for some events. Mr. Crowley indicated that, yes, it could be; however, there is cost associated with delivery and pick-up of the mobile restroom facility, and it has to be staffed as well.

Mayor Pro Tem Lewis asked staff if they have shopped for a possible building downtown that could be utilized for installation of public restroom facilities. Mr. Crowley indicated that staff has not done so, but this can be done if the council desires.

Councilmember White indicated that he has not heard of any complaints associated with a lack of restroom facilities in downtown. Mr. Crowley indicated that some stores are not required by the city (for example retail stores) to have public restrooms available,

whereas other types of businesses (i.e. restaurants) are required to have public restrooms.

Councilmember Daniels indicated that, as a previous small business owner who had public restrooms available, he knows that opening up restrooms for public use can result in a lot of costly plumbing bills for business owners.

Mayor Pro Tem Lewis asked Andy Hesser, Parks Manager, his thoughts about public restroom availability. Mr. Hesser indicated that they will just need to wait and see what sort of turn out results from the upcoming music series.

Mayor Pruitt asked if the existing Parks Administration offices could perhaps be repurposed to make public restrooms available. Mr. Crowley indicated that staff can look at some possibilities and then return to the council with options at a later date.

Mayor Pro Tem Lewis indicated that he would like staff to evaluate options and report back to Council. No action was taken at this time concerning this agenda item.

At the end of the scheduled agenda items above, Mayor Pruitt utilized personal privilege to allow the following citizen to come forth and speak about various concerns he wished to express:

Mr. Robert Wacker
806 Miramar
Rockwall, TX 75087

Mr. Wacker came forth and expressed concerns related to his dissatisfaction related to various topics. He generally expressed that he is not in favor of the Kroger development. He is concerned about a traffic signal light possibly being installed at Memorial Drive, as he believes there is not enough room to allow for this at this location. He is also concerned about townhomes possibly being built near this area. He expressed that he is in favor of SH-205 traffic being routed onto John King, and he believes that developments such as Kroger should go there instead. He expressed general concerns about roadways, including drainage and runoff problems near the pond by York Street. He is also concerned about a park being built at Featherstone at John King, especially related to the retention pond that will be utilized by the public. He encouraged a water study to be done to ensure it won't overflow. He is also concerned about a retention pond on site if the Kroger is developed at the currently proposed site (on SH-205). He encouraged the council to take time to understand issues and follow its master plans.

Following Mr. Wacker's comments, Mayor Pruitt adjourned the public meeting (at 8:36 p.m.).

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:

- 595 1. Discussion regarding legal matters related to land lease operations at
596 Ralph Hall Municipal Airport pursuant to Section 551.071 (Consultation
597 with Attorney).
- 598 2. Discussion regarding deliberation of appointment of public officer to North
599 TX Municipal Water District Board, pursuant to Section 551.074
600 (personnel matters).
- 601 3. Discussion regarding incentives to tenured employees and possible legal
602 issues pursuant to Section 551.074 (Personnel Matters) and Section
603 551.071 (Consultation with Attorney).
- 604 4. Discussion regarding legal claim related to back up of city sewage line in
605 Random Oaks Subdivision pursuant to Section 551.071 (Consultation
606 with Attorney)
- 607 5. Discussion regarding legal claim: Jack R. Atthey vs. Rockwall Police Chief
608 Mark Moeller, Rockwall County Emergency Services Corporation, and the
609 City of Rockwall pursuant to Section 551.071 (Consultation with Attorney)
- 610 6. Discussion regarding the Animal Services Shelter and Adoption Services
611 Agreement between the City of Rockwall and Collin County Humane
612 Society pursuant to Section 551.071 (Consultation with Attorney).
- 613 7. Discussion regarding City Manager's performance evaluation and
614 contract pursuant to Section 551.074 (Personnel Matters) and Section
615 551.071 (Consultation with Attorney)

616

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

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619 **The city council did not convene in Executive Session following the close of the public**
620 **meeting agenda.**

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622 **XV. ADJOURNMENT**

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624 **The meeting was adjourned at 8:36 p.m.**

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628 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**

629 **THIS 4th DAY OF MAY, 2015.**

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633 **ATTEST:**

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636 **Kristy Ashberry, City Secretary**

Jim Pruitt, Mayor

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CITY OF ROCKWALL

ORDINANCE NO. 15-14

SPECIFIC USE PERMIT NO. S-137

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 (SUP) NO. S-68 [ORDINANCE NO. 09-28] TO ALLOW FOR A GENERAL RETAIL STORE IN A RESIDENTIAL-OFFICE (RO) DISTRICT, ON A 0.16-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1, BLOCK 1, HENRY ADDITION, GENERALLY LOCATED AT 907 N. GOLIAD STREET, AND ZONED PLANNED DEVELOPMENT DISTRICT NO. 50 (PD-50), 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.

WHEREAS, a request has been made by Cindy Levandowski on behalf of the owner Terry Rowe for the approval of an amendment to Specific Use Permit (SUP) No. S-068 [*Ordinance No. 09-28*] to allow for a *General Retail Store* in a *Residential-Office (RO) District*, which shall also allow for the use of a *Hair Salon*, on a 0.16-acre parcel of land identified as Lot 1, Block 1, Henry Addition, generally located at 907 N. Goliad Street, and zoned *Planned Development District No. 50 (PD-50)*, City of Rockwall, Rockwall County, Texas, 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 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 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to amend Specific Use Permit (SUP) No. S-068 [*Ordinance No. 09-28*] to allow for a *General Retail Store* within Planned Development District No. 50 (PD-50), which shall also allow for the use of a *Hair Salon* on the *Subject Property*, and

Section 2. That this Specific Use Permit (SUP) Ordinance shall supersede all requirements stipulated in *Ordinance No. 09-28*, and that the *Subject Property* shall maintain compliance to all conditions and standards contained within this ordinance; and

Section 3. That the Specific Use Permit shall be subject to the conditions set forth in ***Planned Development District No. 50 (PD-50) & Section 4.2, Residential Office (RO) District, of Article V, District Development Standards, of the City of Rockwall Unified Development Code (Ordinance No. 04-38)*** as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following additions for the *Subject Property*:

- 1) That no parking will be allowed in the SH205 right of way or in front of the building, and
- 2) That the hours of operation shall be limited between 8:00 am to 8:00 pm. each day, and
- 3) That the use for a hair salon shall be limited to a maximum of one (1) chair, and
- 4) That all signage requires a separate permit and must conform to the standards established in the North Goliad Overlay District, and
- 5) That the City Council reserves the right to review the Specific Use Permit granted herein upon the expiration of one (1) year from the date hereof.

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

Section 5. 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 6. 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 7. 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 8. 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 MAY, 2015.**

Jim Pruitt, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: 04-20-15

2nd Reading: 05-04-15

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CITY OF ROCKWALL

CITY COUNCIL MEMO

AGENDA DATE: 05/04/2015

APPLICANT: Tony Rangel, *Rangel Land Surveying Co.*

AGENDA ITEM: **P2015-013**; *Lot 1, Block A, Platinum Storage Addition*

SUMMARY:

Discuss and consider a request by Tony Rangel of Rangel Land Surveying Co. on behalf of Shawn Valk of Platinum Storage for the approval of a final plat for Lot 1, Block A, Platinum Storage Addition being a 5.549-acre tract of land identified as a portion of Tract 2 of the J. Cadle Survey, Abstract No. 65 and the N. M. Ballard Survey, Abstract No. 48, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Corridor (IH-30 OV) Overlay District, located on the west side of Townsend Road south of E. IH-30 and north of SH-276, and take any action necessary.

COMMENTS:

- ✓ The objective of this request is to plat a 5.549-acre tract of land for the purpose of constructing a mini-warehouse facility. A site plan [*Case No. SP2014-033*] for this facility was approved by the Planning and Zoning Commission on January 13, 2015.
- ✓ In addition to the site plan, a Specific Use Permit (SUP) [*S-121; Ordinance No. 14-25*] was approved by the City Council on July 7, 2014 allowing the mini-warehouse use on the subject property.
- ✓ The surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for final 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.

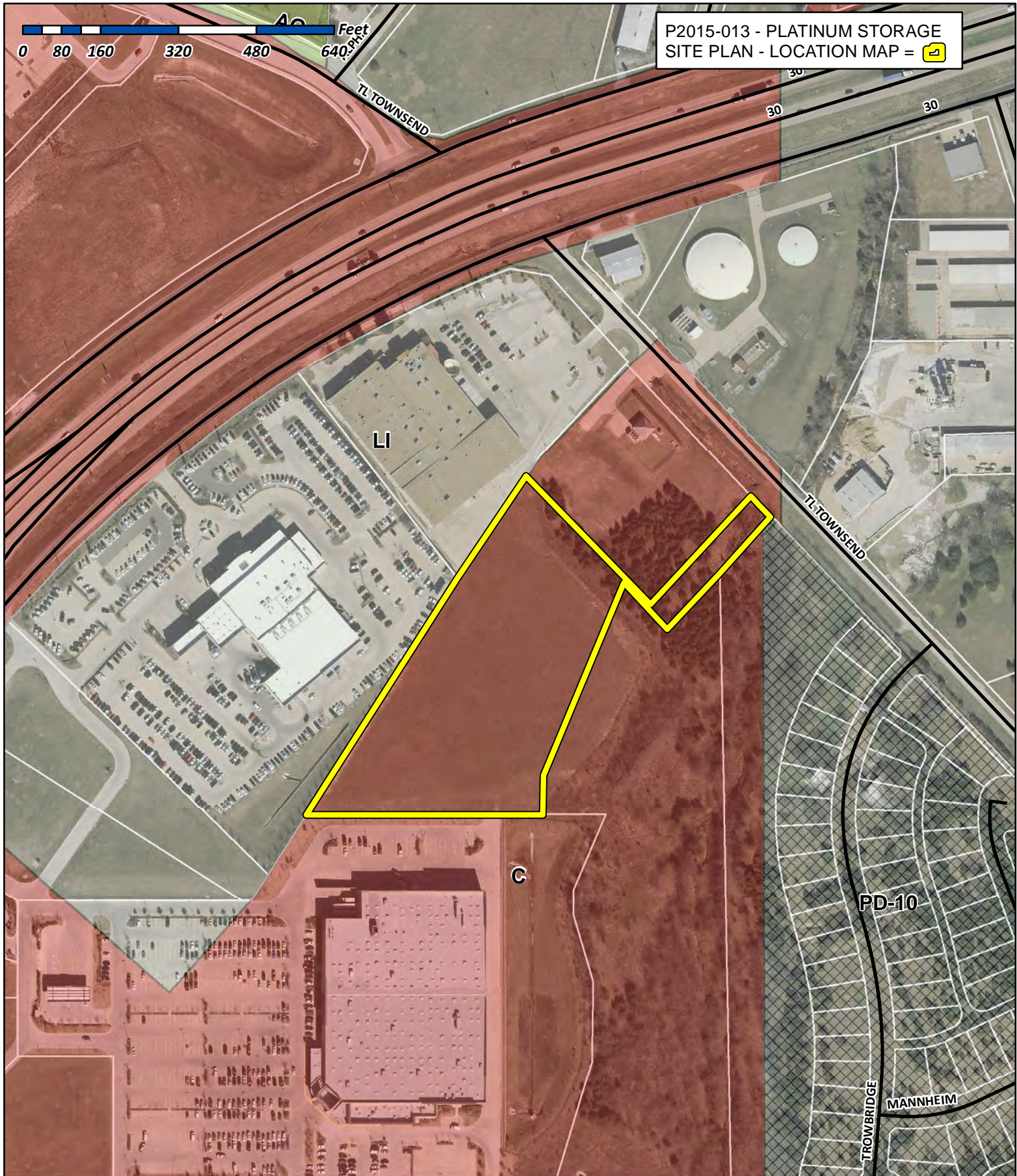
RECOMMENDATIONS:

Staff recommends approval of the final plat for *Lot 1, Block A, Platinum Storage Addition* in conformance with the following conditions of approval:

- 1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;
- 2) Any construction resulting from the approval of this *final plat* shall conform to the requirements set forth by the Unified Development Code, the 2009 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 April 28, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the final plat 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

Project Plan Review History



Project Number	P2015-013	Owner	PLATINUM STORAGE	Applied	4/13/2015	LM
Project Name	Lot 1, Block 1, Platinum Storage	Applicant	RANGE LAND SURVEYING CO	Approved		
Type	PLAT			Closed		
Subtype	FINAL			Expired		
Status	STAFF REVIEW			Status	4/13/2015	LM

Site Address	City, State Zip	Zoning
TOWNSEND DR	Rockwall, TX 75032	

Subdivision	Tract	Block	Lot No	Parcel No	General Plan
ROCKWALL CENTRE CORNERS	PT 2		PT 2	0065-0000-0002-00-OR	

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	John Shannon	4/13/2015	4/20/2015	4/21/2015	8	APPROVED	
ENGINEERING	Amy Williams	4/13/2015	4/20/2015	4/21/2015	8	APPROVED	
FIRE	Ariana Hargrove	4/13/2015	4/20/2015	4/23/2015	10	APPROVED	
GIS (4/23/2015 11:54 AM LS) In notes Box: Change NAD88 to NAD83	Lance Singleton	4/13/2015	4/20/2015	4/23/2015	10	APPROVED W/ CONDITIONS	See Comments
PLANNING	Ryan Miller	4/13/2015	4/20/2015	4/23/2015	10	APPROVED W/ CONDITIONS	See Comments

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed Status	Remarks
P2015-013 (Lot 1, Block A, Platinum Storage Addition): Please address the following comments (M= Mandatory Comments; I = Informational Comments).						
<p>I.1 This is a request for the approval of a final plat for Lot 1, Block A, Platinum Storage Addition being a 5.549-acre tract of land identified as a portion of Tract 2 of the J. Cadle Survey, Abstract No. 65 and the N. M. Ballard Survey, Abstract No. 48, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Corridor (IH-30 OV) Overlay District, located on the west side of Townsend Road south of E. IH-30 and north of SH-276, and take any action necessary.</p> <p>I.2 For questions or comments concerning this case please contact Ryan Miller in the Planning Department at (972) 772-6441 or email rcmiller@rockwall.com.</p> <p>M.3 For reference, include the case number (P2015-013) in the lower right hand corner of all pages on future submittals.</p> <p>M.4 Please change the title block as follows:</p> <p>Final Plat Platinum Storage Addition Lot 1, Block A One (1) Lot Being Part of Joseph Cadle Survey, Abstract No. 65 N. M. Ballard Survey, Abstract No. 48 City of Rockwall, Rockwall County, Texas</p> <p>M.5 The owner listed at the bottom of the page (i.e. Platinum Storage) does not match the owner listed on the legal description or the dedication language. Additionally, the Rockwall Central Appraisal District's list a different owner than is depicted on the plat. Please verify ownership and make the required changes.</p> <p>M.6 Please change the lot and block designation to Lot 1, Block A.</p> <p>M.7 Is the off-site easement depicted on the City's property being adjusted? If so, please provide volume and page information on the plat.</p> <p>M.8 Indicate the centerline of T. L. Townsend Drive.</p> <p>M.9 Please label the lot, block and subdivision information of all adjacent properties that are contiguous with the subject property.</p> <p>I.10 Please review the attached planning markups and make the necessary changes.</p> <p>I.11 Staff has identified the aforementioned items necessary to continue the submittal process. Please make these revisions and corrections, and provide any additional information that is requested. The Planning & Zoning meeting date for this case will be April 28, 2015.</p> <p>I.12 The projected City Council meeting date and subsequent approval for this plat is May 4, 2015.</p>						

NORTHING	EASTING	BEARING	DISTANCE
7020065.316	2598812.153		
		N 32°47'10" E	803.537
7020740.847	2599247.272		
		S 43°56'32" E	366.490
7020476.960	2599501.591		
		N 41°42'34" E	338.850
7020729.921	2599727.046		
		S 44°00'46" E	60.170
7020686.648	2599768.853		
		S 41°42'34" W	348.950
7020426.147	2599536.678		
		N 43°56'32" W	131.260
7020520.659	2599445.593		
		S 21°28'58" W	429.770
7020120.746	2599288.201		
		S 00°09'58" E	54.050
7020066.696	2599288.358		
		S 89°50'02" W	476.207
7020065.316	2598812.153		

Closure Error Distance> 0.00000

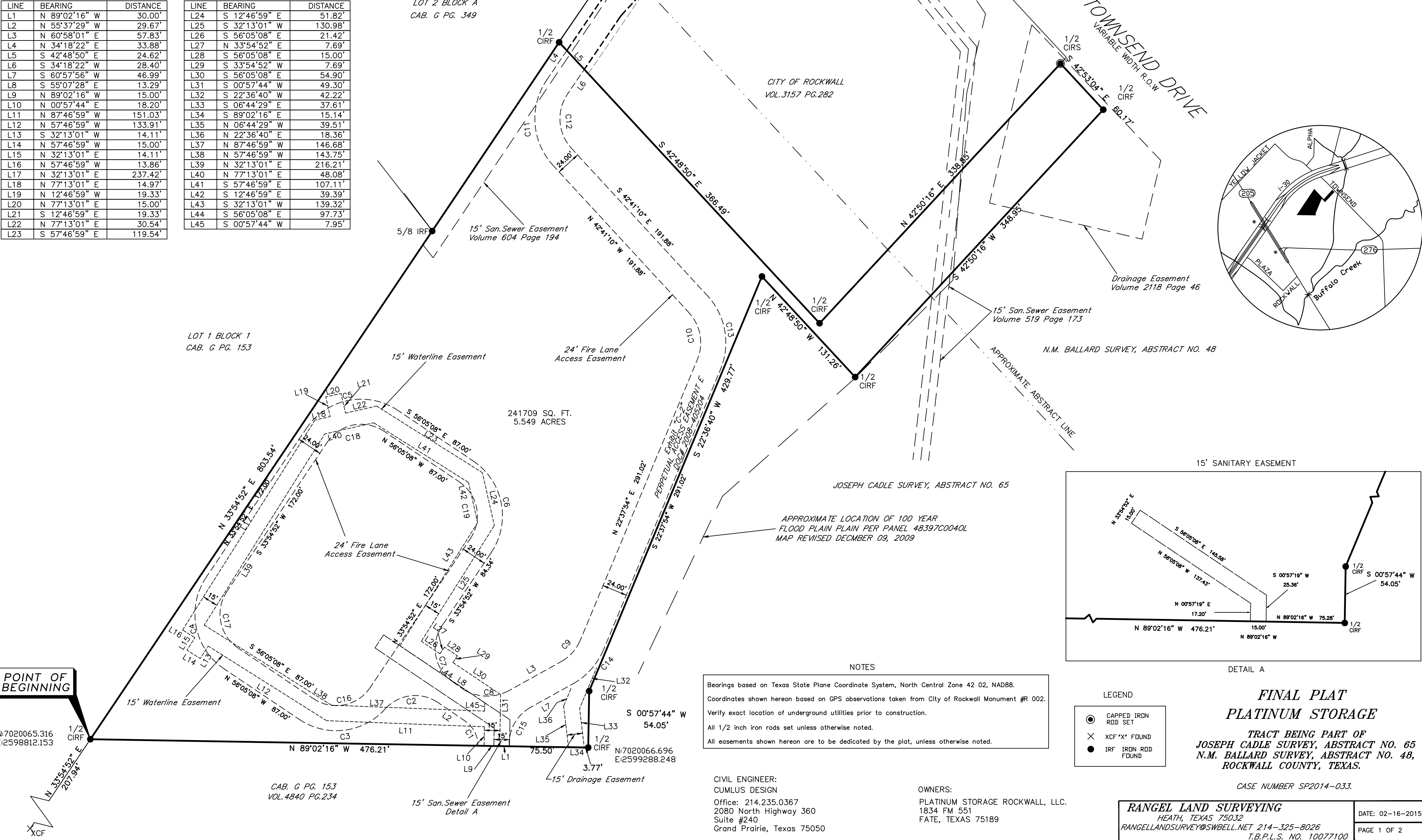
Total Distance> 3009.284

Polyline Area: 241709.180 sq ft, 5.549 acres

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	28.23'	29.28'	27.98'	N 28°59'51" W	59°25'34"
C2	38.53'	55.70'	50.97'	S 83°09'09" W	82°50'10"
C3	63.00'	90.07'	82.59'	S 82°57'23" W	81°54'59"
C4	63.00'	98.96'	89.10'	N 11°05'08" W	90°00'00"
C5	63.00'	98.96'	89.10'	N 78°54'52" E	90°00'00"
C6	63.00'	98.96'	89.10'	S 11°05'08" E	90°00'00"
C7	39.00'	61.26'	55.15'	S 11°05'08" E	90°00'00"
C8	43.76'	43.54'	41.76'	S 88°47'50" E	57°00'23"
C9	42.00'	28.10'	27.58'	N 41°47'55" E	38°20'02"
C10	42.00'	47.88'	45.33'	N 10°01'34" W	65°19'12"
C11	66.00'	88.69'	82.17'	N 04°11'24" W	76°59'33"
C12	42.00'	56.44'	52.29'	S 04°11'24" E	76°59'33"
C13	66.00'	75.24'	71.23'	S 10°01'34" E	65°19'12"
C14	66.00'	44.16'	43.34'	S 41°47'55" W	38°20'02"
C15	39.45'	44.49'	42.17'	S 28°27'56" W	64°36'51"
C16	39.00'	61.26'	55.15'	N 78°54'52" E	90°00'00"
C17	39.00'	61.26'	55.15'	S 11°05'08" E	90°00'00"
C18	39.00'	61.26'	55.15'	S 78°54'52" W	90°00'00"
C19	39.00'	61.26'	55.15'	N 11°05'08" W	90°00'00"

LINE	BEARING	DISTANCE
L1	N 89°02'16" W	30.00'
L2	N 55°37'29" W	29.67'
L3	N 60°58'01" E	57.83'
L4	N 34°18'22" E	33.88'
L5	S 42°48'50" E	24.62'
L6	S 34°18'22" W	28.40'
L7	S 60°57'56" W	46.99'
L8	S 55°07'28" E	13.29'
L9	N 89°02'16" W	15.00'
L10	N 00°57'44" E	18.20'
L11	N 87°46'59" W	151.03'
L12	N 57°46'59" W	133.91'
L13	S 32°13'01" W	14.11'
L14	N 57°46'59" W	15.00'
L15	N 32°13'01" E	14.11'
L16	N 57°46'59" W	13.86'
L17	N 32°13'01" E	237.42'
L18	N 77°13'01" E	14.97'
L19	N 12°46'59" W	19.33'
L20	N 77°13'01" E	15.00'
L21	S 12°46'59" E	19.33'
L22	N 77°13'01" E	30.54'
L23	S 57°46'59" E	119.54'

LINE	BEARING	DISTANCE
L24	S 12°46'59" E	51.82'
L25	S 32°13'01" W	130.98'
L26	S 56°05'08" E	21.42'
L27	N 33°54'52" E	7.69'
L28	S 56°05'08" E	15.00'
L29	S 33°54'52" W	7.69'
L30	S 56°05'08" E	54.90'
L31	S 00°57'44" W	49.30'
L32	S 22°36'40" W	42.22'
L33	S 06°44'29" E	37.61'
L34	S 89°02'16" E	15.14'
L35	N 06°44'29" W	39.51'
L36	N 22°36'40" E	18.36'
L37	N 87°46'59" W	146.68'
L38	N 57°46'59" W	143.75'
L39	N 32°13'01" E	216.21'
L40	N 77°13'01" E	48.08'
L41	S 57°46'59" E	107.11'
L42	S 12°46'59" E	39.39'
L43	S 32°13'01" W	139.32'
L44	S 56°05'08" E	97.73'
L45	S 00°57'44" W	7.95'



STATE OF TEXAS:
COUNTY OF ROCKWALL:

WHEREAS SARO PARTNERS, LLC. BEING THE OWNER OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

Being a 5.549 acre of land situated in the JOSEPH CADLE SURVEY, ABSTRACT NO. 65 and the N.M. BALLARD SURVEY, ABSTRACT NO. 48, in the City of Rockwall, Rockwall County, Texas and being a portion of a 65.96 acre tract of land recorded in Volume 4663, Page 281 of the Official Public Records of Rockwall County, Texas and being more particularly described as follows:

Point of Beginning at a 5/8 inch iron rod found for the northerly northwest corner of Lot 1,Block 1 of Rockwall Centre Corners Addition according to the plat recorded in Cabinet G, Slide 299 of the Plat Records of Rockwall County, Texas and being located in the southeasterly line of Lot1, Block 1 of Toyota of Rockwall according to the plat recorded in Cabinet G, Slide 153–155 of the Plat Records of Rockwall County, Texas, from which a found score X bears S 33°54' 52" W a distance of 207.94 feet;

THENCE N 33°54'52" E with said southeasterly line and passing a 5/8 inch iron at 585.86 feet and continuing a total distance of 803.54 feet to a set 1/2 iron rod with cap in the west line of City of Rockwall tract according to deed recorded in Volume 3157, Page 282 of the Official Public Records of Rockwall County, Texas;

THENCE S 42°48'50" E with said tract, a distance of 366.49 feet to a set 1/2 iron rod with cap from which a iron rod bears S 59°51'53" E, a distance of 3.02 feet;

THENCE N 42°50'16" E, a distance of 338.85 feet to a set 1/2 iron rod with cap from which a iron rod bears N 58°19 '35" E, a distance of 8.64 feet found in the south line of Townsend Road a variable width right of way;

THENCE S 42°53'04" E, a distance of 60.17 feet to a set 1/2 iron rod with cap;

THENCE S 42°50'16" W, a distance of 348.95 feet a set 1/2 iron rod with cap;

THENCE N 42°48'50" W, a distance of 131.26 feet a set 1/2 iron rod with cap;

THENCE S 22°36'40" W, a distance of 429.77 feet a set 1/2 iron rod with cap;

THENCE S 00°57'44" W, a distance of 54.05 feet a set 1/2 iron rod with cap in the north line of the aforementioned Lot 1 Block 1from which a 5/8 inch iron found for corner bears S 88°50'40E, a distance of 139.33 feet;

THENCE N 89°02'16" W, a distance of 476.21 feet to the POINT OF BEGINNING containing 241,709 square feet or 5.549 acres.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

We the undersigned owner of the land shown on this plat, and designated herein as the _____ subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the_____ subdivision have been notified and signed this plat.

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

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

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or Development Process Guidelines (Updates 2012) Page 99 of 154 Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

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

REPRESENTATIVE _____

SARO PARTNERS, LLC.
1834 FM 551
FATE, TEXAS 75189

STATE OF TEXAS
COUNTY OF ROCKWALL

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

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

Notary Public in and for the State of Texas

My Commission Expires:

Signature of Party with Mortgage or Lien Interest

SURVEYOR'S CERTIFICATE NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS: THAT I, RUDY RANGEL, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

RUDY RANGEL
REGISTERED PUBLIC SURVEYOR NO.5664

DATE: _____

STATE OF TEXAS
COUNTY OF ROCKWALL

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

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

Notary Public in and for the State of Texas

My Commission Expires:

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission

Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 20____. This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, _____

Mayor,

City of Rockwall City Secretary

City Engineer

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

CIVIL ENGINEER:
CUMLUS DESIGN
Office: 214.235.0367
2080 North Highway 360
Suite #240
Grand Prairie, Texas 75050

OWNERS:
PLATINUM STORAGE ROCKWALL, LLC.
1834 FM 551
FATE, TEXAS 75189

CASE NUMBER SP2014–033.

RANGEL LAND SURVEYING
HEATH, TEXAS 75032
RANGELLANDSURVEY@SWBELL.NET 214–325–8026
T.B.P.L.S. NO. 10077100

DATE:02–16–2015

PAGE 2 OF 2

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MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Mary Smith, Assistant City Manager

DATE: May 1, 2015

SUBJECT: Facilities Agreement – Eastridge Church of Christ

Eastridge Church of Christ constructed their building on FM549 in 2004. In order to build on their site, adequate fire flow was necessary. The area is served by Blackland Water Supply that did not meet city standards for fire flow. The City agreed to construct a 16" waterline, for fire protection purposes only, and accept an agreement for the church to make annual payments toward the total cost of the line, which was \$175,500. Blackland WSC is still serving the Church for domestic water.

There are parcels of land in the immediate area, which will be served by this water line in the future, and the developer of those tracts will have to pay pro-rata fees based on the cost of the line.

The Agreement signed in 2004 required annual payments for 5 years, which were paid in a timely manner, and then a balloon payment in 2009 or the opportunity to revisit the agreement. At that time, Eastridge asked for an extension of the agreement to allow payments to continue over 5 more years with another balloon payment or opportunity to revisit. At this time, the Church's payments are current and the remaining balance is \$47,725. The balloon at the end of the current period is equal to the amount that developers are required to pay when they do come in for development. The agreement, if the Church pays the final amount, would have the City reimburse the Church up to the \$47,725 amount.

Rather than extend the agreement again, the Church leaders have asked the City to consider forgiving the remaining balance since the City retains the ability to collect the remaining balance from future development. If the Council will not approve forgiving the balance then the Church would like a ten-year repayment schedule for the remaining balance.

The Church's request letter as well as a copy of the 2009 Facilities agreement is included in the Council packet for review. Church leaders will attend to present the request to Council for consideration.

670 Stodghill Road Rockwall, TX 75087 972-771-9161

church@eastridge.cc www.eastridge.cc



April 15, 2015

Mary P. Smith
City of Rockwall
385 S. Goliad St.
Rockwall, TX 75087

Dear Mary:

Eastridge Church of Christ would like to request that the balance of \$47,725.00 be forgiven by the city of Rockwall, Texas. In the original agreement it was documented that the balance would be revisited by the parties if both agree to do so.

There is much potential for development in the area and the city will have the opportunity to collect on the water line from future developers. Eastridge Church of Christ has paid a total of \$127,775.00 to date.

If relief is not granted, we are requesting a payment plan to pay off the balance in 10 years.

Thank you for your consideration of this request.

Mike Singleton
Elder
Eastridge Church of Christ



STATE OF TEXAS)

COUNTY OF ROCKWALL)

CITY OF ROCKWALL)

FACILITY AGREEMENT

(Replaces the May, 2004 Agreement)

This Agreement is entered into on the _____ day of December, 2009, by and between the City of Rockwall, Texas ("City") and Eastridge (formerly Lakeside) Church of Christ ("Church").

WITNESSETH:

Section 1. That in consideration of the construction of the Eastridge Church of Christ Building located in Rockwall, Texas, the parties agree as follows:

Church agrees to the following:

- a. Participate in the construction cost of the 16" water line in FM 549 from the IH 30 Service Road to the northeast property corner of the Church.
- b. The Church will make the following payments to pay off the remainder of the original amount (\$175,500- \$77,574.00= **\$97,926.00**):
 1. Initial payment due within one week of execution of this agreement- \$10,000.00.
 2. Annual payment of \$10,000.00 due June 1, for the next 3 years, beginning June 1, 2010 (2010, 2011, 2012).
 3. Year 4 payment of \$10,201.00.
 4. Balance Due Year 5- \$47,725.00.
- c. At the conclusion of the five-year period, the balance of the participation due may be revisited by the parties if both agree to do so.
- d. Any pro-rata collected by the City due to development adjacent to the water line, will be credited to the Church's Year-5 balance (\$47,725.00) up to the maximum amount of reimbursement due to the Church of \$47,725.00.
- e. If the Church should undertake any additional expansion of the facility prior to the end of the five-year payout, the full amount of any remaining participation will be due prior to start of construction of the expansion.

- f. Any future expansion to the Church may cause the need for the Church to construct an additional line down Airport Road for additional fire flows, depending on the type of expansion.

Section 2. The City agrees to the following:

- a. Construct the 16-inch water line up FM-549 from the IH-30 Service Road to the Church's northeast property corner.
- b. Collect pro-rata from developers, of undeveloped land adjacent to the water line, for one-half of the cost of a 12" water line. The City will credit up to \$47,725.00 of the pro-rata collected to the Church's Year-5 payment.
- c. At this time the 16" water line to the Church is for fire flows only, in area that is within the Blackland CCN. Should the City acquire the right to serve water to this area, the City will utilize the 16" water line for the potable water supply.

Section 3. Nothing contained herein shall be considered as a waiver of the provisions of the City's Comprehensive Zoning Ordinance and subdivision regulations as the case may be.

Section 4. Severability Clause. If any section or provisions of this Agreement or the application of that section or provision to any person, firm, corporation, situation or circumstance is for reason judged invalid, the adjudication shall not affect any other section or provision of this Agreement 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 Agreement without the invalid parts and to this end the provisions of this Agreement shall remain in full force and effect.

Section 5. Venue for this agreement shall be in Rockwall County, Texas.

Section 6. Notice of this Agreement shall be in writing and addressed to the following:

City of Rockwall
385 S. Goliad
Rockwall, Texas 75087
Attn: City Manager

Eastridge Church of Christ
485 North FM-549
Rockwall, Texas 75087

SIGNED ON THE DATE FIRST ABOVE WRITTEN.

CITY OF ROCKWALL

By: [Signature]

City Manager

EASTRIDGE CHURCH of
CHRIST

By: [Signature]

ACKNOWLEDGEMENTS

STATE OF TEXAS)

COUNTY OF ROCKWALL)

CITY OF ROCKWALL)

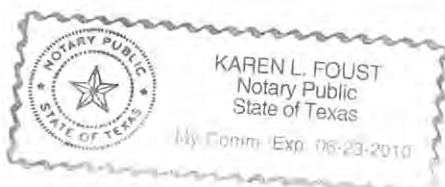
BEFORE ME, the undersigned authority, on this day Personally appeared, Mike Singleton, the an Elder of the Eastridge Church of Christ, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the foregoing Agreement for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said County,

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 3rd **day of** March, 2010.

[Signature]
Notary Public in and for the State of Texas

My Commission Expires:

6-23-2010
(seal)



STATE OF TEXAS)

COUNTY OF ROCKWALL)

CITY OF ROCKWALL)

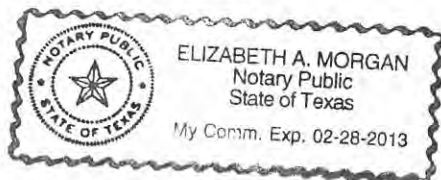
BEFORE ME, the undersigned authority, on this day Personally appeared, Julie Couch, City of Rockwall City Manager, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the foregoing Agreement for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said County,

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 15 day of December, 2009.

Elizabeth A Morgan
Notary Public in and for the State of Texas

My Commission Expires:

02-28-2013
(seal)



STATE OF TEXAS §
COUNTY OF ROCKWALL §
CITY OF ROCKWALL §

FACILITY AGREEMENT

This Agreement is entered into on the 20th day of May, 2004, by and between the City of Rockwall, Texas ("City") and Lakeside Church of Christ ("Church").

WITNESSETH:

Section 1. That in consideration of the construction of the Lakeside Church of Christ Building located in Rockwall, Texas, the parties agree as follows:

Church agrees to the following:

- a. Participate in the construction cost of the 16" water line in FM 549 from the IH 30 Service Road to the northeast property corner of the Church.
- b. The Church will make the following payments:
 1. Initial payment due prior to beginning of the site work -- \$31,253.00.
 2. Annual payments of \$10,000 each due June 1, for years 1 through 3, beginning June 1, 2005.
 3. Year 4 payment of \$16,321.00.
 4. Balance Due Year 5 -- \$97,926.00.
- c. At the conclusion of the five-year period, the balance of the participation due may be revisited by the parties if both agree to do so.
- d. Any pro-rata collected by the City due to development adjacent to the water line, will be credited to the Church's Year-5 balance (\$97,926) up to the maximum amount of reimbursement due to the Church of \$47,725.00.
- e. If the Church should undertake any additional expansion of the facility prior to the end of the five-year payout, the full amount of any remaining participation will be due prior to start of construction of the expansion.
- f. Any future expansion to the Church may cause the need for the Church to construct an additional line down Airport Road for additional fire flows, depending on the type of expansion.

