

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, June 07, 2021 - 4:30 PM

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

I. Call Public Meeting to Order

II. Executive Session.

The City of Rockwall City Council will Recess into Executive Session to discuss the following matter as authorized by Chapter 551 of the Texas Government Code:

1. Discussion regarding appointment of Presiding Judge and Associate Judge of the Rockwall Municipal Court, including conducting associated interviews, pursuant to Section, §551.074 (Personnel Matters)
2. Discussion regarding city council subcommittees and board liaison designations, pursuant to Section, §551.074 (Personnel Matters)

III. Adjourn Executive Session

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

V. Invocation and Pledge of Allegiance - Councilmember Johannesen

VI. Proclamations

1. Certificate of Merit - Rockwall Police Officer Michael Manuel
2. "2020 Large Partner of the Year" - City Award from Rockwall Area Chamber of Commerce

VII. Open Forum

This is a time for anyone to address the Council and public on any topic not already listed on the agenda or set for a public hearing. Per Council policy, public comments should be limited to three minutes out of respect for other citizens' time. If you have a topic that warrants longer time, please contact the City Secretary at kcole@rockwall.com to be placed on the Agenda during the "Appointment Items" portion of the meeting. This will allow your topic to be provided sufficient time for discussion and will permit proper notice to be given to the public. On topics raised during Open Forum, please know Council is not permitted to respond to your comments during the meeting since the topic has not been specifically listed on the agenda (the Texas Open Meetings Act requires that topics of discussion/deliberation be posted on an agenda not less than 72 hours in advance of the Council meeting). This, in part, is so that other citizens who may have the same concern may also be involved in the discussion.

VIII. Take any Action as a Result of Executive Session

IX. Consent Agenda

These agenda items are routine/administrative in nature, have previously been discussed at a prior City Council meeting, and/or they do not warrant Council deliberation. If you would like to discuss one of these items, please let the City Secretary know before the meeting starts so that you may speak during "Open Forum."

1. Consider approval of the minutes from the May 17, 2021 regular city council meeting, and take any action necessary.
2. **P2021-022** - Consider a request by Bryan Connally of CBG Surveying Texas, LLC on behalf Helen Comeav Neller for the approval of a *Final Plat* for Lots 1 & 2, Block A, Neller Addition being an 11.368-acre parcel of land identified as Lot 7, Block 1, Lofland Lake Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estates 4.0 (SFE-4.0) District, addressed as 2380 FM549, and take any action necessary.

3. **P2021-023** - Consider a request by Cameron Slown, PE of Teague, Nall & Perkins on behalf of Rockwall Rental Properties, LP for the approval of a *Replat* for Lot 12 & 13, Block 1, Alliance Addition, Phase 2 being a 4.992-acre tract of land identified as Lots 8, 9, 10, & 11, Block 1, Alliance Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses, located at the southeast corner of Horizon Road [FM-3097] and Andrews Drive, and take any action necessary.
4. **P2021-024** - Consider a request by Scott H. Johnson for the approval of a *Replat* for Lot 1, Block A, Johnson Addition being an 0.24-acre parcel of land identified as Lot E, Block 112, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 505 E. Bourne Street, and take any action necessary.
5. **P2021-025** - Consider a request by Austin McDaniel of Landev Engineers on behalf of Josh Kirby for the approval of a *Replat* for Lot 2, Block 1, Our Savior Lutheran Church Addition being a 4.0152-acre parcel of land identified as Lot 1, Block 1, Our Savior Lutheran Church Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 13 (PD-13), addressed as 3003 Horizon Road [FM-3097], and take any action necessary.
6. **P2021-027** - Consider a request by Keaton Mai of the Dimension Group on behalf of Russell Phillips of Rockwall 205 Investors, LLC for the approval of a *Preliminary Plat* for Lots 1-14, Block A, Creekside Commons being a 34.484-acre tract of land identified as Tracts 17-5 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, generally located at east of the intersection of S. Goliad Street [SH-205] and S. FM-549, and take any action necessary.
7. **P2021-028** - Consider a request by Akhil D. Vats for the approval of a *Replat* for Lot 9, Block A, Ellis Centre, Phase Two Addition being a 0.70-acre parcel of land identified as Lot 6, Block A, Ellis Centre #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, located at the western corner of the intersection of Alpha Drive and Beta Drive, and take any action necessary.
8. **Z2021-008** - Consider a request by Lance Tyler on behalf of the owner Mike Worster for the approval of an **ordinance** for a *Specific Use Permit (SUP)* allowing *Residential Infill Adjacent to an Established Subdivision*, an *Accessory Building*, and a *Guest Quarters/Secondary Living Unit* for the purpose of constructing a single-family home, accessory building, detached garage, and guest quarters/secondary living unit on a 8.011-acre tract of land identified as Tract 19-2 of the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for Single-Family 8.4 (SF-8.4) District land uses, addressed as 550 E. Quail Run Road, and take any action necessary (**2nd Reading**).
9. **Z2021-009** - Consider a request by Michael Morgan on behalf of the owner Gary Scott Barron for the approval of an **ordinance** for a *Specific Use Permit (SUP)* allowing *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.16-acre parcel of land identified as Lot 9, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 704 Parks Avenue, and take any action necessary (**2nd Reading**).
10. Consider approving an amendment to the professional engineering services contract with Birkhoff, Hendricks and Carter, LLP, to prepare the engineering design and construction plan for the FM-552 Utility Relocation Project in an additional amount not to exceed \$244,310.00, to be paid out of the Water and Sanitary Sewer Fund, and taken any action necessary.
11. Consider approval of the funding recommendation from the Hotel Occupancy Tax subcommittee for the 2021 Texas Canine Workshop in the amount of \$13,600 and authorize the Interim City Manager to execute a contract for the conference funding, and take any action necessary.
12. Consider an amendment to the operating budget for fiscal year 2021 in the amount of \$289,283.54 for electric ancillary services charges to Gexa Energy to be paid from General Fund Reserves, and take any action necessary.

X. **Action Items**

If your comments are regarding an agenda item below, you are asked to wait until that particular agenda item is up for discussion, and the Mayor or Mayor Pro Tem will call you forth to the podium to hear your comments (please limit to 3 minutes or less). This allows for all public comments to be grouped with each specific agenda item for the Council to consider, and they are then easily referenced in meeting recordings.

1. **Z2021-011** - Discuss and consider a request by Kristi Bryant for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for an *Accessory Building* to allow an existing greenhouse on a 0.496-acre tract of land identified as Lot 5 & 6, Block A, Highridge Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 710 & 804 S. Alamo Road, and take any action necessary **(2nd Reading)**.
2. **Z2021-013** - Discuss and consider approval of an **ordinance** for a *Text Amendment* to Subsection 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] for the purpose of clarifying the requirements for temporary structures on leased property within the takeline area **(2nd Reading)**.
3. Discuss and consider a resolution approving a Multiple Use Agreement with the Texas Department of Transportation (TXDOT) for the City flagpole project on State right-of-way located between the Interstate 30 service road and Laguna Drive, including project update and associated budget, and take any action necessary.
4. Discuss and consider the "Discovery" Sculpture Project, including authorizing the project budget in the amount of \$324,800, and take any action necessary.
5. Discuss and consider an ordinance granting a Franchise Agreement to Si Energy, L.P. to provide natural gas service in the City of Rockwall, and take any action necessary.

XI. City Manager's Report, Departmental Reports and related discussions pertaining to current city activities, upcoming meetings, future legislative activities, and other related matters.

1. Building Inspections Monthly Report - April 2021
2. Fire Department Monthly Report - April 2021
3. Parks & Rec. Monthly Report - April 2021
4. Police Department Monthly Report - April 2021
5. Sales Tax Historical Comparison
6. Water Consumption Historical Statistics

XII. Executive Session.

The City of Rockwall City Council will Recess into Executive Session to discuss the following matter as authorized by Chapter 551 of the Texas Government Code:

1. Discussion regarding appointment of Presiding Judge and Associate Judge of the Rockwall Municipal Court, including conducting associated interviews, pursuant to Section, §551.074 (Personnel Matters)
2. Discussion regarding city council subcommittees and board liaison designations, pursuant to Section, §551.074 (Personnel Matters)

XIII. Reconvene Public Meeting & Take Any Action as Result of Executive Session

XIV. Adjournment

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

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

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 4th day of June, 2021 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

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

Date Removed



City of Rockwall
The New Horizon

MEMORANDUM

TO: Mary Smith, Interim City Manager
FROM: Max Geron, Chief of Police
DATE: June 2, 2021
SUBJECT: Certificate of Merit – Michael Manuel

Officer Michael Manuel is currently the School Resource Officer at Utlely Middle School. As he recognized the challenged of encouraging open communication between students and law enforcement, he developed an innovative new resource. Utilizing document-sharing technology already in use by the school district, he created a program entitled “Thought You Should Know SRO”. The goal of the program is to encourage students to anonymously report any issue or concern of which they believe an officer should be aware.

Officer Manuel launched the program in early February through a short video shown to students and teachers with an overview of the program and instructions on how to utilize the reporting document. The week it was launched, he was able to quickly develop intelligence that resulted in the confiscation of contraband that were possessed on campus. Since its inception, the program has been used to report sensitive information from students that required police intervention and helped to curb bullying against a student who reported vape usage. After recognizing the success of his program, he shared it with the SRO’s from surrounding agencies as a model for them to use in their schools.

Officer Manuel used innovation and creativity to help bridge the communication gap between students and police officers. Furthermore, he brought favorable recognition to the Rockwall Police Department by sharing his successful idea with neighboring agencies. The actions of Officer Manuel represent the highest standards of police work and Utlely Middle School is safer because of it. For his accomplishment, he is being awarded the Certificate of Merit.



Rockwall Area Chamber of
Commerce

...