Section 2. The City agrees to the following:

- a. Construct the 16-inch water line up FM 549 from the IH 30 Service Road to the Church's northeast property corner.
- b. Collect pro-rata from developers, of undeveloped land adjacent to the water line, for one-half of the cost of a 12" water line. The City will credit up to \$47,725.00 of the pro-rata collected to the Church's Year-5 payment.

- c. At this time the 16" water line to the Church is for fire flows only, in area that is within the Blackland CCN. Should the City acquire the right to serve water to this area, the City will utilize the 16" water line for the potable water supply.

Section 3. Nothing contained herein shall be considered as a waiver of the provisions of the City's Comprehensive Zoning Ordinance and subdivision regulations as the case may be.

Section 4. Severability Clause. If any section or provisions of this Ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for 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 5. Venue for this agreement shall be in Rockwall County, Texas.

Section 6. Notice of this Agreement shall be in writing and addressed as follows:

To City: City of Rockwall
Attn: City Manager
385 S. Goliad
Rockwall, Texas 75087

To Church: Lakeside Church of Christ
950 William Street
Rockwall, Texas 75087

SIGNED ON THE DATE FIRST ABOVE WRITTEN.

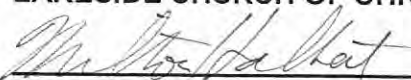
CITY OF ROCKWALL

By:


Julie Couch, City Manager

LAKESIDE CHURCH OF CHRIST

By:


It's Authorized Representative

ACKNOWLEDGEMENTS

STATE OF TEXAS §
COUNTY OF ROCKWALL §
CITY OF ROCKWALL §

BEFORE ME, the undersigned authority, on this day Personally appeared, Julie Couch, City of Rockwall City Manager, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the foregoing Agreement for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said County,

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 20th **day of** May, 2004.



Dorothy J. Brooks
Notary Public in and for the State of Texas

[SEAL]

STATE OF TEXAS §
COUNTY OF ROCKWALL §
CITY OF ROCKWALL §

BEFORE ME, the undersigned authority, on this day Personally appeared, MILTON HALBERT, the TREASURER of the Lakeside Church of Christ, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the foregoing Agreement for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said Church.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 26 **day of** May, 2004.

ATTEST:



Karen Garner
Notary Public in and for the State of Texas

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MEMORANDUM

TO: City Council

FROM: Robert LaCroix

DATE: April 27, 2015

SUBJECT: Kroger Variance Request

Mike Clark with Winkelmann & Associates, representing Kroger Stores, has requested an appointment with City Council at the May 4, 2015 regularly scheduled council meeting to discuss the variance decision relative to the four (4) sided architecture requirement for the proposed Kroger store location at the southeast corner SH 205 and Quail Run Road. As stated in Mr. Clark's request letter, "we request this because it appeared that the request was lumped into the request for the use of cultured stone solely because of the need for a supermajority vote". The applicant would like the Council to take the opportunity to vote on this variance request separately.



CONSULTING CIVIL ENGINEERS * SURVEYORS
6750 HILLCREST PLAZA DR., STE. 325
DALLAS, TX 75230 (972) 490-7090 FAX (972) 490-7099

April 27, 2015

Robert LaCroix
City of Rockwall
385 S. Goliad Street
Rockwall, TX 75087

RE: Kroger- SW574
Memorial Drive and SH-205

Mr. LaCroix:

Please accept this letter on behalf of Kroger to have the City Council act again on variance relative to four(4) sided architecture.

We request this because it appeared that this request was lumped into the request for use of cultured store solely because of the need for a supermajority vote.

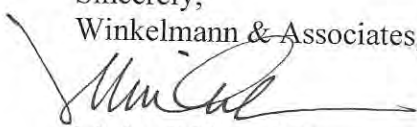
We would like Council to take the opportunity to vote on this request separately.

We request to be heard at the May 4, 2015 Council if at all possible.

Thank you for your considering.

Should you have any questions or need additional information, please give me a call.

Sincerely,
Winkelmann & Associates, Inc.



Michael Clark, P.E.
President

Cc: Craig Winkler
Jacklyn Kreda
Christina Konrad
Maria Bonilla

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CITY OF ROCKWALL

CITY COUNCIL MEMO

AGENDA DATE: 05/04/2015

APPLICANT: Cole Franklin, *Skorburg Company*

AGENDA ITEM: **Z2015-013**; *Breezy Hill Amendments (PD-74)*

SUMMARY:

Hold a public hearing to discuss and consider a request by Cole Franklin of the Skorburg Company on behalf of Breezy Hill 405, LTD for the approval of a zoning amendment to Planned Development District 74 (PD-74) to amend the concept plan to allow for additional single-family residential lots and allow for changes to the development standards contained in *Exhibit 'C'* of Ordinance 14-26 for 405.184-acres of land identified as Tract 7 & 7-1 of the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, generally located north of FM-552 and west of Breezy Hill Road, and take any action necessary.

BACKGROUND:

The property was annexed in 2008 after three (3) years of litigation that lead to the execution of a Chapter 212 Development Agreement. In accordance with this agreement, the property was zoned to Planned Development District 74 (PD-74) on April 20, 2009 with the intention of being a master planned residential community that offered tracts of land designated for retail/office, residential, and institutional land uses. The approval of this zoning change altered the existing 212 Development Agreement -- *which originally permitted 810 single-family residential lots and did not contain any retail acreage* -- to include 658 single-family residential lots and a 59-acre tract of land designated for general retail land uses. The retail tract of land is located at the northeast corner of the intersection of FM-552 and John King Boulevard (see *Exhibit 'A'* to view the original *PD Concept Plan*).

On October 1, 2012 the City Council approved an amendment to Planned Development District 74 (PD-74) modifying the concept plan to remove the school sites that were originally required by the *Facilities Agreement* and adjust the lot mix accordingly [*i.e. increasing the number of lots from 658 to 691*]. The lot mix was again increased on July 7, 2014 from 691 lots to 742 lots for the purpose of incorporating two (2) additional phases (*i.e. Phases IXA & IXB*) and to reduce the land designated as commercial/retail from 59.4-acres to 33.7-acres (see *Figure 1* for the adjusted lot mix).

Figure 1: Current Lot Mix

<i>Lot Types</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>
Typical Lot Frontage (<i>Feet</i>)	60	70	80	100
Typical Lot Depth (<i>Feet</i>)	120	120	125	200
Minimum Lot Size (<i>Sq. Ft.</i>)	7,200	8,400	10,000	20,000
Number of Units	206	112	326	98
Dwelling Unit %	27.80%	15.10%	43.90%	13.20%

PURPOSE:

On March 13, 2015, the applicant submitted an alternate concept plan depicting a reduction in the number of acres designated for retail land uses from 33.7-acres to 19.49-acres for the

purpose of amending Planned Development District 74 (PD-74) to include an additional residential phase. With this submittal, the applicant has also submitted changes to the development standards that include a modified lot mix that incorporates a new lot type, *Lot Type 'E'* (i.e. 50-foot by 120-foot lots), for the proposed phase.

The proposed PD Concept Plan is depicted in Exhibit 'D' and a copy of the proposed changes to the development standards is contained in Exhibit 'E'.

CHARACTERISTICS OF THE REQUEST:

The 14.21-acres of land that the applicant is proposing to remove from the retail acreage will establish a new phase of the Breezy Hill Subdivision that will contain 47 single-family homes. The new phase will be located north of the remaining retail acreage, adjacent to Phase IIA. These new homes will be constructed on 50-foot by 120-foot lots that will be a minimum of 6,000 square feet in size. The development standards for this new lot type (identified below in *Figure 2* as *Lot Type 'E'*) are taken directly from the zoning ordinance that regulates the Stone Creek Subdivision (i.e. *Planned Development District 70 [PD-70]*) and are similar to the remaining lot types in Planned Development District 74 (PD-74) with respect to the development standards. The only major difference in this lot type will be the forward facing garages. This is due to the difficulty of incorporating a 'J' swing driveway into a 50-foot lot.

Figure 2: Proposed Lot Mix

<i>Lot Types</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>	<i>E</i>
Typical Lot Frontage (Feet)	60	70	80	100	50
Typical Lot Depth (Feet)	120	120	125	200	120
Minimum Lot Size (Sq. Ft.)	7,200	8,400	10,000	20,000	6,000
Number of Units	192	99	326	98	47
Dwelling Unit %	25.20%	12.99%	42.78%	12.86%	6.17%

Considering the proposed new lot type and the proposed changes to the lot mix, the total number of single-family lots will be increased from 742 to 762. This proposed change does not alter the existing residential housing density, which is (*and proposed to be*) two (2) units per acre (i.e. *currently the subdivision has 742 lots on ~379-acres, and the applicant is proposing 762 lots on ~381-acres*). With this being said, it is important to note that the original Chapter 212 Development Agreement permitted the applicant 810 single-family residential lots, and the proposed concept plan has a total lot count that is 48 lots less than this number. With the exception of the proposed changes to the lot mix tables and subsequent changes to accommodate the new lot type, the applicant is not requesting any additional changes to Planned Development District 74 (PD-74).

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

The Future Land Use Map contained within the Comprehensive Plan designates the subject property for *Commercial* land uses. Should the City Council approve the applicant's request, the Future Land Use Map will be amended to reflect the proposed changes in land use from a *Commercial* designation to a *Low Density Residential* designation.

NOTIFICATION:

On March 27, 2015, staff mailed 33 notices to property owners and residents within 500-feet of the subject property. Staff also emailed a notice to the Stoney Hollow and Breezy Hill Homeowner's Associations (HOA's), which are the only HOA's located within 1,500 feet of the subject property. Additionally, staff posted a sign at the corner of FM-552 and John King Boulevard, and 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 no responses were received by staff.

RECOMMENDATIONS:


If the Planning and Zoning Commission recommends approval of the applicant's request to amend Planned Development District 74 (PD-74) then staff would propose the following conditions of approval:

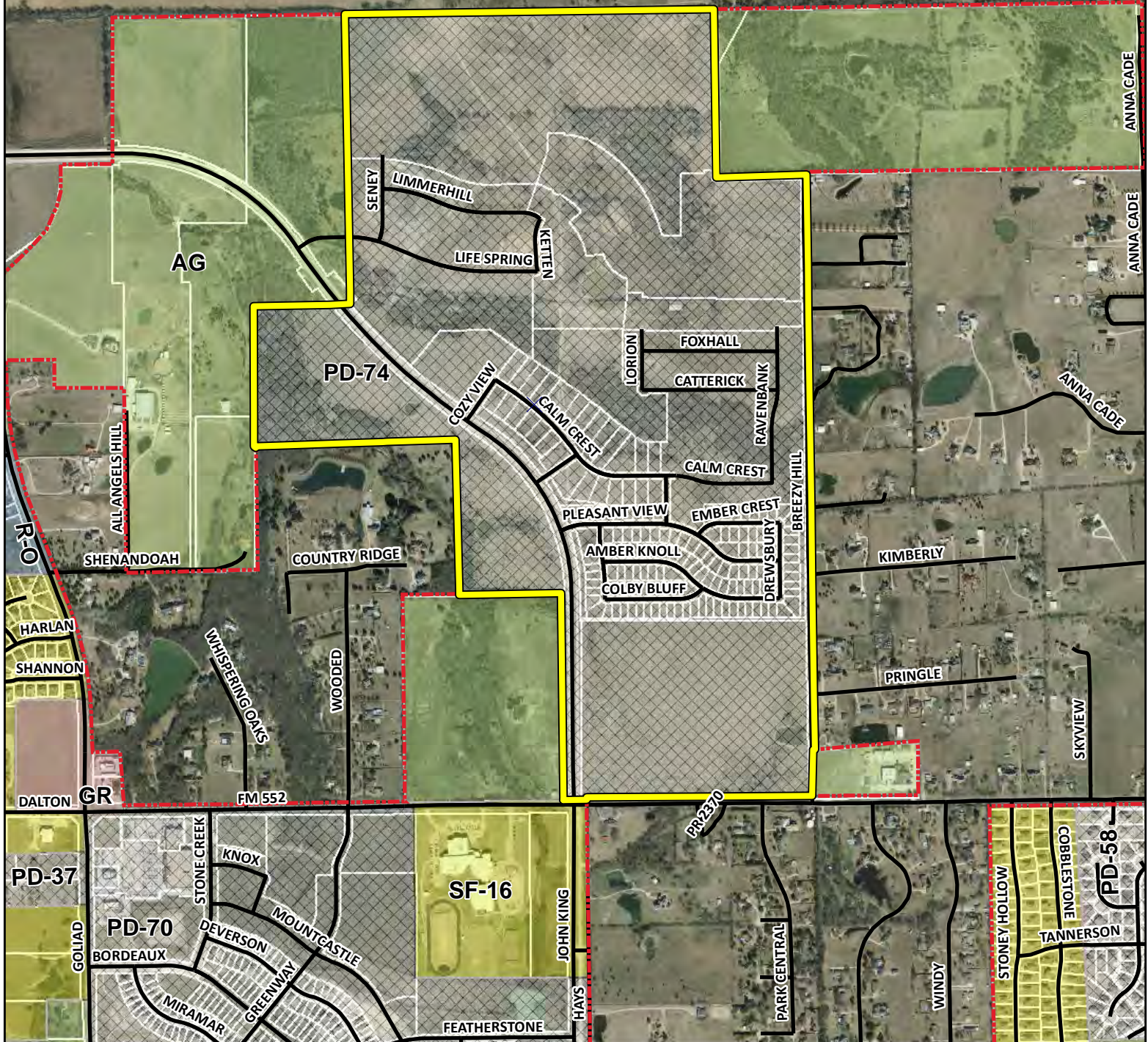
- 1) The applicant shall be responsible for maintaining compliance with the conditions contained within the *Planned Development District* ordinance;
- 2) By approving this zoning change, the City Council will effectively be approving changes to the Comprehensive Plan and Future Land Use Map. Specifically, this will change the designation of the subject property from a Commercial designation to a Low Density Residential designation;
- 3) Prior to accepting a Final Plat for the proposed phase (*i.e. depicted in purple of the PD Concept Plan in Exhibit 'D'*) the applicant shall be required to administratively amend the PD Site Plan in order to show all necessary entry features/signage, landscaping and hardscaping proposed for the new phase;
- 4) Prior to accepting a Preliminary Plat for the proposed phase (*i.e. depicted in purple of the PD Concept Plan in Exhibit 'D'*) the applicant shall be required to administratively amend the Preliminary Plat for Phase IXA & IXB to show the new street layout;
- 5) Prior to accepting a Preliminary Plat and/or a Planned Development Site Plan for the remaining area designated as *retail* on the *PD Concept Plan*, a *PD Development Plan* must be approved by City Council; and,
- 6) Any construction resulting from the approval of this *zoning amendment* 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 April 14, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the proposed amendments to PD-74 by a vote of 6-1, with Commissioner Logan dissenting.

0 345 690 1,380 2,070 2,760 Feet

Z2015-013 - BREEZY HILL CONCEPT PLAN AMENDMENT
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.

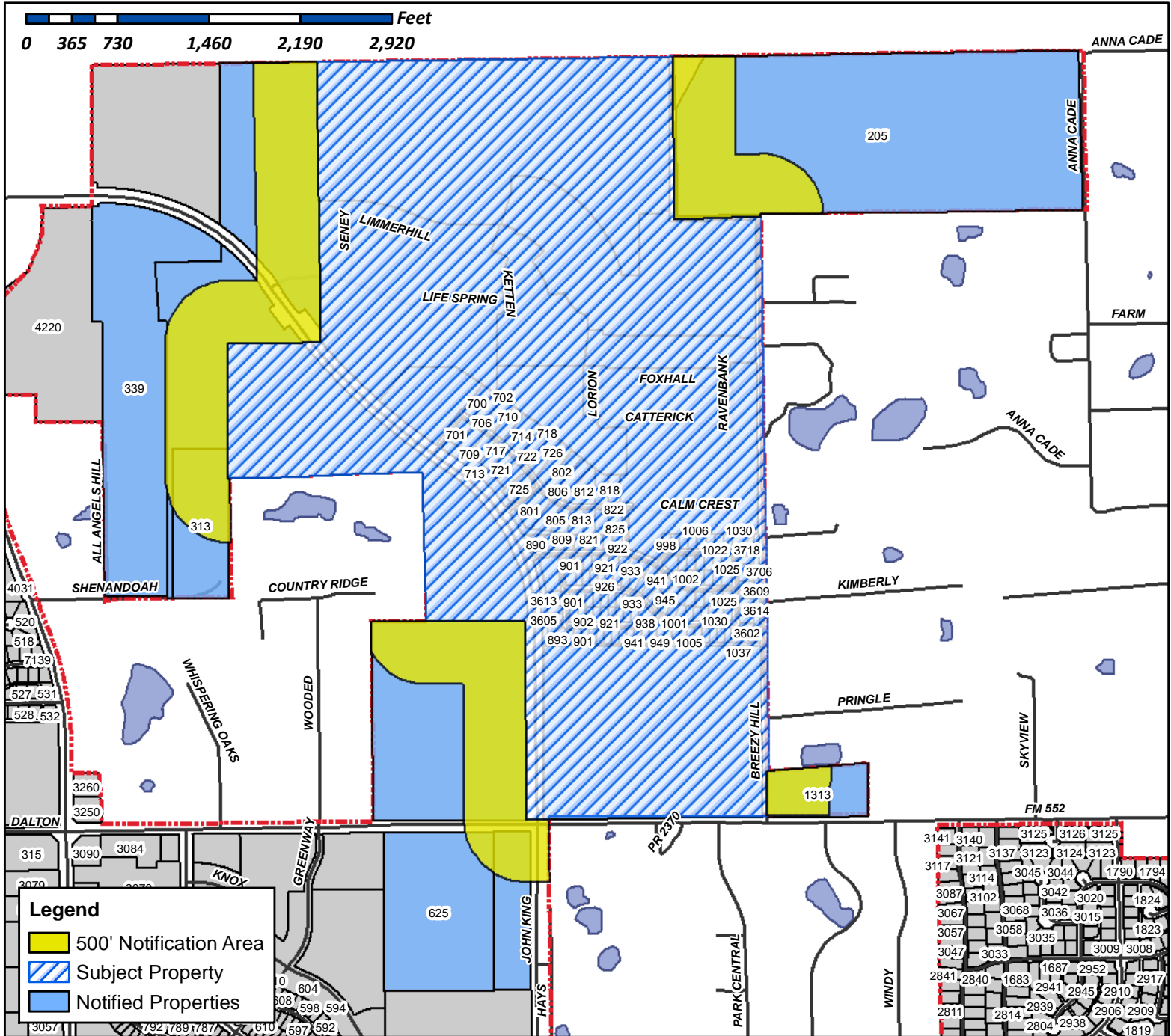
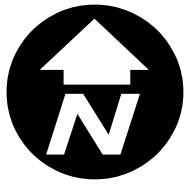




City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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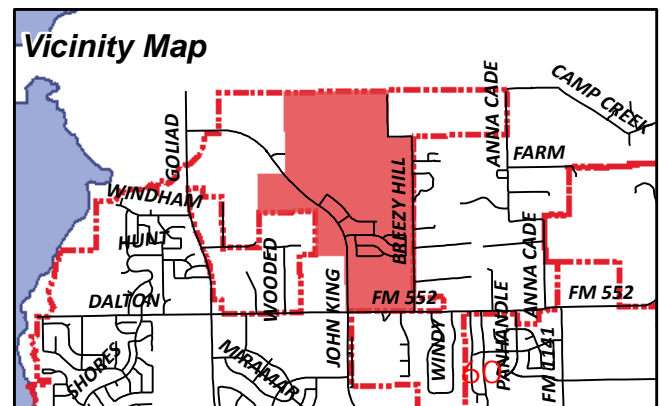
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Case Number: Z2015-013
Case Name: Breezy Hill Concept Plan Amendment
Case Type: Rezoning
Zoning: PD - 74
Case Address: NEQ of John King & FM 552

Date Created: 3/16/2015

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



BH BALANCE I LLC 8214 WESTCHESTER DRIVE SUITE 710 DALLAS, TX 75225	BH BALANCE II LLC 8214 WESTCHESTER DRIVE SUITE 710 DALLAS, TX 75225	BH BALANCE III LLC 8214 WESTCHESTER DRIVE SUITE 710 DALLAS, TX 75225
BH BALANCE IV LLC 8214 WESTCHESTER DRIVE SUITE 710 DALLAS, TX 75225	BH PHASE I SF LTD 8214 WESTCHESTER DRIVE SUITE 710 DALLAS, TX 75225	BH PHASE IIA SF LTD 8214 WESTCHESTER DRIVE SUITE 710 DALLAS, TX 75225
BH PHASE IIB SF LTD 8214 WESTCHESTER DRIVE SUITE 710 DALLAS, TX 75225	BH PHASE III SF LTD 8214 WESTCHESTER DRIVE SUITE 710 DALLAS, TX 75225	BH PHASE IV SF LTD 8214 WESTCHESTER DRIVE SUITE 710 DALLAS, TX 75225
CLARK BRUCE A PO BOX 1473 ROCKWALL, TX 75087	DREES CUSTOM HOMES LP 6225 N STATE HIGHWAY 161 STE 150 IRVING, TX 75038	HANCE LARRY 6306 GLENHOLLOW CT DALLAS, TX 75248
LIFE SPRING CHURCH P O BOX 886 ROCKWALL, TX 75087	RIDGEVIEW CHURCH 1362 E FM 522 ROCKWALL, TX 75087	RIGGS WILLIAM AUDY SR ESTATE C/O JASON G SMITH P C 105 E KAUFMAN ST ROCKWALL, TX 75087
SHENNENDOAH REAL ESTATE PARTNERS PO BOX 941428 PLANO, TX 75094	WINDSOR HOMES CUMBERLAND LLC 8214 WESTCHESTER SUITE 710 DALLAS, TX 75225	CURRENT RESIDENT 313 SHENNENDOAH ROCKWALL, TX 75087
CURRENT RESIDENT 1313 FM552 ROCKWALL, TX 75087	CURRENT RESIDENT 205 ROCKHOUSE LN ROCKWALL, TX 75087	CURRENT RESIDENT 339 ALL ANGELS HILL PLANO, TX 75094
BLOCHER AYERS H III AND KAREN L 726 CALM CREST DR ROCKWALL, TX 75087	BRADLEY ERIK DOUGLAS 822 CALM CREST DR ROCKWALL, TX 75087	CAMP JOSEPH RICHAR AND 821 CALM CREST DR ROCKWALL, TX 75087
CARIKER KEVIN L AND LESLIE J 818 CALM CREST DR ROCKWALL, TX 75087	COLLINS HOPE AND GUY JR 806 CALM CREST DR ROCKWALL, TX 75087	ETLEY MICHAEL EUGENE 812 CALM CREST DR ROCKWALL, TX 75087
EVANS JEFFREY WILLIAM AND JULIE BONDS 709 CALM CREST DR ROCKWALL, TX 75087	LOWDERMILK SHANE AND CHERYL 817 CALM CREST DR ROCKWALL, TX 75087	ROGERS DAMIAN W AND JESSICA L 722 CALM CREST DR ROCKWALL, TX 75087

WEBB JOHN DAVID AND CAROLYN PARKER
825 CALM CREST DR
ROCKWALL, TX 75087

WILLIAMS TOMMY EUGENE AND PEGGIE J
717 CALM CREST DR
ROCKWALL, TX 75087

YAO CHAN-HWA AND ESTHER KUO-LIN
805 CALM CREST DR
ROCKWALL, TX 75087

Miller, Ryan

From: Jessica Rogers <drjessicarogers@gmail.com>
Sent: Monday, April 13, 2015 2:10 PM
To: Planning
Subject: CASE Z2015-013 Breezy Hill

I am opposed to the amended plan- CASE Z2015-013 Breezy Hill. Thank you for the notification.

There are would be too many homes in this area with the addition of that many more homes. This would become a very high density area, and I cannot see how the roads would handle this and.. how Celia Hayes Elementary would hold all of the additional children that come from adding a *significant amount of small homes*. The area has acreage and we want to keep it this way.

Jessica Rogers
722 Calm Crest Dr
Rockwall TX 75087

Living in the Breezy Hill Development



[Past and Present Student Networking Group:](https://www.facebook.com/groups/147244638668939/)
<https://www.facebook.com/groups/147244638668939/>

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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. Z2015-013: Breezy Hill Concept Plan Amendment

Hold a public hearing to discuss and consider a request by Cole Franklin of the Skorburg Company on behalf of Breezy Hill 405, LTD for the approval of a zoning amendment to Planned Development District 74 (PD-74) to amend the concept plan to allow for additional single-family residential lots and allow for changes to the development standards contained in Exhibit 'C' of Ordinance 14-26 for 405.184-acres of land identified as Tract 7 & 7-1 of the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, generally located north of FM-552 and west of Breezy Hill 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, 4/14/2015 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 5/4/2015 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:

Ryan Miller
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by **5/4/2015** to ensure they are included in the information provided to the City Council.

Sincerely,

Robert LaCroix, AICP
Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: [HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP](http://www.rockwall.com/planning/planningdevcases.asp)

----- PLEASE RETURN THE BELOW FORM -----

Case No. Z2015-013: Breezy Hill Concept Plan Amendment

Please place a check mark on the appropriate line below:

- ☐ I am in favor of the request for the reasons listed below.
☒ I am opposed to the request for the reasons listed below.

We purchased our home in Breezy Hill because of the space between lots and country feel to the development. We oppose the additional lots which would lower our property values and lead to congestion.

Name: *Jeff & Julie Evans*
Address: *109 Calum Crest Drive Rockwall, TX 75087*

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

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

Case No. Z2015-013: Breezy Hill Concept Plan Amendment

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.

Not in favor of adding high density housing. We purchased a home in Breezy Hill based on the existing development plan. It is late in the game to make a change to add high density houses.

Name: Kevin & Leslie Cariker

Address: 818 Calm Crest 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

Miller, Ryan

From: Randy Miller <RMiller@hyphensolutions.com>
Sent: Tuesday, April 14, 2015 2:36 PM
To: Miller, Ryan; Planning
Subject: PD-74 - Z2015-013

Importance: High

Mr. Ryan Miller:

My wife and I live on Park Central Drive off of FM 552, close to Breezy Hill Road.

We are not going to be able to attend the public hearing this evening, but would like to express our strong objection to increasing the housing density of this Planned Development.

We do appreciate your consideration and would ask that the Planning and Zoning Commission reject the developer's proposal to amend the Planned Development in question.

Thank you.

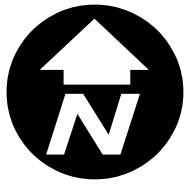
Randy and Janice Miller
24 Park Central Drive
Rockwall, TX 75087



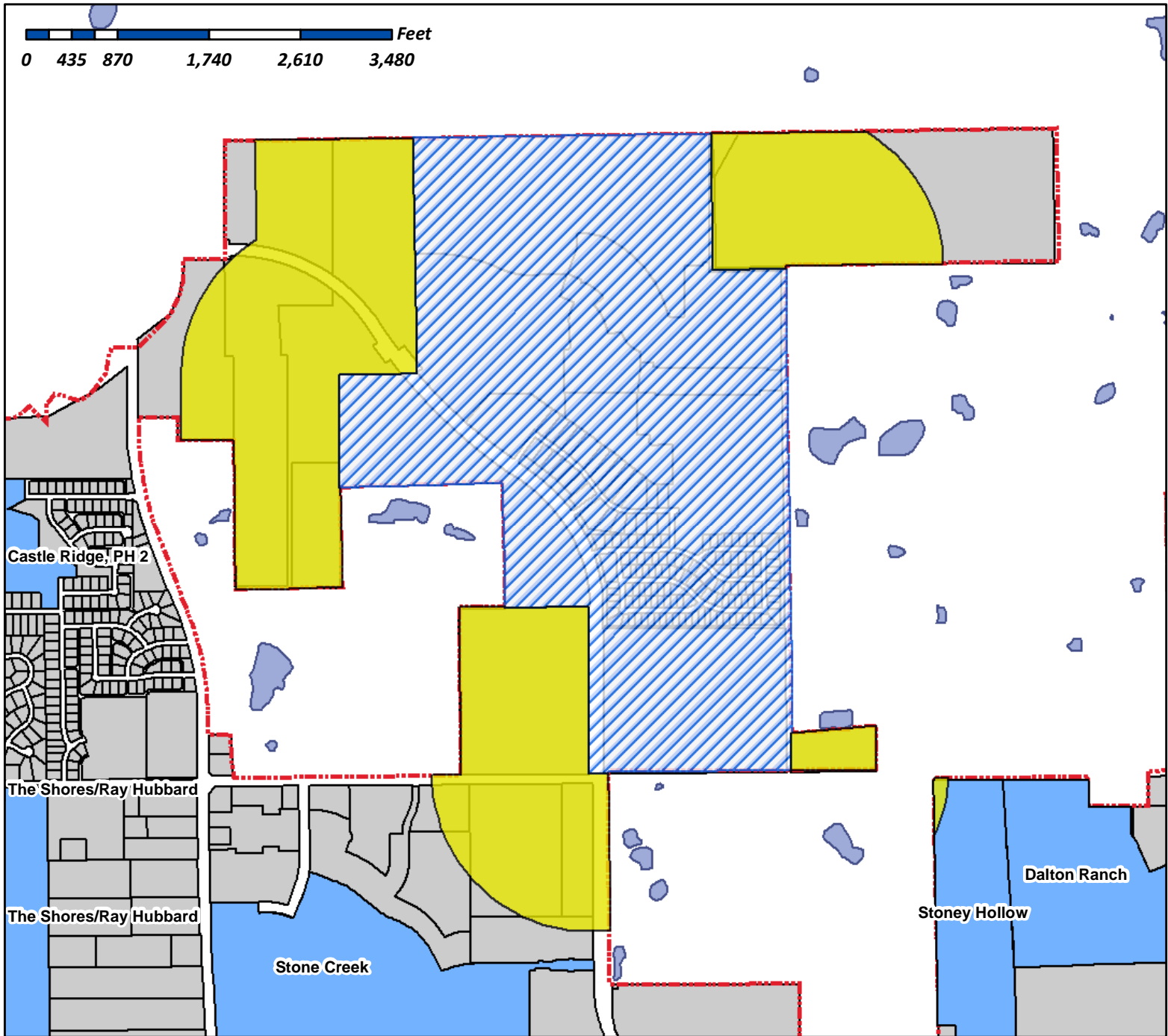
City of Rockwall

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

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0 435 870 1,740 2,610 3,480 Feet

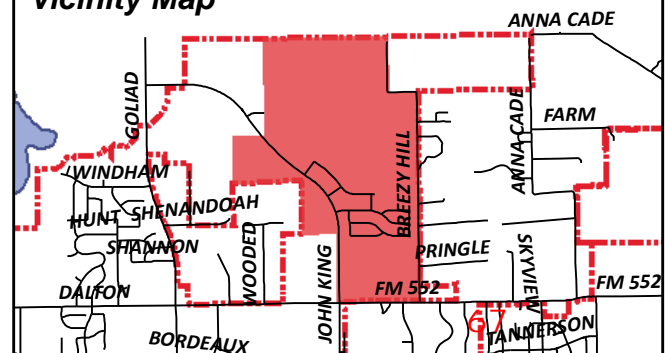


Case Number: Z2015-013
Case Name: Breezy Hill Concept Plan Amendment
Case Type: Rezoning
Zoning: PD - 74
Case Address: NEQ of John King & FM 552

Date Created: 3/16/2015

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

Vicinity Map



Miller, Ryan

From: Miller, Ryan
Sent: Wednesday, March 25, 2015 2:11 PM
To: [REDACTED]
Subject: Neighborhood Notification Program: Notice of Zoning Request
Attachments: HOA Map (03.16.2015).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 will be published in the Rockwall Harold Banner on April 3rd, 2015. 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-cases>.

Z2015-013: Hold a public hearing to discuss and consider a request by Cole Franklin of the Skorburg Company on behalf of Breezy Hill 405, LTD for the approval of a zoning amendment to Planned Development District 74 (PD-74) to amend the concept plan to allow for additional single-family residential lots and allow for changes to the development standards contained in Exhibit 'C' of Ordinance 14-26 for 405.184-acres of land identified as Tract 7 & 7-1 of the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, generally located north of FM-552 and west of Breezy Hill 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>.



RYAN C. MILLER, AICP

PLANNING MANAGER • 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

Skorburg Company
8214 Westchester Dr., Ste. 710
Dallas, TX 75225
Phone: 214/522-4945
Fax: 214/522-7244



March 16, 2015

City of Rockwall
Attn: Planning & Zoning

To All:

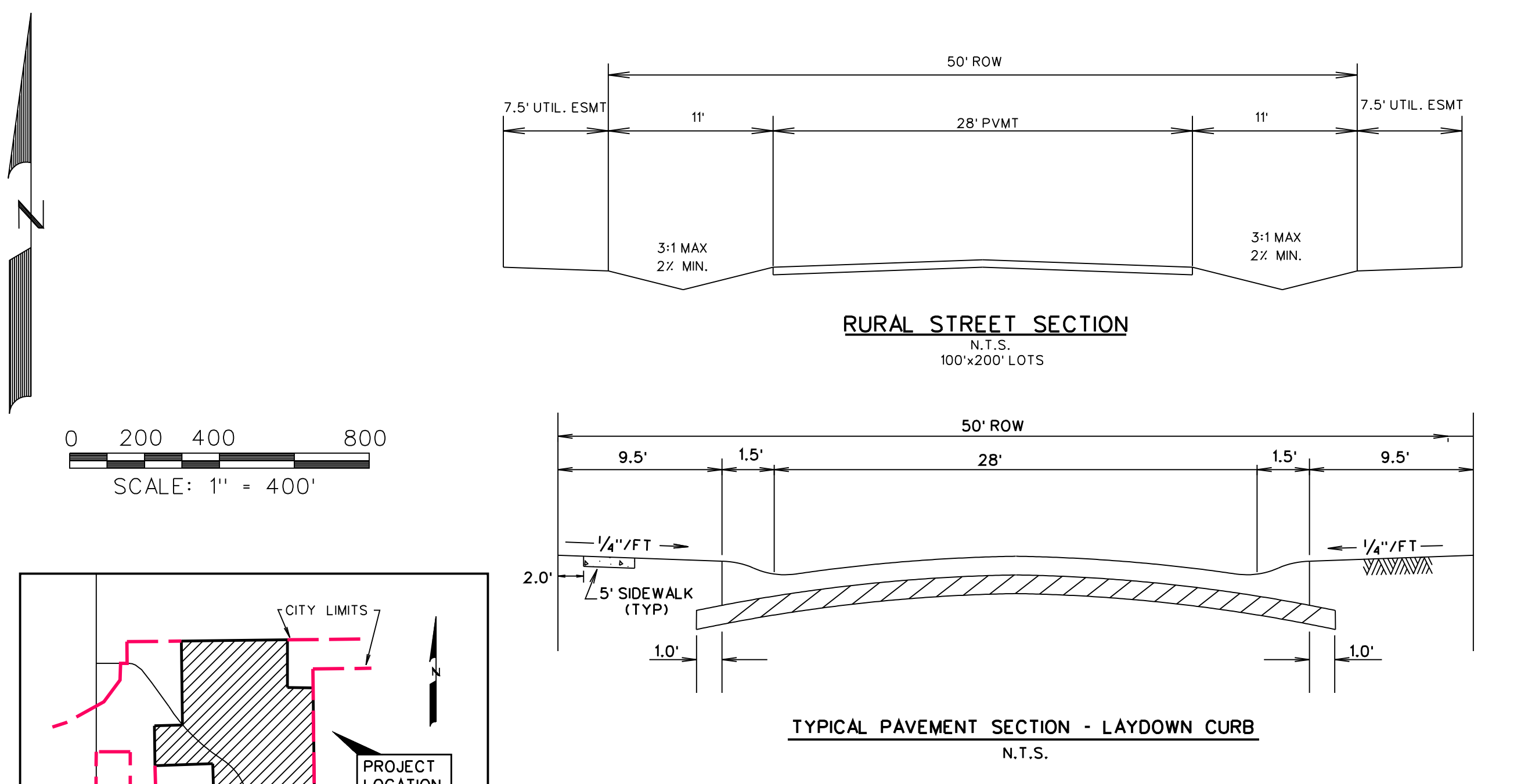
This letter is concerning the Amendment to the Breezy Hill Planned Development (PD-74), located on the Northeast corner of John King Blvd. & F.M. 552.

We respectfully request that the Public Hearing, currently scheduled for April 20, 2015, to be moved to May 4, 2015.

Cordially yours,

A handwritten signature in blue ink, appearing to read "Cole Franklin".

Cole Franklin
Skorburg Company Associate



LEGEND

TYPICAL LOT SIZES

TYPE A - [NOTE A]		- Between 186 and 198 lots (60's) [NOTE A]
TYPE B - [NOTE A]		- Between 93 and 105 lots (70's) [NOTE A]
TYPE C -		- 326 LOTS (80's)
TYPE D -		- 98 LOTS (100's)
TYPE E -		- 47 LOTS (50's)
		- PUBLIC OPEN SPACE/ LANDSCAPE BUFFER

RESIDENTIAL OPEN SPACE

Number	Acres	OPEN SPACE CREDITS	Comments
1	11.5	11.5	Open Space
2	1.3	1.3	Open Space
3	7.5	7.5	Open Space
4	0.8	0.8	Open Space
5	1.6	1.6	Open Space
6	5.4	5.4	Open Space
7	7.1	7.1	Open Space
8	32.5	32.5	Open Space
9	9.4	9.4	Open Space
10	0.7	0.7	Open Space
11	6.6	6.6	Floodplain
12	11.9	5.9*	Floodplain
13	1.4	0.7*	Floodplain
14	0.2	0.2	Open Space
15	1.6	1.6	Amenity Center
16	1.2	1.2	Open Space
17	0.8	0.8	Open Space
18	0.09	0.09	Open Space
TOTAL	101.6 AC.	94.9 AC.	

Note A: The total maximum lots in the PD will be 762 lots. 68 lots on this exhibit shall be removed from the Type "A" and/or Type "B" lots within Phase VII-A as the area depicted with diagonal lines.

MASTER PLAT
OF
BREEZY HILL
OUT OF THE
J. STRICKLAND SURVEY, ABSTRACT NO. 187
T.R. BAILEY SURVEY, ABSTRACT NO. 30
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
OWNERS
BREEZY HILL 405, LTD.
8214 WESTCHESTER, SUITE 710
DALLAS, TEXAS 75225
214-522-4945

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200
MARCH 2015 SCALE 1" = 400'

NOTE:
BETWEEN CONSTRUCTION OF PHASES TEMPORARY TURNAROUNDS
WILL BE PLACED AS NEEDED TO ACCOMMODATE FIRE PROTECTION.

FEMA FLOODPLAIN PANEL NO. 48397C0030L

THE 19.5 ACRE TRACT DESIGNATED AS "RETAIL TRACT" WILL REQUIRE A
SEPARATE PD DEVELOPMENT PLAN AND IS INCLUDED IN THE AREA COVERED
BY THIS MASTER PLAT.

RETAIL TRACT	19.5 ac.
RESIDENTIAL TRACT	381.20 ac.
TOTAL ACRES	405.15
TOTAL RESIDENTIAL LOTS	762
RESIDENTIAL DENSITY	2.0

ZONED: PLANNED DEVELOPMENT DISTRICT 74 (PD-74)

Infrastructure Statement

Drainage Facilities:
There are natural drainage ways within the project and detention will be required.

Sanitary Sewer Facilities:
This site will utilize lift stations and force mains to send the sewer flows to the existing sewer trunk line located at the intersection of FM 552 and Highway 205

Water Facilities:
There is an existing water line located in FM 552. A new 16" water line will be constructed along John King Boulevard north of FM 552 to service this tract.

Roadway Facilities:
The west side of the project is bounded by John King Boulevard, the south side is bounded by FM 552, the east side is bounded by Breezy Hill Road.

CITY OF ROCKWALL

ORDINANCE NO. 15-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 74 (PD-74) [ORDINANCE NO. 14-26] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING THE PLANNED DEVELOPMENT CONCEPT PLAN AND THE DEVELOPMENT STANDARDS APPROVED WITH ORDINANCE NO. 14-26, BEING A 405.184-ACRE TRACT OF LAND SITUATED IN THE J. STRICKLAND SURVEY, ABSTRACT NO. 187, T. R. BAILEY SURVEY, ABSTRACT NO. 30 AND THE J. SIMMONS SURVEY, ABSTRACT NO. 190, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE..

WHEREAS, the City has received a request by the Cole Franklin of the Skorburg Company on behalf of Breezy Hill 405, LTD for an amendment to the Planned Development Concept Plan and Development Standards contained within Planned Development District 74 (PD-74) [specifically contained within *Ordinance No. 14-26*] and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, for a 405.184-acre tract of land situated in the J. Strickland Survey, Abstract No. 187, T. R. Bailey Survey, Abstract No. 30 and the J. Simmons Survey, Abstract No. 190, Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 74 [*Ordinance No. 14-26*] 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. 09-19, 12-26 & 14-26*;

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

Section 3. That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan*, described in *Exhibit 'B'* of this ordinance, attached hereto and

incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 4. That development of the *Subject Property* shall generally be in accordance with the *Development Standards*, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 5. That a master parks and open space plan for the Property, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan*, (*Open Space Master Plan*) shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

Section 6. That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

- (a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance (*including Subsections 5(b) through 5(f) below*), shall be the exclusive procedures applicable to the subdivision and platting of the Property.
- (b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for an *Open Space Master Plan* in accordance with the time period specified in Section 212.009 of the Texas Local Government Code.
 1. Open Space Master Plan
 2. Master plat
 3. PD development plans (*required for retail areas only*)
 4. PD site plans
 5. Preliminary plats
 6. Final plats
- (c) A master plat application covering all of the Property, other than the area designated on the *Planned Development Concept Plan* as *Retail*, shall be submitted and shall identify each phase of development. No master plat application shall be approved until the *Open Space Master Plan* for all of the Property has been approved; however, the *Open Space Master Plan* may be processed by the City concurrently with the master plat application.
- (d) A *PD Development Plan* must be approved for the area designated on the Concept Plan as *Retail* prior to submittal of a *PD Site Plan* application and/or a preliminary plat application. No master plat is required for the area designated on the Concept Plan as *Retail*. A traffic impact analysis for the retail tract shall be submitted with the *PD Development Plan* to determine the extent and timing of any recommended facilities and/or improvements to the surrounding roadway network. The traffic impact analysis may be updated with each *PD Site Plan* for the retail tract.
- (e) A preliminary plat application shall be submitted for each phase of residential development. A *PD Site Plan* application, including a site plan application for improvements for parkland or trails, may be processed by the City concurrently with a preliminary plat application for that phase of the development.
- (f) A *Capital Facilities Agreement* in the form of *Exhibit 'D'*, attached hereto and incorporated herein by reference as *Exhibit 'D'*, shall be executed by Developer providing for delivery of adequate public facilities and services within the District.

Section 7. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

Section 8. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 9. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

Section 10. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 18TH DAY OF MAY, 2015.**

Jim Pruitt, *Mayor*

ATTEST:

Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: May 4, 2015

2nd Reading: May 18, 2015

Exhibit 'A':
Legal Description

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN PARTS OF THE J. STRICKLAND SURVEY, ABSTRACT NUMBER 187, T. R. BAILEY SURVEY, ABSTRACT NUMBER 30 AND THE J. SIMMONS SURVEY, ABSTRACT NUMBER 190 OF ROCKWALL COUNTY, AND BEING THAT TRACT OF LAND CONVEYED TO W.W. CARUTH, JR. ACCORDING TO THE DOCUMENT FILED OF RECORD IN VOLUME 66, PAGE 493, DEED RECORDS OF ROCKWALL COUNTY, TEXAS (D.R.R.C.T.) ALSO A PORTION OF THE J. STRICKLAND SURVEY, ABSTRACT 794•3 LYING IN COLLIN COUNTY, TEXAS, THAT TRACT OF LAND CONVEYED TO MABEL CARUTH ACCORDING TO THE FILE OF RECORD IN COUNTY CLERK FILE NUMBER 92-0054539 OF COLLIN COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND AT THE BASE OF A CORNER POST, SAID IRON ROD BEING THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO DONG WON KANG RECORDED IN VOLUME 4703, PAGE 1402, D.R.R.C.T., AND SAME (BEING THE SOUTHEAST CORNER OF SAID TRACT "ONE" AS SHOWN HEREON;

THENCE NORTH 89°21'28" EAST, A DISTANCE OF 2077.92 FEET TO A 1/2" IRON ROD FOUND FOR A CORNER OF THIS TRACT;

THENCE SOUTH 00°01'37" EAST, GENERALLY ALONG THE CENTER OF A GRAVEL ROAD, A DISTANCE OF 1274.60 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE SOUTH 89°19'07" EAST, GENERALLY ALONG THE CENTER OF A GRAVEL ROAD, A DISTANCE OF 686.18 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE SOUTH 00°42'37" EAST, ALONG THE CENTER OF BREEZY HILLS ROAD, A DISTANCE OF 4777.93 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER IN THE NORTH LINE OF F.M. HIGHWAY 552, FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 89°20'36" WEST, ALONG THE NORTH LINE OF SAID F.M. HIGHWAY, A DISTANCE OF 1887.13 FEET, TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER IN A ENTRYWAY OF A RANCH ROAD, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 00°31'43" WEST, GENERALLY ALONG THE CENTER OF SAID RANCH ROAD, PASSING AT A DISTANCE OF 10.00 FEET A 1/2" IRON ROD FOUND ON THE WEST LINE OF THIS TRACT AND CONTINUING A TOTAL DISTANCE OF 593.55 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE SOUTH 89°15'47" WEST, A DISTANCE OF 503.29 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE NORTH 01°31'06" WEST, A DISTANCE OF 1189.10 FEET TO A 5/8" IRON ROD FOUND AT THE BASE OF A CORNER POST, FOR A CORNER OF THIS TRACT;

THENCE SOUTH 88°05'58" WEST, A DISTANCE OF 1546.66 FEET TO A 3/8" IRON ROD

Exhibit 'A':
Legal Description

FOUND FOR A CORNER OF THIS TRACT;

THENCE NORTH 00°47'14" WEST, A DISTANCE OF 1067.53 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE NORTH 88°33'50" E, A DISTANCE OF 748.00 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE NORTH 00°45'11" W, A DISTANCE OF 2243.67 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER FOR A CORNER OF THIS TRACT;

THENCE NORTH 89°21'28" E, A DISTANCE OF 754.93 FEET TO THE POINT OF BEGINNING, AND CONTAINING 405.184 ACRES OF LAND, MORE OR LESS.

Exhibit 'B':
Concept Plan



Exhibit 'C':
PD Development Standards

TEXT TO BE ADDED TO THE ORDINANCE
~~TEXT TO BE REMOVED FROM THE ORDINANCE~~

A. GENERAL REQUIREMENTS

1. *Uses Allowed.* The following uses are permitted for the Property.

- a. *Residential uses.* Uses permitted of right or by special use permit for the (SF-10) Single Family Residential District, as set forth in Article IV, Permissible Uses, of the City of Rockwall Unified Development Code, shall be allowed for areas designated as Single-Family on the Concept Plan, subject to approval of a Special Use Permit if required by the SF-10 District Regulations.
- b. *Non-residential uses.* Non-residential uses shall be allowed only within the area designated as Retail on the approved Concept Plan for the District, and are limited to those uses permitted of right or by special use permit for the (GR) General Retail District subject to approval of a PD Development Plan and PD Site Plan in accordance with the Planned Development District regulations, Article X, Section 2 of the Unified Development Code, and subject to approval of a Special Use Permit if required by the GR District Regulations; provided, however, that the following uses are expressly prohibited:

- ☒ Animal Hospital, Clinic
- ☒ Convent or Monastery
- ☒ Hotel or Motel
- ☒ Hotel, Residence
- ☒ Cemetery/Mausoleum
- ☒ Mortuary of Funeral Chapel
- ☒ Social Service Provider
- ☒ Billiard Parlor or Pool Hall
- ☒ Carnival, Circus, or Amusement Ride
- ☒ Commercial Amusement/Recreation (Outside)
- ☒ Gun Club, Skeet or Target Range (indoor)
- ☒ Astrologer, Hypnotist, or Psychic Art and Science
- ☒ Garden Supply/Plant Nursery
- ☒ Night Club, Discotheque, or Dance Hall
- ☒ Secondhand Dealer
- ☒ Car Wash, Self Service*
- ☒ Service Station*
- ☒ Mining and Extraction (Sand, Gravel, Oil & other)
- ☒ Helipad
- ☒ Railroad Yard or Shop
- ☒ Transit Passenger Facility

* *Not including a convenience store with an accessory car wash use or more than four (4) gas pumps, which accessory uses are permitted by SUP.*

The following additional use shall be permitted of right in the PD District:

- ☒ Grocery Store with a maximum building area of one hundred and thirty thousand (130,000) square feet.

- c. *Design of non-residential uses.* The retail area shall be designed to be pedestrian-oriented and easily accessible to adjacent residential neighborhoods. Additionally, the retail area shall be designed and constructed to be integrated with adjacent uses, not separated from them by screening walls or other physical barriers. This will be accomplished by creating paths from adjacent development into the retail area and

Exhibit 'C':
PD Development Standards

through the use of landscaping buffers, building design and other urban design elements to create compatibility with the surrounding residential neighborhood.

- d. *Density and lot composition.* If the retail develops in accordance with the attached Concept Plan, no more than **742 762** single-family residential dwelling units may be constructed within the Property. Except as provided in subsection (e), single-family residential units shall be allocated by product type in accordance with the following table:

Table 1: Lot Composition

Lot Type	Lot Size Minimum	Lot SF Minimum	Driveway Access	Total Units	Total Dwelling Units (%)
A	60' x 120'	7,200	Front	206 192	27.80 25.20%
B	70' x 120'	8,400	Front	112 99	15.10 12.99%
C	80' x 125'	10,000	Front	326	43.90 42.78%
D	100' x 200'	20,000	Front	98	13.20 12.86%
E	50' x 120'	6,000	Front	47	6.17%
AVERAGE LOT SIZE:		10,000			
MAXIMUM ALLOWED TOTAL UNITS:				742 762	100%

- e. *Variation in lot composition.* The allocation of single-family dwellings among lot types may deviate from that in subsection (d), provided that the maximum allowed total dwelling units does not exceed **742 762** units, the average lot size for the development is not less than 10,000 sq. ft., and the following rules are met:

- (1) Lot types "A & B" may increase not more than 5% in aggregate number.
- (2) Lot type "C" shall not be decreased below **42% 42.78%** of the total **742 762** lots.
- (3) Lot Type "D" shall not be decreased below 98 of the total lots.
- (4) Lot Type "E" shall not increase above 47 of the total lots.**

2. *Development Standards Applicable.* Except as may be modified by these Development Standards, residential uses shall be subject to the development standards for a (SF-10) Single Family Residential District, as set forth in Article V, District Development Standards for Section 3.4 of the City of Rockwall Unified Development Code; to the development standards in the 205 Bypass Overlay District; and to all supplemental standards contained in the Unified Development Code, including but not limited to the tree preservation regulations in the Unified Development Code.

Exhibit 'C':
PD Development Standards

B. SPECIAL DEVELOPMENT STANDARDS

1. Dimensional Standards for Residential Uses

Table 2: Lot Type Matrix

Lot Types	A	B	C	D	E
Maximum Building Height	36'	36'	36'	36'	36'
Minimum Air Conditioned Square Footage	2,200	2,400	2,600 ²	3,000	1,800
Minimum Front Yard Building Setback	20' ⁴	20'	20'	40' ³	15' ⁴
Minimum Rear Yard Building Setback	10'	10'	15'	15'	10'
Minimum Side Yard (<i>Interior</i>)	5'	5'	6'	7'	5'
Minimum Side Yard Adjacent to a Street	15'	15'	15'	15'	15'
Minimum Distance of Driveway (<i>from Property Line</i>)	20'	20'	20'	40'	20'
Minimum Lot Area (<i>Square Feet</i>)	7,200	8,400	10,000	20,000	6,000
Minimum Lot Frontage ¹	60'	70'	80'	100'	50'

Notes:

¹: Lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by twenty percent (20%) in lot width measured at the front property line provided that the lot width will be met at the front building line. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to 10 percent (10%) but shall meet the minimum lot size for each lot type as referenced within *Table 1*.

²: A maximum of 20% of the lots may have homes not less than 2,500 sq. ft.

³: The Director of Planning or his designee may grant a reduction in the required 40-foot front yard building setback of up to five (5) feet for lots situated along cul-de-sacs or curvilinear streets, or where a 40-foot front yard building setback would create an undue hardship on the property.

⁴: Front porch may encroach to within 10-feet of the front property line.

2. Development Standards for Residential Uses by Lot Product/Type

a. Detached Single Family Lot Type A

Development Standards

Minimum Lot Size	7,200 SF
Minimum Lot Width (@ Front Building Line)	60'
Minimum Lot Depth	110'
Minimum Lot Width (Corner Lot)	65'
Minimum Side Yard Setback	5'
Minimum Front Yard Building Setback	20'
Minimum Rear Yard Building Setback	10'
Minimum Air Conditioned Square Footage	2,200 SF
Minimum Roof Pitch	8:12 Except for 4:12 on Porch Roofs
Minimum Masonry Requirement [Brick, Stone, Cultured Stone, 3-Part Stucco]	80%
Garage Orientation	Garages will be allowed to have the garage accessed from the street using traditional "swing" or "J" drive. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 33% of Type 'A' lots shall have 3-car garages.
Maximum Lot Coverage	65%

Exhibit 'C':
PD Development Standards

b. Detached Single Family Lot Type B

Development Standards	
Minimum Lot Size	8,400 SF
Minimum Lot Width (@ Front Building Line)	70'
Minimum Lot Depth	120'
Minimum Lot Width (Corner Lot)	75'
Minimum Side Yard Setback	5'
Minimum Front Yard Building Setback	20'
Minimum Rear Yard Building Setback	10'
Minimum Air Conditioned Square Footage	2,400 SF
Minimum Roof Pitch	8:12 Except for 4:12 on Porch Roofs
Minimum Masonry Requirement [Brick, Stone, Cultured Stone, 3-Part Stucco]	80%
Garage Orientation	Garages will be allowed to have the garage accessed from the street using traditional "swing" or "J" drives. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 33% of Type 'B' lots shall have 3 car garages.
Maximum Lot Coverage	65%

c. Detached Single Family Lot Type C

Development Standards	
Minimum Lot Size	10,000 SF
Minimum Lot Width (@ Front Building Line)	80'
Minimum Lot Depth	125'
Minimum Lot Width (Corner Lot)	85'
Minimum Side Yard Setback	6'
Minimum Front Yard Building Setback	20'
Minimum Rear Yard Building Setback	15'
Minimum Air Conditioned Square Footage	2,600 SF ¹
Minimum Roof Pitch	8:12 Except for 4:12 on Porch Roofs
Minimum Masonry Requirement [Brick, Stone, Cultured Stone, 3-Part Stucco]	80%
Garage Orientation	Traditional "swing" or "J" drive required. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. A minimum of 80% of Type 'C' lots shall have 3 car garages.
Maximum Lot Coverage	65%

Notes:

¹: A maximum of 20% of the lots may have homes not less than 2,500 sq. ft.

Exhibit 'C':
PD Development Standards

d. Detached Single Family Lot Type D

Development Standards	
Minimum Lot Size	20,000 SF
Minimum Lot Width (@ Front Building Line)	100'
Minimum Lot Depth	175'
Minimum Lot Width (Corner Lot)	100'
Minimum Side Yard Setback	7'
Minimum Front Yard Building Setback	40' ¹
Minimum Rear Yard Building Setback	15'
Minimum Air Conditioned Square Footage	3,000 SF
Minimum Roof Pitch	8:12 Except for 4:12 on Porch Roofs
Minimum Masonry Requirement [Brick, Stone, Cultured Stone, 3-Part Stucco]	80%
Garage Orientation	Traditional "swing" or "J" drive required. Single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only. 80% of Type D lots shall have a minimum of 3 car garages.
Maximum Lot Coverage	70%

Notes:

- ¹: The Director of Planning or his designee may grant a reduction in the required 40-foot front yard building setback of up to five (5) feet for lots situated along cul-de-sacs or curvilinear streets, or where a 40-foot front yard building setback would create an undue hardship on the property.

e. Detached Single Family Lot Type E

Development Standards	
Minimum Lot Size	6,000 SF
Minimum Lot Width (@ Front Building Line)	50'
Minimum Lot Depth	110'
Minimum Lot Width (Corner Lot)	55'
Minimum Side Yard Setback	5'
Minimum Front Yard Building Setback	15'
Minimum Rear Yard Building Setback	10'
Minimum Air Conditioned Square Footage	1,800 SF
Minimum Roof Pitch	8:12 Except for 4:12 on Porch Roofs
Minimum Masonry Requirement [Brick, Stone, Cultured Stone, 3-Part Stucco]	80%
Garage Orientation	Garages will be allowed to be accessed from the street; however a minimum driveway length of 20-ft must be provided
Maximum Lot Coverage	75%

Exhibit 'C':
PD Development Standards

3. *Fencing.* All individual residential fencing for lots less than 20,000 square feet shall be cedar standard fencing material (minimum ½" thickness) or better (spruce fencing will not be allowed). All cedar pickets shall be placed on the "public side" facing the street, alley or neighboring property. Lots containing 20,000 sq. ft., lots located along perimeter roadways, and lots abutting open spaces, greenbelts and parks shall be required to install tubular steel fencing. Corner lot fencing (adjacent to the street) shall provide masonry columns at forty-five feet (45') off center spacing that begins at the rear property line corner and terminates ten feet (10') behind the front yard building setback line. A maximum six (6') foot solid board on board "panel" cedar fencing shall be allowed between the masonry columns along the side and/or rear yard lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five feet (5'). The property owner shall maintain that portion of the property outside the fence.
4. *Anti-Monotony Features.* Lot types shall incorporate the following elevation features.

Table 3 : Anti-Monotony Matrix

Lot Type	Lot Size (Approx.)	Elevation Features
A	60' x 120'	i., ii., iii.
B	70' x 120'	i., ii., iii.
C	80' x 125'	i., ii., iii.
D	100' x 200'	i., ii., iii.
E	50' 120'	i., ii.

- i. Exterior facade must be composed of eighty percent (80%) masonry (brick, stone, cultured stone, or three-part stucco). Identical brick blends may not occur to adjacent (side-by-side) properties. Elevations shall not repeat along the fronting or siding streetscape without at least four (4) intervening homes of sufficient dissimilarity (to be determined by the ARC) on the same side of the street and (2) intervening homes on the opposite side of the street). The rear elevation of homes backing to open spaces or thoroughfares shall not repeat without at least two (2) intervening homes of sufficient dissimilarity (to be determined by the ARC). Masonry (brick, stone, cultured stone, or three-part stucco) chimneys shall be required on all homes.
 - ii. Minimum of 8:12 roof pitch, except for 4:12 roof pitches on porches. For each phase, a maximum of four compatible roof colors may be used. Dimensional shingles shall be used. Crown molding will be installed in all living and family rooms, unless vaulted or pop-up ceilings are utilized. No Formica counters in kitchens and bathrooms, no blown acoustic ceilings. No vinyl flooring will be used in kitchens.
 - iii. For front entry driveway access a traditional "swing" or "J" drive will be used. Second single garage door facing street is permitted behind (width) of double garage door in "swing" or "J" configuration only.
5. *Streetscape Landscape.* Prior to issuance of a Certificate of Occupancy, yards for all single-family lots in the District shall be landscaped with large canopy trees.
 - (1) Two minimum three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of an interior lot.
 - (2) Two minimum three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of a corner lot and two additional trees of same caliper shall be planted in the side yard facing the street.
 - (3) For purposes of this section only, the term "front yard" includes the area within the dedicated right-of-way for a parkway immediately adjoining the front yard of the lot.

Exhibit 'C':
PD Development Standards

6. *Master Design Guidelines.* Additional design guidelines specific to each phase of development that shall apply to all single-family dwellings units within that phase of development, shall be submitted to the City prior to issuance of any building permits for that portion of the development.

C. STANDARDS FOR DISTRICT DESIGN AND CONNECTIVITY

1. *Streetscape Standards for Collectors & Non-Fronting Thoroughfares.* All streets, excluding drives, fire lanes and private parking areas, shall be built according to City of Rockwall street standards. Sidewalks and Hike / Bike trails are to be placed according to city requirements and as set forth in the Open Space Master Plan for the District.
 - a. *Buffer-Strip and Sidewalks (John King Boulevard Overlay District).* The landscape buffer strip along John King Blvd shall be as described in the City of Rockwall Unified Development Code, Article V (District Development Standards), Section 6.10 E (Landscape Standards) and be a minimum width of fifty (50) feet as shown on the Planned Development Concept Plan in Exhibit 'B'. Additionally, the developer shall construct a minimum of a ten (10) foot sidewalk, on both sides of John King Boulevard, within the fifty (50) foot landscape buffer strip as recommended by the John King Boulevard Design Concept Plan located in the Comprehensive Plan of the City of Rockwall.
 - b. *Buffer-Strip (FM 552).* A landscape buffer strip with a minimum width of fifteen (15) feet shall be provided along the frontage of FM 552, and shall be landscaped with at least one canopy tree per 30-ft and a combination of berms and shrubbery to be reviewed with the PD Site Plan(s) for the retail tract.
 - c. *Buffer-Strip (Breezy Hill) Retail.* The minimum buffer width between the proposed retail area and Breezy Hill Rd shall be fifty (50) feet, and shall include a berm with a minimum height of five (5) feet with at least three (3) canopy trees and four (4) accent trees per 100-ft of frontage. A detail of this landscape buffer shall be approved by the Planning and Zoning Commission and City Council at the time of PD Development Plan for the retail tract.
 - d. *Buffer-Strip (Breezy Hill) Residential.* A landscape buffer strip with a minimum width of ten (10) feet shall be provided between any residential area and Breezy Hill Rd.
 - e. *Irrigation.* Any irrigation installed in landscape areas and public parks must be designed by a Texas licensed irrigator or landscape architect.
 - f. *Fencing.* The Association will maintain all common area and perimeter fencing surrounding the Property. Such perimeter fencing shall be composed of six foot (6') tall tubular steel fencing with masonry entry features or such other fencing as may be approved by the City at the time of platting. Perimeter screening may also be accomplished by earthen berms landscaped with living screening. Property owners will maintain all fences constructed on private property.
 - g. *Curvilinear Walks.* Walks are to be a minimum of five feet (5') wide to six feet (6') maximum width (hike and bike trail) consistent with the approved Open Space Master Plan. "Collector streets" with or without center medians may incorporate sidewalks six feet (6') in width adjacent to or within "front yard" landscape easements. Walks may meander within parkway and common area; however, edge of walk shall be no closer than four feet (4') from back-of-curb.
 - h. *Medians.* Any proposed median openings shall meet the City standards at the time of PD site plan approval.

Exhibit 'C':
PD Development Standards

2. *Lighting.* Light poles shall not exceed twenty feet (20') in height. All light fixtures shall direct light downward and be contained to the site.
3. *Sidewalks.* At a minimum, sidewalks located on lay down curb section streets shall begin four feet (4') behind the back of curb and be five feet (5') in overall width. Sidewalks will not be required on rural street sections.
4. *Curbing.* Within certain lot types "A, B, & C" "roll up, lay down curbing" may be incorporated in an effort to minimize frequent curb cuts and maximize streetscape continuity, as approved by the City of Rockwall (Engineering Department) with approval of the final plat application.
5. *Buried Utilities.* New distribution power-lines required to serve the Property shall be placed underground, whether such lines are located internally or along the perimeter of the Property, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (3 phase lines), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the Property, except along the 205 Bypass. Additionally, if such above ground lines are installed along the perimeter of the property and adjacent to non-residential use, then the lines shall be installed behind the non-residential buildings where the installation is possible. The Developer shall not be required to re-locate existing overhead power-lines along the perimeter of the Property. Temporary power-lines constructed across undeveloped portions of the Property to facilitate development phasing and looping may be allowed above ground, but shall not be considered "existing lines" at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph.
6. *Parks and Open Space.*
 - a. Residential and retail acreages (net of right-of-way dedication) shall contain no less than 20% open space and.
 - b. Allowable open space may include but is not limited to 50% of floodplain, amenity center, public or private parks, trails, natural areas, buffers, traffic circle medians, entry features, common areas (including any Association recreation center or similar facilities) and other features depicted on the Development Plan, as set forth in the Open Space Master Plan prepared in accordance with subparagraph (c) below. Street right of way will not be included as open space. At least 80% of the single-family dwellings within the development shall be located within eight hundred feet (800') of public or private open space. In order to qualify, such open space must be at least one (1) continuous acre in area, not including roadway buffers less than fifty (50') feet in width.
 - c. The Developer shall prepare the Open Space Master Plan to be consistent with the approved Development Plan. The purpose of an Open Space Master Plan is to supplement the Development Plan by providing an additional level of detail for public and private open space areas. The Open Space Master Plan shall identify the locations of and improvements to public parks, and other public and private open space or common areas and shall illustrate an integral system of trail improvements that, together with intervening land held by other property owners or the City, is designed to connect residential areas, schools and retail areas within the District to parks and open space within the District and that provides for continuation and connection of the trail system to off-site parks and open space, in accordance with the City's Master Park and Recreation Plan. The Open Space Master Plan shall clearly differentiate public parks from private facilities and common lands to be maintained by the Association. The locations of public parks, school sites and other public and private open space or common areas shown on the Open Space Master Plan shall be in conformance with the Development Plan. The Open Space Master Plan shall include a phasing plan for construction of all trails, parks, common open space and facilities. The Open Space

Exhibit 'C':
PD Development Standards

Master Plan shall be considered for approval if it complies with this section, the applicable City regulations, the Development Plan, and generally accepted park-planning practices.

- d. The District shall contain not less than eleven (11) acres of land to be used as public or private parkland. A minimum of eleven (11) contiguous acres shall be dedicated to the City in accordance with the City's Neighborhood Parkland Dedication Ordinance on approval of the final plats for those phases adjacent to or abutting the proposed parkland dedication and will provide access to said parkland area. The remaining parkland area will be retained as a private park within the District. Park improvements shall be constructed in accordance with the approved Open Space Master Plan. The site plan incorporating the design of park improvements and hike/bike trail improvements shall be considered for approval with the final plat for the phase of the development containing such improvements. Performance of the obligations in this subparagraph shall be deemed to fully satisfy the City's Neighborhood Parkland Dedication Ordinance regarding land dedication. At the time of recordation of final plats for each phase, the Developer shall pay park improvement fees to the City. These fees shall be held in an escrow account until the parkland is dedicated to the City, at which time the Developer shall inform the City if the Developer wishes to use the escrowed fees as well as future fees to construct park improvements. Prior to construction, said improvements shall be approved by Parks Director, approval not to be unreasonably withheld, and invoices for improvements shall be submitted to Parks Director for approval. Performance of the obligations in this subparagraph shall be deemed to fully satisfy the City's Neighborhood Parkland Dedication Ordinance regarding park development fees, provided that park improvements are installed at a value equal or exceeding the value of park improvement fees for the entire District applicable at that time, or improvement fees are paid. Thereafter, the Developer shall not be responsible for additional parkland dedication or park development fees associated with the Property, except as otherwise may be provided in a capital facilities agreement approved by the City.
7. Developer shall provide a minimum of one (1) retention pond in the District with hard edges and fountain features. The exact configuration and location of the ponds will be determined at development. All retention pond hardedges shall be similar to the hardedge shown on Figure 1 (below).



Exhibit 'C':
PD Development Standards

Figure 1: Retention Pond with Hardedge.

8. **Signage.** Permanent subdivision identification signage shall be permitted at all major entry points, in general conformance to the signage shown in Figure 2 & 3 (below). Final design of entry features to be determined with the Planned Development Site Plan.



Figure 2: Example of Subdivision Signage Locations

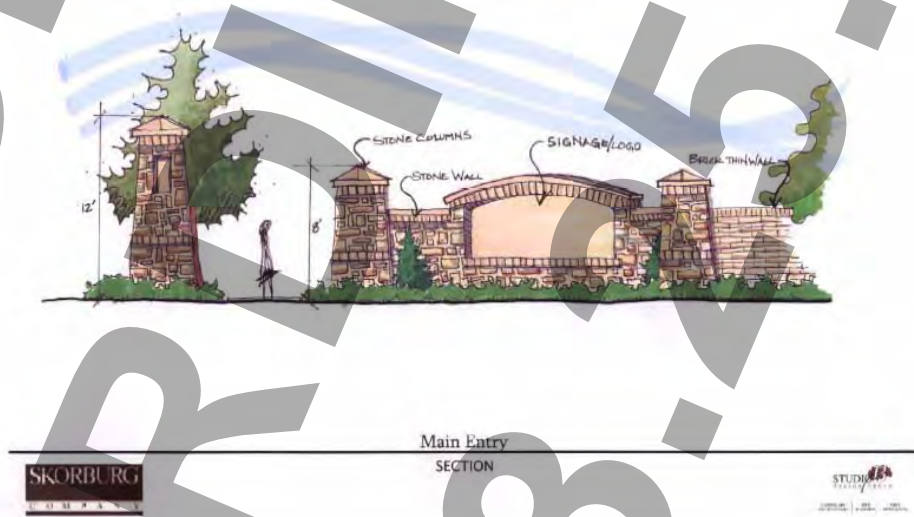


Figure 3: Example of Subdivision Signage Design Standard

9. **Variances.** The variance procedures and standards for approval set forth in the Unified Development Code shall apply to any application for variances to this ordinance.

Exhibit 'C':
PD Development Standards

10. *Amenity Center.* Site plan, landscape plan and building elevations for the Amenity Center shall be approved by the Planning and Zoning Commission prior to construction.
11. *Trees.* All trees planted within the District shall be a minimum three (3) inch caliper measured six (6) inches above the root ball.

Exhibit 'D':
Capital Facilities Agreement

EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

THIS CAPITAL FACILITIES AGREEMENT (the "Agreement") is by and among the Breezy Hill 405, Ltd, ("Breezy" or "Developer") and the City of Rockwall, Texas ("City" or "Rockwall").