April 28 · 🌐

2021 Large Partner of the Year Winners Mayor
Jim Pruitt and Councilmembers Kevin Fowler,
Dana Macalik, Anna Campbell & John
Hohenshelt from City of Rockwall, Texas -
Municipal Government along with presenter
Neely Holland from State Representative Justin
Holland's Office.

— with City of Rockwall, Texas - Municipal
Government and 8 others.



ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, May 17, 2021 - 5:00 PM

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

I. CALL PUBLIC MEETING TO ORDER

Mayor (Elect) Kevin Fowler called the meeting to order at 5:00 p.m. Present were Mayor Kevin Fowler and Council Members Clarence Jorif, Dana Macalik, Trace Johannesen, Bennie Daniels, and Anna Campbell. Also present were Assistant City Manager Joey Boyd and City Attorney Frank Garza. Interim City Manager, Mary Smith was absent from the meeting. Fowler then read the below listed discussion items into the record before recessing the public meeting to go into Executive Session. Councilmember John Hohenshelt joined the meeting right afterwards, at 5:02 p.m.

II. EXECUTIVE SESSION.

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

- 1. Discussion regarding appointment of city council subcommittees, board liaisons and designation of Mayor Pro Tem, pursuant to Section, §551.074 (Personnel Matters).**
- 2. Discussion regarding the 212 Development Agreement and the possible annexation of land in the vicinity of FM-1141 and Clem Road pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).**
- 3. Discussion regarding appointment of Presiding Judge, Associate Judge, and Prosecutor of the Rockwall Municipal Court, pursuant to Section, §551.074 (Personnel Matters).**
- 4. Discussion regarding Texas Coalition for Affordable Power and Gexa Energy's notice of Ancillary Services costs pursuant to Section 551.071 (Consultation with Attorney) and Section 551.086 (Competitive Matter).**

III. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 6:00 p.m.

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

Mayor (Elect) Kevin Fowler reconvened the public meeting at 6:03 p.m. with all seven city council members being present.

V. INVOCATION AND PLEDGE OF ALLEGIANCE - MAYOR FOWLER

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

VI. PROCLAMATIONS & CEREMONIAL ITEMS

- 1. Swearing in of Newly Elected City Council Members**

Rockwall Municipal Court Associate Judge, Matthew Scott, came forth and led Kevin Fowler in the Oath of Office, establishing him as the new Mayor of Rockwall.

Brian Williams, County Court at Law 1 Judge, Rockwall, TX, came forth and administered the Oath of Office to Council Members Bennie Daniels (Place 1), Dana Macalik (Place 5), and Anna Campbell (Place 6).

Mark Russo, Rockwall County Justice of the Peace/Judge, came forth and administered the Oath of Office to newly elected Council Member for Place 6, Clarence Jorif.

2. Mental Health Awareness Month

Mayor Fowler called forth resident, Mike Wallace and Rockwall Police Department's (RPD) Mental Health Officer, Monica Hardman. He then read and presented them with this proclamation. Officer Hardman went on to share several statistics about mental health as well as stress the importance of mental health awareness and the job she performs for the RPD. She also mentioned an 'awareness walk' that is upcoming.

3. Motorcycle Safety & Awareness Month

A representative of the Wolverines Motorcycle Club came forth and accepted this proclamation from Mayor Fowler.

4. Safe Boating Week

Mayor Fowler read this proclamation aloud, declaring "Safe Boating Week" in the City of Rockwall.

5. Public Works Week

Mayor Fowler called forth City Engineer / Public Works Director, Amy Williams, and many of her staff members. The mayor thanked them for all of the important work they do, especially the work they performed during February's snow / ice storms. He then read and presented them with this proclamation. Ms. Williams went on to introduce her staff members individually and thank them for their efforts, especially during the winter weather storms back in February.

VII. OPEN FORUM

Mayor Fowler provided comments pertaining to various goals and objectives he will be supporting during his term as mayor.

**Steve Curtis
FM 1141
Rockwall (County), TX**

Mr. Curtis shared that on John King Blvd. near Goliad, he recently encountered a bicycle rider holding up traffic during 'rush hour.' He shared that he observed a car honk at the bicyclist, and the bicyclist flipped him off. He is concerned about safety for both bicyclists and motorists.

**Kimberly Simon
15010 Burlingame Dr.
Rockwall, TX 75087**

**John D'Carlo
1070 Potter Ave.
Rockwall, TX 75087**

Ms. Simons and Mr. D'Carlo came forth to address the Council together. Ms. Simons went on to explain that having reliable internet service is vital, and the pandemic over the last year has highlighted this vital need, especially for those working from home. She generally expressed concern about "Spectrum" internet service provider. She shared that Spectrum has typically indicated that their outages are due to construction-related line cuts. She would like to know what relationship the city has with internet service providers, do they get fined for outages, how can 'free market' competition be encouraged, etc.? Mayor Fowler indicated that Assistant City Manager, Joey Boyd will contact her to discuss these issues outside of tonight's meeting.

**Chuck Escobedo
184 Raintree Ct.
Rockwall, TX 75087**

Mr. Escobedo came forth and expressed that he would like to know what plans are in place to fund physical infrastructure (specifically streets and bridges) that will be needed in the next 8-10 years, especially considering that the City of Rockwall will be growing at a notably high rate annually. Mayor Fowler shared that he is happy to meet with Mr. Escobedo to discuss his concerns further, and he knows that City Engineer, Amy Williams, will also be willing to meet with him.

There being no one else wishing to come forth and speak, he then closed Open Forum.

Councilmember Johannesen briefly explained to the Open Forum speakers that the reason the City Council cannot outright respond or discuss the topics they have raised is because the topics were not specifically listed on the public meeting agenda. Therefore, because of the law and in the interest of proper public notice and transparency, the Council cannot discuss them. However, staff and/or council members will get with those individuals who spoke this evening in order to address the specific issues they have raised.

VIII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Councilmember Hohenshelt moved to direct the city attorney to negotiate a contract with Paul Liston to be the city prosecutor. Councilmember Johannesen seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Councilmember Daniels moved to appoint John Hohenshelt as the Mayor Pro Tem. Councilmember Jorif seconded the motion, which passed by a vote of 7 ayes to 0 nays.

IX. CONSENT AGENDA

1. Consider approval of the minutes from the May 3, 2021 regular city council meeting, and take any action necessary.

2. Consider approval of the minutes from the May 10, 2021 special city council meeting, and take any action necessary.
3. Consider a resolution denying approval of an amendment to the Distribution Cost Recovery Factor increase in distribution rates filed by Oncor Electric Delivery, approving cooperation with the Steering Committee of Cities served by Oncor to evaluate the filing, to negotiate with Oncor on the City's behalf, and take any action necessary.
4. Consider awarding bids to various vendors and authorizing the Interim City Manager to execute Purchase Orders for the installation of a new Pickleball Court and Parking Lot at the Park at Hickory Ridge in the amount of \$456,678.61 to be funded out of the Recreation Development Fund, and take any action necessary.
5. Consider awarding a bid to Caldwell Country Chevrolet and authorizing the Interim City Manager to execute a Purchase Order for two new 2021 model Police Pursuit Tahoe's in the amount of \$116,000 to be funded out of General Fund Reserves to replace 'total loss' vehicles involved in accidents, and take any action necessary.
6. Consider approval of the construction contract for the Ridge Road West Reconstruction Project and authorize the Interim City Manager to execute a construction contract with DDM Construction Corporation in the amount of \$3,354,900.00 to be funded out of 2018 Street Bonds, and take any action necessary.
7. Consider approval of the contract for the construction materials testing for the Ridge Road West Reconstruction Project and authorize the Interim City Manager to execute a construction contract with ESC Southwest, LLP in the amount of \$62,590.00 to be funded by 2018 Street Bonds, and take any action necessary.
8. Consider approval of a professional engineering services contract with Birkhoff, Hendricks, and Carter, L.L.P. to perform the engineering design and the construction plans for the SH 276 Utility Relocation Project in an amount not to exceed \$251,020.00, to be funded out of the Water and Sewer Fund, and take any action necessary.
9. Consider approval of the construction contract for the Heath Street Pump Station Project and authorize the Interim City Manager to execute a construction contract with Crescent Construction, Inc. in the amount of \$2,777,000.00 to be funded out of the Water and Sewer Fund, and take any action necessary.
10. Consider approval of the contract for the construction materials testing for the Heath Street Pump Station Improvement Project and authorize the Interim City Manager to execute a construction contract with Alliance Geotechnical Group in the amount of \$32,915.63 to be funded out of the Water and Sewer Fund, and take any action necessary.
11. Consider approval of the construction contract for the North Lakeshore Bridge Repair Project and authorize the Interim City Manager to amend the General Fund Budget and execute a construction contract with A&B Construction, LLC in the amount of \$489,414.50 to be funded out of General Fund Reserves, and take any action necessary.
12. **P2021-019** - Consider a request by Humberto Johnson of the Skorburg Co. on behalf of John Arnold of Gideon Grove Addition, LTD for the approval of a Final Plat for Phase 2 of the Gideon Grove Subdivision consisting of 84 single-family residential lots on a 30.36-acre tract of land identified as a portion of Tract 1-01 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 84 (PD-84) for Single-Family 7 (SF-7) District land uses, generally located at the northwest corner of the intersection of E. Quail Run Road and John King Boulevard, and take any action necessary.
13. **P2021-020** - Consider a request by Randall Eardley of Weir & Associates, Inc. on behalf of Stephen Doyle of Structured REA-Rockwall Land, LLC for the approval of a Preliminary Plat for Lots 1-6, Block A, Fit Sport Life Addition being a 55.784-acre tract of land identified as a portion of Tract 22 and all of Tracts 22-2 & 24 of the R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas,

zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) and FM-549 Overlay (FM-549 OV) Districts, generally located at the southeast corner of the intersection of Corporate Crossing [FM-549] and the IH-30 Frontage Road, and take any action necessary.