I. RECITALS

1. Breezy seeks to rezone and subdivide the Property for single-family residential use and certain commercial uses. Breezy shall submit an application to rezone the 405 acres north of FM-552 (the "Property") as a planned development (PD) district for a development currently known as Breezy Hill (the "PD District"),

NOW, THEREFORE, in consideration of the foregoing recitals and mutual covenants contained herein, the Parties hereto agree as follows:

II. ADEQUATE PUBLIC FACILITIES

1. *General Provisions.*

- a. *Adequacy Required.* Development of the Property shall be supported with adequate levels of public facilities and services. Adequate facilities and services are those that (i) comply with the applicable City regulations, including this Agreement, and (ii) are consistent with generally accepted engineering and planning practices for similar developments. The Parties agree that the dedication and construction of public improvements, or the contribution of proportionate development fees, required to support development of the Property shall precede or be concurrent with the construction of private improvements to the land, in accordance with the phasing provisions incorporated within this section, or as otherwise may be provided through approval of a master plat.

- b. *Proportionality.* The Parties agree that the dedication or construction of public improvements, or the contributions of development fees, provided for in this Agreement are roughly proportional to the nature and extent of the proposed development of the Property on the City's public facilities systems. Breezy hereby covenants not to sue the City for any claim, or otherwise consent to participate in any action against the City arising from any claim by such party or by its affiliates, alleging that application of the adequate facilities requirements set forth in this Part II of the Agreement to the development of the Property, or the imposition of conditions to a plat application for a portion of the Property that are consistent with the requirements of this section, are not roughly proportional to the impacts of the development depicted in the Concept Plan, including but not limited to any action premised upon Tex. Loc. Gov't Code sec. 212.904 or successor statute. Such covenant not to sue touches and concerns the Property, and is a covenant running with the land such that it binds successors-in-interest and assigns of Breezy. Should any successor-in-interest or assign of Breezy other than an affiliate of Breezy assert any of the foregoing claims in a court of competent jurisdiction, in violation of this Subsection 1 (b), with respect to the development of any portion of the Property, the Parties agree that, with respect to such portion of the Property or all of the Property, at the City's option, this Agreement thereupon shall become null and void and any rights that may otherwise have

PLS

Exhibit 'D':
Capital Facilities Agreement

EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

vested under then existing state law shall be waived upon such event. Breezy further agrees that the City may expressly rely upon the provisions of this paragraph in any certification under section 212.904 and that a court in determining rough proportionality may consider all of the Property. Should Breezy or an affiliate of Breezy violate the covenant not to sue contained in this paragraph, the City may either enforce the covenant or pursue the remedies provided for herein that are applicable to successors or assigns, other than affiliates. As used in this Agreement, the term "affiliate" means any person, corporation, partnership, or other entity controlled by, controlling, or under common control with Breezy.

- c. *No Waiver.* The requirements in this Part II shall be considered additional standards and conditions applicable to development within the PD District. Except in the event of a conflict between the standards in this Agreement and other standards applicable within the District, nothing in this Agreement shall be construed as superseding any requirement or standard in the City's subdivision or utility regulations relating to provision of adequate public facilities and services.

2. Wastewater Services.

- a. *City as Provider.* The City shall be the supplier of wastewater services to the Property.
- b. *Line Extensions.* The Developer shall extend wastewater mains sufficient to serve each phase of development within the PD District, sized in accordance with the City's master plan for wastewater facilities and constructed in accordance with the phasing schedule approved in conjunction with the Developer's master plat application. The Developer shall design and construct a lift station in order to serve the development within the PD District. The Developer shall be entitled to pro-rata fees for the costs of over-sizing the lift station from other future developments using the lift station, calculated on a per acreage basis. Developer also shall be eligible for credits against wastewater impact fees otherwise due for construction of improvements identified and included in the City's wastewater improvements plan for impact fees, in accordance with the City's then existing impact fee regulations. Provisions for City participation in oversize costs, rebate of pro-rata fees or provision of impact fee credits shall be set forth in a facilities and reimbursement agreement between the Developer and the City.
- c. *Payment of Impact Fees.* Wastewater impact fees shall be paid at rates and at the times provided for in the City's then existing impact fee regulations.

3. Water Services

- a. *City as provider.* The City shall be the supplier of water services to the Property. The City represents that it has sufficient capacity to serve the Property.
- b. *Line Extensions.* The Developer shall extend water mains sufficient to serve each phase of development within the PD District, sized in accordance with

Exhibit 'D':
Capital Facilities Agreement

EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

the City's master plan for water facilities and constructed in accordance with the phasing schedule approved in conjunction with the Developer's master plat application. The Developer shall be eligible for City participation in the costs of over-sizing water distribution mains or appurtenances that serve other land in addition to the Property, in accordance with the City's standard policies, or for collection of pro-rata fees for such facilities. Developer also shall be eligible for credits against, water impact fees otherwise due for construction of improvements identified and included in the City's water improvements plan for impact fees, in accordance with the City's then existing impact fee regulations. Provisions for City participation in oversize costs, rebate of pro rata fees or provision of impact fee credits shall be set forth in a facilities and reimbursement agreement between the Developer and the City.

- c. *Payment of Impact Fees.* Water impact fees shall be paid at rates and at the times provided for in the City's then existing impact fee regulations.

4. *Road Improvements.* The Developer shall make the following road improvements.

- a. *John King Boulevard (Highway 205 Bypass).* The Developer shall have no obligation with respect to construction of John King Blvd. other than as outlined herein regarding payment of road impact fees.
- b. *FM-552 Improvements.* The Developer shall dedicate rights-of-way for and construct turn lanes and acceleration/deceleration lanes concurrent with construction of any road on the Property that intersects FM 552, in accordance with City and TXDOT standards and specifications at the time of development of adjoining property.
- c. *Breezy Hill Road Improvements.* The Developer shall dedicate a minimum of twenty-five feet (25') of right-of-way or such right-of-way as is needed to construct a twenty-four foot (24') concrete rural section of Breezy Hill Road and appurtenances adjacent to the Property, together with a two-foot (2') asphalt or concrete shoulder on either side of the concrete section, the total not to exceed twenty-eight feet (28') in width, from the northern point of Breezy Hill Road adjacent to the Property, to FM-552, as shown on the Development Plan. The Developer also shall dedicate and improve a minimum landscape buffer of ten feet (10') for the residential tract and fifty feet (50') for the retail tract, adjacent to the right-of-way for Breezy Hill Road, designed in accordance with the requirements of a PD District then in effect for a rural collector. The bar ditch that abuts the buffer strip, designed to a maximum slope of 3: 1, shall not encroach into the required ten-foot or fifty-foot buffer area, except to the extent that the buffers exceed ten feet (10') in width. The Developer shall dedicate right-of-way for Breezy Hill Road and the landscape buffer at the time of final plat approval for any lot abutting Breezy Hill Road. Developer shall construct Breezy Hill Road in conjunction with the retail tract that is final platted adjacent to Breezy Hill Road. Breezy Hill Road will be constructed from the northernmost intersection created by any portion of the retail tract being platted, south to FM-552. Developer shall install any

Exhibit 'D':
Capital Facilities Agreement

EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

needed expansion of existing culverts created by such construction or the development, of such retail tract.

- d. *Payment of Roadway Impact Fees.* Roadway impact fees shall be paid at rates and at the times provided for in the City's then existing impact fee regulations. Construction costs incurred by Developer for roadway improvements in this Agreement that are included in the City's roadway improvements plan for impact fees shall be credited against roadway impact fees otherwise due, in accordance with the City's impact fee regulations.
5. *Drainage Improvements.* Dedication of rights-of-way for and construction of drainage improvements shall be provided as specified in conditions imposed with approval of the master plat for development within the PD District and in accordance with City standards and specifications.
6. *Parks and Open Space.*
 - a. The Developer or a property owners association shall maintain public parklands and improvements within the development for a period of three (3) months from the completion and acceptance of the improvements. Thereafter, the City shall assume responsibilities for maintenance. All open space and improvements which are not dedicated as parkland to the City shall be maintained as common areas in perpetuity by the property owners association for the PD District. Additionally, the property owners association shall maintain Developer-installed landscaping areas in public rights-of-way and public drainage ways internal to and adjacent to the Property.

III. GENERAL PROVISIONS

1. *Notice on Sale.* The Developer shall provide the City with notice of the sale of any tract or parcel within the District that has not been platted at the following address:

Rockwall City Manager
Rockwall City Hall
385 S. Goliad Street
Rockwall, TX 75087

2. *Recording.* This Agreement is intended to run with the land, and shall be recorded in the Real Property Records, Rockwall County, Texas.
3. *Term of Agreement.* This Agreement shall terminate two (2) years following the City's acceptance of the dedication and construction of the public improvements described herein serving the last phase of development within the PD District, after which the City agrees, upon the request of the Developer to execute a termination of this Agreement in recordable form. Any reimbursements for payment of impact fees shall not expire.
4. *Effective Date.* This Agreement shall take effect upon the date of its execution by the last of the Parties to the Agreement; provided, however, that Breezy shall execute this Agreement no later than five (5) business days following the

Exhibit 'D':
Capital Facilities Agreement

EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

effective date of the PD zoning ordinance for the Property. If Breezy fails to execute this Agreement within such period, this Agreement shall become null and void, and unless a subsequent agreement, acceptable to the City and the Developer, is agreed to, the City may thereafter deny any PD site plan, master plat or other plat application on grounds that the application is not supported by adequate public facilities and services.

5. *Severability.* Invalidity of any provision of this Agreement by judgment or court order shall not invalidate any of the remaining provisions which shall remain in full force and effect, unless such remaining provisions are an integral part of the invalid provisions or the invalid provision is necessary to give effect to the remaining provisions.
6. *Enforcement.* This Agreement may be enforced by the Parties by any proceeding at law or in equity. Failure to do so shall not be deemed a waiver to enforce the provisions of this Agreement thereafter.
7. *Venue.* Venue for this Agreement shall be in Rockwall County, Texas.
8. *Execution.* This Agreement may be separately executed in individual counterparts, and upon execution, shall constitute one and the same instrument.
9. *Amendment.* This Agreement may only be amended in writing upon mutual consent of the City and the Developer.
10. *Joint preparation.* This Agreement shall be deemed to have been jointly prepared by all Parties hereto, and no ambiguity of this Agreement shall be construed against any party based upon the identity of the author of this Agreement or any portion thereof.
11. *Recitals Incorporated.* Statements and representations contained herein are to be considered contractual in nature and not merely recitations of fact. The Recitals contained in Part I of this Agreement hereby are expressly incorporated into this Agreement by reference.
12. *Construction.* All references herein in the singular shall be construed to include the plural where applicable, the masculine to include the feminine and neuter genders.
13. *Authority.* Each of the signatories to this Agreement represents and warrants that he is authorized to execute this Agreement and bind his principals to the terms and provisions hereof. Each Party warrants that any action required to be taken in order for this Agreement to be binding on it has been duly and properly taken prior to the execution of this Agreement.
14. *Conflicts.* In the event of a conflict between this Agreement and any provision of the Unified Development Code, the City Code, or any City ordinance, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this Agreement, the standards in this Agreement shall control.

Exhibit 'D':
Capital Facilities Agreement

EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

15. *No Waiver.* Developer retains the right to challenge the application of any City impact fee regulations to the Property solely on the basis that such regulations fail to comply with Chapter 395 of the Texas Local Government Code, as amended. If Developer prevails in such a claim, impact fees shall be applied to the development of the Property and paid by the Developer, as applicable, in accordance with the court order.

Exhibit 'D':
Capital Facilities Agreement

EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

PARTIES TO THE AGREEMENT

CITY OF ROCKWALL

By: 

Name: DAVID SWEET

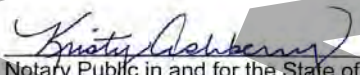
Title: MAYOR

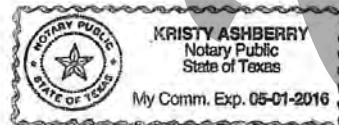


STATE OF TEXAS

COUNTY OF ROCKWALL

SWORN AND SUBSCRIBED TO BEFORE ME, by said DAVID SWEET, who in their capacity as MAYOR for the City of Rockwall, acknowledges that he was authorized to execute the foregoing document this 2nd day of October 2012, certify witness my hand and seal of office.


Notary Public in and for the State of Texas



**Exhibit 'D':
Capital Facilities Agreement**

EXHIBIT 'D': CAPITAL FACILITIES AGREEMENT FOR BREEZY HILL

PARTIES TO THE AGREEMENT

BREEZY HILL 405, LTD, ^{ATXAS}
^{BREEZY HILL 405 CORPORATION, ATXAS CORPORATION,}
^{13 GENERAL PARTNER}

By: [Signature]

Name: RICHARD M. SKOBBEL

Title: PRESIDENT

STATE OF TEXAS

COUNTY OF ROCKWALL

§
§
§

SWORN AND SUBSCRIBED TO BEFORE ME, by said RICHARD M. SKOBBEL, who in their capacity as PRESIDENT for the Breezy Hill 405, LTD, acknowledges that he was authorized to execute the foregoing document this 1st day of OCTOBER, 2012, certify witness my hand and seal of office.

[Signature]
Notary Public in and for the State of Texas



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MEMORANDUM

TO: City Council

FROM: Robert LaCroix

DATE: April 29, 2015

SUBJECT: Natural or Quarried Stone Requirements

The natural or quarried stone requirements are found within each of the corridor overlay districts of the Unified Development Code under the Architectural Standards section. This section states the following:

- *Architectural standards.*

- 1.

Masonry requirements. Each exterior wall shall consist of 90 percent masonry materials, excluding doors and windows, as defined in article XII, Definitions, excluding cast stone and cultured stone, on walls which are visible from a public street or open space, **including a minimum of 20 percent natural or quarried stone.**

- a.

Primary exterior materials shall include natural or quarried stone, brick, glass block or glass, tile, cast metal and custom concrete masonry units. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the buildings exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first four feet above grade on a facade visible from a street or public area. Each elevation's masonry requirement shall incorporate accent bricks or stones. As the term is used, an "accent brick or stone" is one that provides a contrast by color, shape, size, and/or texture to the field of primary bricks or stones in an elevation.

- b.

Secondary materials used on the facade of a building are those that comprise less than ten percent of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, EIFS, cast stone, cultured stone or other materials as approved by the director of planning or his designee.

At the time of adoption of the natural stone requirement into the corridor overlay, the intent was to ensure that a high quality stone product was used on the façades of highly visible commercial and industrial building along the major roadways. At that time, cultured stone varied in quality and generally, the applications that were being applied in the City of Rockwall did not have the appearance that the City Council was pleased with. The zoning code was amended to adopt the stricter requirement for natural or

quarried stone in the corridor overlay districts in addition to the city wide 20% stone for all commercial and industrial buildings.

The stone requirement has been problematic with some larger buildings but more particularly with the very large industrial buildings such as the ones located in the REDC industrial tech park. However, this issue was presented to the REDC in the past and they have preferred to continue requiring the 20% stone requirement and natural stone requirement where it applied along the dual overlay districts that border the park. The use of this requirement has enabled the REDC to ask for and in most cases, receive a higher level of architectural quality on the buildings they have been directly involved with, both in and outside the park.

The quality of cultured stone has improved dramatically over last few years and the variances that have been approved to allow the cultured stone have mandated the higher quality product. As stated, the real issue is generally with construction of substantially larger buildings, those that exceed 25,000 square feet in area. Most of the newer shopping centers have been able to comply with the requirement because the building(s) are connected in long spans and the front facades can meet the requirements however the developers usually ask for relief on the rear building facades. The bigger issue is with larger single buildings on individual lots, those that exceed 25,000 square feet. Should the developer request a variance to the natural stone standard, the existing requirement then allows the City Council to require a high quality cultured stone product that would not be attainable otherwise. There are several levels of cultured stone products and all recent variances approved by the Council have been associated with a high quality product that has integrated color mixed through the stone using real crushed stone rather than cement. High quality manufactured stone veneer is cast from molds of real stone which makes it lighter than natural stone. The installation process requires less labor in addition to being less expensive than natural stone.

The key issue is that the natural stone requirement gives the Council the ability to negotiate, if they choose, for a much better quality stone product when the developer requests a variance. Consideration of variances on single larger buildings, i.e. buildings 25,000 square feet or greater, has produced high quality commercial building facades within the City. However, this continues to be a discretionary decision for the Council, and there may be some guidelines or policies to consider that would make this a more equitable requirement.

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Ashberry, Kristy

From: Crowley, Rick
Sent: Wednesday, April 29, 2015 10:27 AM
To: Ashberry, Kristy; Smith, Mary
Subject: Fwd: Agenda Item

Sent from my iPhone

Begin forwarded message:

From: "[Pruitt](#)" <[Pruitt](#)>
Date: April 29, 2015 at 5:41:31 AM CDT
To: "Crowley, Rick" <RCrowley@rockwall.com>
Subject: Agenda Item

Please put an item on the agenda about open forum at each regular council meeting as we recently discussed.

Mayor Jim Pruitt



City of Rockwall
The New Horizon

MEMORANDUM

TO: Honorable Mayor and City Council Members
FROM: Kristy Ashberry, City Secretary
DATE: May 1, 2015
SUBJECT: Agenda item – Open Forum(s)

Mayor Pruitt has requested that a discussion item be placed on the May 4 meeting agenda to discuss and consider scheduling Open Forum at each regular city council meeting. With the council's current meeting schedule, this change would mean Open Forum would be included on agendas for both the 1st and the 3rd Monday meetings each month. The "Policies and Procedures of the Rockwall City Council..." which currently calls for Open Forum to be scheduled during the first regular meeting of each month, is included in your meeting packet (*see highlighted reference on page 12 of the PDF (labeled pg. 11 on the bottom, center of the actual page)*). The Council may, at its discretion, choose to modify these Policies and Procedures.

**POLICIES AND PROCEDURES OF THE
ROCKWALL CITY COUNCIL AND OTHER BOARDS & COMMISSIONS**

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APPENDIX ONE. CURRENT LISTS FOR BOARDS, COMMISSIONS, COMMITTEES

- I. List of Boards and Commissions**
- II. List of Council Representatives on Committees**
- III. List of Council Subcommittees**

PREAMBLE - INTRODUCTION, DEFINITIONS, AND BASIS FOR ADOPTION

Pursuant to Section 3.10 of the Charter of the City of Rockwall, Texas (Charter), the Rockwall City Council (Council) adopts the following rules and order of business governing all Council meetings.

A. Statement of Purpose

The Policies and Procedures of the Rockwall City Council (Policies) are intended to describe the rules and guidelines by which the Rockwall City Council operates and to set forth standing Council policy. The manual includes excerpts from the Home Rule Charter for the City of Rockwall, the City of Rockwall Code, and the Texas Local Government Code. Unless otherwise noted, the text of the manual is assumed to be Council policies and procedures in addition to those established in law. The manual serves as a quick reference for resolving policy and procedural questions during meetings and work sessions. These Policies may be amended or waived by a majority vote of the elected members of the Council, except those rules that are required by law.

B. Sources and Definitions

As used in these Policies, the following words have the following meaning:

- 1. The word City means the City of Rockwall, Texas.
- 2. The word Charter means the Home Rule Charter for the City of Rockwall, as amended.
- 3. The word Code means the Rockwall Code of Ordinances, as amended.
- 4. The term TX Code means the Texas Local Government Code, as amended.
- 5. The word Council means the duly elected City Council of the City of Rockwall.
- 6. The words Council member(s) mean a duly elected and sworn member of the City Council of the City of Rockwall, and include the Mayor and the Mayor Pro Tem.
- 7. The words Code of Ethics means the Ordinance.

C. Oath of Office

Each Council member, including the Mayor, must swear or affirm the following Oath of Office before participating in Council business:

I, _____, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of _____, City of Rockwall of the State of Texas, and will to the best of my ability preserve,

protect, and defend the Constitution and laws of the United States and of this State, so help me God.

SECTION ONE - GOVERNMENTAL STRUCTURE

A. Powers of the Council

Local Government powers are conferred on the elected Council by the State of Texas and the people of the City of Rockwall by way of the democratic process. Powers are defined by the Charter, State law, and the Texas Constitution.

The City is a Home Rule City, as authorized by Article 11, Section 5 of the Texas Constitution. The Charter was first adopted on January 19, 1985 and amended on the following dates: May 7, 1988, May 1, 1993, May 4, 1996, and May 7, 2005.

B. Mayor & Mayor Pro Tem

1. Mayor

Charter section 3.04 prescribes the duties of the Mayor and the Mayor Pro Tem. The Mayor is the official head of the City government and serves as the presiding officer over Council meetings, and performs other duties consistent with the office. The Mayor has the right to vote on all items voted on by the Council, but has no power to veto. The Mayor is the “first among equals,” and his or her vote counts no more and no less than the vote of any other individual Council member.

2. The Mayor Pro Tem

The Mayor Pro-Tem is a Council member elected annually by the Council at the first regular meeting after each election of Council members and/or Mayor. The Mayor Pro-Tem acts as Mayor during the disability or absence of the Mayor.

C. Filling Council Vacancies

Charter section 3.05 provides for filling vacancies on the Council. Generally, within thirty days of any Council vacancy, the Council must appoint an individual to fill the vacancy for the unexpired term only (i.e., until the next regular election), at which time the position is placed on the ballot.

The procedure for filling vacancies is set forth in Section 3.A. of these Policies.

D. Council-Manager Form of Government

Charter section 1.02 provides that the City is a Council-Manager form of government. The Council, consisting of the elected Mayor and Council members, appoints the City Manager who is directly responsible to the Council for executing the laws and administering City government.

Under this form of government, the governing body is composed of citizens serving on a part-time basis to decide major policy issues, much in the same manner as the Board of Directors of a private corporation. The Mayor's role is to preside over Council meetings much

like a Chairman of the Board. Council members serve the interests of the citizens who elected them to office—the stockholders of the corporation.

The City Manager is comparable to the corporation's Chief Executive Officer. The City Manager is a professionally trained public administrator charged with implementing the policies and directives of the Council. The City Manager has broad administrative authority and the Charter has strict rules prohibiting political interference in administrative matters. Conversely, the City Manager refrains from participating in political activities that would impair professional administration.

E. The City Manager's Role in Administrative Affairs

Charter section 4.01 provides for the qualifications, powers, and duties of the City Manager. The City Manager is responsible for the appointment, removal, and supervision of all City employees.

With the exception of the City Attorney and the Municipal Judge, all City staff are employees of the City Manager. Thus, neither the Council nor any of its members should direct or request the appointment or removal of City officers or employees.

F. Council/Staff Relationships and Communications

Except for inquiry and timely communication, the Council should contact City employees through the City Manager. Council members should refrain from giving orders or direction to any subordinate of the City Manager, either publicly or privately.

While it is inappropriate for any Council member to instruct a City employee, it is appropriate for Council members to inquire about information. Information that would be difficult or time consuming to produce, however, or that relates to a current or future agenda item, should be formally requested of the City Manager, rather than requested of an individual staff member. Work assignments and policy directions should come from the elected body as a whole and not from individual members. To avoid confusion and conflicting priorities, certain guidelines for Council/staff relationships should be followed.

Council initiatives generally fall into one of four areas:

1. Requests for information that is readily available;
2. Follow-up for a constituent relative to a municipal problem or question;
3. Requests for information not readily available and requiring considerable staff time and/or research effort;
4. Initiation of a new priority or program.

Normally, items under the first two areas can be handled directly between the Council member and City staff. Items under the last two areas should be channeled through the City Manager. If a Council member is not satisfied with the channels of communication, he or she should discuss the matter with the City Manager, whose job is to ensure the thorough and timely flow of information.

G. Implementing the Will of the Majority

Once a vote is taken and the issue decided, Council speaks to the staff with a single voice. City staff must respond to the majority view, regardless of whether individual Council members agree, and regardless of whether staff agrees.

H. Electronic Communications

The widespread use of electronic mail system (e-mail) raises concerns over the appropriate communications among Council members and between Council members and staff. Generally, all e-mail communications among Council members and between Council members and staff are subject to disclosure under the Texas Open Records Act. All e-mail communications to and from staff members should be in accordance with established guidelines for staff inquiries. The City Manager should be copied on all e-mail communications between Council members and Staff.

I. Conflict of Interest Rules

To ensure citizens that the judgment of public officers and employees is not compromised or affected by inappropriate conflicts, the Council passed an ordinance providing for a Code of Ethics for all officials and employees. The Code of Ethics applies to elected or appointed individuals, whether paid or unpaid, advisory or administrative. The Code of Ethics serves not only as a guide for official conduct of the City's public servants, but also as a basis for discipline for those who fail to abide by its terms. The ordinance states that the proper operation of democratic government requires that:

1. Public officials and employees be independent, impartial, and responsible only to the people of the City;
2. Governmental decisions and policy be made using the proper procedures of the governmental structure;
3. No officer or employee have any financial interest, direct or indirect, or engage in any business, transaction, or professional activity, or incur any obligation of any nature, which is in conflict with the proper discharge of his duties in the public interest;
4. Public office not be used for personal gain;
5. The Council at all times be maintained as a nonpartisan body.

The Code of Ethics provides for standards of conduct for officers and employees of the City as well as providing for penalties for violations. In addition to the local Code of Ethics, Council members are bound by state law pertaining to conflicts of interest as well. The City Attorney is the proper person to consult for competent legal advice concerning conflict of interest questions.

The Council has established that the City Attorney will provide annual training for all members of the City's boards and commissions, as well as for Council members.

J. Council Representatives on Various Committees

The Council is represented on a number of committees and groups. These include intergovernmental bodies, various community organizations, Council subcommittees, and as

liaisons to selected boards and commissions. Such representation is distinct from formal appointments to Boards and Commissions.

K. Representation on Outside Organizations

Outside groups often invite the Council to participate in their activities. For appointments to outside groups, the Council may designate either a Council member or a City employee (if appropriate) to the committee or group. Appointments for these positions occur as needed.

L. Representation and Role of Council subcommittees

The Council may create a Council subcommittee to review and provide recommendations to the full Council concerning a specific issue. Subcommittees should be considered by the Council when items of interest to the Council will require a significant amount of time to develop and review beyond what may reasonably be accomplished in a regular meeting or workshop of the full Council. The role of a subcommittee is to examine issues in depth when requested by the full Council and to report back their findings and recommendations. They do not have the responsibility or authority to set policy. Additionally, subcommittees have no authority to direct the spending of funds unless approved by the full Council.

Generally, subcommittees are created when Council members at a posted meeting consider such creation. Procedures for establishing and operating a subcommittee are as follows:

1. Establishing subcommittees

The Council may establish a subcommittee at a posted meeting. Upon establishment the Council will adopt a resolution creating the subcommittee. The resolution will contain guidelines as to the scope, function, or charge of the subcommittee. The resolution will also identify the term of the subcommittee, reporting requirements to the full Council, and whether the subcommittee is a standing committee with ongoing functions, or an ad hoc committee. The resolution will be prepared by staff with input by the subcommittee members and submitted to the Council within 30 days of establishing a subcommittee.

2. Appointments

Appointments to subcommittees may be made at any time by the Council. Appointments to subcommittees should be reviewed and adjusted as necessary annually after elections once the new Council takes office. However, the Council may make reassignments and new assignments as needed.

3. Reporting and Communication with Council

Subcommittees shall make periodic reports to the full Council as provided in the resolution establishing the subcommittee. Interim reporting may occur at a posted Council meeting or it may occur through updates provided by staff. Such interim reporting will include updates to the full Council regarding activities that involve discussions or participation with outside parties.

Final and periodic reporting as outlined in the establishing resolution will occur at posted Council meetings. Such reports are intended to reflect the opinions and ideas of each Council member serving on a subcommittee.

Once a subcommittee has been formed and is working, should one or more Council members who have questions or wish to discuss the item being developed or reviewed by the subcommittee should request an item for discussion of such at a regular Council meeting.

4. Operation of Subcommittees

The staff liaison has the responsibility for scheduling meetings with the subcommittee. Staff also has the responsibility for tracking the work of the subcommittee and providing access to all reports and committee assignments to the full Council.

When the Council votes on the recommendations of a subcommittee, generally the motions to act on those items should be made by council members not serving on the subcommittee.

5. Orientation of New Council members

Staff will include a review of the operation and process of subcommittees in the orientation process with newly elected council members.

M. Role of Council Liaisons to Boards and Commissions

From time to time the Council will consider establishing a Council liaison to particular City boards or commissions to improve communication between the Council and the Board. Their role will be to periodically meet with the Chair of that Board or Commission, to periodically attend the meetings of the assigned Board or Commission, and report back to Council with any recommendations. Items of interest or upcoming action for Council may be communicated from the liaison to the City Manager, who may then forward the information to the full Council. Appointments as liaison may be made at any time by the Council. Appointments should be reviewed and adjusted as necessary annually after elections once the new Council takes office. However, the Council may make reassignments and new assignments as needed.

SECTION TWO— CITY COUNCIL MEETINGS

A. Monthly Council Meetings

Charter section 3.08 provides that the Council shall hold at least one regular meeting each month and as many additional meetings as it deems necessary to transact the business of the City. The Council conducts regular meetings beginning at 6:00 p.m. on the first and third Monday of each month in the Council Chambers at City Hall, located at 385 S. Goliad. Special Council meetings are held at the call of the Mayor or a majority of the Council members as needed.

Activities during regular Council meetings include:

1. Consent Agenda for items that have previously been discussed, are of a routine nature and are unlikely to generate discussion, and are ready for action. Any member of the Council may pull an item for discussion and/or

separate vote. Council members are encouraged to submit any items they would like to pull from the consent agenda to the Chair prior to the start of the meeting.

2. Open Forums where Citizens may address the Council on any matter not included in the published meeting Agenda;
3. Public Hearings as required by law or Council policy. Public hearings may cover subjects such as proposed budgets, proposed Comprehensive Plan amendments, and rezoning;
4. Reports, Action Items, and Recommendations from the City Manager. Generally, the manager's report should be limited to 15 minutes and should include written or verbal information on the city's financial position, staffing status, status of capital construction projects, departmental activities, and other current information.
5. Reports, Action Items, and Recommendations from the Planning Commission and other advisory boards;
6. Award of Bids or Approval of Contracts where the Council formally authorizes the purchase of materials and the letting of contracts;
7. Action Items placed on the Agenda by the Mayor or one of the Council members;
8. Ordinances and Resolutions that are legal instruments where the Council establishes public policy, either in the form of local laws (Ordinances) or formal statements of fact and intent (Resolutions);
9. Appointments with Citizens who submit requests for action or consideration. Generally, any items that include a citizen, outside group, or other third party, other than zoning or other development related matters, should be placed under the appointment section of the agenda in order to address their issues early in the meeting.

Streamlined Council Meetings - It is the goal of the Council to have Council conduct business in an effective and efficient manner, while allowing for appropriate levels of input from both the public as appropriate, and from staff and Council members. City staff will identify estimated times for completion of agenda items. The Chair will set the end time for meetings and executive sessions. Generally, regular city council meetings will not extend past 11:30, however, the Chair may extend that time on a case by case basis. Actions not acted upon by the end of the meeting will be rescheduled to the next regular meeting unless the Council approves a special meeting to be held.

B. Open Meetings Law

The Texas Open Meetings Act provides that meetings of governmental bodies must be open to the public (except for expressly authorized executive sessions), and that the public must be given notice of the time, place, and subject matter of meetings of governmental bodies. Any additional procedures that a governmental body adopts for the conduct of its meetings must be consistent with the Open Meetings Act.

The Open Meetings Act applies to a governmental body when it engages in a “regular, special, or called meeting.” Informal meetings of a quorum of members of a governmental body are also subject to the act.

1. Deliberation Between a Quorum of a Governmental Body and a Third Party

A governmental body must comply with the Open Meetings Act when a quorum of its members is present and engages in verbal deliberation with a third party, for example, by listening to a report and asking questions of that person. Under this aspect of the definition, no verbal exchange among members of the governmental body is necessary to subject the deliberations to the act. Therefore anytime 4 or more members of the Council attend any Board or Commission meeting and takes part in the discussions, the City must comply with the Open Meetings Act, including but not limited to the posting of notices.

2. Notice

The Open Meetings Act requires written notice of the date, hour, place, and subject of all meetings at least 72 hours before the scheduled meeting time. The Open Meetings Act provides that a governmental body must give written notice of each meeting held by the governmental body.

3. Emergency Items

Special notice provisions exist for emergency items. In an emergency or when there is an urgent public necessity, the notice of a meeting or the supplemental notice of a subject added as a item to the agenda for a meeting for which notice has already been posted is sufficient if it is posted for at least two hours before the meeting is convened. An emergency or an urgent public necessity exists only if immediate action is required because of an imminent threat to public health and safety, or a reasonably unforeseeable situation.

C. Open Sessions

1. Convening the Meeting

A Council meeting may not be convened unless a quorum of the governmental body is present in the meeting room. This requirement applies even if the governmental body plans to go into an executive session immediately after convening.

2. Rights of the Public

A meeting that is “open to the public” under the Open Meetings Act is one that the public is permitted to attend. The act does not entitle the public to choose the items to be discussed or to speak about items on the agenda.

D. Closed Sessions

The Open Meetings Act provides certain exceptions to the requirement that meetings of a governmental body be open to the public. It provides a governmental body may not conduct a closed meeting unless (a) a quorum of the governmental body first convenes in an open meeting for which notice has been given, (b) during which the presiding officer publicly announces that a closed meeting will be held, and (c) the notice identifies the section or sections of the Open Meetings Act under which the closed meeting is being held.

1. Section 551.071: Consultations with Attorney

This section authorizes a governmental body to consult with its attorney in an executive session to seek his or her advice on legal matters when the governmental body seeks the advice of its attorney about pending or contemplated litigation; a settlement offer; or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter. The governmental body may hold an executive session to seek or receive its attorney's advice on legal matters that are not related to litigation or the settlement of litigation.

2. Section 551.072: Deliberations about Real Property

This section authorizes a governmental body meet in executive session to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

3. Section 551.073: Deliberations about Gifts and Donations

This section provides that a governmental body may deliberate a negotiated contract for a prospective gift or donation to the governmental body if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

4. Section 551.074: Personnel Matters

This section authorizes deliberations about the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of public officer or employee; or to hear a complaint or charge against an officer or employee;

This section does not apply if the officer or employee who is the subject of the deliberation or hearing requests a public hearing.

This section permits executive session deliberations concerning an individual officer or employee. Deliberations about a *class* of employees must, however, be held in an open session.

5. Section 551.087: Deliberations Regarding Economic Development Negotiations

This section does not require a governmental body to conduct an open meeting to discuss or deliberate regarding commercial or financial information that the governmental body

has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and within which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

E. Record of Meetings

1. Minutes and Tape Recordings of Open Sessions

A governmental body is required to prepare and keep minutes or make a tape recording of each open meeting of the body. The minutes must state the subject of each deliberation and indicate each vote, order, decision, or other action taken. The minutes and tape recordings of an open meeting are public records and must be available for public inspection and copying on request to the governmental body's chief administrative officer or the officer's designee.

2. Certified Agenda

A governmental body must make and keep either a certified agenda or a tape recording of each closed executive session, except for an executive session held by the governmental body to consult with its attorney in accordance with section 551.071 of the Government Code.

If a certified agenda is kept, the presiding officer must certify that the agenda is a true and correct record of the executive session. The certified agenda must include (1) a statement of the subject matter of each deliberation, (2) a record of any further action taken, and (3) an announcement by the presiding officer at the beginning and the end of the closed meeting indicating the date and time. A certified agenda or tape recording of an executive session is confidential.