14. Consider approval of a recommendation from the Hotel Occupancy Tax (HOT) Subcommittee regarding funding for the Texas State Association of Fire Fighters Convention in the amount of \$66,341 and authorize the Interim City Manager to execute associated contract, and take any action necessary.

Councilmember Johannesen clarified for citizens that these items have already been thought out and previously considered, as many of them are associated with a previous, voter-approved roadway bond package.

Councilmember Campbell pulled item #12 (P2021-019) for further discussion. Councilmember Johannesen moved to approve the remaining Consent Agenda items (#s 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13 and 14). Councilmember Macalik seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Councilmember Campbell sought clarification on this item from the city’s Planning Director, Ryan Miller. Mr. Miller shared that the proposed plan does comply with all of the technical requirements within the city’s Codes (Ch. 38 “Subdivisions”) as well as the city’s zoning ordinance that was approved for this particular tract of land.

Following the brief, clarifying comments, Councilmember Campbell moved to approve item #12 (P2021-019). Councilmember Jorif seconded the motion, which passed by a vote of 7 ayes to 0 nays.

X. APPOINTMENT ITEMS

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

Jerry Welch of the city’s Planning & Zoning Commission came forth and briefed the Council on recommendations of the Commission relative to planning-related items on tonight’s meeting agenda. Council took no action following Mr. Welch’s brief remarks.

After this item, Mayor Fowler addressed Action Item #1.

XI. PUBLIC HEARING ITEMS

1. **Z2021-008** - Hold a public hearing to discuss and consider a request by Lance Tyler on behalf of the owner Mike Worster for the approval of an **ordinance** for a *Specific Use Permit (SUP)* allowing *Residential Infill Adjacent to an Established Subdivision*, an *Accessory Building*, and a *Guest Quarters/Secondary Living Unit* for the purpose of constructing a single-family home, accessory building, detached garage, and guest quarters/secondary living unit on a 8.011-acre tract of land identified as Tract 19-2 of the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for Single-Family 8.4 (SF-8.4) District land uses, addressed as 550 E. Quail Run Road, and take any action necessary **(1st Reading)**.

Planning Director, Ryan Miller, came forth and briefed the Council on this agenda item. The applicant is requesting the approval of a Specific Use Permit (SUP) for the purpose of

constructing a single-family home on the subject property in accordance with Subsection 02.03(B)(11), Residential Infill Adjacent to an Established Subdivision, of Article 04, Permissible Uses, of the Unified Development Code (UDC). In addition, the applicant is also requesting a Specific Use Permit (SUP) for a guest quarters/secondary living unit that exceeds 30% of the primary structure, and for an accessory building that exceeds the maximum permissible size. He explained that this home is close to both the Quail Run and Caruth Lakes subdivisions. Notices were sent out to adjacent property owners located within 500' of the subject property as well as to the Quail Run Valley and Caruth Lakes homeowners' associations; however, staff has received no notices back (neither in favor nor against) concerning this proposal. The City's Planning & Zoning Commission has recommended approval of this case by a vote of 5 ayes with 0 nays.

Mike Worster
550 E. Quail Run Rd.
Rockwall, TX

Lance Tyler
1501 The Rock
Rockwall, TX

Mr. Worster generally thanked Council for its consideration and asked for approval of this item this evening.

Mayor Fowler opened the Public Hearing, asking if anyone would like to speak at this time. There being no one indicating such, he then closed the Public Hearing.

Following brief comments, Councilmember Johannesen moved to approve the request (Z2021-008). Councilmember Jorif seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 21-XX
SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 5 (PD-5) [*ORDINANCE NO. 19-38*] AND THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL ADJACENT TO AN ESTABLISHED SUBDIVISION, A GUEST QUARTERS/SECONDARY LIVING UNIT, AND AN ACCESSORY STRUCTURE* THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME, ACCESSORY STRUCTURE, DETACHED GARAGE, AND GUEST QUARTERS/SECONDARY LIVING UNIT ON AN 8.011-ACRE TRACT OF LAND, IDENTIFIED AS TRACT 19-2 OF THE S. S. MCCURRY SURVEY, ABSTRACT NO. 146, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO

EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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

2. **Z2021-009** - Hold a public hearing to discuss and consider a request by Michael Morgan on behalf of the owner Gary Scott Barron for the approval of an **ordinance** for a *Specific Use Permit (SUP)* allowing *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.16-acre parcel of land identified as Lot 9, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 704 Parks Avenue, and take any action necessary (**1st Reading**).

Planning Director, Ryan Miller provided background information pertaining to this agenda item. The applicant is requesting the approval of a Specific Use Permit (SUP) for the purpose of constructing a single-family home on the subject property in accordance with Subsection 02.03(B)(11), *Residential Infill in or Adjacent to an Established Subdivision*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC). The subject property is located at 704 Parks Avenue. Property owner notifications were sent out to adjacent property owners and residents located within 500' of the subject property; however, no notices were received back (neither 'for' nor 'against'). The P&Z Commission did recently recommend approval of this request by a vote of 5 to 0.

Mayor Fowler opened the public hearing, asking if anyone would like to come forth and speak. There being no one indicating such, he then closed the Public Hearing.

Councilmember Daniels then moved to approve Z2021-009. Councilmember Campbell seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 21-XX
SPECIFIC USE PERMIT NO. S-2XX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.16-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 9, BLOCK D, FOREE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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

3. **Z2021-010** - Hold a public hearing to discuss and consider a request by Mark Klecha for the approval of an **ordinance** for a Specific Use Permit (SUP) superseding *Ordinance No. 20-34* and allowing an accessory building that does not conform to *S-231 [Ordinance No. 20-34]* on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary **(1st Reading)**.

Planning Director Ryan Miller provided background information pertaining to this agenda item. He generally explained that the applicant has constructed an accessory building that is two-story (not permissible) and was also constructed larger than what the SUP that was previously granted by the city allowed. The P&Z Commission recommended denial of this request, so, in order for it to be approved, it would require 6 of the 7 council members to vote tonight for its approval. Four notifications have been received back in opposition of the request, and one notice was received by the City in favor of the applicant's request.

Mayor Fowler opened the public hearing, asking if anyone would like to speak concerning this item.

**Bob Wacker
309 Featherstone
Rockwall, TX**

Mr. Wacker came forth and shared that several variances have recently been approved by Council, and he knows that height is perhaps a big issue related to this particular case. He shared that this is a 'tough call' for the Council to decide this evening. He knows the Council will do the right thing.

The applicant then came forth – Mark Kelcha at 1748 Lake Breeze Drive – then came forth and addressed the Council. He shared that he meant no malice, rather, it was a lot of 'ignorance' on his part. He acknowledged that he has learned a lot of hard (financial) lessons, and he understands that he has now found himself in a pretty big 'mess' with these structures he has built. He went on to provide a lengthy explanation of what he had initially proposed, how he had to move the structure that was initially proposed (because it didn't initially meet 'setback' requirements), and other details related to how his issues evolved over time. He shared that he did most all of the work himself (minus the concrete work and electrical work).

Councilmember Hohenshelt sought some clarification from Mr. Miller.

Councilmember Daniels shared that he had initially opposed this request, even though the Council passed them.

Following Council's discussion, Councilmember Daniels moved to deny the currently requested SUP. Councilmember Campbell seconded the motion. Following brief discussion, the motion to deny passed by a vote of 7 ayes to 0 nays.

4. **Z2021-011** - Hold a public hearing to discuss and consider a request by Kristi Bryant for the approval of an **ordinance** for a Specific Use Permit (SUP) for an *Accessory Building* to allow an existing

greenhouse on a 0.496-acre tract of land identified as Lot 5 & 6, Block A, Highridge Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 710 & 804 S. Alamo Road, and take any action necessary (1st Reading).

Planning Director, Ryan Miller, provided background information pertaining to this agenda item. On March 10, 2021, the applicant was sent a Notice of Code Violation for the construction of a greenhouse (i.e. accessory building) without a building permit (Case No. CE2021-996). Based on this notice, the applicant contacted the Building Inspections Department to seek the necessary permits for the greenhouse; however, since the structure exceeded the maximum permissible size, the property owners was told that she would have to request a Specific Use Permit (SUP). The property owner and applicant -- Kristi Bryant -- is requesting the approval of a Specific Use Permit (SUP) to permit an accessory building that was constructed on a gravel foundation without a building permit and that exceeds the maximum square footage permitted for accessory buildings as stipulated by Subsection 07.04, Accessory Structure Development Standards, of Article 05, District Development Standards, of the Unified Development Code (UDC). Staff mailed 88 notices to property owners and occupants within 500-feet of the subject property and notified relative Homeowners Associations (HOAs). Staff received one (1) notice within the notification area in opposition to the applicant's request.

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

The applicant, Kristi Bryant, then came forth and generally expressed the nature of this request. She explained that this greenhouse was a gift from her in-laws, and it was a pre-built structure that was delivered to her home and dropped in the back yard. She shared that, since nothing was actually being built or constructed on site, she did not even think about potentially needing to pull a building permit. She went on to respectfully ask the Council to consider approving her SUP request.

Councilmember Macalik pointed out that one neighbor does have some concerns that Ms. Bryant may be running a business out of this greenhouse. Ms. Bryant shared that, no, that is not the case. She is an online elementary art teacher, and the greenhouse and what is being grown in it is strictly being done as a hobby.

Councilmember Daniels expressed concern about these sorts of 'exceptions' and 'SUP' requests coming up time and time and time again with applicants building things and then asking for approval after the fact. Daniels went on to indicate that he cannot support approval of this request, stressing the need to have consistency over time.

Following the Council discussion, Mayor Fowler moved to approve Z2021-011. Councilmember Johannesen seconded the motion. Mayor Pro Tem Hohenshelt shared that, after this one, he is never going to approve a request like this ever again "after the fact" (of something being built and then the person coming in and asking for permission and/or forgiveness afterwards).

Additional discussion took place about the possibility of modifying the city's existing ordinance regulations and/or possibly instituting penalties when folks fail to comply (i.e. fail to pull permits when they should or fail to adhere to permits they are granted).

Following lengthy Council and staff discussion, the ordinance caption was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 21-XX
SPECIFIC USE PERMIT NO. S-XXX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN ACCESSORY BUILDING THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.496-ACRE TRACT OF LAND, IDENTIFIED AS LOTS 5 & 6, BLOCK A, HIGHRIDGE ESTATES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion (to approve Z2021-011) passed by a vote of 4 ayes with 3 nays (Jorif, Daniels and Campbell).

Mayor Fowler addressed Action Item #2 next during the meeting.

5. **Z2021-013** - Hold a public hearing to discuss and consider approval of an ordinance for a Text Amendment to Subsection 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] for the purpose of clarifying the requirements for temporary structures on leased property within the takeline area (1st Reading).

Mayor Fowler shared that he will recuse himself from this item, as he owns a home along the takeline area.

Mayor Pro Tem Hohenshelt administered this item. Planning Director, Ryan Miller provided brief comments regarding this item. Hohenshelt then opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the Public Hearing. Councilmember Johannesen moved to approve this agenda item (Z2021-013). Councilmember Macalik seconded the motion. The ordinance caption was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 21-XX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO.

20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SUBSECTION 06.15, LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT, OF ARTICLE 05, DISTRICT DEVELOPMENT STANDARDS, AS DEPCITED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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

XII. ACTION ITEMS

1. Discuss and consider Park Board recommendation regarding naming the lighthouse at The Harbor in memory of former Rockwall Mayor, Scott Self, and take any action necessary.

Councilmember Macalik made a motion to name the lighthouse at The Harbor after the late and former Mayor of Rockwall, Scott Self. Mayor Fowler seconded the motion, which passed by a vote of 7 ayes to 0 nays. Staff will work with the family on this topic.

Mayor Fowler addressed Public Hearing Item #1 next during the meeting.

2. **A2021-001** - Discuss and consider the expiration of existing 212 Development Agreements for two (2) areas contiguous with the City of Rockwall's corporate limits and being identified as: (Area 1) approximately 177.47-acres of land generally located southeast of Hanby Lane and Buffalo Way Road; and (Area 2) approximately 24.98-acres of land located along the southeast side of FM550, south of SH276; and take any action necessary.

Planning Director, Ryan Miller provided background information pertaining to this agenda item, and – in part – he explained what a 212 Development Agreement is. Mayor Pro Tem Hohenshelt moved to extend both 212 Development Agreements for a period of five (5) years. Councilmember Daniels seconded the motion, which passed by a vote of 6 ayes with 1 abstention (Macalik).

XIII. EXECUTIVE SESSION.

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

1. Discussion regarding appointment of city council subcommittees, board liaisons and designation of Mayor Pro Tem, pursuant to Section, §551.074 (Personnel Matters).
2. Discussion regarding the 212 development agreement and the possible annexation of land in the vicinity of FM-1141 and Clem Road pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
3. Discussion regarding appointment of Presiding Judge, Associate Judge, and Prosecutor of the Rockwall Municipal Court, pursuant to Section, §551.074 (Personnel Matters).
4. Discussion regarding Texas Coalition for Affordable Power and Gexa Energy's notice of Ancillary Services costs pursuant to Section 551.071 (Consultation with Attorney) and Section 551.086 (Competitive Matter).

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

Council did not reconvene in Ex. Session following the close of the public meeting agenda. See actions taken above, near the start of the 6:00 p.m. meeting agenda.

XV. ADJOURNMENT

Mayor Fowler adjourned the meeting at 7:47 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS 7th
DAY OF JUNE, 2021.

KEVIN FOWLER, MAYOR

ATTEST:

KRISTY COLE, CITY SECRETARY



MEMORANDUM

TO: Mary Smith, Interim City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: June 7, 2021

SUBJECT: P2021-022.; FINAL PLAT FOR LOTS 1 & 2, BLOCK A, NELLER ADDITION

Attachments

Case Memo
Development Application
Location Map
Final Plat

Summary/Background Information

Consider a request by Bryan Connally of CBG Surveying Texas, LLC on behalf Helen Comeav Neller for the approval of a *Final Plat* for Lots 1 & 2, Block A, Neller Addition being an 11.368-acre parcel of land identified as Lot 7, Block 1, Lofland Lake Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estates 4.0 (SFE-4.0) District, addressed as 2380 FM549, and take any action necessary.

Action Needed

The City Council is being asked to approve, approve with condition, or deny the final plat.



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council
DATE: June 7, 2021
APPLICANT: Gary Neller and Helen Comeau Neller
CASE NUMBER: P2021-022.; *Final Plat for Lots 1 & 2, Block A, Neller Addition*

SUMMARY

Consider a request by Bryan Connally of CBG Surveying Texas, LLC on behalf Helen Comeau Neller for the approval of a Final Plat for Lots 1 & 2, Block A, Neller Addition being an 11.368-acre parcel of land identified as Lot 7, Block 1, Lofland Lake Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estates 4.0 (SFE-4.0) District, addressed as 2380 FM549, and take any action necessary.

PLAT INFORMATION

- The applicants are requesting approval of a Final Plat for an 11.368-acre parcel of land (*i.e. Lot 7, Block A, Lofland Lake Estates Addition*) for the purpose of establishing two (2) lots (*i.e. Lots 1 & 2, Block A, Neller Addition*). The site is located directly east of the intersection of S. FM 549 and Willow Ridge Circle, and is zoned Single Family Estate 4.0 (SFE-4.0) District.
- On October 17, 1994, the City Council approved the Lofland Lake Estates Subdivision that established the subject property as Lot 7, Block 1, Lofland Lake Estates Addition. The subject property was annexed into the City of Rockwall on July 21, 1997 by *Ordinance No. 97-14*. The subject property was rezoned from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District on June 3, 2002 by *Ordinance No. 02-28 [Case No. PZ2001-103-01]*. On March 15, 2021, the City Council approved a preliminary plat [*i.e. Case No. P2021-005*] for Lots 1 & 2, Block A, Neller Addition.
- The surveyor has completed the majority of the technical revisions requested by staff, and this Final Plat -- *conforming to the requirements for plats as stipulated by 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 Final Plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the Final Plat for *Lots 1 & 2, Block A, Neller Addition*, staff would propose the following conditions of approval:

- (1) All technical comments from City Staff (*i.e. Engineering, Planning and Fire Department*) shall be addressed prior to submittal of civil engineering plans;
- (2) The final plat of land shall adhere to the recommendations made by Parks and Recreation Board during the preliminary plat process.

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

PLANNING AND ZONING COMMISSION

On May 25, 2021, the Planning and Zoning Commission approved a motion to recommend approval of the *Final Plat* with the conditions of approval by a vote of 7-0.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. P2021-022

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

PLATTING APPLICATION FEES:

- MASTER PLAT (\$100.00 + \$15.00 ACRE) ¹
- PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) ¹
- FINAL PLAT (\$300.00 + \$20.00 ACRE) ¹
- REPLAT (\$300.00 + \$20.00 ACRE) ¹
- AMENDING OR MINOR PLAT (\$150.00)
- PLAT REINSTATEMENT REQUEST (\$100.00)

SITE PLAN APPLICATION FEES:

- SITE PLAN (\$250.00 + \$20.00 ACRE) ¹
- AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ¹
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST (\$100.00)

NOTES:

¹: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 2380 South Farm to market 549

SUBDIVISION Leftand Lake Estates

LOT 7 BLOCK 1

GENERAL LOCATION across from Willow Ridge Circle

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING SFE-4

CURRENT USE Residential

PROPOSED ZONING SFE-4

PROPOSED USE Residential

ACREAGE 11.368 LOTS [CURRENT] 1 Lot LOTS [PROPOSED] 2 Lots

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

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

OWNER Gary/Helen Comeau Neller

APPLICANT CBG Surveying Texas, LLC

CONTACT PERSON Helen Comeau Neller

CONTACT PERSON Bryan Connally

ADDRESS 148 Harvest Hill Drive
Rockwall, Texas 75032

ADDRESS 12025 Shiloh Road

CITY, STATE & ZIP

Dallas, TX. 75228

PHONE 972-772-9911

PHONE 214-349-9485

E-MAIL helencomeau@me.com

E-MAIL bryanc@cbgstxllc.com

NOTARY VERIFICATION [REQUIRED]

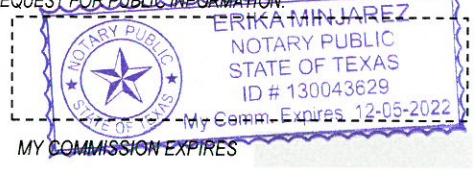
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Helen & Gary Neller [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 1100 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 11 DAY OF MAY, 2021 BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 11 DAY OF MAY, 2021