SECTION THREE - COUNCIL PROCEDURES

A. Setting the Agenda

All meeting agenda items that require formal Council action are placed on the agenda for consideration. A draft of the agenda of the regular meetings is completed on the Wednesday before the Monday Council meeting. If necessary, the agenda may be supplemented on the Friday before the Monday meeting. Items may be added to the agenda in the following ways:

1. The City Manager may add items as needed;
2. Items may be added by individual Council members by completing the appropriate form and returning the form to the City Secretary. Generally, the items should be submitted by the Wednesday deadline for inclusion on the next meeting. Generally, when items are added the staff will provide appropriate information as deemed necessary by the City Manager for the Council to make informed decisions about the item. Staff will only move forward to develop detailed information, ordinances, or other documents related to acting on the item should the Council vote to move forward.
3. Items may be added by citizens by submitting a written request outlining their topic or request by Wednesday before the Monday Council meeting.

4. Items may be added by applicants for formal action by the Council as in zoning or development applications.

Items originating from Council members should be shared with the City Manager. The City Manager is responsible for preparing and distributing the agenda.

B. Presiding Officer

The Mayor is the Chair and presides at every meeting of the Council and, at the appointed hour, calls the Council to order, provided a quorum is present.

While each Council member is responsible for maintaining order in the Council Chambers, the Chair preserves order and controls the Council Chamber and the connecting rooms. In case of a disturbance or disorderly conduct, the Chair may order any room or chamber cleared.

The Mayor Pro Tem presides as Chair of the Council meeting in the Mayor's absence.

C. Public Participation in Council Meetings

State law and City ordinances permit the public to speak during a posted public hearing. Speakers will be asked to limit their remarks and speak only once until others who desire to speak have been heard. All speakers will speak only when recognized by the Chair, and will address the Council. No dialogue between speakers will be permitted. The Chair may request that speakers limit their comments to three minutes.

The Council may hear from persons during the "open forum" session, which is held on the first regular meeting of each month. At that time, such persons may address the Council on any topic not already included in the posted agenda which will allow public comment. The Council may not enter into discussions with the speaker or with the Council or staff on any item raised under open forum other than to indicate if the item needs to be placed on a future agenda or if the staff will work with the speaker to resolve their issue. The guidelines for the open forum will be displayed on the overhead screen. Each speaker will be given 3 minutes for an open forum topic, unless the Chair grants an extension.

Individuals who have requested an appointment with the Council will generally be given 3 minutes to make their presentation, unless the Chair grants an extension.

The Chair will request all speakers to sign in with the City Secretary for the record.

The City Charter provides that at any reading of a proposed ordinance, the adoption of which was not preceded by a public hearing held by the City Council, interested persons must be given a reasonable opportunity to be heard on the matter.

D. Public Hearings

Public hearings primarily are concerned with zoning or any matter for which a public hearing is required by law such as Budget; Tax Matters; Utility Rate Increase, zoning matters, etc.

1. Staff Presentation of the Item

Prior to opening a public hearing the Chair will recognize the appropriate City staff person handling the matter. Staff reports should generally contain a brief summary of the case and any new information that the Council may need to be aware of in their deliberations. In zoning matters before the Council, The Staff will present the facts surrounding the case and state the action of the Planning and Zoning Commission. If sought, the Mayor must recognize Council members who seek clarifying questions of the Staff.

2. Conduct of the Public Hearing

At the conclusion of the staff report, the Chair will open the Public Hearing and, if applicable, the applicant may present their case. Following the applicant(s), any other interested citizen is entitled to speak on the application. Generally, the applicant will be given 10 minutes to present their case and others addressing the Council will be given 3 minutes to address the Council. The Chair may grant reasonable extensions.

To provide the Council with as much necessary information concerning the item as is necessary to reach an informed and rational decision on the matter, and in the case of a zoning request, afford all zoning applicants the opportunity to present their entire case, Council members should refrain from commenting on the merits of the item until the Public Hearing is closed.

3. Council Action

After every citizen who desires to address the Council has spoken and after the applicant has been afforded the opportunity for rebuttal, the Chair will close the Public Hearing. At this time, the matter is returned to the Council for discussion or debate before a Motion is made pursuant to the procedures set forth in these Policies and Procedures.

E. Types of Council Actions

The Council adopts standing policy for the city primarily in three forms: (1) Ordinances; (2) Resolutions; and (3) Voted Council Actions.

1. Ordinances

An ordinance adopted by the Council is a law of the city that may be enforced through the court system. The City Manager or any member of the Council may offer an ordinance for consideration by the Council. Copies of proposed ordinances are furnished to members of the Council before the first reading. Copies of proposed ordinances are made available at the City offices and will be furnished to citizens upon request to the City Secretary.

A proposed ordinance, except as related to an emergency, budget, tax, public utility rate setting, or State or Federal requirement, must be read at two Council meetings with at least one week between readings.

A proposed ordinance may be amended at either reading, but any ordinance amended in substance must be considered as a first reading, except for ordinances authorizing the issuance of bonds or other obligations.

The Charter requires that the City codify all general ordinances. General ordinances are those ordinances of a permanent or continuing nature that affect the residents of the City at large. The Council may legislate by ordinance only.

2. Resolutions

Resolutions do not have the force of law. A resolution is adopted to state a policy or to define in writing the intent of the Council when a law is not necessary. Examples would include a resolution to define the scope and purpose of a Council committee, or a resolution to define the Council's policy on an issue such as the City's street assessment program. Resolutions are also used to document Council actions for reference.

A list of resolutions is maintained by the City Secretary.

3. Council Actions

In addition to ordinances and resolutions, Council policy may also be set by Council action. Those actions are documented in the minutes of the meeting.

Council policy is also supplemented by administrative orders issued by the City Manager and other duly authorized offices of the city, such as clarifications to the personnel manual, or the General Orders of the Police Department. All administrative orders must be in conformance with any policies set by the Council.

F. Method for Determining Procedural Questions

The City Attorney serves as the Council parliamentarian and should be consulted on the proper conduct of meetings when questions arise. With the assistance of the City Attorney, the Chair decides all points of order.

G. Order of Discussion

1. Duties and Responsibilities of the Chair

a. Public Participation on Items Not Requiring Public Hearing

The Chair may determine if members of the public will be allowed to address the Council on an agenda item that does not require a public hearing. If the Chair determines it will permit the public to address the Council, the Chair will then determine the time allotted for speakers to address the Council.

b. Arranging the Agenda

The Chair may alter or rearrange the order of consideration of items on the posted agenda.

c. Maintaining Decorum

The Chair is responsible for maintaining decorum in the Chambers during meetings. If the safety of the public and/or the Council or Staff becomes a concern, the Chair may order the removal of disruptive persons or ask that the Council Chambers be cleared.

d. Council Participation

Every Council member who wishes to speak must first be recognized by the Chair. The Chair will recognize Council members by order of request for recognition.

H. Motions

1. Motions Generally and Permissible Debate

Generally, there are three types of Motions: (1) Main; (2) Secondary; and (3) Privileged. Motions are usually classified into three categories: (1) Not Debatable; (2) Debatable; and (3) Privileged (for limited debate).

a. Main Motions

A Main Motion is the Motion that initiates action. Once made, it must be seconded. If it is not seconded it can be withdrawn or simply declared by the Chair to die for lack of a second. Then, another Motion can be made. A new main Motion cannot be made while the first main Motion is being debated.

Main Motions are debatable. The debate must be relevant to the Main Motion or the items under discussion if no motion has yet been made.

b. Secondary Motions

A Secondary Motion is used to propose an action on the main Motion being debated. Examples of Secondary Motions include, but are not limited to, Motions to Table, to Cease Discussion, to Amend, to Postpone, and to Refer to Committee. Secondary Motions are generally not debatable.

c. Privileged Motions

A Privileged Motion is used to bring procedural questions before the Council; they do not require a second. Examples of Privileged Motion include, but are not limited to, Motions to Recess, to Adjourn, and to vary the Order of Agenda.

Privileged Motions, such as a Motion to Recess or Adjourn, can have limited debate. It is within the Chair's sole discretion to allow debate on a Privileged Motion and, if allowed, the parameters of debate on a Privileged Motion are set solely at the Chair's discretion.

2. Entertaining Motions

The Chair may make a motion on an item being addressed by the Council, or may recognize a Council member to make such a motion. If seconded, the Chair must ultimately call for the Council's vote on the matter. If not seconded, the Chair must declare the motion dead for lack of a second.

Although the Chair may entertain motions and seconds before all Council members have had the opportunity to speak on the matter, the Chair may not call for a vote on any seconded Motions until all Council members who wish to speak on the matter have been given the opportunity to do so.

After all discussion and debate has ended, the Chair will call for the ordinance to be read (when such reading is required by local or state law), after which time the Chair will ask for the Council's vote on the matter.

I. Voting

1. Majority Vote Required for Most Council Action

Unless otherwise required by statute, ordinance, or law, or by the Charter or these Rules, all Council action requires the affirmative vote of a majority of the Council members present.

2. Items Requiring Unanimous Vote

An affirmative vote of the entire Council is required to authorize the emergency borrowing of money.

3. Items Requiring Supermajority Vote

An affirmative vote of at least six members of the Council is required:

1. To issue Certificates of Obligation in the event of an urgent public necessity, when a vote of the citizens is not held;
2. To issue Revenue bonds when a vote of the citizens is not held; and
3. To approve a zoning change if the owners of twenty-percent of the land within 200 feet of the proposed area to be changed register written opposition to the change or if the Planning and Zoning Commission recommends denial of the change.

4. Items Requiring a Full Quorum Vote

An affirmative vote of at least four members of the Council is required:

1. to adopt an emergency ordinance;
2. to approve or amend the annual budget;
3. to approve the issuance of revenue bonds approved by the voters.

J. Filling Council Vacancies

In the event of a vacancy on the Council, the following procedure is hereby adopted for filling such vacancy:

The Council will, via news media, City Website, and Cable Channels, notify the citizens that the Council seeks applications from qualified citizens wishing to be considered for appointment.

All interested parties will be required to submit an application of interest to the City Secretary by a date certain.

The City Council will provide an opportunity at a public meeting for applicants to make short presentations to the Council to present their qualifications and reasons for wishing to serve. The Council may then choose to interview some or all of the applicants in executive session.

The Council will then finalize their decision as soon as practicable after the completion of the interviews.

K. Appointment Process for Boards and Commissions

It is the Council's objective to manage the appointment process so that (1) boards, commissions, and committees are composed of capable, dependable, and effective members, (2) citizens are encouraged to apply for appointments, (3) appointments are made on time, (4) new members are oriented and prepared for their roles, and (5) retiring members are recognized and thanked.

In an effort to perpetuate positive growth and healthy dynamics over time, it shall be the general policy of the Council that citizens appointed to boards or commissions will typically serve no more than six consecutive years in one position so that new members may be considered to serve. This policy may not necessarily be applied to those serving in a specific technical role on certain boards or commissions as determined by the City Council.
(Res. #10-43)

1. Application Procedures

All persons interested in serving on any City board, commission, or committee must first obtain from the City Secretary, complete, and return an Application for City Boards and Commissions. Applications may be submitted at any time and will be retained for two years for use when vacancies occur. Invitations to apply will be publicized periodically.

Notifications and Orientation of Appointees - the City Secretary will notify appointees in writing of their appointments by City Council and provide each appointee with the appropriate forms that must be completed and returned. The staff assigned to the board is responsible for orienting the new member to their duties.

Recognition of Outgoing Members - the City Secretary schedules an annual banquet for all board, commission, and committee members to express the city's appreciation for the work done by those volunteers. All outgoing members are recognized for their service.

Council Rules of Procedure Addendum

(Adopted by Ord. 10-18 on 07-19-10)

Chapter 171 of the Local Government Code – Conflicts of Interest

Chapter 171 of the Local Government Code regulates local public officials' conflicts of interest. TEX. LOCAL GOV'T CODE §171.001-.010. It prohibits a local public official from voting or participating on a matter involving a business entity or real property in which the official has a substantial interest if an action on the matter will result in a special economic effect on the business that is distinguishable from the effect on the public, or in the case of a substantial interest in real property, it is reasonably foreseeable that the action will have a special economic effect on the value of the property, distinguishable from its effect on the public. *Id.* §171.004(a).

A public official who has such interest is required to file, before a vote or decision on any matter involving the business entity or real property, an affidavit with the city's official record keeper, stating the nature and extent of the interest. *Id.* §171.004(b). In addition, a public official is required to abstain from further participating in the matter. *Id.* However, a public official that is required to file an affidavit is not required to abstain from participating in the matter if a majority of the members of the governing body have a substantial interest and are required to file and do file affidavits of similar interests on the same official matter. *Id.* §174.004(c).

Local Public Official

A "local public official" constitutes "a member of the City Council, any official appointed by the City Council, whether paid or unpaid, and any member of a board or commission".

Substantial Interest

A public official has a substantial interest in a business entity if the official:

- (1) owns 10 percent or more of the voting stock or shares of the business entity;
- (2) owns either 10 percent or more or \$15,000 or more of the fair market value of the business entity; or
- (3) receives funds from the business entity that exceeds 10 percent of the person's gross income for the preceding year.

Id. §171.002(a).

A person has a substantial interest in real property if the interest is an equitable or legal ownership with a fair market value of \$2,500 or more. *Id.* §171.002(b).

A public official is also considered to have a substantial interest in a business entity or real property if the official's relative within the first degree of consanguinity (blood) or affinity (marriage) has a substantial interest in the business entity or real property. *Id.* §171.002(c). As such, any "substantial interest" that a public official's spouse, parent, child, step-child, father or mother-in-law, or son or daughter-in-law has is imputed to the public official. TEX. GOV'T CODE 573.023; 573.024; Tex. Att'y Gen. Op. No. DM-267 (1993) at 2; Tex. Att'y Gen. LO-95-080, at 3. For example, a public official has a "substantial interest" in a business that employs the official's daughter if the official's daughter earns a small income, which exceeds ten percent of her gross income. See Tex. Att'y Gen. Op. No. JC-0063 (1999).

Business Entity

A business entity is defined as “a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, or any other entity recognized by law.” *Id.* §171.001(2). A nonprofit corporation is also considered a business entity. Tex. Att’y Gen. Op. No. JM-424 (1986) at 2. The term also includes a business entity that represents an entity or person with an interest in a matter before the city council. Tex. Att’y Gen. Op. No. DM-309 (1994), at 2. Another city or another public entity is not considered to be a business entity.

“Further Participation”

The limit on “further participation” does not preclude the interested public official from attending meetings, including executive session meetings, relevant to the matter in which he has a substantial interest, provided that the official remains silent during the deliberations. Tex. Att’y Gen. No. GA-0334 (2005), at 6. As such, an interested public official does not participate in a matter by merely attending an executive session on the matter and remaining silent during the deliberations. *Id.*

Special Economic Effect

The question of whether a vote or decision has a “special economic effect” on a business entity or on the value of real property is a question of fact. Tex. Att’y Gen. LO-98-052. Likewise, whether it is “reasonably foreseeable” that an action on the matter will have a special economic effect on the value of the property, distinguishable from its effect on the public, is fact specific. Tex. Att’y Gen. LO-96-049.

Budget Adoption

There are special rules beyond the filing of an affidavit and abstaining from voting that apply to the adoption of the City’s annual budget. If an item of the budget is specifically dedicated to a

contract with a business entity in which a member of the City Council has a substantial interest, the City Council must consider that line item separately.

Depositories

The City Council may select a bank as its depository even if one or more of its members is an officer or director of the bank or owns or has a beneficial interest, individually or collectively, in ten percent or less of the outstanding capital stock of the bank, so long as two conditions are met. One, a majority of the members of the City Council must vote to select the bank as a depository. Two, the interested member must abstain from voting.

Enforcement

If a member of the City Council or one of the City's boards or commissions votes on a matter that he or she has a substantial interest in and fails to abstain from further participation, the action of the City Council or the respective commission on the matter is not voidable, unless the matter that was the subject of the action would not have passed without the vote of the person who had a "substantial interest." A knowing violation of Chapter 171 is a Class A misdemeanor, which is punishable by a fine and/or confinement.

Chapter 176 of the Local Government Code – Conflicts Disclosure

Q: What is Chapter 176 of the Local Government Code?

A: Chapter 176 is a relatively new ethics law that was enacted by H.B. 914 in 2005. It requires certain local government officials to disclose employment and business relationships with vendors who conduct business with local government entities. After the law was implemented, city officials and others realized that the law created several unintended consequences. As such, the bill's author sought an opinion from the Texas Attorney General to clarify many provisions of Chapter 176. In response, the attorney general's office released Opinion Number GA-0446, which concluded that the legislative changes to the law were necessary. In response, the legislature passed H.B. 1491 during the 2007 regular legislative session. The bill became effective on May 25, 2007.

Q: Is the City of Rockwall subject to this law?

A: Yes, including boards and commissions.

Q: What local government officers are subject to this law?

A: Chapter 176 applies to the City Council and the City Manager. Chapter 176 may be applied to City Employees through the HR policies.

Q: When is an officer required to file a "conflicts disclosure statement"?

A: An officer is required to file a conflicts disclosure statement (“statement”) if a vendor enters into a contract with the city or if the city is considering entering into a contract with the vendor, and the officer or officer’s family member has an employment or other business relationship with the vendor that results in the officer or officer’s family member receiving taxable income that is more than \$2,500 in the preceding twelve months. An officer who receives investment income, regardless of amount, is not required to file a disclosure statement. *Id.* Investment income includes dividends, capital gains, or interest income gained from a personal or business checking or savings account or other similar account, a personal or business investment, or a personal or business loan.

An officer is also required to file a statement if the officer or officer’s family member accepts one or more gifts from a vendor that has an aggregate value of more than \$250 in the preceding twelve months. An officer is not required to file a statement in relation to a gift, regardless of amount, that is accepted by an officer or officer’s family member if the gift is given by a family member of the person accepting the gift, is a political contribution, or is food, lodging, transportation, or entertainment accepted as a guest.

(Note: An officer is required to file a statement no later than 5 p.m. on the seventh business day after the date on which the officer becomes aware of facts that require a filing of the statement.)

Q: How does Chapter 176 define a “vendor”?

A: A vendor is any person that enters or seeks to enter into a contract with a city. *Id.* §176.002(a). The term also includes an agent of a vendor. *Id.*

Q: How does Chapter 176 define a “family member”?

A: A family member is defined as a person related to another person within the first degree of consanguinity (blood) or affinity (marriage). *Id.* §176.001(2). An officer’s family member would include the officer’s spouse, father, mother, son, daughter, father-in-law, mother-in-law, son-in-law, daughter in law, or a step child. *Id.*

Q: To what types of contracts does the law apply?

A: The law applies to any written contract for the sale or purchase of real property, goods or services. A contract for services would include one for skilled or unskilled labor, as well as professional services.

Q: When is a vendor required to file a “conflicts of interest questionnaire”?

A: A vendor is required to file a conflict of interest questionnaire (“questionnaire”) if the vendor has a business relationship with the city and has: (1) an employment or other business relationship with an officer or an officer’s family member that results in the officer receiving taxable income that is more than \$2,500 in the preceding twelve months; or (2) has given an officer or an officer’s family member one or more gifts totaling more than \$250 in the preceding twelve months.

A vendor is required to file a questionnaire not later than the seventh business day after the later of the following: (1) the date that the vendor begins discussions or negotiations to enter into a contract with the city or submits an application or response to a bid proposal; or (2)

the date that the vendor becomes aware of a relationship or gives a gift to an officer or officer's family member.

Q: With whom should the statements and/or disclosures be filed?

A: The statements and disclosures must be filed with the City Secretary. The City is required to post statements and disclosures on the website.

(Note: The City does not have a duty to ensure that a vendor that is required to file a questionnaire files one. *Id.* §176.008.)

Q: What happens if a statement is not filed?

A: An officer or vendor who knowingly fails to file a statement or a disclosure when required to do so commits a Class C misdemeanor which is punishable by a fine of up to \$500. It is an exception to prosecution if an officer/vendor files a statement/questionnaire not later than the seventh day after the date the person receives notice from the city of the alleged violation.

(Note: The validity of a contract between a city and a vendor is not affected solely because an officer or vendor fails to file a statement or disclosure.)

Q: Where can an officer or vendor obtain the necessary forms?

A: The Texas Ethics Commission is charged with creating statements and disclosure forms, and has adopted new forms that conform to the new bill. The forms may be found at www.ethics.state.tx.us or by contacting the City Secretary's office at 972-772-6406.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Kristy Ashberry, City Secretary

DATE: May 1, 2015

SUBJECT: Scheduling official canvass of election

The 2015 election calendar, published each year by the Texas Secretary of State's office, indicates that this year, the official canvass of the May 9, 2015 election may occur any time between the dates of May 12 (Tues.) through May 20 (Wed.). State law stipulates that only two officers are needed for a quorum at a canvassing meeting (Tex. Elec. Code Ann. § 67.004(a)). Furthermore, canvassing must take place at a public meeting, the agenda of which has been published 72-hours in advance in accordance with the Texas Open Meetings Act.

Since the second council meeting in May falls on Monday, May 18, which is within the prescribed timeframe for canvassing the May 9 election, consideration may be given to scheduling the canvass for May 18. The following are options that may be considered:

- Scheduling the canvass on 05/18 at 4PM; formally swearing in newly elected members (by city secretary) prior to recessing into Executive Session; having a ceremonial swearing in at the start of the 6PM public meeting agenda; recognizing and thanking outgoing members;
- Scheduling the canvass on 05/18 during Action Items on the regular agenda; formally swearing in newly elected members (by city secretary) at the very end of the 6PM public meeting agenda; recognizing and thanking outgoing members; with this option, newly elected council members' first official meeting would be Monday, June 1st (unless a special meeting were called in between)
- Scheduling a special meeting to conduct the canvass prior to the May 18 regular council meeting. If this option were chosen, newly elected members would be sworn in (by city secretary) after the canvass occurs, and they would take their seats at the beginning of the May 18 meeting with any ceremonial swearing in and recognition of outgoing members taking place at the start of the public meeting.

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MEMORANDUM

TO: Rick Crowley – City Manager

FROM: Brad Griggs – Assistant City Manager

DATE: April 28, 2015

SUBJECT: 2015 Founders Day Festival

The 2015 City of Rockwall Founders Day will be held at Harry Myers Park on Saturday, May 16 beginning at 10:00am and concluding around 9:00pm. This will be the eleventh consecutive Founders Day Festival which started in 2004 when the City celebrated its 150th birthday.

Although there are not any major changes from the festival last year, minor changes such as the regional act stage has been upgraded and the location has been moved. The location of the food vendors has been changed to have them more centrally located. The headline act this year will be the Sawyer Brown Band. Sawyer Brown had multiple top ten hits on the country charts in the 1980's and got their "big break" on the TV show "Star Search".

In 2014, the City Council amended sec. 30-2, Regulated Activities in Parks which permitted the possession and consumption of alcohol in Harry Myers Park for City-sponsored events as designated by the City Council. Since the Founders Day Festival was held on the Square for eight years prior to the 2014 festival, patrons have been permitted to bring their own alcoholic beverages to the festival. When the venue location changed in 2014, the Council amended the ordinance to minimize conflict due to past history. In 2014, there were no alcohol related incidents that required Police Department intervention.

With the 2015 festival just a few weeks away, the Council has the discretion to designate the event as a City-sponsored event where the possession and consumption of alcohol would be permitted. The designation must be granted annually and expires at the conclusion of the event and can be limited to all or a portion of Harry Myers Park.

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 14-19

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 30 PARKS AND RECREATION, ARTICLE I IN GENERAL, SECTION 30-2. REGULATED ACTIVITIES IN PARKS TO AMEND THE POSSESSION AND CONSUMPTION OF ALCOHOL AT HARRY MYERS PARK; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the Rockwall City Council deems the public interest to be best served by the adoption of certain rules and regulations regarding Regulated activities in parks as set forth herein;

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

SECTION 1. That the Code of Ordinances in Chapter 30. Parks and Recreation, Article I. In General, Section 30-2 Regulated activities in parks is hereby repealed in its entirety and is replaced with a new Sec. 30-2 which shall hereby read in its entirety as follows:

Sec. 30-2. Regulated activities in parks.

- (a) *Camping.* It shall be unlawful for any person to camp in any public park in the city, except in designated authorized areas.
- (b) *Littering.* It shall be unlawful for any person to throw, dump or deposit any litter, garbage, refuse or rubbish upon property in any public park in the city except in receptacles providing therefor.
- (c) *Fires.* It shall be unlawful for any person to start, maintain or permit an open fire upon property in any park in the city except in designated authorized areas.
- (d) *Parking, driving motor vehicles.* It shall be unlawful for any person to park or drive a motor vehicle upon any property other than a public street in any public park in the city except in designated authorized areas.
- (e) *Hours of operation.* Neighborhood parks shall be open to the public from 5:00 a.m. until 10:00 p.m. Myers Park and Tuttle Park shall be open to the public from 5:00 a.m. until 11:00 p.m. All parks other than Myers Park and Tuttle Park are deemed neighborhood parks for purposes of this provision. Each city park shall have the hours in which it is open and closed to the public posted at the entrance to the park. It shall be unlawful for any person to be in a city park at any time except during the hours designated in this provision except by special permission of the city manager.

- (f) *Possession and consumption of alcohol is prohibited at any city park except for Harry Myers Park as designated by the City Council for city-sponsored events in designated areas.*

(Code 1982, § 19-3; Ord. No. 81-12, §§ 1—4, 5-4-1981; Ord. No. 85-10, §§ 1, 2, 3-4-1985; Ord. No. 00-11, § 1, 5-1-2000)

SECTION 2. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 3. That the Code of the City of Rockwall, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. That should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable.


SECTION 5. That it is hereby found and determined that the meeting at which this ordinance was passes was open to the public as required by Section 551.001 et seq., Texas Government Code, and that advance public notice of the time, place and purpose of said meeting was given.

SECTION 6. That this Ordinance shall take effect immediately upon its second reading and newspaper publication as required by the City Charter, Section 3.11.

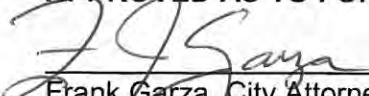
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 5th day of May, 2014.


David Sweet, Mayor

ATTEST:


Kristy Ashberry, City Secretary

APPROVED AS TO FORM:


Frank Garza, City Attorney

1st Reading: 04-21-2014

2nd Reading: 05-05-2014



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City of Rockwall
The New Horizon

Building Inspections Department Monthly Report

March 2015

Permits

Total Permits Issued: 227

Building Permits: 29

Contractor Permits: 198

Total Permit Values: \$ 7,326,536.01

Building Permits: \$ 4,513,026.38 Contractor Permits: \$2,813,509.63

Total Fees Collected: \$ 103,029.95

Building Permits: \$ 86,390.53 Contractor Permits: \$ 16,639.42

Board of Adjustment

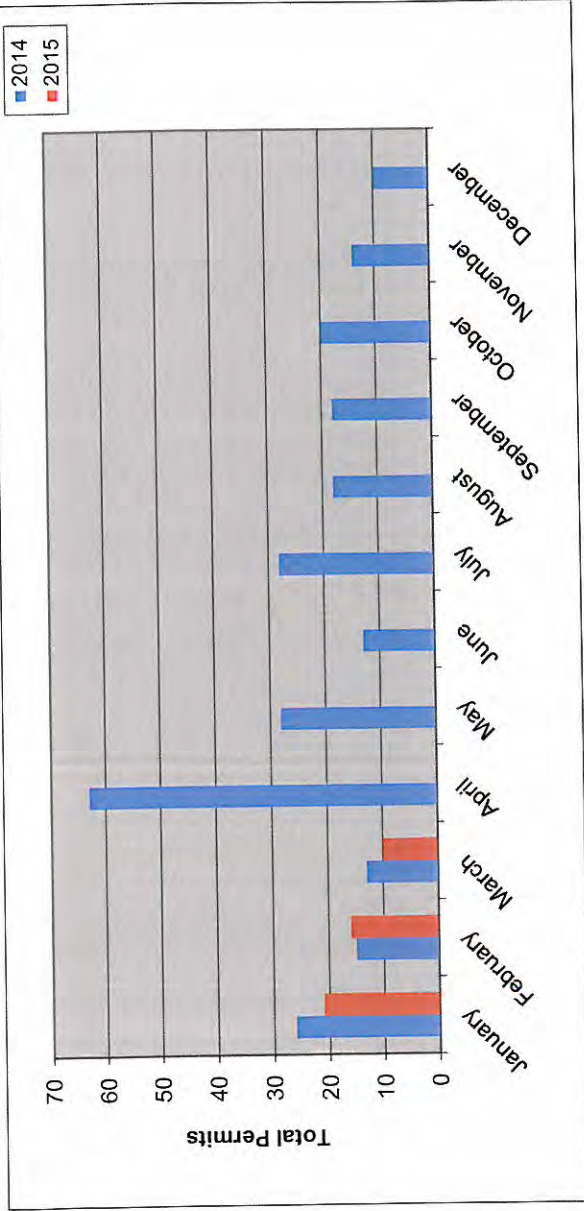
Board of Adjustment Cases 1

City of Rockwall
PERMITS ISSUED - Summary by Type and Subtype
For the Period 3/1/2015 thru 3/31/2015

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	11	\$0.00	\$504.50
	2	\$0.00	\$100.00
30 DAY BANNER	7	\$0.00	\$303.00
COMING SOON	1	\$0.00	\$50.00
GOING OUT OF BUS	1	\$0.00	\$51.50
CLEAN SHOW	2	\$0.00	\$153.00
	2	\$0.00	\$153.00
CO	17	\$0.00	\$1,285.50
BUSINESS	16	\$0.00	\$1,210.50
INTERIOR	1	\$0.00	\$75.00
COMM	17	\$3,402,850.00	\$29,541.23
ADDITION	2	\$296,150.00	\$2,179.91
CONCRETE	2	\$4,500.00	\$161.96
CONST TRAILER	3	\$1,745,000.00	\$302.00
MECHANICAL	1	\$10,000.00	\$196.61
NEW	1	\$930,000.00	\$23,601.25
PLUMBING	4	\$4,200.00	\$208.60
REMODEL	3	\$403,000.00	\$2,855.90
ROOF	1	\$10,000.00	\$35.00
NONPROFIT SIGN PERMI	1	\$0.00	\$0.00
	1	\$0.00	\$0.00
SIGNAGE	11	\$0.00	\$1,104.50
DEVELOPMENT	2	\$0.00	\$228.00
DIRECTORY	1	\$0.00	\$75.00
MONUMENT	2	\$0.00	\$350.00
WALL	6	\$0.00	\$451.50
SINGLE FAMILY	163	\$3,923,686.01	\$70,279.72
ACC BLDG	2	\$3,700.00	\$154.20
ADDITION	1	\$6,900.00	\$150.75
BALCONY	1	\$21,000.00	\$353.69
CONCRETE	4	\$5,650.00	\$3,473.75
ELECTRICAL	2	\$10,500.00	\$259.50
FENCE	33	\$98,082.00	\$1,161.08
IRRIGATION	21	\$34,700.00	\$738.67
MECHANICAL	9	\$46,258.00	\$1,146.84
NEW	10	\$2,742,324.00	\$55,668.98
PATIO COVER	5	\$28,500.00	\$626.35
PERGOLA	1	\$2,796.01	\$94.75
PLUMBING	32	\$40,315.00	\$2,280.59
REMODEL	1	\$20,000.00	\$332.75
REPAIR	3	\$79,656.37	\$936.62
RETAINING WALL	2	\$27,200.00	\$70.00
ROOF	13	\$145,605.29	\$457.20
SWIM POOL	14	\$570,000.00	\$2,059.00
WINDOWS	9	\$40,499.34	\$315.00
SPECIAL EVENT	5	\$0.00	\$161.50
	5	\$0.00	\$161.50
Totals:	227	\$7,326,536.01	\$103,029.95

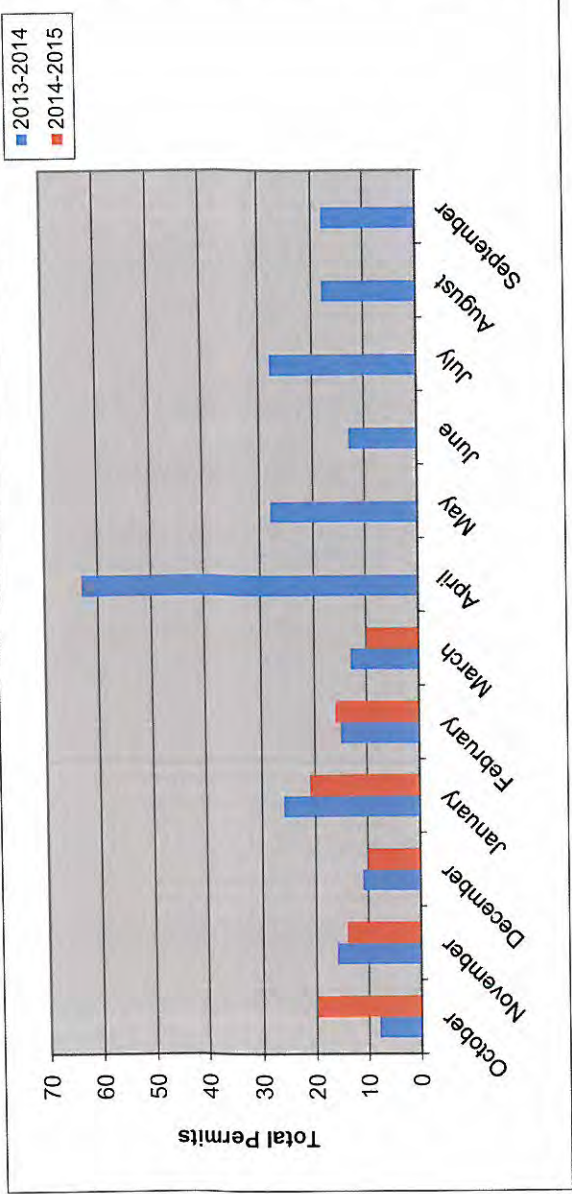
New Residential Permits Calendar Year

	Year	
	2014	2015
January	26	21
February	15	16
March	13	10
April	63	
May	28	
June	13	
July	28	
August	18	
September	18	
October	20	
November	14	
December	10	
Totals	266	47



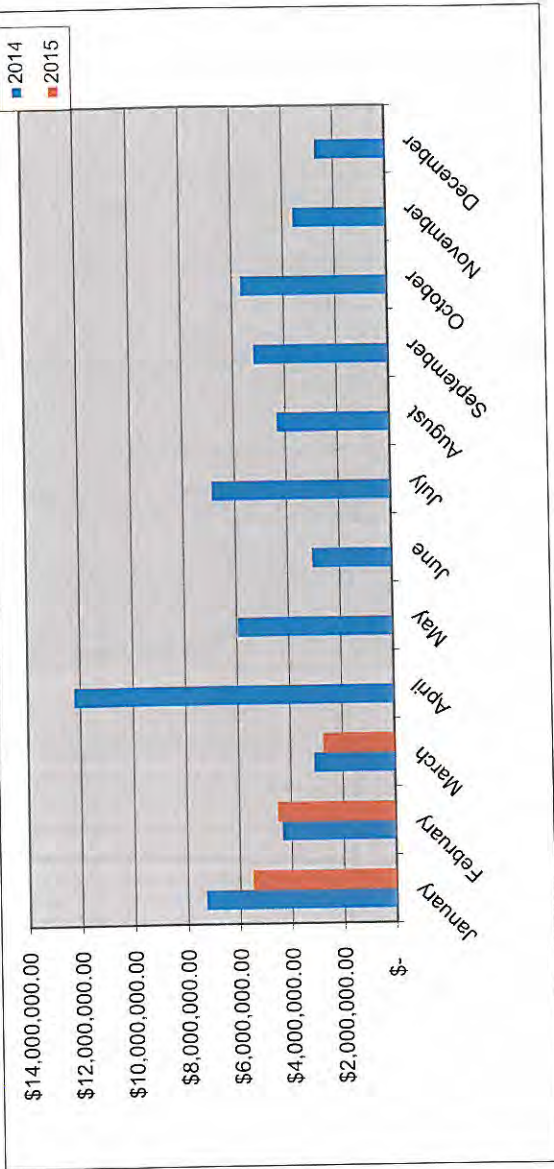
New Residential Permits Fiscal Year

	Year	
	2013-2014	2014-2015
October	8	20
November	16	14
December	11	10
January	26	21
February	15	16
March	13	10
April	63	
May	28	
June	13	
July	28	
August	18	
September	18	
Totals	257	91