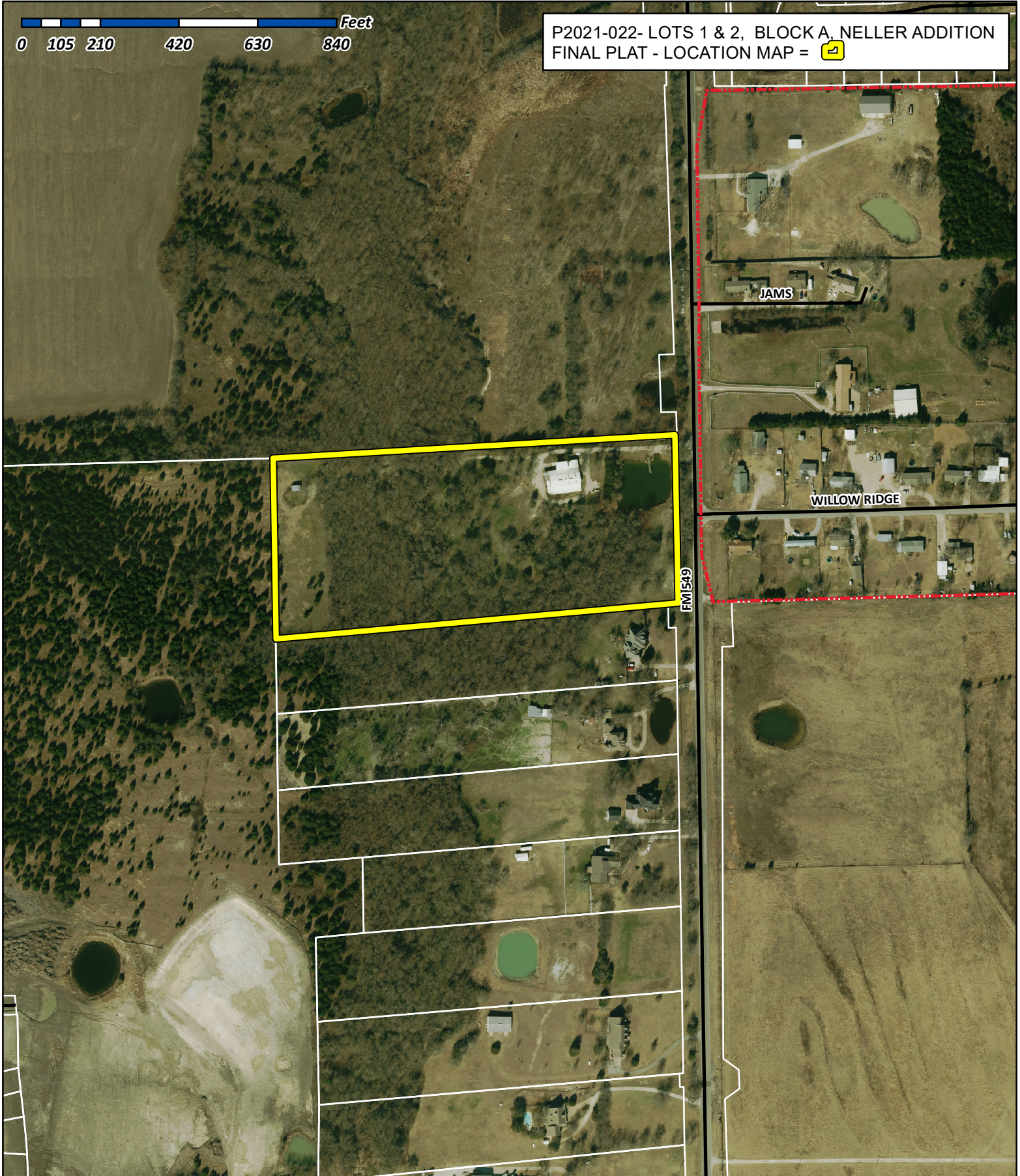
OWNER'S SIGNATURE Helen & Gary Neller

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Erika Minjarez



0 105 210 420 630 840 Feet

P2021-022- LOTS 1 & 2, BLOCK A, NELLER ADDITION
FINAL PLAT - LOCATION MAP = 

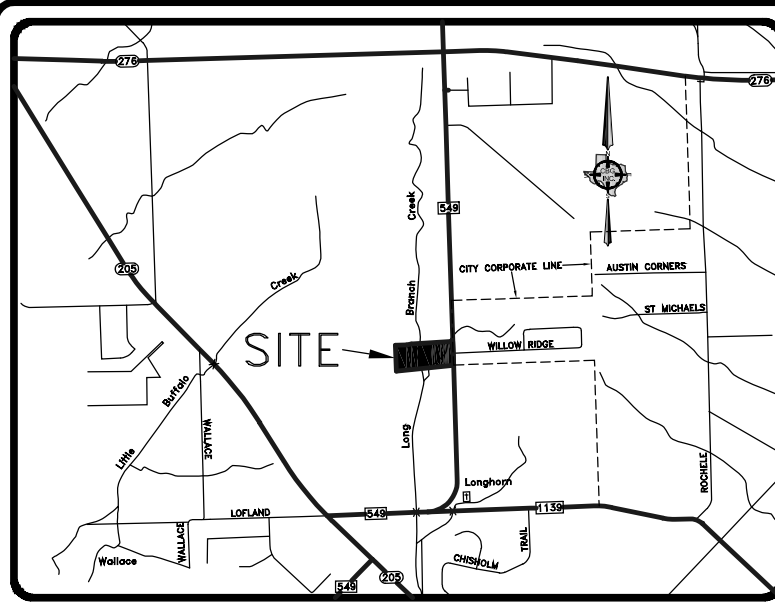


City of Rockwall

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

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

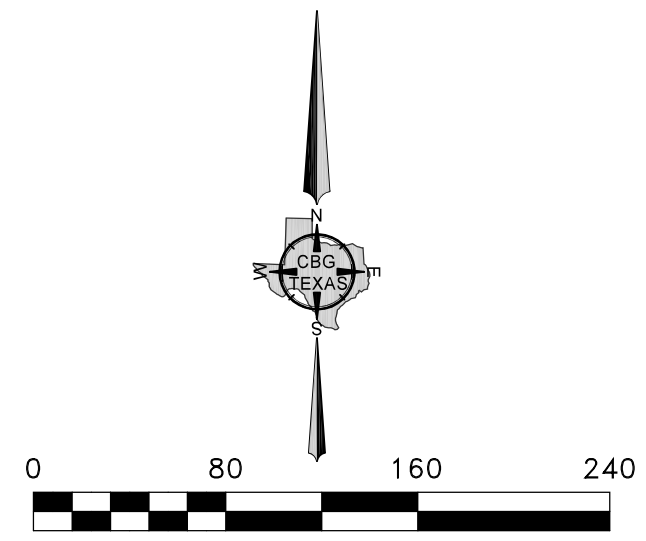




VICINITY MAP - NOT TO SCALE

GENERAL NOTES:

- 1) THE BASIS OF BEARINGS FOR THIS SURVEY IS THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE, (4202) GEODETIC BEARING ESTABLISHED BY GPS MEASUREMENTS.
- 2) THE PURPOSE OF THIS PLAT IS TO CREATE 2 LOTS.
- 3) COORDINATES SHOWN HEREON ARE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.
- 4) ACCORDING TO THE F.I.R.M. IN MAP NO. 48397C0045L, THIS PROPERTY DOES LIE IN ZONE X & ZONE A AND DOES NOT LIE WITHIN THE 100 YEAR FLOOD ZONE.
- 5) PROPERTY OWNER SHALL BE RESPONSIBLE FOR MAINTENANCE, REPAIR, AND RECONSTRUCTION OF ALL DRAINAGE AND DETENTION SYSTEMS ON SITE.
- 6) BASE FLOOD ELEVATION IS BASED ON APPROVED FLOOD STUDY BY DEWBERRY DATED 11/06/2020.
- 7) NO IMPROVEMENTS OR STRUCTURES ALLOWED IN THE FLOODPLAIN OR DRAINAGE EASEMENT WITHOUT CITY APPROVED FLOOD STUDY.

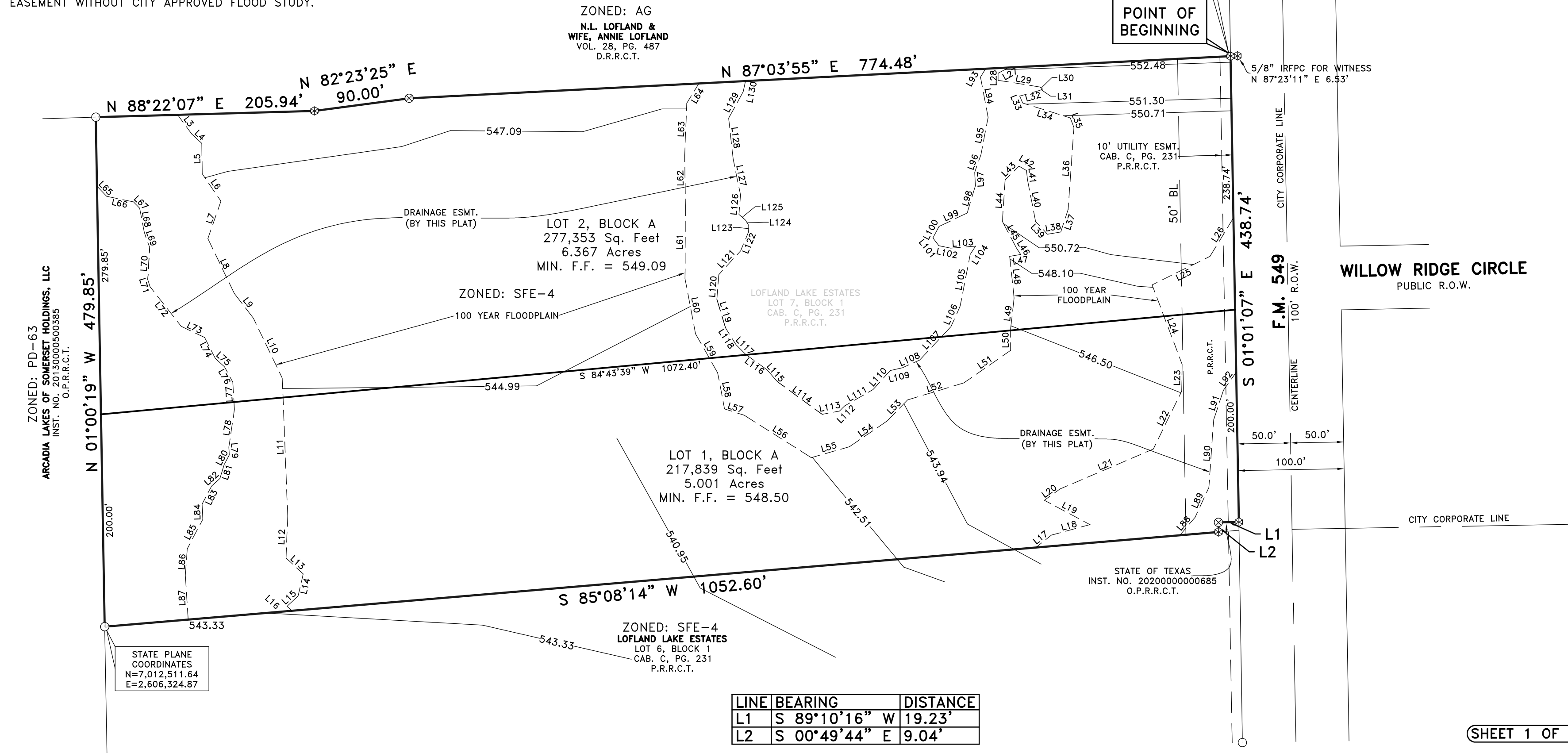


LEGEND:

- 5/8" IRF = 5/8 INCH IRON ROD FOUND
- 5/8" IRFPC = 5/8 INCH IRON ROD FOUND WITH PINK CAP STAMPED "TX DOT"
- 1/2" IRF = 1/2 INCH IRON ROD FOUND
- 1/2" IRS = 1/2 INCH IRON ROD SET WITH YELLOW PLASTIC CAP STAMPED "CBG SURVEYING"
- CM CONTROLLING MONUMENT
- VOL. VOLUME
- PG. PAGE
- CAB. CABINET
- R.O.W. RIGHT-OF-WAY
- SQ.FT. SQUARE FEET
- INST. NO. INSTRUMENT NUMBER
- O.P.R.R.C.T. OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
- P.R.R.C.T. PLAT RECORDS, ROCKWALL COUNTY, TEXAS
- D.R.R.C.T. DEED RECORDS, ROCKWALL COUNTY, TEXAS

LINE	BEARING	DISTANCE
L3	S 36°15'33" E	22.34'
L4	S 47°11'00" E	13.03'
L5	S 00°39'45" E	28.72'
L6	S 34°31'57" E	31.16'
L7	S 19°18'55" W	37.39'
L8	S 25°44'07" E	57.14'
L9	S 37°28'57" E	29.76'
L10	S 25°44'03" E	62.48'
L11	S 02°16'11" E	130.10'
L12	S 02°16'11" W	39.41'
L13	S 47°11'00" E	22.04'
L14	S 13°03'32" W	21.28'
L15	S 47°11'00" W	14.30'
L16	S 47°11'00" E	6.26'
L17	N 51°22'41" E	18.67'
L18	N 74°48'15" E	37.55'
L19	N 61°52'11" W	48.71'
L20	N 54°25'09" E	18.19'
L21	N 66°48'29" E	95.52'
L22	N 28°09'56" E	60.72'
L23	N 00°54'59" E	25.26'
L24	N 20°43'56" W	80.03'
L25	N 63°48'41" E	60.85'
L26	N 31°15'11" E	42.45'
L27	S 61°07'51" W	11.12'
L28	S 00°00'00" W	6.63'
L29	S 80°54'36" E	39.87'
L30	S 51°29'50" E	3.19'
L31	S 65°35'32" W	2.74'
L32	S 74°04'02" W	19.77'
L33	S 22°33'33" E	7.11'
L34	S 72°39'13" E	47.05'
L35	S 21°02'01" E	9.58'
L36	S 04°06'14" W	77.41'
L37	S 17°50'47" W	22.30'
L38	S 80°32'41" W	12.85'
L39	N 43°01'24" W	16.33'
L40	N 10°52'47" W	40.09'
L41	N 06°16'48" W	8.68'
L42	N 59°33'46" W	8.18'
L43	S 45°28'40" W	18.31'
L44	S 03°48'29" W	39.39'
L45	S 28°04'38" E	28.56'
L46	S 32°43'21" E	6.98'
L47	S 80°27'15" W	10.49'
L48	S 06°01'49" E	39.59'
L49	S 06°31'00" W	29.72'
L50	S 00°04'32" E	19.69'
L51	S 55°09'02" W	53.64'
L52	S 73°15'48" W	55.24'
L53	S 43°56'58" W	27.25'
L54	S 55°39'40" W	43.49'
L55	S 74°00'48" W	37.32'
L56	N 57°40'31" W	74.81'
L57	N 72°25'55" W	19.38'
L58	N 10°48'32" W	34.77'
L59	N 29°33'18" W	42.09'
L60	N 10°48'32" W	52.73'
L61	N 00°17'46" E	69.00'
L62	N 00°50'12" W	47.51'
L63	N 02°16'11" E	48.82'
L64	N 31°28'44" E	21.93'

LINE	BEARING	DISTANCE
L65	S 43°57'58" E	13.15'
L66	S 78°09'18" E	25.64'
L67	S 45°00'00" E	8.46'
L68	S 10°43'51" E	23.11'
L69	S 19°29'52" E	15.19'
L70	S 03°24'39" W	30.15'
L71	S 17°16'16" W	7.06'
L72	S 38°13'08" E	47.51'
L73	S 64°30'39" E	24.44'
L74	S 27°04'17" E	22.26'
L75	S 47°42'43" E	11.60'
L76	S 28°31'12" E	16.31'
L77	S 03°24'39" E	25.95'
L78	S 08°28'01" W	35.73'
L79	S 03°16'28" E	7.43'
L80	S 27°54'17" W	10.28'
L81	S 17°12'42" W	13.71'
L82	S 47°39'42" W	10.55'
L83	S 27°34'14" W	19.18'
L84	S 02°19'45" E	14.44'
L85	S 27°56'45" W	31.35'
L86	S 03°51'34" W	24.94'
L87	S 03°33'49" E	41.81'
L88	N 40°17'32" E	22.11'
L89	N 24°51'07" E	30.86'
L90	N 04°02'59" E	64.12'
L91	N 18°26'44" E	29.17'
L92	N 35°20'17" E	20.74'
L93	S 30°53'30" W	9.20'
L94	S 10°32'16" E	38.70'
L95	S 10°55'27" W	35.76'
L96	S 19°39'09" W	17.52'
L97	S 03°08'11" E	12.58'
L98	S 16°45'21" W	26.84'
L99	S 64°34'57" W	29.29'
L100	S 27°58'35" W	12.31'
L101	S 37°42'35" E	9.22'
L102	S 78°01'58" E	11.26'
L103	N 85°24'22" E	23.60'
L104	S 33°08'59" W	9.33'
L105	S 10°58'23" W	49.59'
L106	S 24°02'50" W	21.21'
L107	S 43°14'35" W	43.09'
L108	S 65°57'10" W	17.67'
L109	S 76°53'20" W	11.86'
L110	S 42°04'35" W	24.10'
L111	S 60°02'04" W	30.77'
L112	S 45°22'51" W	6.93'
L113	S 79°06'35" W	16.66'
L114	N 53°46'12" W	52.24'
L115	N 41°14'59" W	14.82'
L116	N 54°15'13" W	24.64'
L117	N 44°53'59" W	12.93'
L118	N 32°03'39" W	18.79'
L119	N 16°45'21" W	28.21'
L120	N 04°35'38" E	23.25'
L121	N 42°38'10" E	30.43'
L122	N 22°24'30" E	18.95'
L123	N 03°14'11" E	6.35'
L124	N 31°46'20" W	5.88'
L125	N 49°15'13" W	8.16'
L126	N 04°35'38" E	18.51'
L127	N 11°35'21" W	34.58'
L128	N 06°16'37" W	58.61'
L129	N 28°54'09" E	28.50'
L130	N 12°06'28" E	10.21'



ZONED: PD-63
ARCADIA LAKES OF SOMERSET HOLDINGS, LLC
INST. NO. 2019000600000385
O.P.R.R.C.T.

ZONED: AG
N.L. LOFLAND & WIFE, ANNIE LOFLAND
VOL. 28, PG. 487
D.R.R.C.T.

STATE PLANE COORDINATES
N=7,013,048.85
E=2,607,384.97

STATE OF TEXAS
INST. NO. 20200000000685
O.P.R.R.C.T.

(SHEET 1 OF 2)

FINAL PLAT
LOTS 1 AND 2, BLOCK A, NELLER ADDITION
495,192 SQ.FT. / 11.368 ACRES
2 LOTS
SITUATED IN ABNER JOHNSTON SURVEY, ABSTRACT NO. 123
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

CBG
SURVEYING TEXAS LLC
PROFESSIONAL LAND SURVEYORS
DFW - Houston - East Texas - Austin - San Antonio

PLANNING & SURVEYING
Main Office
12025 Shiloh Road, Ste. 230
Dallas, TX 75228
P 214.349.9485
F 214.349.2216
Form No. 10168800
www.cbginctx.com

OWNER: GARY K. NELLER & HELEN COMEAU NELLER
148 HARVEST HILL DRIVE
ROCKWALL, TEXAS 75032
PHONE: 972-772-9911

SCALE: 1"=80' / DATE: 1/19/2021 / JOB NO. 2013875-PLAT / DRAWN BY: TO
CASE NO. P2021-022

OWNER'S DEDICATION

STATE OF TEXAS
COUNTY OF ROCKWALL

Whereas, Gary K. Neller and Helen Comeau Neller, BEING THE OWNERS OF A TRACT OF LAND in the County of Rockwall, State of Texas, said tract being described as follows:

Being a tract of land situated in the Abner Johnston Survey, Abstract No. 123, Rockwall County, Texas, and being Lot 7, Block 1, Lofland Lake Estates, an addition to Rockwall County, Texas, according to the Plat thereof recorded in Cabinet C, Page 231, Plat Records, Rockwall County, Texas, and being a tract of land conveyed to Gary K. Neller and wife, Helen Comeau Neller by deed recorded in Volume 2272, Page 139, Deed Records, Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at 5/8 inch iron rod found with pink cap stamped "TX DOT" for corner, said corner being the Northeast corner of Lot 7, Block 1 of said Lofland Lake Estates, said corner being along the West right of way line of F.M. 549 (100 foot right of way), said corner being the Southeast corner of a tract of land conveyed to N.L. Lofland and wife, Annie Lofland by deed recorded in Volume 28, Page 487, Deed Records, Rockwall County, Texas;