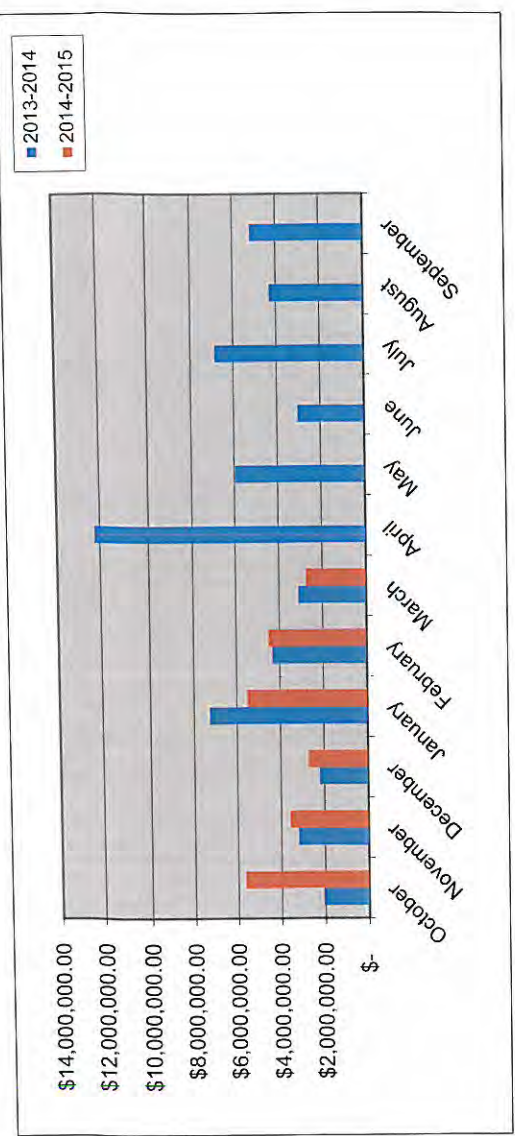
New Residential Value Calendar Year

Year		
	2014	2015
January	\$ 7,288,000.00	\$ 5,509,932.00
February	\$ 4,353,427.00	\$ 4,518,552.00
March	\$ 3,094,927.74	\$ 2,742,324.00
April	\$ 12,228,936.33	
May	\$ 5,960,240.00	
June	\$ 3,048,536.00	
July	\$ 6,883,062.87	
August	\$ 4,330,100.19	
September	\$ 5,184,201.79	
October	\$ 5,661,792.00	
November	\$ 3,581,756.00	
December	\$ 2,712,503.00	
Totals	\$64,327,482.92	\$ 12,770,808.00



New Residential Value Fiscal Year

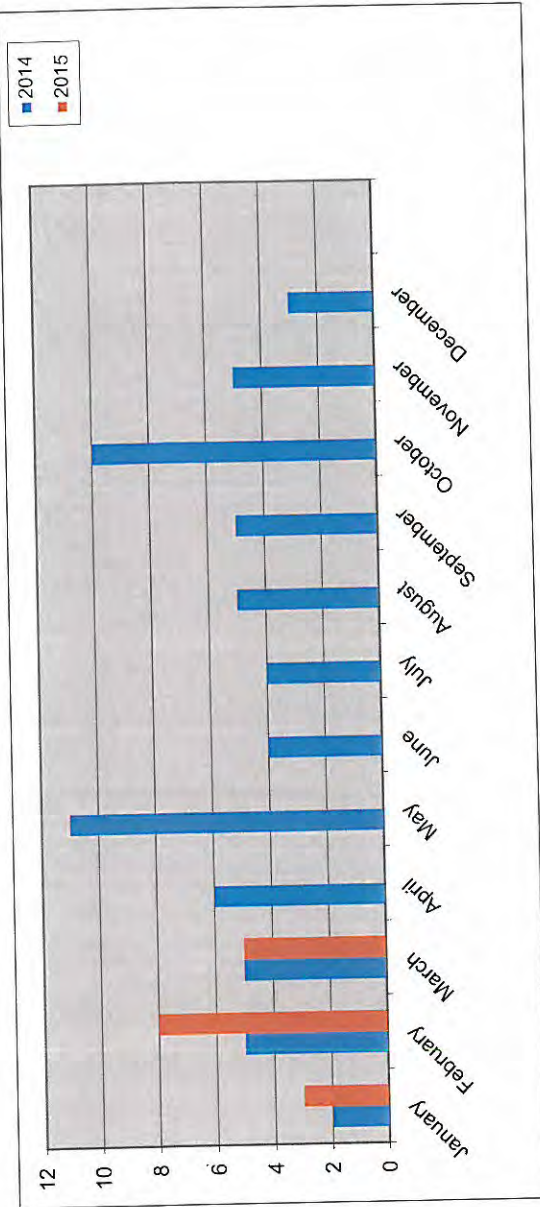
Year		
	2013-2014	2014-2015
October	\$ 2,078,584.00	\$ 5,661,792.00
November	\$ 3,202,067.00	\$ 3,581,756.00
December	\$ 2,215,924.00	\$ 2,712,503.00
January	\$ 7,288,000.00	\$ 5,509,932.00
February	\$ 4,353,427.00	\$ 4,518,552.00
March	\$ 3,094,927.74	\$ 2,742,324.00
April	\$ 12,228,936.33	
May	\$ 5,960,240.00	
June	\$ 3,048,536.00	
July	\$ 6,883,062.87	
August	\$ 4,330,100.19	
September	\$ 5,184,201.79	
Totals	\$59,868,006.92	\$ 24,726,859.00



Residential Remodel Permits

Calendar Year

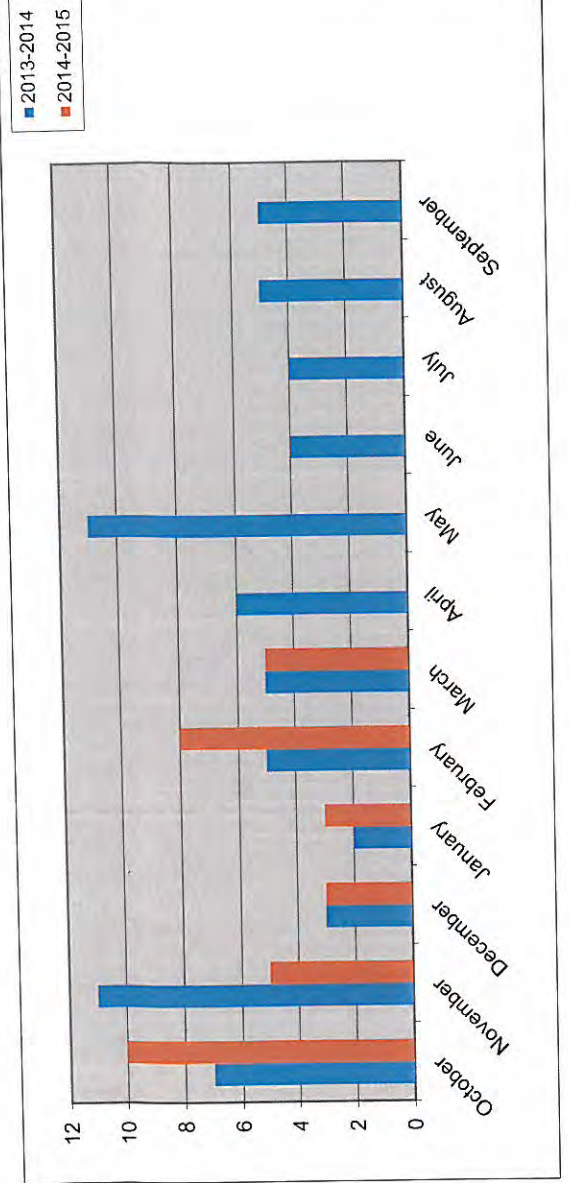
	Year	
	2014	2015
January	2	3
February	5	8
March	5	5
April	6	
May	11	
June	4	
July	4	
August	5	
September	5	
October	10	
November	5	
December	3	
Totals	65	16



Fiscal Year

Residential Remodel Permits

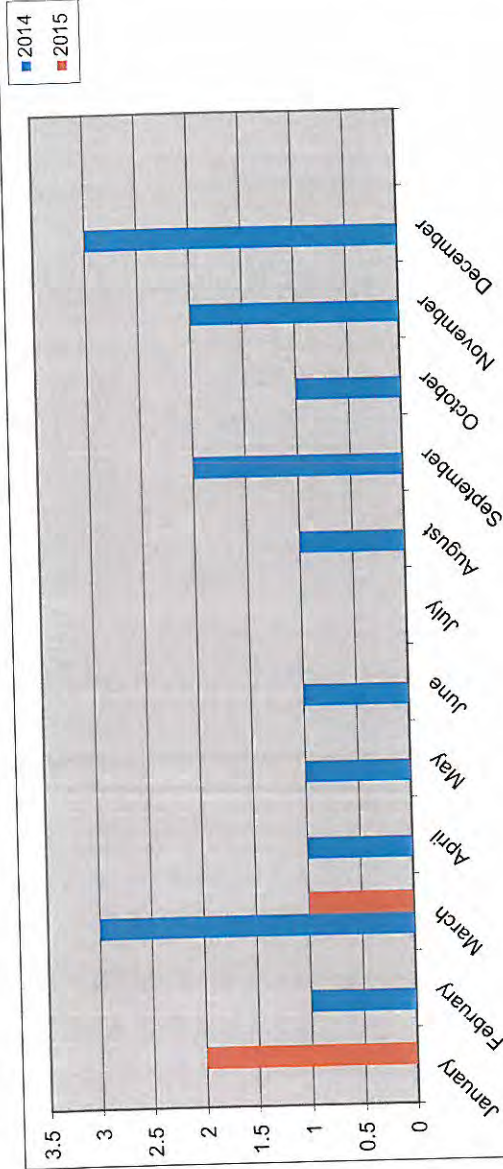
	Year	
	2013-2014	2014-2015
October	7	10
November	11	5
December	3	3
January	2	3
February	5	8
March	5	5
April	6	
May	11	
June	4	
July	4	
August	5	
September	5	
Totals	68	34



Calendar Year

New Commercial Permits

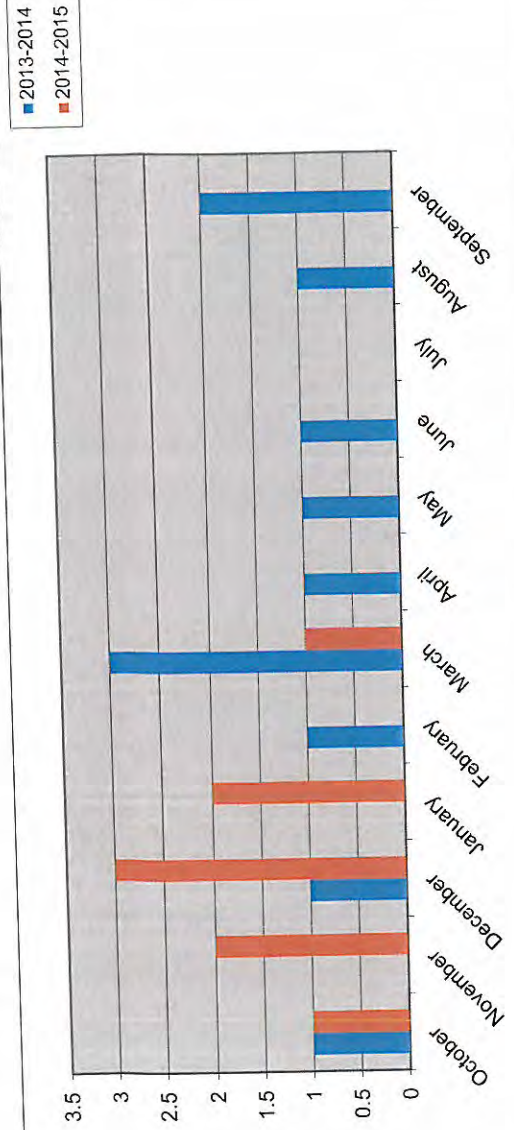
	Year	
	2014	2015
January	0	2
February	1	0
March	3	1
April	1	
May	1	
June	1	
July	0	
August	1	
September	2	
October	1	
November	2	
December	3	
Totals	16	3



Fiscal Year

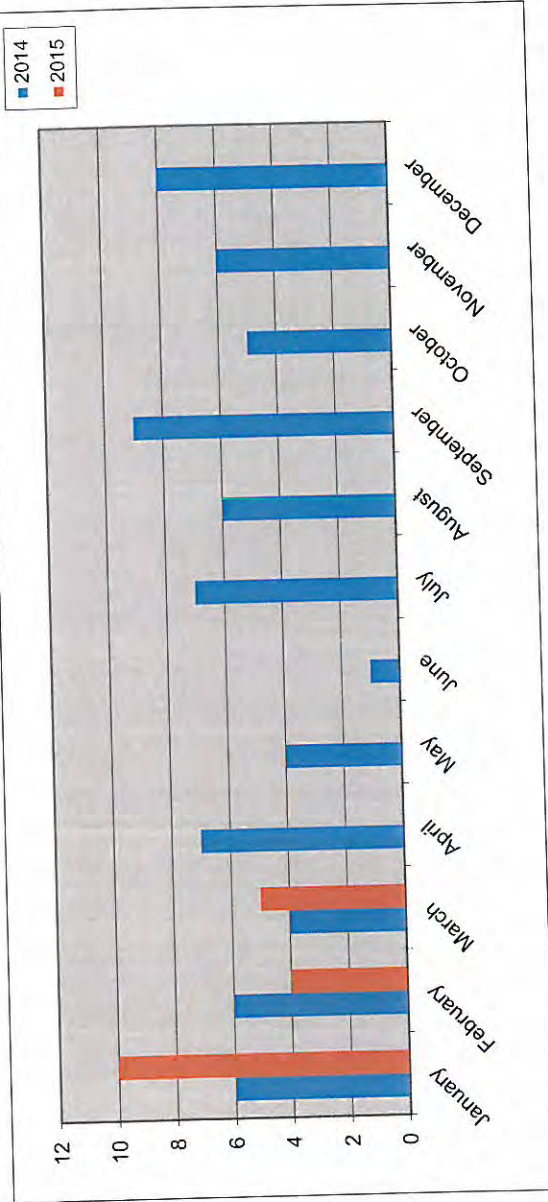
New Commercial Permits

	Year	
	2013-2014	2014-2015
October	1	1
November	0	2
December	1	3
January	0	2
February	1	0
March	3	1
April	1	
May	1	
June	1	
July	0	
August	1	
September	2	
Totals	12	9



Commercial Remodel Permits Calendar Year

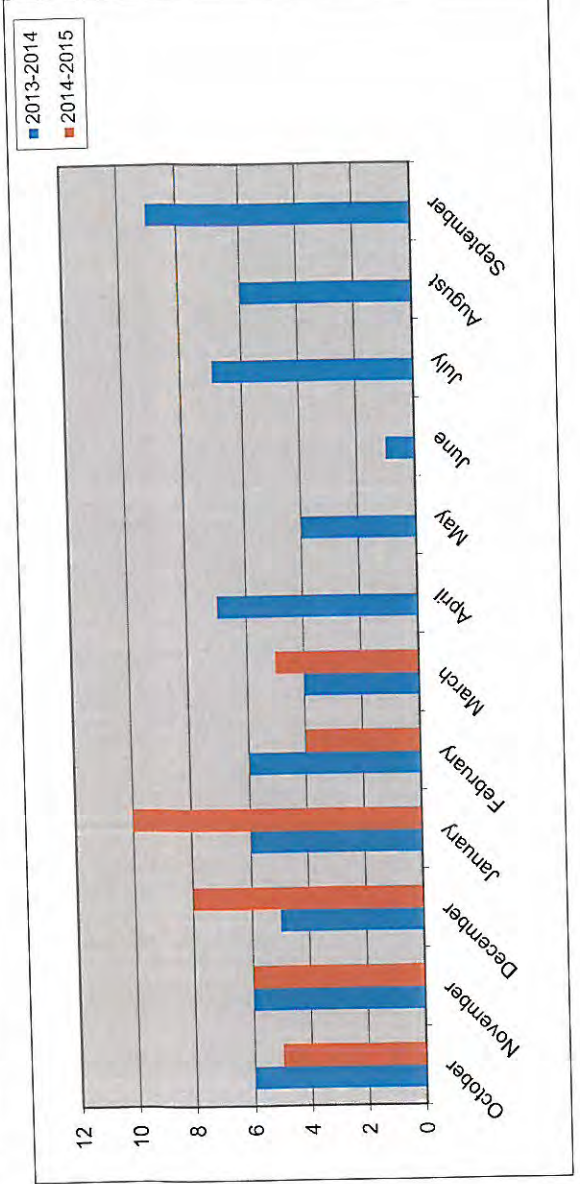
	Year	
	2014	2015
January	6	10
February	6	4
March	4	5
April	7	
May	4	
June	1	
July	7	
August	6	
September	9	
October	5	
November	6	
December	8	
Totals	69	19



Fiscal Year

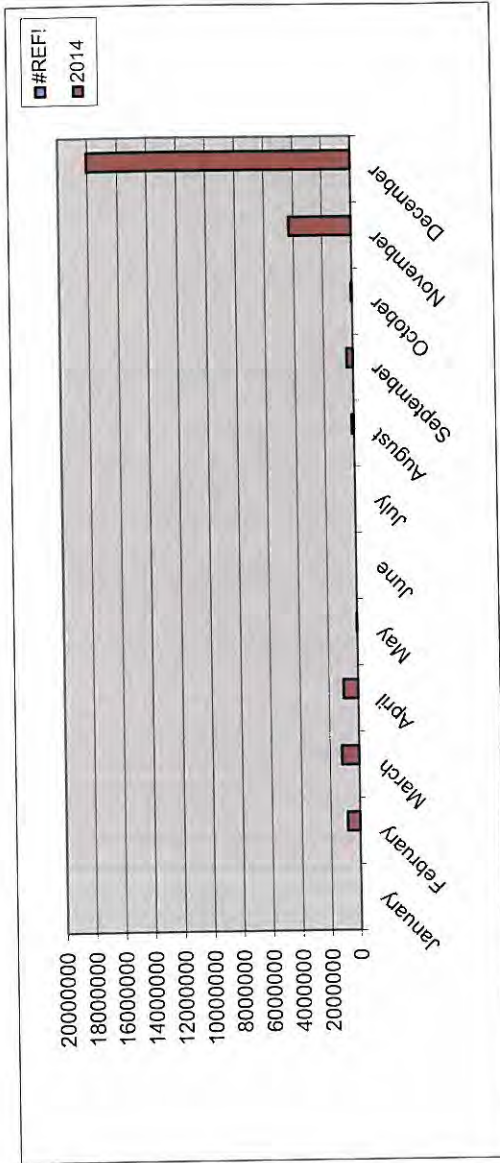
Commercial Remodel Permits

	Year	
	2013-2014	2014-2015
October	6	5
November	6	6
December	5	8
January	6	10
February	6	4
March	4	5
April	7	
May	4	
June	1	
July	7	
August	6	
September	9	
Totals	67	38



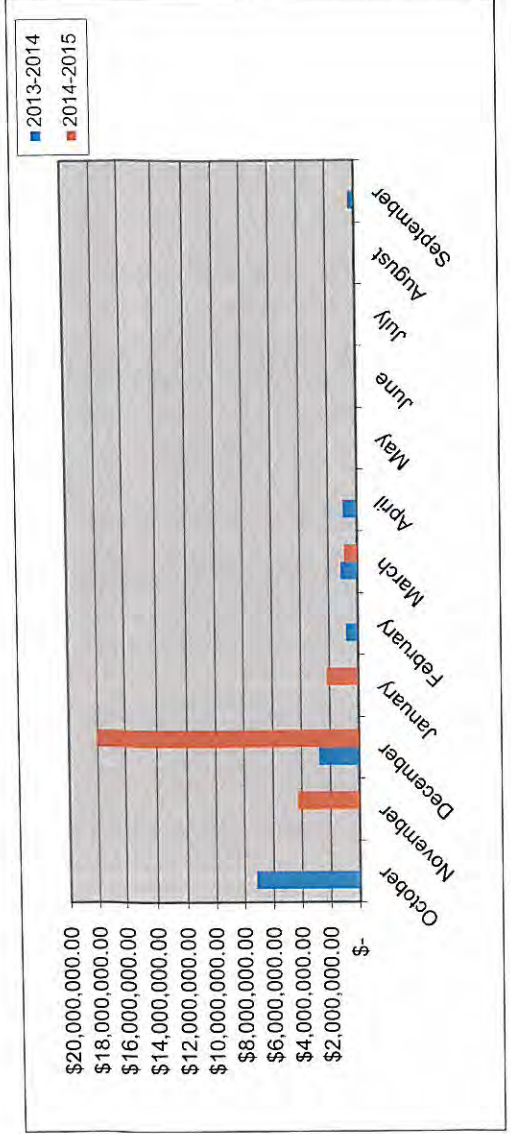
New Commercial Value Calendar Year

	Year	
	2014	2015
January	\$ -	\$ 2,200,000.00
February	\$ 850,000.00	\$ -
March	\$ 1,185,000.00	\$ 930,000.00
April	\$ 1,000,000.00	
May	\$ 5,000.00	
June	\$ -	
July		
August	\$ 150,000.00	
September	\$ 430,795.00	
October	\$ 49,000.00	
November	\$ 4,300,000.00	
December	\$ 18,050,000.00	
Totals	\$ 26,019,795.00	\$ 3,130,000.00



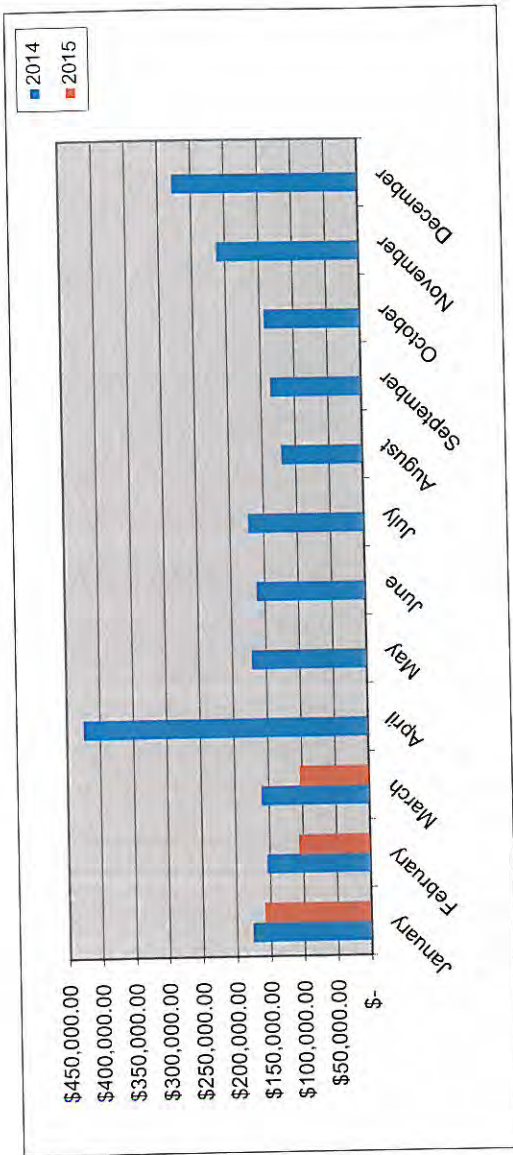
New Commercial Value Fiscal Year

	Year	
	2013-2014	2014-2015
October	\$ 7,225,000.00	\$ 49,000.00
November	\$ -	\$ 4,300,000.00
December	\$ 2,800,000.00	\$ 18,050,000.00
January	\$ -	\$ 2,200,000.00
February	\$ 850,000.00	\$ -
March	\$ 1,185,000.00	\$ 930,000.00
April	\$ 1,000,000.00	
May	\$ 5,000.00	
June	\$ -	
July		
August	\$ 150,000.00	
September	\$ 430,795.00	
Totals	\$ 13,645,795.00	\$ 25,529,000.00



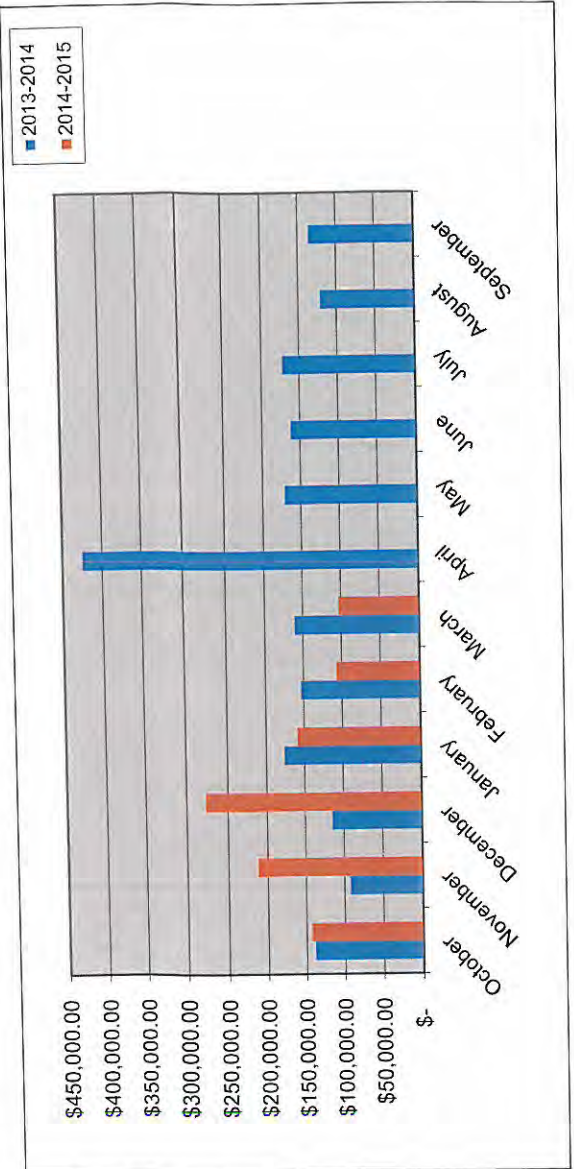
Total Fees Collected Calendar Year

	Year	
	2014	2015
January	\$ 176,162.63	\$ 159,026.65
February	\$ 153,458.98	\$ 106,693.21
March	\$ 160,530.91	\$ 103,029.95
April	\$ 425,003.86	
May	\$ 170,849.07	
June	\$ 161,690.82	
July	\$ 172,232.70	
August	\$ 120,790.39	
September	\$ 135,478.13	
October	\$ 143,153.00	
November	\$ 212,222.54	
December	\$ 277,864.58	
Totals	\$ 2,309,437.61	\$ 368,749.81



Total Fees Collected Fiscal Year

	Year	
	2013-2014	2014-2015
October	\$ 138,771.53	\$ 143,153.00
November	\$ 91,778.83	\$ 212,222.54
December	\$ 114,645.28	\$ 277,864.58
January	\$ 176,162.63	\$ 159,026.65
February	\$ 153,458.98	\$ 106,693.21
March	\$ 160,530.91	\$ 103,029.95
April	\$ 425,003.86	
May	\$ 170,849.07	
June	\$ 161,829.08	
July	\$ 172,232.70	
August	\$ 120,790.39	
September	\$ 135,478.13	
Totals	\$ 2,021,531.39	\$ 1,001,989.93



City of Rockwall
PERMITS ISSUED

For the Period 3/1/2015 thru 3/31/2015

Permit Number	Permit Type	Site Address	Parcel Number	Valuation	Total Fees	Fees Paid
Application Date	Subtype	Subdivision Name			Total SQFT	
Issue Date	Status of Permit	Plan Number				
CO2014-0153	CO	2475 Ridge Rd.		0.00	\$ 76.50	\$ 76.50
11/19/2014	BUSINESS	4854-000A-0001-00-0R				
3/11/2015	ACTIVE	ROCKWALL TOWNE CENTRE PH 4			0	
		Culver's of Rockwall				
Contact Type	Contact Name	Contact Address				Phone Number
OWNER	LITTLEPAGE, ENTERPRISES L	PRAIRIE DU SAC	WI	53578		
APPLICANT	Becky Lapp	1880 Avonlea Dr.	ROCKWALL	TX	75087	(815) 541-2006
BUS OWNER	Becky Lapp	2475 Ridge Rd.	Rockwall	TX	75087	(815) 541-2006
BUSINESS	Culver's of Rockwall					
CO2014-0158	CO	502 Goliad St N		0.00	\$ 75.00	\$ 75.00
12/2/2014	BUSINESS	3119-0001-0001-00-0R				
3/30/2015	Active	BLACKS COLLECTABLES ADDITION			0	
		Sarah Duckworth Photography				
Contact Type	Contact Name	Contact Address				Phone Number
OWNER	BLACK, SHIRLEY M	ROCKWALL	TX	75087		
APPLICANT	Sarah Duckworth	502 Goliad St N	Rockwall	TX	75087	(469) 834-8257
BUS OWNER	Sarah Duckworth	502 Goliad St N	Rockwall	TX	75087	(469) 834-8257
BUSINESS	Sarah Duckworth Photography					
CO2014-0162	CO	826 STEGER TOWNE DR		0.00	\$ 75.00	\$ 75.00
12/16/2014	BUSINESS	5067-000A-0003-00-0R				
3/25/2015	ACTIVE	STEGER TOWNE CROSSING PH I			0	
		H & R Block				
Contact Type	Contact Name	Contact Address				Phone Number
OWNER	STEGER, DUNHILL LLC	DALLAS	TX	75205		
BUS OWNER	HRB Tax Group Inc.	One H & R Block Way	Kansas City	MO	64105	(972) -72-2-47
BUSINESS	H & R Block					
CO2015-0002	CO	407 Goliad St S D		0.00	\$ 75.00	\$ 75.00
1/8/2015	BUSINESS	4839-0000-0000-00-0R				
3/25/2015	ACTIVE	ROCKWALL RETAIL STRIP CENTER			0	
		Crossfit Rockwall				
Contact Type	Contact Name	Contact Address				Phone Number
OWNER	SLAUGHTER, RICHARD E JR	P O BOX 1717	ROCKWALL	TX	75087	(214) 535-8876
APPLICANT	Mary Woodruff	2840 Eganridge Ln	ROCKWALL	TX	75087	(352) 262-8978
CONTRACTOR	GEORGE WELCH	P. O. BOX 818	CRANDALL	TX	75114	(214) 534-3999
PLB CONTR	B & M PLUMBING	7551 CR 2829	Mabank	TX	75156	(903) 288-2750
ELEC CONTR	R M Electric Inc.	P.O. Box 8661	Greenville	TX	75404	(972) 345-4984
BUS OWNER	Mary Woodruff	407 Goliad St s #D	Rockwall	TX	75087	(352) 262-8978

City of Rockwall
PERMITS ISSUED
For the Period 3/1/2015 thru 3/31/2015

Permit Number	Permit Type	Site Address	Parcel Number	Valuation	Total Fees	
Application Date	Subtype	Subdivision Name			Total SQFT	Fees Paid
Issue Date	Status of Permit	Plan Number				
CO2015-0005	CO	301 N San Jacinto		0.00	\$ 75.00	\$ 75.00
1/15/2015	BUSINESS	4820-000C-0001-00-0R				
3/17/2015	Active	ROCKWALL ORIGINAL TOWN			0	
		Uptown, Downtown Gallery & Studio				
Contact Type	Contact Name	Contact Address				Phone Number
OWNER	JOY, LUTHERAN CHURCH		ROCKWALL	TX	75087	
APPLICANT	ArtVentures Studio, LLC	504 Nash St.	Rockwall	TX	75087	(214) 543-3381
BUS OWNER	Joetta Currie	504 Nash St.	Rockwall	TX	75087	(214) 543-3381
BUSINESS	Uptown, Downtown Gallery & Studio					
CO2015-0011	CO	370 RANCH TRAIL		0.00	\$ 76.50	\$ 76.50
2/6/2015	BUSINESS	4720-0000-0013-00-0R				
3/9/2015	ACTIVE	RAINBOW ACRES			0	
		SUNBELT EQ CO				
Contact Type	Contact Name	Contact Address				Phone Number
OWNER	JERRY, KISICK CUSTOM HOM	PROFIT SHARING TRUST	DALLAS	TX	75252	
APPLICANT	TERRY MCKINNEY	370 RANCH TRL.	Rockwall	TX	75032	(214) 697-0411
BUS OWNER	TERRY MCKINNEY	370 RANCH TRL.	Rockwall	TX	75032	(214) 697-0411
CO2015-0012	CO	3035 Ridge Rd. 109		0.00	\$ 75.00	\$ 75.00
2/6/2015	BUSINESS	0207-0000-0004-09-0R				
3/16/2015	ACTIVE	Jersey Mikes Subs			0	
Contact Type	Contact Name	Contact Address				Phone Number
OWNER	TEMUNOVIC, PARTNERSHIP I		HEATH	TX	75032	
CONTRACTOR	Mike Nolan & Associates	12167 High Meadow, Inc.	Dallas	TX	75234	(214) 789-8845
MECH CONTR	R & R HEATING & COOLING L	1194 CEDAR LN.	Kaufman	TX	75142	(214) 384-9773
PLB CONTR	R & R Plumbing	PO Box 1111	Forney	TX	75126	(972) 564-9583
ELEC CONTR	Allstate Electric	1202 Municipal Ave	Plano	TX	75074	(972) 881-9000
APPLICANT	DALTON STEWART	3035 RIDGE ROAD	ROCKWALL	TX	75087	
BUS OWNER	Dalton Stewart	3035 Ridge Rd.	Rockwall	TX	75032	(469) 314-1362
CO2015-0013	CO	1115 Ridge Rd A		0.00	\$ 76.50	\$ 76.50
2/9/2015	BUSINESS	3570-0484-A003-00-0R				
3/2/2015	ACTIVE	EASTRIDGE CENTER				
		MAIN STREET CONSIGNMENT				
Contact Type	Contact Name	Contact Address				Phone Number
OWNER	BENTBROOKE RIDGE PARTNI	115 W 7TH ST. STE 1323	Fort Worth	TX	76102	(817) 870-7610
APPLICANT	WILLIAM HOLMES	312 Dartbrook	ROCKWALL	TX	75087	(214) 734-0299
BUS OWNER	Williams Holmes	1115 A Ridge Rd.	Rockwall	TX	75087	(972) 635-6415
BUSINESS	Main Street Consignment					