THENCE South 01 degrees 01 minutes 07 seconds East along the West right of way line of F.M. 549, a distance of 438.74 feet to a 5/8 inch iron rod found with pink cap stamped "TX DOT" for corner, said corner being the Northeast corner of a tract of land conveyed to State of Texas by deed recorded in Instrument No. 2020000000685, Official Public Records, Rockwall County, Texas;

THENCE South 89 degrees 10 minutes 16 seconds West along the North line of said State of Texas tract, a distance of 19.23 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "CBG SURVEYING" for corner;

THENCE South 00 degrees 49 minutes 44 seconds East along the West of said State of Texas tract, a distance of 9.04 feet to a 5/8 inch iron rod found with pink plastic cap stamped "TX DOT" for corner, said corner being along the North line of Lot 6, Block 1, of said Lofland Lake Estates;

THENCE South 85 degrees 08 minutes 14 seconds West along the North line of Lot 6, Block 1, of said Lofland Lake Estates, a distance of 1,052.60 feet to a 1/2 inch iron rod found for corner, said corner being the Northwest corner of Lot 6, Block 1, of said Lofland Lake Estates, said corner being along the East line of a tract of land conveyed to Arcadia Lakes of Somerest Holdings, LLC by deed recorded in Instrument No. 20130000500385, Official Public Records, Rockwall County, Texas;

THENCE North 01 degrees 00 minutes 19 seconds West along the East line of said Arcadia Lakes of Somerest Holdings, LLC tract, a distance of 479.85 feet to a 1/2 inch iron rod found for corner, said corner being along the South line of said Lofland tract;

THENCE North 88 degrees 22 minutes 07 seconds East along the South line of said Lofland tract, a distance of 205.94 feet to a 5/8 inch iron rod found for corner;

THENCE North 82 degrees 23 minutes 25 seconds East along the South line of said Lofland tract, a distance of 90.00 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "CBG SURVEYING" for corner;

THENCE North 87 degrees 03 minutes 55 seconds East along the South line of said Lofland tract, a distance of 774.48 feet to the POINT OF BEGINNING and containing 495,192 square feet or 11.368 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

We the undersigned owner(s) of the land shown on this plat, and designated herein as the LOT 1 and 2, BLOCK A, NELLER ADDITION, an addition to Rockwall County, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the LOT 1 and 2, BLOCK A, NELLER ADDITION, have been notified and signed this plat.

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

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

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

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

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

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

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.

By: _____
Gary K. Neller, Owner

By: _____
Helen Comeau Neller, Owner

STATE OF TEXAS
COUNTY OF ROCKWALL

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

By: _____

printed name: _____
Notary Public in and for the State of Texas

STATE OF TEXAS
COUNTY OF ROCKWALL

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

By: _____

printed name: _____
Notary Public in and for the State of Texas

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.

SURVEYOR'S CERTIFICATE:

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Bryan Connally, a Registered Professional Land Surveyor, licensed by the State of Texas, 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.

Dated this the _____ day of _____, _____.

Bryan Connally
Texas Registered Professional Land Surveyor No. 5513

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 _____.

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

(SHEET 2 OF 2)

FINAL PLAT
LOTS 1 AND 2, BLOCK A, NELLER ADDITION
495,192 SQ.FT. / 11.368 ACRES
2 LOTS
SITUATED IN ABNER JOHNSTON SURVEY, ABSTRACT NO. 123
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS



OWNER: GARY K. NELLER & HELEN COMEAU NELLER
148 HARVEST HILL DRIVE
ROCKWALL, TEXAS 75032
PHONE: 972-772-9911

SCALE: 1"=80' / DATE: 1/19/2021 / JOB NO. 2013875-PLAT / DRAWN BY: TO

CASE NO. P2021-022



MEMORANDUM

TO: Mary Smith, Interim City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: June 7, 2021

SUBJECT: P2021-023; REPLAT FOR LOT 12 & 13, BLOCK 1, ALLIANCE ADDITION, PHASE 2

Attachments

Case Memo
Development Application
Location Map
Replat

Summary/Background Information

Consider a request by Cameron Slown, PE of Teague, Nall & Perkins on behalf of Rockwall Rental Properties, LP for the approval of a *Replat* for Lot 12 & 13, Block 1, Alliance Addition, Phase 2 being a 4.992-acre tract of land identified as Lots 8, 9, 10, & 11, Block 1, Alliance Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses, located at the southeast corner of Horizon Road [FM-3097] and Andrews Drive, and take any action necessary.

Action Needed

The City Council is being asked to approve, approve with condition, or deny the replat.



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council
DATE: June 7, 2021
APPLICANT: Cameron Slown, PE; *Teague, Nall & Perkins*
CASE NUMBER: P2021-023; *Replat for Lot 12 & 13, Block 1, Alliance Addition, Phase 2*

SUMMARY

Consider a request by Cameron Slown, PE of Teague, Nall & Perkins on behalf of Rockwall Rental Properties, LP for the approval of a Replat for Lot 12 & 13, Block 1, Alliance Addition, Phase 2 being a 4.992-acre tract of land identified as Lots 8, 9, 10, & 11, Block 1, Alliance Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses, located at the southeast corner of Horizon Road [FM-3097] and Andrews Drive, and take any action necessary.

PLAT INFORMATION

- The applicant is requesting to replat a 4.992-acre tract of land (*i.e. Lots 8, 9, 10, & 11, Block 1, Alliance Addition, Phase 2*) for the purpose of combining four (4) lots into two (2) lots (*i.e. Lots 12 & 13, Block 1, Alliance Addition*) to facilitate future development of the subject property. The replat will also establish the necessary easements (*i.e. firelane, public access, utility, and sidewalk easements*) for *Lot 12, Block 1, Alliance Addition, Phase 2* to facilitate the construction of a 21,200 SF multi-tenant, retail building on the subject property [*i.e. Case No. SP2020-027*].
- The subject property was annexed into the City of Rockwall on March 17, 2004, by *Ordinance No. 04-34*. At the time of annexation, it was zoned Agricultural (AG) District. On August 16, 2004, the City Council approved *Ordinance No. 04-48* [*Case No. Z2004-024*], which rezoned the subject property -- *which at this time was a portion of a larger 18.99-acre tract of land* -- from an Agricultural (AG) District to Planned Development District 57 (PD-57) for Commercial (C) District land uses. On November 19, 2007, the City Council approved a final plat [*Case No. P2007-032*] for the Alliance Addition, Phase 2, which platted the subject property as Lot 11, Block 1, Alliance Addition, Phase 2. On January 10, 2017, the Planning and Zoning Commission approved a site plan [*Case No. SP2016-036*] for a 21,200 SF multi-tenant, retail building on the subject property. This site plan expired on January 10, 2019 due to inactivity in accordance with Subsection 03.05(A) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC). In response to this expiration, the applicant resubmitted the site plan on October 16, 2020. On November 10, 2020, the Planning and Zoning Commission approved the site plan [*Case No. SP2020-027*] for a 21,200 SF multi-tenant, retail building on the subject property.
- The surveyor has completed the majority of the technical revisions requested by staff, and this Replat -- *conforming to the requirements for plats as stipulated by Chapter 38, Subdivisions, of the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- Conditional approval of this Replat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- With the exception of the items listed in the *Conditions of Approval* section below, this Replat is in substantial compliance with the requirements of Chapter 38, *Subdivision*, of the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the Replat for *Lot 12 & 13, Block 1, Alliance Addition, Phase 2*, staff would propose the following conditions of approval:

- (1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this subdivision plat;
- (2) Any construction resulting from the approval of this Replat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On May 25, 2021, the Planning and Zoning Commission approved a motion to recommend approval of the replat with the conditions of approval by a vote of 7-0.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. P2021-023

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

PLATTING APPLICATION FEES:

- MASTER PLAT (\$100.00 + \$15.00 ACRE) ¹
- PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) ¹
- FINAL PLAT (\$300.00 + \$20.00 ACRE) ¹ (300 + 4.992*20) = \$399.84
- REPLAT (\$300.00 + \$20.00 ACRE) ¹
- AMENDING OR MINOR PLAT (\$150.00)
- PLAT REINSTATEMENT REQUEST (\$100.00)

SITE PLAN APPLICATION FEES:

- SITE PLAN (\$250.00 + \$20.00 ACRE) ¹
- AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ¹
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST (\$100.00)

NOTES:

¹: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS	6601 HORIZON ROAD		
SUBDIVISION	ALLIANCE ADDITION PHASE 2	LOT	12&13 BLOCK 1
GENERAL LOCATION	NORTHWEST CORNER OF HORIZON AND FM 549		

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING	PD	CURRENT USE	NONE
PROPOSED ZONING	PD	PROPOSED USE	COMMERCIAL
ACREAGE	4.992	LOTS [CURRENT]	4
		LOTS [PROPOSED]	2

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

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

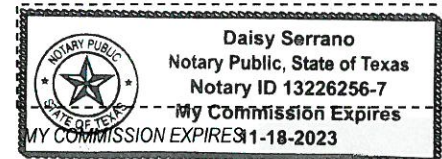
<input type="checkbox"/> OWNER	ROCKWALL RENTAL PROPERTIES, LP.	<input checked="" type="checkbox"/> APPLICANT	TEAGUE, NALL & PERKINS
CONTACT PERSON		CONTACT PERSON	CAMERON SLOWN
ADDRESS	P.O. BOX 818	ADDRESS	825 WATTERS CREEK, SUITE M300
CITY, STATE & ZIP	TERRELL, TEXAS 75060	CITY, STATE & ZIP	ALLEN, TX 75013
PHONE		PHONE	817-889-5050
E-MAIL		E-MAIL	CSLOWN@TNPINC.COM