City of Rockwall
PERMITS ISSUED

For the Period 3/1/2015 thru 3/31/2015

Permit Number	Permit Type	Site Address	Parcel Number	Valuation	Total Fees	
Application Date	Subtype	Subdivision Name			Total SQFT	Fees Paid
Issue Date	Status of Permit	Plan Number				
CO2015-0016	CO	1104 Ridge Rd A		0.00	\$ 76.50	\$ 76.50
2/11/2015	BUSINESS	3570-0484-A001-A0-0R				
3/2/2015	ACTIVE	EASTRIDGE CENTER			0	
		Cate's Touch				
Contact Type	Contact Name	Contact Address				Phone Number
OWNER	BENBROOKE, RIDGE PARTNE	C/O PRETIUM PROPERTY MANAC	FORT WORTH	TX	76102	
APPLICANT	Carol Cate	P.O. Box 1952	ROCKWALL	TX	75087	(972) 722-4305
INSP RPT EMAIL	Carol Cate	P.O. Box 1952	ROCKWALL	TX	75087	(972) 722-4305
BUS OWNER	Carol Cate	P.O. Box 1952	ROCKWALL	TX	75087	(972) 722-4305
CO2015-0021	CO	104 E Rusk St		0.00	\$ 75.00	\$ 75.00
2/18/2015	BUSINESS	4820-000M-0004-00-0R				
3/3/2015	ACTIVE	ROCKWALL ORIGINAL TOWN			1,300	
		First United Bank Mortgage				
Contact Type	Contact Name	Contact Address				Phone Number
OWNER	HENDRICKS, BARBARA S		ROCKWALL	TX	75087	
BUS OWNER	Tara Price	1400 W. Main St.	Durant	OK	74701	(469) 964-6323
CO2015-0022	CO	975 IH 30 103		0.00	\$ 76.50	\$ 76.50
2/25/2015	BUSINESS	4799-000A-0009-00-0R				
3/11/2015	ACTIVE	ROCKWALL CROSSING			0	
		Compass Trading				
Contact Type	Contact Name	Contact Address				Phone Number
OWNER	ROCKWALL, CROSSING LTD		FORT WORTH	TX	76107	
APPLICANT	Holly Pennington		Dallas	TX	75220	(254) 925-9259
BUS OWNER	PENNINGTON INVESTMENT C	2630 ANDJON DR.	Dallas	TX	75087	(254) 925-9259
BUSINESS	Compass Trading		ROCKWALL	TX	75087	
CO2015-0023	CO	5719 SH 276		0.00	\$ 76.50	\$ 76.50
2/25/2015	BUSINESS	0022-0000-0001-06-0R				
3/20/2015	ACTIVE	Whiskey 3 Industries			0	
Contact Type	Contact Name	Contact Address				Phone Number
APPLICANT	IAN WILKINSON					
BUS OWNER	IAN WILKINSON	5719 SH 276	ROCKWALL	TX	75087	(214) 608-2590
BUSINESS	WHISKEY 3 INDUSTRIES	2519 SH 276	ROCKWALL	TX	75087	
OWNER	PAM GRINER	5707 SH 276	Royse City	Tx	75189	(972) 771-2004

City of Rockwall

PERMITS ISSUED

For the Period 3/1/2015 thru 3/31/2015

Permit Number	Permit Type	Site Address	Parcel Number	Valuation	Total Fees	
Application Date	Subtype	Subdivision Name			Total SQFT	Fees Paid
Issue Date	Status of Permit	Plan Number				
CO2015-0024	CO	3035 Ridge Rd. 105		0.00	\$ 76.50	\$ 76.50
2/27/2015	BUSINESS	0207-0000-0004-09-0R				
3/26/2015	ACTIVE	HORIZON RIDGE ADDITION			1,107	
		Juice it up				
Contact Type	Contact Name	Contact Address				Phone Number
OWNER	TEMUNOVIC, PARTNERSHIP I	HEATH	TX	75032		
INSP RPT EMAIL	WCG, LP	P.O. Box 1622	ROCKWALL	TX	75087	(214) 762-5086
APPLICANT	Tracey Taylor					
BUS OWNER	Tracey Taylor	3035 Ridge Rd, #105	Rockwall	TX	75032	(214) 263-6667
CO2015-0025	CO	2455 Ridge Rd 149		0.00	\$ 75.00	\$ 75.00
3/2/2015	BUSINESS	4854-000A-0009-00-0R				
3/4/2015	ACTIVE	ROCKWALL TOWNE CENTRE PH 3			0	
		Wing Stop				
Contact Type	Contact Name	Contact Address				Phone Number
BUS OWNER	Rex Hechelman	2455 Ridge Rd, #149	Rockwall	TX	75087	(972) 896-7292
OWNER	ROCKWALL, OCEANHILL LLC	C/O RASAR INC	ALAMEDA	CA	94501	
APPLICANT	REX HECHELMAN	P5150 LOCUST GROVE RD.	Garland	TX	75043	(972) 896-7292
PLB CONTR	1ST SOURCE PLUMBING LLC	111 GOTCHER AVE.	Lake Dallas	TX	75065	(214) 491-2043
MECH CONTR	NEWSOME HEATING & AIR C	4855 STALLCUP DR.	MESQUITE	TX	75150	(469) 855-3095
ELEC CONTR	POWER HOUSE ELECTRIC	1140 COLINA DR.	FT. WORTH	TX	76148	(817) 448-8748
CONTRACTOR	VPR WINGS, L. P.	2455 Ridge Road, sTe 149	ROCKWALL	TX	75087	
CO2015-0026	CO	6531 Horizon Suite C		0.00	\$ 75.00	\$ 75.00
3/2/2015	INTERIOR	3039-0002-0006-00-0R				
3/24/2015	ACTIVE	ALLIANCE ADDITION PH 2			0	
		Amazing Grades Tutoring				
Contact Type	Contact Name	Contact Address				Phone Number
BUS OWNER	Nancy Vance		Rockwall	TX	75032	
OWNER	ROCKWALL, RENTAL PROPEF		TERRELL	TX	75160	
CO2015-0027	CO	6537 HORIZON RD. STE B-1		0.00	\$ 75.00	\$ 75.00
3/11/2015	BUSINESS	3039-0002-0008-00-0R				
3/25/2015	ACTIVE	ALLIANCE ADDITION PH 2			0	
		SENATOR BOB HALL OFFICE				
Contact Type	Contact Name	Contact Address				Phone Number
OWNER	N&TT LEGACY PARTNERS	P. O. BOX 818	TERRELL	TX	75160	(972) 772-5253
APPLICANT	STATE OF TEXAS	6537 HORIZON RD. STE B-1	Rockwall	TX	75032	(512) 463-0102
BUS OWNER	STATE OF TEXAS	6537 HORIZON RD. STE B-1	Rockwall	TX	75032	(512) 463-0102
BUSINESS	SENATOR BOB HALL					

City of Rockwall
PERMITS ISSUED

For the Period 3/1/2015 thru 3/31/2015

Permit Number	Permit Type	Site Address	Valuation	Total Fees	Fees Paid
Application Date	Subtype	Parcel Number		Total SQFT	
Issue Date	Status of Permit	Subdivision Name			
		Plan Number			
CO2015-0028	CO	1300 Ralph Hall 102	0.00	\$ 75.00	\$ 75.00
3/12/2015	BUSINESS	4832-000B-0001-00-OR			
3/13/2015	ACTIVE	ROCKWALL BUSINESS PARK EAST PH 2		0	
		MATHNASIUM OF ROCKWALL-HEATH			
Contact Type	Contact Name	Contact Address	Phone Number		
OWNER	DALLAS, EAST	ATTN: JIM VAUDAGNA	SAN JOSE	CA 95126	(408) 998-1345
APPLICANT	COMMERCIAL CONSTRUCTIC	9535 FOREST LN. STE 200	Dallas	TX 75243	(972) 961-0444
INSP RPT EMAIL	COMMERCIAL CONSTRUCTIC	9535 FOREST LN. STE 200	Dallas	TX 75243	(972) 961-0444
CONTRACTOR	COMMERCIAL CONSTRUCTIC	9535 FOREST LN. STE 200	Dallas	TX 75243	(972) 961-0444
MECH CONTR	n/a				
ELEC CONTR	n/a				
BUS OWNER	ROBERT BARNS	1300 RALPH HALL PKWY # 102	Rockwall	TX 75032	
BUSINESS	MATHNASIUM OF ROCKWALL	1300 RALPH HALL PKWY # 102	ROCKWALL	TX 75087	

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Permits Issued from: 3/1/2015 Thru: 3/31/2015

Total Valuation: \$ 0.00

Total Fees: \$ 1,285.50

Total Fees Paid: \$ 1,285.50

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager
FROM: Mary Smith, Assistant City Manager
DATE: May 1, 2015
SUBJECT: March 2015 Budget Report

The following analysis is offered for the period ended March 31, 2015 budget report. The budget is established in broad categories with line item estimates. In each category actual expenses as a whole should be considered rather than at the line item level. The budget threshold for this period is 50%. The below categories exceed the threshold but most are not unusual for this time of year.

General Fund Revenues

- All revenues are coming in at or above expected levels.
- Sales tax increased by 12.31% for the month of March (January sales) as compared to the prior year, same month. For the six-month period the increase is 4.96% over the prior year.
- Franchise revenues for electric, gas and cable have been stronger than anticipated. Atmos fees were 38% higher than budgeted.
- Construction related revenues are strong as well.

General Fund Expenditures

- Mayor/Council Operational – the decision was made to rejoin TEX-21, a regional transportation planning organization and this was not a budgeted item.
- Administration Contractual – three quarterly payments have been made for the ES Corp and the RCAD for their services.
- Fire Marshal Capital – all replacement vehicles included in the budget have been purchased.
- Police Communications Contractual – annual lease payment and maintenance agreement for CAD package were paid.
- Police Community Services Contractual – Lease payments for the office are paid in advance.
- Planning Contractual – annual maintenance agreement on GIS software was paid
- Parks Salaries – the retirement of the long-time superintendent and payout of his accrued time will cause this budget item to be over for the remainder of the year.
- Parks Supplies – the budgeted project to pave Tuttle parking lot was finished in February. Projects are undertaken ahead of the busy parks summer season.
- Parks Operations – the new superintendent was sent to maintenance management school earlier this year.

Water / Sewer Revenues

- Water sales – sales are up 5.02% when compared to the prior year. This is a reflection of increased rates while rains and conservation measures keep sales down. This will certainly improve as strict restrictions are lifted in the coming month.
- All other revenues are in line with projections – the majority of sales to wholesale customers takes place June – September and will benefit from restriction changes as well.

Water / Sewer Expenditures

- Sewer Operations Contractual – NTMWD requires payments in advance for the sewer treatment plants in order to fund their operating expenses.
- All other accounts are within thresholds.

Special Revenue Funds Summary

- All establishments paid the hotel taxes this quarter.

**CITY OF ROCKWALL
REPORT OF REVENUES
FOR THE PERIOD ENDED MARCH 31, 2015
WITH COMPARATIVE TOTALS FROM PRIOR YEAR**

GENERAL FUND

<u>DESCRIPTION</u>	<u>PRIOR YEAR</u>			<u>CURRENT YEAR</u>		
	<u>BUDGET</u>	<u>ACTUAL</u>	<u>YTD %</u>	<u>BUDGET</u>	<u>ACTUAL</u>	<u>YTD %</u>
Current Taxes	8,393,000	7,921,624	94.38%	8,580,100	8,095,682	94.35%
Delinquent Taxes	60,000	43,014	71.69%	60,000	28,570	47.62%
Penalty & Interest	60,000	24,186	40.31%	60,000	16,583	27.64%
Total Property Taxes	8,513,000	7,988,824	93.84%	8,700,100	8,140,835	93.57%
General Sales Tax	13,232,000	6,597,597	49.86%	13,617,300	7,262,129	53.33%
Beverage Tax	195,000	103,547	53.10%	210,000	115,746	55.12%
Total Sales Tax	13,427,000	6,701,144	49.91%	13,827,300	7,377,875	53.36%
Electrical Franchise	1,650,000	952,440	57.72%	1,680,000	961,944	57.26%
Telephone Franchise	150,000	74,596	49.73%	150,000	66,576	44.38%
Gas Franchise	402,600	393,375	97.71%	388,000	537,888	138.63%
Cable T.V. Franchise	500,000	266,386	53.28%	500,000	317,491	63.50%
Garbage Franchise	210,000	94,394	44.95%	208,000	103,208	49.62%
Total Franchise Fees	2,912,600	1,781,191	61.15%	2,926,000	1,987,107	67.91%
Park & Recreation Fees	35,000	14,162	40.46%	35,000	11,503	32.87%
Municipal Pool Fees	15,000	-	0.00%	17,000	3,000	17.65%
Center Rentals	38,000	22,714	59.77%	38,000	20,562	54.11%
Harbor Rental	10,000	6,152	61.52%	10,000	1,360	13.60%
Tax Certificate Fees	100	80	79.97%	250	47	18.65%
Code Enforcement Fees	40,500	12,729	31.43%	5,000	8,540	170.80%
Beverage Permits	10,000	4,470	44.70%	10,000	1,600	16.00%
Planning & Zoning Fees	35,000	18,372	52.49%	35,000	25,770	73.63%
Construction Fees	140,000	82,681	59.06%	280,000	137,616	49.15%
Fire Plan Fees	20,000	9,805	49.03%	20,000	6,400	32.00%
Total Misc. Fees	343,600	171,164	49.81%	450,250	216,399	48.06%
Building Permits	692,000	318,555	46.03%	710,000	394,188	55.52%
Fence Permits	20,000	9,447	47.24%	20,000	10,500	52.50%
Electrical Permits	30,000	17,591	58.64%	30,000	8,566	28.55%
Plumbing Permits	38,000	19,798	52.10%	38,000	22,067	58.07%
Mechanical Permits	35,000	13,174	37.64%	35,000	14,596	41.70%
Daycare Center Permits	2,000	540	27.00%	2,000	1,140	57.00%
Health Permits	82,000	72,870	88.87%	86,000	77,670	90.31%
Sign Permits	26,000	13,810	53.12%	26,000	9,125	35.10%
Miscellaneous Permits	41,000	19,700	48.05%	41,000	22,272	54.32%
Total Permits	966,000	485,484	50.26%	988,000	560,124	56.69%

<u>DESCRIPTION</u>	<u>PRIOR YEAR</u>			<u>CURRENT YEAR</u>		
	<u>BUDGET</u>	<u>ACTUAL</u>	<u>YTD %</u>	<u>BUDGET</u>	<u>ACTUAL</u>	<u>YTD %</u>
Court Fines	500,000	231,115	46.22%	500,000	226,078	45.22%
Court Fees	165,000	75,314	45.65%	165,000	87,302	52.91%
Warrant Fees	70,000	38,648	55.21%	70,000	37,606	53.72%
Court Deferral Fees	285,000	139,624	48.99%	285,000	131,658	46.20%
Animal Control Fees	7,000	3,577	51.10%	7,000	2,726	38.94%
Alarm Fees and Fines	45,000	19,952	44.34%	45,000	22,454	49.90%
Tower Lease	70,000	-	0.00%	70,000	27,280	38.97%
Total Municipal Court	1,142,000	508,230	44.50%	1,142,000	535,105	46.86%
Interest Earnings	20,000	18,011	90.06%	20,000	10,466	52.33%
Sale of Supplies	800	613	76.66%	500	323	64.69%
Auction/Scrap	50,000	11,056	22.11%	20,000	32,449	162.25%
Other	50,000	23,968	47.94%	58,000	11,675	20.13%
Total Miscellaneous	120,800	53,649	44.41%	98,500	54,914	55.75%
Grant Proceeds	-	-	0.00%	106,000	-	0.00%
School Patrol	306,100	217,421	71.03%	306,100	217,421	71.03%
County Contracts	1,000	320	32.00%	1,000	480	48.00%
City Contracts	269,200	124,476	46.24%	319,000	159,996	50.16%
Total Intergovernmental	576,300	342,216	59.38%	732,100	377,897	51.62%
Transfer In - Police Investigation	25,000	-	0.00%	30,500	-	0.00%
Transfer In - Recreation Dev.	110,000	-	0.00%			
Transfer In - Narcotics	-	176,782	0.00%	60,000	-	0.00%
Total Transfers In	135,000	176,782	130.95%	90,500	-	0.00%
Total General Fund Revenues	<u>28,136,300</u>	<u>18,208,685</u>	64.72%	<u>28,954,750</u>	<u>19,250,255</u>	66.48%

**CITY OF ROCKWALL
REPORT OF EXPENDITURES
FOR THE PERIOD ENDED MARCH 31, 2015
WITH COMPARATIVE TOTALS FROM PRIOR YEAR**

GENERAL FUND						
DESCRIPTION	PRIOR YEAR			CURRENT YEAR		
	BUDGET	ACTUAL	YTD %	BUDGET	ACTUAL	YTD %
<u>Mayor and Council</u>						
Contractual	35,350	14,781	41.81%	38,350	18,253	47.59%
Supplies	400	-	0.00%	400	255	63.63%
Operational	63,000	32,888	52.20%	73,500	41,711	56.75%
Total	98,750	47,669	48.27%	112,250	60,218	53.65%
<u>Administration</u>						
Personnel Costs	883,100	433,942	49.14%	917,000	437,145	47.67%
Contractual	719,700	452,138	62.82%	716,500	498,482	69.57%
Supplies	18,050	6,643	36.80%	18,050	7,357	40.76%
Operational	51,750	28,697	55.45%	52,750	28,373	53.79%
Utilities	5,600	961	17.16%	5,600	1,246	22.25%
Capital	-	-	0.00%	-	-	0.00%
Total	1,678,200	922,381	54.96%	1,709,900	972,603	56.88%
<u>Administrative Services</u>						
Personnel Costs	459,900	229,072	49.81%	468,950	232,934	49.67%
Contractual	6,000	2,315	38.58%	6,000	266	4.43%
Supplies	2,500	271	10.84%	2,500	752	30.10%
Operational	52,600	21,665	41.19%	52,600	26,008	49.44%
Utilities	2,100	356	16.96%	2,100	863	41.08%
Total	523,100	253,679	48.50%	532,150	260,822	49.01%
<u>Internal Operations</u>						
Personnel Costs	852,700	436,688	51.21%	867,300	428,717	49.43%
Contractual	305,650	162,720	53.24%	342,250	175,021	51.14%
Supplies	88,700	38,418	43.31%	91,700	28,359	30.93%
Operational	3,550	65	1.84%	5,000	922	18.45%
Utilities	338,700	139,447	41.17%	337,200	190,399	56.46%
Capital	365,200	185,245	50.72%	26,800	25,075	93.56%
Total	1,954,500	962,584	49.25%	1,670,250	848,494	50.80%
<u>Finance</u>						
Personnel Costs	363,400	187,194	51.51%	366,900	162,555	44.30%
Contractual	251,500	102,418	40.72%	241,000	86,972	36.09%
Supplies	73,750	28,035	38.01%	82,750	25,567	30.90%
Operational	9,100	1,226	13.48%	9,000	2,958	32.87%
Utilities	-	-	0.00%	-	-	0.00%
Total	697,750	318,874	45.70%	699,650	278,053	39.74%

DESCRIPTION	PRIOR YEAR			CURRENT YEAR		
	BUDGET	ACTUAL	YTD %	BUDGET	ACTUAL	YTD %
<u>Municipal Court</u>						
Personnel Costs	337,100	154,759	45.91%	334,400	148,559	44.43%
Contractual	77,700	39,469	50.80%	87,700	28,972	33.04%
Supplies	9,250	2,271	24.55%	9,250	328	3.55%
Operational	5,000	1,959	39.17%	5,000	2,431	48.63%
Capital	-	-	0.00%	-	-	0.00%
Total	429,050	198,458	46.26%	436,350	180,291	41.32%
<u>Fire Department</u>						
Personnel Costs	2,064,000	932,614	45.18%	2,469,000	1,064,374	43.11%
Contractual	184,300	101,922	55.30%	212,900	95,937	45.06%
Supplies	97,900	29,003	29.63%	91,900	28,013	30.48%
Operational	32,000	6,083	19.01%	38,600	9,011	23.34%
Utilities	2,800	1,324	47.28%	2,800	936	33.42%
Capital	100,650	-	0.00%	26,050	7,731	29.68%
Total	2,481,650	1,070,945	43.15%	2,841,250	1,206,000	42.45%
<u>Fire Marshal</u>						
Personnel Costs	342,000	165,512	48.40%	358,700	173,313	48.32%
Contractual	16,400	6,903	42.09%	15,500	2,395	15.45%
Supplies	43,000	16,325	37.97%	45,000	11,650	25.89%
Operational	19,700	6,884	34.94%	16,500	3,925	23.79%
Utilities	3,800	314	8.27%	3,800	566	14.89%
Capital	94,750	70,978	74.91%	94,900	92,371	97.34%
Total	519,650	266,916	51.36%	534,400	284,221	53.19%
<u>Police Administration</u>						
Personnel Costs	998,100	494,018	49.50%	987,800	485,443	49.14%
Contractual	70,250	29,504	42.00%	70,500	26,900	38.16%
Supplies	14,600	4,976	34.08%	16,600	4,865	29.31%
Operational	20,650	6,543	31.68%	20,650	9,146	44.29%
Utilities	6,800	1,994	29.32%	6,800	2,251	33.10%
Capital	0	0	0.00%	-	0	0.00%
Total	1,110,400	537,034	48.36%	1,102,350	528,604	47.95%
<u>Communications</u>						
Personnel Costs	828,500	420,939	50.81%	862,600	428,286	49.65%
Contractual	156,950	136,034	86.67%	178,500	150,247	84.17%
Supplies	5,700	1,853	32.51%	5,700	2,855	50.09%
Operational	9,800	1,261	12.87%	9,800	921	9.40%
Utilities	1,000	-	0.00%	1,000	180	18.00%
Capital	-	-	0.00%	-	-	0.00%
Total	1,001,950	560,086	55.90%	1,057,600	582,490	55.08%

DESCRIPTION	PRIOR YEAR			CURRENT YEAR		
	BUDGET	ACTUAL	YTD %	BUDGET	ACTUAL	YTD %
<u>Police Patrol</u>						
Personnel Costs	4,641,700	2,246,960	48.41%	4,644,200	2,273,310	48.95%
Contractual	78,800	29,508	37.45%	73,600	38,908	52.86%
Supplies	328,550	123,237	37.51%	336,950	108,575	32.22%
Operational	30,050	8,071	26.86%	36,800	17,968	48.83%
Utilities	5,500	1,073	19.51%	5,500	1,322	24.04%
Capital	565,550	169,175	29.91%	0	-	0.00%
Total	5,650,150	2,578,024	45.63%	5,097,050	2,440,083	47.87%
<u>Criminal Investigation</u>						
Personnel Costs	982,200	467,643	47.61%	980,500	468,909	47.82%
Contractual	13,300	4,218	31.71%	19,700	7,145	36.27%
Supplies	42,400	16,194	38.19%	38,000	15,506	40.81%
Operational	8,700	5,397	62.04%	8,700	6,757	77.66%
Utilities	8,500	3,755	44.18%	9,300	3,943	42.39%
Capital	-	-	0.00%	3,500	1,800	51.43%
Total	1,055,100	497,208	47.12%	1,059,700	504,059	47.57%
<u>Community Services</u>						
Personnel Costs	711,000	345,849	48.64%	695,800	331,807	47.69%
Contractual	27,350	14,457	52.86%	25,750	20,978	81.47%
Supplies	29,900	10,056	33.63%	31,600	8,465	26.79%
Operational	10,400	1,959	18.84%	10,400	3,587	34.49%
Utilities	1,950	0	0.00%	1,000	-	0.00%
Capital	15,900	12,054	75.81%	45,900	21,142	46.06%
Total	796,500	384,375	48.26%	810,450	385,980	47.63%
<u>Warrant Officer</u>						
Personnel Costs	175,500	87,053	49.60%	175,300	84,755	48.35%
Contractual	2,600	795	30.57%	2,600	473	18.19%
Supplies	3,450	1,434	41.57%	3,950	813	20.59%
Operational	-	-	0.00%	900	-	0.00%
Utilities	900	-	0.00%	0	-	0.00%
Capital	-	-	0.00%	16,000	-	0.00%
Total	182,450	89,282	48.94%	198,750	86,041	43.29%
<u>Records</u>						
Personnel Costs	316,200	160,272	50.69%	325,700	153,536	47.14%
Contractual	1,950	-	0.00%	5,550	695	12.52%
Supplies	1,700	666	39.19%	1,700	859	50.53%
Operational	4,900	2,429	49.58%	4,900	-	0.00%
Utilities	1,100	0	0.00%	1,100	485	44.08%
Capital	-	-	0.00%	-	-	0.00%
Total	325,850	163,368	50.14%	338,950	155,575	45.90%

DESCRIPTION	PRIOR YEAR			CURRENT YEAR		
	BUDGET	ACTUAL	YTD %	BUDGET	ACTUAL	YTD %
<u>Planning</u>						
Personnel Costs	520,700	267,357	51.35%	548,850	259,292	47.24%
Contractual	45,600	27,601	60.53%	26,000	15,716	60.45%
Supplies	1,750	718	41.05%	1,600	784	49.00%
Operational	14,850	5,093	34.29%	18,000	8,423	46.79%
Utilities	750	582	77.65%	1,000	353	35.32%
Capital	-	-	0.00%	-	-	0.00%
Total	583,650	301,351	51.63%	595,450	284,568	47.79%
<u>Neighborhood Improvement Services</u>						
Personnel Costs	327,400	187,751	57.35%	308,800	146,798	47.54%
Contractual	118,850	36,489	30.70%	117,350	30,331	25.85%
Supplies	24,050	7,862	32.69%	24,050	5,726	23.81%
Operational	9,650	4,917	50.95%	9,650	4,121	42.71%
Utilities	2,800	954	34.06%	2,500	1,180	47.19%
Capital	-	-	0.00%	-	-	0.00%
Total	482,750	237,972	49.30%	462,350	188,156	40.70%
<u>Inspections</u>						
Personnel Costs	609,400	314,448	51.60%	617,350	304,217	49.28%
Contractual	43,800	3,559	8.13%	43,600	3,057	7.01%
Supplies	13,450	4,440	33.01%	13,450	3,711	27.59%
Operational	9,850	7,225	73.36%	9,750	3,496	35.86%
Utilities	4,500	1,351	30.02%	3,800	1,865	49.08%
Capital	-	-	0.00%	-	-	0.00%
Total	681,000	331,023	48.61%	687,950	316,346	45.98%
<u>Parks</u>						
Personnel Costs	948,900	488,845	51.52%	913,400	558,533	61.15%
Contractual	368,750	96,306	26.12%	363,450	95,439	26.26%
Supplies	220,050	120,736	54.87%	358,450	277,172	77.33%
Operational	12,000	6,285	52.38%	11,500	12,335	107.26%
Utilities	141,900	55,195	38.90%	191,900	61,050	31.81%
Capital	83,600	80,960	96.84%	16,900	13,520	80.00%
Total	1,775,200	848,327	47.79%	1,855,600	1,018,049	54.86%

DESCRIPTION	PRIOR YEAR			CURRENT YEAR		
	BUDGET	ACTUAL	YTD %	BUDGET	ACTUAL	YTD %
<u>Harbor</u>						
Personnel Costs	102,400	50,220	49.04%	104,050	49,922	47.98%
Contractual	167,800	72,740	43.35%	92,800	23,569	25.40%
Supplies	42,800	15,723	36.74%	41,800	12,075	28.89%
Operational	3,000	0	0.00%	4,000	173.96	4.35%
Utilities	131,500	41,982	31.93%	131,500	58,155	44.22%
Capital	10,550	7,580	71.85%	-	-	-
Total	458,050	188,245	41.10%	374,150	143,895	38.46%
<u>Recreation</u>						
Personnel Costs	573,300	243,422	42.46%	586,000	218,535	37.29%
Contractual	21,900	3,632	16.59%	20,250	6,104	30.14%
Supplies	55,600	10,929	19.66%	55,150	13,788	25.00%
Operational	58,650	16,317	27.82%	98,650	40,475	41.03%
Utilities	75,700	24,023	31.73%	75,700	36,190	47.81%
Capital	-	-	0.00%	-	-	0.00%
Total	785,150	298,322	38.00%	835,750	315,091	37.70%
<u>Animal Services</u>						
Personnel Costs	188,000	98,403	52.34%	186,100	94,735	50.91%
Contractual	414,500	206,390	49.79%	414,500	122,852	29.64%
Supplies	18,500	5,766	31.17%	18,500	3,191	17.25%
Operational	2,550	1,122	43.99%	2,550	0	0.00%
Utilities	4,000	1,431	35.79%	4,000	1,314	32.84%
Capital	-	-	0.00%	-	-	0.00%
Total	627,550	313,112	49.89%	625,650	222,091	35.50%
<u>Engineering</u>						
Personnel Costs	920,600	467,252	50.76%	930,500	438,371	47.11%
Contractual	94,700	54,559	57.61%	115,100	22,170	19.26%
Supplies	20,150	8,290	41.14%	25,500	10,845	42.53%
Operational	24,900	14,948	60.03%	24,900	2,416	9.70%
Utilities	8,000	4,323	54.04%	9,000	2,471	27.46%
Capital	27,400	26,687	97.40%	-	-	0.00%
Total	1,095,750	576,059	52.57%	1,105,000	476,273	43.10%
<u>Streets</u>						
Personnel Costs	603,100	316,839	52.54%	596,500	301,399	50.53%
Contractual	156,500	31,510	20.13%	129,800	43,266	33.33%
Supplies	1,095,400	165,550	15.11%	1,147,400	306,158	26.68%
Operational	2,500	1,773	70.93%	5,800	3,037	52.36%
Utilities	418,900	163,100	38.94%	459,900	234,044	50.89%
Capital	15,500	15,295	98.68%	-	-	-
Total	2,291,900	694,068	30.28%	2,339,400	887,904	37.95%
<u>Operating Transfers Out</u>						
Trsf Out - Radio Sys	185,000	-	0.00%	160,000	-	0.00%
Trsf Out - Employee Benefits	2,500,000	2,260,000	90.40%	2,300,000	2,300,000	100.00%
Trsf Out - Airport	11,000	-	0.00%	15,000	-	0.00%
Trsf Out - Work Comp	-	-	0.00%	50,000	-	0.00%
Trsf Out - Bond Projects	126,250	-	0.00%	-	-	0.00%
Trsf Out - Equipment Replacement	157,000	-	0.00%	150,000	-	0.00%
Total	2,979,250	2,260,000	75.86%	2,675,000	2,300,000	85.98%
TOTAL GENERAL FUND:	30,265,300	14,899,363	49.23%	29,757,350	14,925,908	50.16%

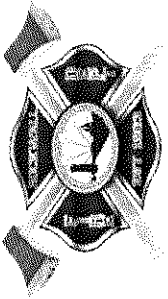
WATER AND SEWER FUND

<u>DESCRIPTION</u>	<u>PRIOR YEAR</u>			<u>CURRENT YEAR</u>		
	<u>BUDGET</u>	<u>ACTUAL</u>	<u>YTD %</u>	<u>BUDGET</u>	<u>ACTUAL</u>	<u>YTD %</u>
Operating Revenues:						
Retail Water Sales	8,200,000	3,701,209	45.14%	9,544,000	3,887,295	40.73%
Sewer Charges	5,084,000	2,491,056	49.00%	5,500,000	2,580,038	46.91%
Pretreatment Charges	9,300	4,654	50.04%	9,500	4,654	48.98%
HHW Fee	97,000	50,672	52.24%	100,000	48,511	48.51%
Penalties	200,000	113,266	56.63%	220,000	68,535	31.15%
Total Utility Sales	13,590,300	6,360,856	46.80%	15,373,500	6,589,032	42.86%
RCH Water Sales	796,200	211,811	26.60%	846,000	283,725	33.54%
Blackland Water Sales	583,000	252,383	43.29%	622,150	268,228	43.11%
City of Heath	814,800	312,216	38.32%	898,000	331,695	36.94%
Total Contract Sales	2,194,000	776,410	35.39%	2,366,150	883,648	37.35%
Water Taps	81,000	30,960	38.22%	85,000	35,820	42.14%
Sewer Taps	25,000	7,974	31.90%	25,000	4,800	19.20%
Total Other Receipts	106,000	38,934	36.73%	110,000	40,620	36.93%
Meter Rental Fees	20,000	9,750	48.75%	22,000	12,500	56.82%
Total Other Fees	20,000	9,750	48.75%	22,000	12,500	56.82%
Total Operating Revenues	15,910,300	7,185,950	45.17%	17,871,650	7,525,800	42.11%
Non-Operating Revenues:						
Interest Earnings	20,000	1,519	7.60%	5,000	779	15.58%
Auction/Scrap Proceeds	10,000	3,571	35.71%	5,000	4,258	85.15%
Other	20,000	10,586	52.93%	20,000	5,204	26.02%
Cell Tower Leases	122,800	68,451	55.74%	188,200	91,658	48.70%
Impact Fees	627,300	627,300	100.00%	650,000	247,964	38.15%
Total Non-Operating Revenues	800,100	711,427	88.92%	868,200	349,863	40.30%
Total Water & Sewer Revenues	<u>16,710,400</u>	<u>7,897,376</u>	<u>47.26%</u>	<u>18,739,850</u>	<u>7,875,663</u>	<u>42.03%</u>

WATER & SEWER FUND

<u>DESCRIPTION</u>	<u>PRIOR YEAR</u>			<u>CURRENT YEAR</u>		
	<u>BUDGET</u>	<u>ACTUAL</u>	<u>YTD %</u>	<u>BUDGET</u>	<u>ACTUAL</u>	<u>YTD %</u>
<u>Long Term Debt</u>						
Total	4,143,150	896,350	21.63%	3,337,150	1,033,666	30.97%
<u>Utility Billing</u>						
Personnel Costs	376,500	197,894	52.56%	383,900	190,441	49.61%
Contractual	302,600	141,985	46.92%	306,600	106,220	34.64%
Supplies	101,800	49,569	48.69%	100,800	36,018	35.73%
Operational	134,200	1,562	1.16%	133,800	-	0.00%
Capital	-	-	0.00%	-	-	0.00%
Total	915,100	391,009	42.73%	925,100	332,680	35.96%
<u>Water Operations</u>						
Personnel Costs	843,900	444,722	52.70%	849,700	412,522	48.55%
Contractual	6,640,700	3,221,140	48.51%	7,199,800	3,503,493	48.66%
Supplies	406,900	204,445	50.24%	412,650	159,790	38.72%
Operational	14,800	1,456	9.84%	13,300	6,514	48.98%
Utilities	254,400	88,690	34.86%	259,400	130,578	50.34%
Capital	23,000	-	0.00%	17,300	8,152.25	47.12%
Total	8,183,700	3,960,454	48.39%	8,752,150	4,221,049	48.23%
<u>Sewer Operations</u>						
Personnel Costs	697,500	372,569	53.41%	642,700	324,903	50.55%
Contractual	3,263,750	2,075,670	63.60%	3,762,250	2,109,798	56.08%
Supplies	149,600	53,815	35.97%	145,350	41,067	28.25%
Operational	13,100	1,957	14.94%	9,400	4,511	47.99%
Utilities	123,450	51,421	41.65%	143,450	51,100	35.62%
Capital	68,250	-	0.00%	0	-	0.00%
Total	4,315,650	2,555,432	59.21%	4,703,150	2,531,380	53.82%
<u>Operating Transfers Out</u>						
Trsf Out - Employee Benefits	1,050,000	700,000	66.67%	900,000	900,000	100.00%
Trsf Out - Workers' Comp.	30,000	-	0.00%	30,000	-	0.00%
Trsf Out - Equipment	11,950	-	0.00%	6,500	-	0.00%
Total	1,091,950	700,000	64.11%	936,500	900,000	96.10%
TOTAL WATER/SEWER FUND:	<u>18,649,550</u>	<u>8,503,245</u>	<u>45.59%</u>	<u>18,654,050</u>	<u>9,018,775</u>	<u>48.35%</u>

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City of Rockwall
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CITY CALLS	March	COUNTY CALLS	March
Situation Type	#	Situation Type	#
113 Cooking Fire, confined to container	1	111 Building fire	1
131 Passenger vehicle fire (cars, pickups, SUV's)	1	444 Power line down	1
143 Grass fire	1	550 Public service assistance, other	1
311 Medical assist, assist EMS crew	1	Totals:	3
353 Removal of victim(s) from stalled elevator	1	MUTUAL AID CALLS	0
365 Watercraft rescue	1		
412 Gas leak (natural gas or LPG)	4		
445 Arcing, shorted electrical equipment	1		
550 Public service assistance, other	1		
551 Assist police or other governmental agency	13		
553 Public service	6		
556 Public service - Non paged	6		
600 Good intent call, other	1		
611 Dispatched & canceled en route	2		
622 No incident found on arrival at dispatch address	1		
671 HazMat release investigation w/no HazMat	3		
700 False alarm or false call, other	3		
735 Alarm system sounded due to malfunction	4		
736 CO detector activation due to malfunction	1		
741 Sprinkler activation, no fire - unintentional	1		
743 Smoke detector activation, no fire - unintentional	7		
744 Detector activation, no fire - unintentional	2		
745 Alarm system activation, no fire - unintentional	7		
Unknown	1		
Totals:	70		

CITY RESPONSE
March 2015

ENROUTE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-1 1/2 Minutes		0- 1 1/2 MINUTES	
CRITERIA MET %	12 of 15	CRITERIA MET %	1 of 1
CRITERIA -ACHIEVE RESPONSE TIME	80.00%	CRITERIA -ACHIEVE RESPONSE TIME	100%
90% OF TIME IN BOXES WITH	Criteria not met	60% OF TIME IN BOXES WITH	Criteria met
STATIONS		STATIONS	
ARRIVAL TIMES			
	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0 - 6 MINUTES		0-6 MINUTES	
CRITERIA MET %	15 of 15	CRITERIA MET %	0 of 1
CRITERIA -ACHIEVE RESPONSE TIME	100.00%	CRITERIA -ACHIEVE RESPONSE TIME	0.00%
90% OF TIME IN BOXES WITH	Criteria met	60% OF TIME IN BOXES WITH	Criteria not met
STATIONS		STATIONS	
RESPONSE TIMES			
CITY CALLS	STATIONS 1,2,3 and 4 TO BOXES WITH STATIONS		STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0-7 1/2 MINUTES		0-7 1/2 MINUTES	
CRITERIA MET%	14 of 15	CRITERIA MET%	0 of 1
CRITERIA -ACHIEVE RESPONSE TIME	93.00%	CRITERIA -ACHIEVE RESPONSE TIME	0.00%
90% OF TIME IN BOXES WITH	Criteria met	60% OF TIME IN BOXES WITH	Criteria Not Met
STATIONS		STATIONS	

COUNTY AND MUTUAL AID
RESPONSE
March 2015

COUNTY/MUTUAL	
ENROUTE	STATIONS 1,2,3, AND 4 TO BOXES WITHOUT STATIONS
0- 1 1/2 MINUTES	
CRITERIA MET %	1 of 1
CRITERIA -ACHIEVE RESPONSE TIME	100.00%
60% OF TIME IN BOXES WITH	Criteria Met
STATIONS	
ARRIVAL	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0 - 10 MINUTES	
CRITERIA MET %	1 of 1
CRITERIA -ACHIEVE RESPONSE TIME	100.00%
60% OF TIME IN BOXES WITH	Criteria Met
STATIONS	
RESPONSE	STATIONS 1,2,3 and 4 TO BOXES WITHOUT STATIONS
0-11 1/2 MINUTES	
CRITERIA MET%	1 of 1
CRITERIA -ACHIEVE RESPONSE TIME	100.00%
60% OF TIME IN BOXES WITH	Criteria Met
STATIONS	

ENROUTE OVERAGES

CITY CALLS

MARCH 2015

Venue	Alarm Date	Alarm Time	Enroute Time	Paged to Enroute	Inc. Number	Fire Incident Station	Lights and Sirens	Apparatus	REASON FOR OVERAGES
Rockwall	03/05/2015	02:43:08	02:45:28	0:02:20	2015-00000180	Rockwall 1	Code 3	E1	Radio and pager issues
Rockwall	03/09/2015	08:43:56	08:46:12	0:02:16	2015-00000195	Rockwall 1	Code 3	LAD1	Personnel were out on foot for missing person search
Rockwall	03/10/2015	02:37:18	02:39:01	0:01:43	2015-00000197	Rockwall 2	Code 3	LAD2	CAD Times do not match radio times

ARRIVAL OVEARGES
CITY CALLS
MARCH 2015

<u>Venue</u>	<u>Alarm Date</u>	<u>Enroute Time</u>	<u>Arrival Time</u>	<u>Enroute to Arrival</u>	<u>Inc. Number</u>	<u>Fire Incident Station</u>	<u>Lights and Sirens</u>	<u>Appartus</u>	<u>REASON FOR OVEARGES</u>
Rockwall	03/14/2015	12:51:08	12:58:47	0:07:39	2015-00000206	Rockwall 1	Code 3	E4	Call to area without stations

RESPONSE OVERAGES
CITY CALLS
MARCH 2015

Venue	Alarm Date	Alarm Time	Enroute Time	Paged to Enroute	Arrival Time	Enroute to Arrival	Response	Inc. Number	Fire Incident Station	Lights and Sirens	Apparatus	REASON FOR OVERAGES
Rockwall	03/14/2015	12:49:56	12:51:08	0:01:12	12:58:47	0:07:39	0:08:51	2015-00000206	Rockwall 1	Code 3	E4	Response to Area without station
Rockwall	03/05/2015	02:43:08	02:45:28	0:02:20	02:50:51	0:05:23	0:07:43	2015-00000180	Rockwall 1	Code 3	E1	Radio & Pager Issues



City of Rockwall
The New Frontier

Total Dollar Losses

March 2015

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	\$15,300.00	\$195,488.00	\$153,060.00	\$230,788.00	\$153,560.00
Total Content Loss:	\$2,000.00	\$117,292.80	\$12,000.00	\$179,292.80	\$13,000.00
Total Property Pre-Incident Value:	\$0.00	\$244,360.00	\$152,910.00	\$544,360.00	\$152,910.00
Total Contents Pre-Incident Value	\$0.00	\$146,616.00	\$90,252.00	\$461,344.00	\$90,252.00
Total Losses:	\$17,300.00	\$312,780.80	\$165,060.00	\$410,080.80	\$17,300.00
Total Value:	\$ 00	\$390,976.00	\$243,162.00	\$1,005,704.00	\$243,162.00

City of Rockwall
Project Routing Report By Date Sent (then by project)
For the Period 3/1/2015 thru 3/31/2015

Project #	Appl. Date Project Type	Aging	Address Description	Status Owner Name	Plan Review Detail		
					Contact	Date Sent	Completed
					Review Type	Date Due	Status
E2015-001	01/07/2015 ENGINEERING	97	HWY276		Ariana Hargrove Engineering: Fire	03/02/2015 03/17/2015	03/03/2015 APPROVED
SP2015-004	02/16/2015 SITE PLAN	57	2400 SUMMER LEE DR		Ariana Hargrove FIRE	03/04/2015 03/11/2015	03/04/2015 COMMENTS
P2015-008	03/11/2015 PLAT	34	808 SAM HOUSTON		Ariana Hargrove FIRE	03/11/2015 03/18/2015	03/20/2015 APPROVED
E2015-006	03/03/2015 ENGINEERING	42	1701 SCIENCE PLACE		Ariana Hargrove ENG - FIRE	03/04/2015 03/18/2015	03/16/2015 APPROVED
E2015-008	03/23/2015 ENGINEERING	22	2994 FM549 S		Ariana Hargrove ENG - FIRE	03/23/2015 04/06/2015	03/30/2015 COMMENTS
P2015-009	03/12/2015 PLAT	33	2804 RIDGE RD		Ariana Hargrove FIRE	03/12/2015 03/19/2015	03/16/2015 APPROVED
Z2015-012	03/12/2015 ZONING	33	907 N GOLIAD ST		Ariana Hargrove FIRE	03/12/2015 03/19/2015	03/20/2015 APPROVED
P2015-010	03/13/2015 PLAT	32	203 N ALAMO		Ariana Hargrove FIRE	03/13/2015 03/20/2015	03/17/2015 APPROVED
P2015-011	03/13/2015 PLAT	32	713 HARTMAN ST		Ariana Hargrove FIRE	03/13/2015 03/20/2015	03/20/2015 APPROVED
P2015-012	03/13/2015 PLAT	32	BREEZY HILLS RD		Ariana Hargrove FIRE	03/13/2015 03/20/2015	03/20/2015 APPROVED

City of Rockwall
Project Routing Report By Date Sent (then by project)
For the Period 3/1/2015 thru 3/31/2015

Project #	Appl. Date Project Type	Aging	Address Description	Status Owner Name	Plan Review Detail			
					Contact	Review Type	Date Sent	Completed
							Date Due	Status
SP2015-005	03/13/2015 SITE PLAN	32	6525 FM 3097		Ariana Hargrove	FIRE	03/13/2015	03/20/2015
								COMMENTS
SP2015-006	03/13/2015 SITE PLAN	32	6540 ALLIANCE DR		Ariana Hargrove	FIRE	03/13/2015	03/20/2015
								COMMENTS
Z2015-013	03/16/2015 ZONING	29	BREEZY HILLS RD		Ariana Hargrove	FIRE	03/16/2015	03/23/2015
								APPROVED
SP2015-007	03/16/2015 SITE PLAN	29	1950 N GOLIAD ST		Ariana Hargrove	FIRE	03/16/2015	03/18/2015
								COMMENTS
Z2015-011	03/03/2015 ZONING	42			Ariana Hargrove	FIRE	03/03/2015	

City of Rockwall
Permit Routing Report By Date Sent (then by permit)
For the Period 3/1/2015 thru 3/31/2015

Permit #	Appl. Date	Aging	Address	Description	Owner Name	Contact	Review Type	Status	Plan Review Detail		
									Date Sent	Date Due	Completed
BLD2015-027	03/02/15	43	5451 Horizon	43 5451 Horizon	BUFFALO, CREEK BUSINESS PARK LTD	Ariana Hargrove	FIRE	APPROVED	03/02/15	03/12/15	03/02/15
CO2015-0025	03/02/15	43	2455 Ridge Rd 149	43 2455 Ridge Rd 149	ROCKWALL, OCEANHILL LLC	Ariana Hargrove	FIRE CO	APPROVED	03/02/15	03/05/15	03/02/15
CO2015-0026	03/02/15	43	6531 Horizon Suite C	43 6531 Horizon Suite C	ROCKWALL, RENTAL PROPERTIES LP	Ariana Hargrove	FIRE CO	APPROVED	03/02/15	03/05/15	03/02/15
BLD2015-028	03/03/15	42	1037 IH 30 103	42 1037 IH 30 103	EXCEL, ROCKWALL LLC	Ariana Hargrove	FIRE	COMMENTS NEEDED	03/03/15	03/13/15	03/06/15
BLD2015-028	03/03/15	42	2380 S GOLIAD ST 100	42 2380 S GOLIAD ST 100	CNLR, ROCKWALL LP	Ariana Hargrove	FIRE	APPROVED	03/03/15	03/13/15	03/06/15
BLD2015-029	03/04/15	41	1220 HORIZON RD	41 1220 HORIZON RD	1220, HORIZON ROAD LLC	Ariana Hargrove	FIRE		03/04/15	03/14/15	
BLD2015-028	03/03/15	42	1037 IH 30 104	42 1037 IH 30 104	EXCEL, ROCKWALL LLC	Ariana Hargrove	FIRE	COMMENTS NEEDED	03/06/15		03/06/15
PLB2015-007	03/10/15	35	990 I30	35 990 I30	ROCKWALL, LAND COMPANY LTD	Ariana Hargrove	FIRE		03/10/15	03/20/15	
BLD2015-031	03/11/15	34	1037 IH 30	34 1037 IH 30	EXCEL, ROCKWALL LLC	Ariana Hargrove	FIRE		03/11/15	03/21/15	
CO2015-0027	03/11/15	34	6537 HORIZON RD. STE B-1	34 6537 HORIZON RD. STE B-1	N&TT LEGACY PARTNERS	Ariana Hargrove	FIRE CO	APPROVED	03/11/15	03/14/15	03/16/15
CO2015-0028	03/12/15	33	1300 Ralph Hall 102	33 1300 Ralph Hall 102	DALLAS, EAST	Ariana Hargrove	FIRE CO		03/12/15	03/15/15	
CO2015-0029	03/13/15	32	2255 RIDGE RD	32 2255 RIDGE RD	DAKIER, PARTNERS LTD	Ariana Hargrove	FIRE CO	APPROVED	03/13/15	03/16/15	03/16/15
PLB2015-008	03/13/15	32	5719 SH 276	32 5719 SH 276	SIGN, OF QUALITY LLC	Ariana Hargrove	FIRE		03/13/15	03/23/15	
PLB2015-008	03/13/15	32	1104 Ridge Rd A	32 1104 Ridge Rd A	BENBROOKE, RIDGE PARTNERS LP	Ariana Hargrove	FIRE		03/13/15	03/23/15	
BLD2014-129	09/09/14	217	3140 Horizon Rd.	217 3140 Horizon Rd.	ROCKWALL, REGIONAL HOSPITAL LLP	Ariana Hargrove	FIRE	APPROVED	03/17/15	03/27/15	03/17/15
BLD2015-034	03/17/15	28	1700 IH 30	28 1700 IH 30	NESBO, LIMITED PARTNERSHIP	Ariana Hargrove	FIRE		03/17/15	03/27/15	
BLD2015-034	03/18/15	27	2897 SH 66	27 2897 SH 66	TA, LANDHOLDINGS LLC	Ariana Hargrove	FIRE	COMMENTS NEEDED	03/18/15	03/28/15	03/20/15

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City of Rockwall
Permit Routing Report By Date Sent (then by permit)
For the Period 3/1/2015 thru 3/31/2015

Permit #	Appl. Date	Aging	Address	Description	Owner Name	Contact	Plan Review Detail			
							Review Type	Status	Date Sent	Completed
PLB2015-008	03/18/15	COMM	27	811 YELLOW JACKET PURE SMOOTHIES, GREASE TRAP, ICE MAKER, SINK	LANDLOW, LLC	Ariana Hargrove	FIRE 972-772-6431		03/18/15	03/28/15
BLD2015-036	03/20/15	COMM	25	810 E RALPH HALL PKWY 120 Urgent Care Rockwall Expansion - Interior Completion	INTERMED, SERVICES MANAGEMENT CO LP	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	03/23/15	03/30/15
BLD2015-036	03/23/15	COMM	22	3018 RIDGE RD 120 DR. CHOU PEDIATRIC DENTAL OFFICE	AJ, SQUARED LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	03/23/15	04/02/15
BLD2015-036	03/23/15	COMM	22	520 WASHINGTON ST. WOOD RAMP FOR BETHEL BAPTIST CHURCH	BETHEL BAPTIST CHURCH	Ariana Hargrove	FIRE 972-772-6431		03/23/15	04/02/15
BLD2015-036	03/23/15	COMM	22	2578 HWY 276 FLAT WORK	VACPARTS WAREHOUSE COM LLC	Ariana Hargrove	FIRE 972-772-6431		03/23/15	04/02/15
SPEC2015-00	03/23/15	SPECIAL EVENT	22	102 KENWAY DR FUN FEST-SAINT MATTHIAS CATHOLIC CHURCH	KNIGHTSBRIDGE, HOLDING CO PROFIT	Ariana Hargrove	FIRE 972-772-6431	APPROVED	03/23/15	03/30/15
BLD2014-125	09/02/14	COMM	224	760 Ralph Hall Pkwy W Horizon Village New Bldg	FLEMING, INVESTMENTS INC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	03/24/15	04/03/15
CO2015-0030	03/24/15	CO	21	890 Rockwall Pkwy 115 Texas Health Behavioral Services	ROCKWALL, MEDICAL PROPERTIES LP	Ariana Hargrove	FIRE CO 972-772-6431	APPROVED	03/24/15	03/27/15
BLD2014-125	09/02/14	COMM	224	760 Ralph Hall Pkwy W Horizon Village New Bldg	FLEMING, INVESTMENTS INC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	03/25/15	04/04/15
BLD2015-038	03/25/15	COMM	20	689 IH 30 LaQuinta Inn - lobby /mtg/ breakfast area remodel	STJ, INVESTMENTS LLC	Ariana Hargrove	FIRE 972-772-6431	APPROVED	03/25/15	04/04/15
MEC2015-00	03/25/15	COMM	20	554 W RALPH HALL PKWY REPLACE HVAC FOR BUFFINGTON CHIROPRACTIC	BUFFINGTON CHIROPRACTIC	Ariana Hargrove	FIRE 972-772-6431		03/25/15	04/04/15
BLD2015-039	03/26/15	COMM	19	898 Steger Town Dr. Avis Budget Car Rental - Adding 3 wing walls / no demo	STEGER, DUNHILL LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	03/26/15	04/05/15
BLD2015-040	03/27/15	COMM	18	506 N GOLIAD COMMERICAL - SHINGLES ONLY FOR THE LIGHTHOUSE	MEYERS, STUART A & BRENDA S	Ariana Hargrove	FIRE 972-772-6431		03/27/15	04/06/15
CO2015-0031	03/27/15	CO	18	901 DAVY CROCKETT 316 BJJ	HENRY, PATRICK ETUX	Ariana Hargrove	FIRE CO 972-772-6431	APPROVED	03/27/15	03/30/15
BLD2015-036	03/23/15	COMM	22	3018 RIDGE RD 100 DR AJAY GULATI ENDODONTIC	AJ, SQUARED LLC	Ariana Hargrove	FIRE 972-772-6431	COMMENTS NEEDED	03/30/15	03/30/15



Fire Alarms

March 2015

Fire Inspection Status	Date	Address	Common Name	Disposition Code	CFS Number	Incident Number	Incident ORI
	03/02/2015 14:35:15	1539 MADISON DR		FA	255	2015- 00000167	TX504
	03/03/2015 12:39:05	996 E I30	Best Western	FA	420	2015- 00000169	TX504
	03/03/2015 15:15:11	1309 RIDGE RD		FA	447	2015- 00000172	TX504
	03/03/2015 17:48:12	2901 VILLAGE DR		FA	468	2015- 00000173	TX504
	03/08/2015 13:59:03	5242 MEDICAL DR	Broadmoor Medical Lodge	FA	1391	2015- 00000191	TX504
	03/09/2015 08:42:58	1309 RIDGE RD		FA	1496	2015- 00000195	TX504
	03/09/2015 11:39:13	1201 T L TOWNSEND DR	Herman E. Utley Middle School, Utley	FA	1512	2015- 00000196	TX504
	03/10/2015 02:36:02	405 E I30	Office Depot	FA	1600	2015- 00000197	TX504
	03/12/2015 17:54:52	350 DALTON RD	Nebbie	FA	2064	2015- 00000202	TX504
	03/14/2015 20:05:58	1390 GLENWICK DR		FA	2407	2015- 00000208	TX504
	03/15/2015 10:33:40	2949 WILD OAK LN		FA	2503	2015- 00000209	TX504
	03/17/2015 11:26:28	720 E RALPH HALL PKWY	Rock Ridge, Rock Ridge Assisted Living, Rock Ridge Assisted Living and Memory Care	FA	2874	2015- 00000213	TX504
	03/19/2015 14:25:32	112 E RUSK ST	Fatted Calf	FA	3304	2015- 00000218	TX504
	03/24/2015 07:27:28	850 STEGER TOWNE DR	Target	FA	4114	2015- 00000227	TX504
	03/25/2015 09:45:16	113 WALNUT LN		FA	4295	2015- 00000229	TX504
	03/26/2015 10:38:07	1695 SCIENCE PL		FA	4452	2015- 00000234	TX504
	03/29/2015 10:41:55	111 LANSHIRE DR		FA	5033	2015- 00000243	TX504

: 17

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Inspection Totals Per Inspector

March 2015

Fire Inspection Status	Fire Inspection FDID	Inspector	Inspection Type	Fire Inspection Number
Pending	TX504	744 - Patrick	Certificate of Occupancy	CO2015-0022
Finaled	TX504	744 - Patrick	Certificate of Occupancy	CO2015-0019
Finaled	TX504	744 - Patrick	Courtesy	2626
Finaled	TX504	744 - Patrick	Courtesy	2625
Finaled	TX504	744 - Patrick	Courtesy	2624
Finaled	TX504	744 - Patrick	Courtesy	2623
Finaled	TX504	744 - Patrick	Courtesy	2632
Finaled	TX504	744 - Patrick	Courtesy	2631
Finaled	TX504	744 - Patrick	Courtesy	2630
Finaled	TX504	744 - Patrick	Courtesy	2629
Pending	TX504	744 - Patrick	Fire Alarm System	2621
Pending	TX504	744 - Patrick	Fire Alarm System	2564
Pending	TX504	744 - Patrick	Fire Spinkler System	2540
Pending	TX504	744 - Patrick	Fire Spinkler System	2540
Pending	TX504	744 - Patrick	Fire Spinkler System	2540
Finaled	TX504	744 - Patrick	Knox Box	2633
Total Per Inspector: 16				
Pending	TX504	836 - Ayres	Annual	2639
Pending	TX504	836 - Ayres	Annual	2637
Pending	TX504	836 - Ayres	Annual	2627
Finaled	TX504	836 - Ayres	Annual	2609
Pending	TX504	836 - Ayres	Annual	2609
Finaled	TX504	836 - Ayres	Certificate of Occupancy	CO2015-0021
Pending	TX504	836 - Ayres	Certificate of Occupancy	CO2015-0015
Pending	TX504	836 - Ayres	Certificate of Occupancy	CO2015-0029
Finaled	TX504	836 - Ayres	Construction Final	2602
Finaled	TX504	836 - Ayres	Courtesy	2640
Finaled	TX504	836 - Ayres	Fire Spinkler System	2463
Finaled	TX504	836 - Ayres	Follow Up	2537
Pending	TX504	836 - Ayres	Follow Up	2612
Pending	TX504	836 - Ayres	Follow Up	2537
Pending	TX504	836 - Ayres	Remote FDC	2604
Pending	TX504	836 - Ayres	Underground Fire Line	2603
Total Per Inspector: 16				
Finaled	TX504	843 - Clark	Annual	2619
Finaled	TX504	843 - Clark	Certificate of Occupancy	CO2015-0028
Finaled	TX504	843 - Clark	Certificate of Occupancy	CO2015-0027
Finaled	TX504	843 - Clark	Certificate of Occupancy	CO2015-0023
Finaled	TX504	843 - Clark	Certificate of Occupancy	CO2015-0005
Pending	TX504	843 - Clark	Certificate of Occupancy	CO2015-0028
Finaled	TX504	843 - Clark	Certificate of Occupancy	CO2015-0026
Pending	TX504	843 - Clark	Certificate of Occupancy	CO2015-0026
Finaled	TX504	843 - Clark	Certificate of Occupancy	CO2015-0022
Finaled	TX504	843 - Clark	Certificate of Occupancy	CO2015-0024
Finaled	TX504	843 - Clark	Certificate of Occupancy	CO2015-0025
Pending	TX504	843 - Clark	Certificate of Occupancy	CO2015-0023

Final	TX504	843 - Clark	Construction Final	2554
Final	TX504	843 - Clark	Construction Final	2555
Pending	TX504	843 - Clark	Construction Final	2628
Pending	TX504	843 - Clark	Construction Final	2638
Final	TX504	843 - Clark	Construction Final	2628
Pending	TX504	843 - Clark	Construction Final	2628
Final	TX504	843 - Clark	Construction Final	2552
Pending	TX504	843 - Clark	Construction Final	2628
Final	TX504	843 - Clark	Construction Final	2571
Pending	TX504	843 - Clark	Construction Final	2613
Final	TX504	843 - Clark	Courtesy	2494
Final	TX504	843 - Clark	Courtesy	2493
Final	TX504	843 - Clark	Courtesy	2586
Final	TX504	843 - Clark	Courtesy	2493
Final	TX504	843 - Clark	Courtesy	2636
Final	TX504	843 - Clark	Courtesy	2635
Final	TX504	843 - Clark	Courtesy	2634
Final	TX504	843 - Clark	Courtesy	2493
Final	TX504	843 - Clark	Courtesy	2494
Final	TX504	843 - Clark	Courtesy	2586
Pending	TX504	843 - Clark	Fire Spinkler System	2610
Final	TX504	843 - Clark	Fire Spinkler System	2610
Final	TX504	843 - Clark	Fire Spinkler System	2595
Final	TX504	843 - Clark	Fire Spinkler System	2610
Pending	TX504	843 - Clark	Fire Spinkler System	2463
Final	TX504	843 - Clark	Fire Spinkler System	2582
Final	TX504	843 - Clark	Fire Spinkler System	2581
Pending	TX504	843 - Clark	Follow Up	2617
Final	TX504	843 - Clark	Follow Up	2618
Pending	TX504	843 - Clark	Follow Up	2618
Final	TX504	843 - Clark	Follow Up	2611
Pending	TX504	843 - Clark	Follow Up	2611
Final	TX504	843 - Clark	Follow Up	2617
Final	TX504	843 - Clark	Knox Box	2565
Final	TX504	843 - Clark	Open Burn	2622
Final	TX504	843 - Clark	Other	2585
Final	TX504	843 - Clark	Tanks - Piping	2620

Total Per Inspector: 49

Department Total: 81

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Rockwall Police Department

Harbor District Calls For Service

March 2015

<u>Incident Number</u>	<u>Date</u>	<u>Time</u>	<u>Common Name</u>	<u>Incident Type</u>	<u>Incident CFS Disposition</u>
2015-00007737	03/11/2015	20:57:41	Cinemark	Disturbance	No Report
2015-00009520	03/28/2015	03:36:47	Cinemark	Suspicious Activity	Report
2015-00006727	03/01/2015	14:51:35	Dodie's	Civil Matter	No Report
2015-00008939	03/22/2015	08:08:07	Hilton	Alarm-BUSN	False Alarm
2015-00009706	03/29/2015	22:41:57	Hilton	Solicitor	Arrest
2015-00007764	03/12/2015	03:17:21	Hilton	Suspicious Activity	No Report
2015-00008971	03/22/2015	14:25:59	Hilton	Welfare Concern	No Report
2015-00009554	03/28/2015	12:50:00	The Harbor	Accident - Minor	No Report
2015-00008389	03/17/2015	20:32:45	The Harbor	Assist Motorist	No Report
2015-00006675	03/01/2015	00:34:51	Three Sheets	Disturbance	Arrest
2015-00007428	03/08/2015	04:06:17	Three Sheets	Investigation	No Report
			<u>Common Name</u>		
			Hilton	4	
			The Harbor	2	
			Three Sheets	2	
			Cinemark	2	
			Dodie's	1	
			Total	11	

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CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
FACILITY MAINTENANCE REQUESTS FOR SERVICE
MARCH 2015

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	3	3	0	100%
ADMINISTRATIVE SERVICES	1	1	0	100%
AIRPORT	0	0	0	0%
ANIMAL SERVICES	4	3	1	75%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	0	0	0	0%
ENGINEERING	4	4	0	100%
FINANCE	3	3	0	100%
FIRE DEPARTMENT	39	38	1	97%
INTERNAL OPERATIONS	121	121	0	100%
MUNICIPAL COURT	4	4	0	100%
PARKS & RECREATION	26	26	0	100%
PLANNING & ZONING	0	0	0	0%
POLICE DEPARTMENT	36	36	0	100%
PUBLIC WORKS	13	13	0	100%
UTILITY BILLING	0	0	0	0%
TOTAL	254	252	2	99%

CITY OF ROCKWALL
INTERNAL OPERATIONS DEPARTMENT
RADIO SYSTEM
REQUESTS FOR SERVICE
MARCH 2015

DEPARTMENT	# OF REQUESTS	# OF REQUESTS RESPONDED TO W / IN 24 HOURS	# OF REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ANIMAL SERVICES	0	0	0	100%
CODE ENFORCEMENT			0	100%
FIRE DEPARTMENT	8	8	0	100%
EMS	0	0	0	100%
INTERNAL OPERATIONS	1	1	0	100%
PARKS & RECREATION	0	0	0	100%
POLICE DEPARTMENT	6	6	0	100%
PUBLIC WORKS	0	0	0	100%
UTILITY BILLING	0	0	0	100%
FATE DEPT. PUBLIC SAFETY	0	0		100%
HEATH DEPT. PUBLIC SAFETY	1	1	0	100%
HOSPITAL CONTROL STATIONS	0	0	0	100%
SYSTEM ISSUES	1	1	0	100%
TOTAL	17	17	0	100%

Airport Operations Report

For Month of March 2015

FUEL SALES

	GALLONS SOLD	GROSS SALES
Jet - A Sales	701.90	\$2,737.41
Av-Gas Sales	1,753.00	\$8,151.58
TOTAL FUEL SALES	2,454.90	\$10,888.99

HANGAR RENTAL REVENUE

Open T Hangar Rental Revenue	\$2,550.00
Terminal Office Rental Revenue	\$250.00
Enclosed Hangar Rental Revenue	\$120.00
North Maintenance Hangar Rental Revenue	\$500.00
TOTAL HANGAR RENTALS	\$3,420.00

HANGAR OCCUPANCY RATES

	TOTAL HANGARS	QTY RENTABLE	QUANTITY LEASED	OCCUPANCY RATE
Open T Hangars	45	40	36	90.00%
Terminal Office Rentals	1	1	1	100%
Closed Hangar Rentals	1	1	1	100%
Open Hangar Cap Rentals	2	1	1	100%
TOTAL HANGAR OCCUPANCY	49	43	39	91%

Of the forty five hangars only forty can actually be rented. Most of these forty should be considered substandard and not easily marketed due to pad slope and width, electrical, and drainage issues.

CITY FEES DUE	FEE RATE	FRANCHISE FEE DUE	FUEL FLOWAGE FEES DUE	TOTAL FEES DUE
Fuel Sales (Gallons Sold)	\$0.10	\$0.00	\$245.49	\$245.49
City Owned Hangar Rentals	5.00%	\$171.00	\$0.00	\$0.00
TOTAL FEES DUE		\$171.00	\$245.49	\$416.49

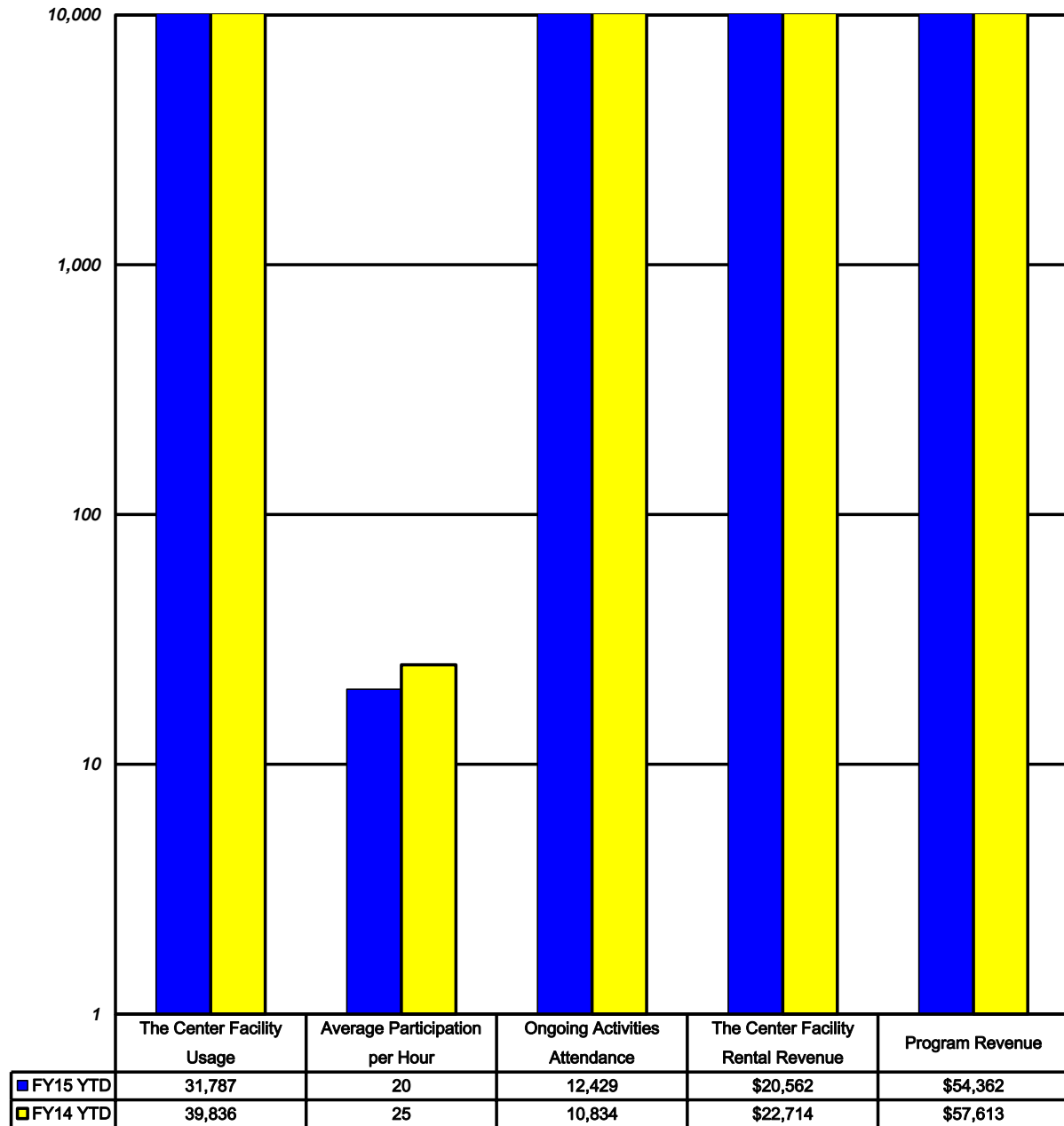
I certify the information and amounts submitted on this form are true and correct.



Todd Parks
Managing Director - Texas Air Center, LLC

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City of Rockwall Parks and Recreation Department FY15 March Report



The Center Facility Usage - Total number of visitors and participants that come thru The Center - includes Ongoing Activities.

Average Participation per Hour - The Center Facility Usage divided by the number of hours the facility is open.

Ongoing Activities Attendance - Non fee based activities conducted on a routine basis (Bingo, Exercise with Anita, etc).

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Rockwall Animal Adoption Center Monthly Report
CCHS at Rockwall
March 2015

DISPOSITION REPORT

	March
Intakes	139
1045	2
Adopted	73
Returned to Owner	31
Rescued	9
Euthanized	6
Live Outcome %	94%
Number of Animals in Foster	2

FINANCIAL REPORT

Income	March
City of Rockwall	\$0
Adoption Fee Income	\$6,425
Impound Fee Income	\$830
Owner Surrender	\$1,252
General Donations	\$1,562
Merchandise Sales	\$0
Medical	\$750
Quarantine Fee	\$470
Total Income	\$11,289

Expenses	March
Administrative Expenses (Payroll, etc)	\$37,893
Shelter Expenses (Microchips, Drugs, etc)	\$8,905
Veterinary Expenses	\$1,135
Total Expenses	\$45,088
Balance	-\$35,893

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