NOTARY VERIFICATION [REQUIRED]


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

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 399.84 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE _____ DAY OF _____, 20____. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 12 DAY OF May, 2021
OWNER'S SIGNATURE Ronald H. Wae
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Daisy Serrano





P2021-023- LOTS 12 & 13, BLOCK A,
 ALLIANCE ADDITION, PHASE II
 FINAL PLAT - LOCATION MAP = 



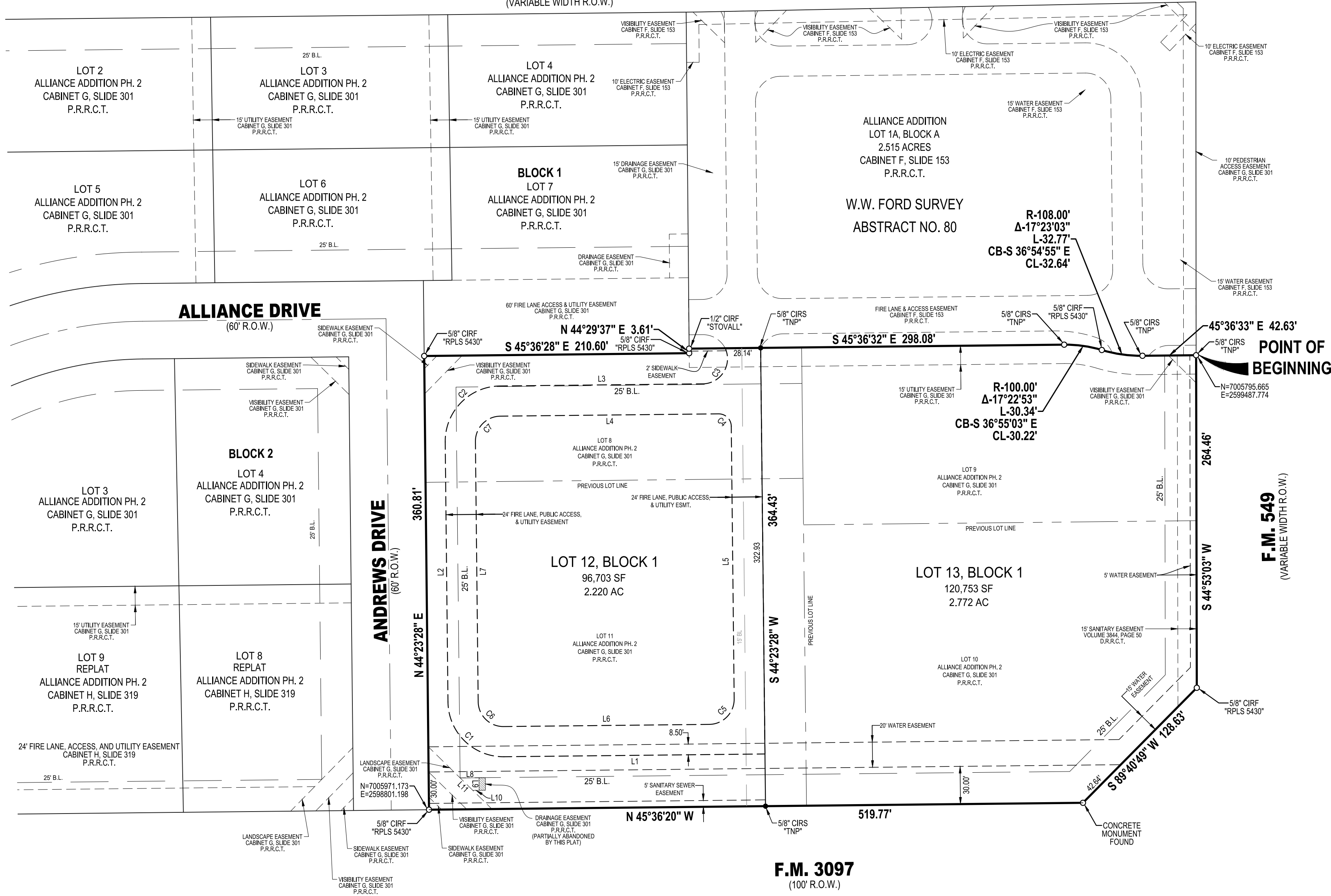
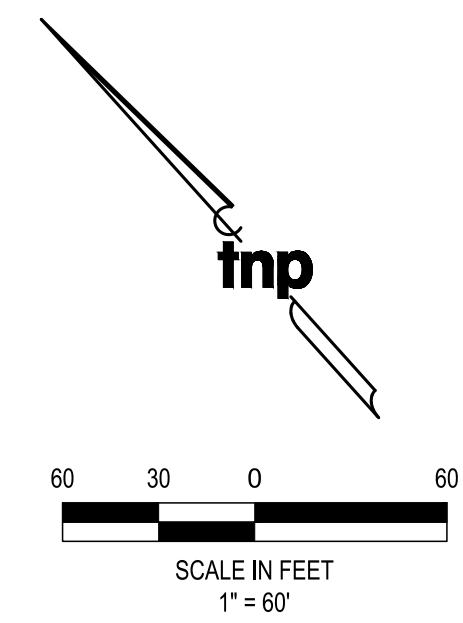
City of Rockwall

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

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



JEFF BOYD CIRCLE
(VARIABLE WIDTH R.O.W.)

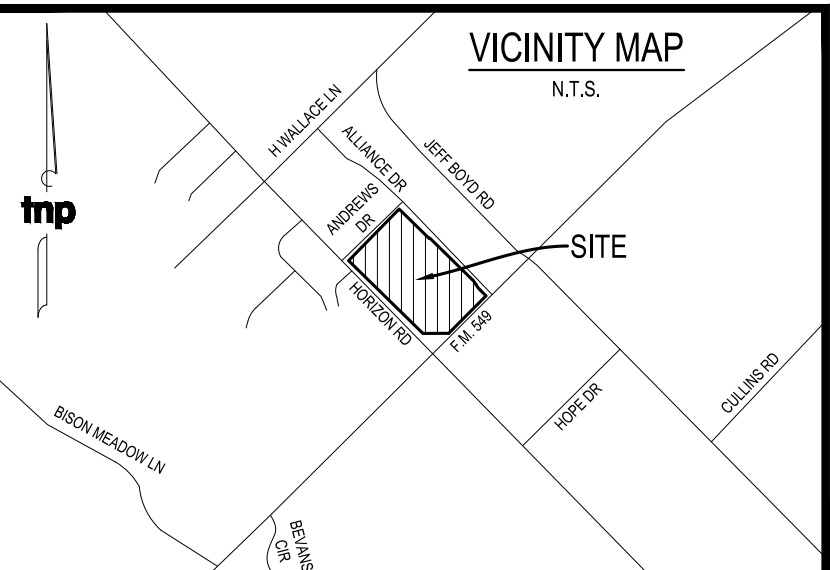


LEGEND

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

- NOTES:**
- BEARINGS ARE REFERENCED TO GRID NORTH OF THE TEXAS COORDINATE SYSTEM OF 1983 (NORTH CENTRAL ZONE 4202, NAD83(2011) EPOCH 2010) AS DERIVED LOCALLY FROM ALLTERRA CENTRAL RTKNET CONTINUOUSLY OPERATING REFERENCE STATIONS (CORS) VIA REAL TIME KINEMATIC (RTK) SURVEY METHODS. ALL DISTANCES SHOWN ARE SURFACE DISTANCES USING A COMBINED SCALE FACTOR OF 1.000146135.
 - BY GRAPHIC SCALE ONLY THE SUBJECT PROPERTY APPEARS TO LIE WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) NO. 48397C0105L DATED SEPTEMBER 28, 2008 OF THE NATIONAL INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
 - THE SURVEYOR, AS REQUIRED BY STATE LAW, IS RESPONSIBLE FOR SURVEYING INFORMATION ONLY AND BEARS NO RESPONSIBILITY FOR THE ACCURACY OF THE ENGINEERING DATA ON THIS PLAT.
 - 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.

Drawing: C:\Users\jmadov\AppData\Local\Temp\AcPublish_156562021_04_07_RNP_20520 Final Plat.dwg at Apr 15, 2021 12:45pm by jmadov



LINE	BEARING	DISTANCE
L1	S 45°36'20" E	207.47'
L2	S 44°23'28" W	206.83'
L3	N 45°36'28" W	162.01'
L4	N 45°36'28" W	173.46'
L5	N 44°23'28" E	216.84'
L6	N 45°36'20" W	163.47'
L7	N 44°23'28" E	206.83'
L8	S 45°36'20" E	15.00'
L9	S 44°23'40" W	10.00'
L10	S 45°36'20" E	5.00'
L11	S 00°36'32" E	14.14'

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	44.00'	89°59'48"	69.11'	N 00°36'26" W	62.22'
C2	44.00'	90°00'04"	69.12'	N 89°23'30" E	62.23'
C3	20.00'	111°10'33"	38.81'	S 76°02'12" W	33.00'
C4	10.00'	89°59'55"	15.71'	S 00°36'30" E	14.14'
C5	20.00'	90°00'12"	31.42'	S 89°23'34" W	28.29'
C6	20.00'	89°59'48"	31.41'	N 00°36'26" W	28.28'
C7	20.00'	90°00'04"	31.42'	N 89°23'30" E	28.28'

FINAL PLAT
LOT 12 & 13, BLOCK 1
ALLIANCE ADDITION PHASE 2
 BEING A REPLAT OF LOTS 8, 9, 10, & 11, BLOCK A, ALLIANCE ADDITION PHASE 2
 CONTAINING A TOTAL OF 4.992 ACRES

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

OWNER LOT 10
 N & H LEGACY PARTNERS, LLC
 P.O. BOX 818
 Terrell, Texas 75160

OWNER LOT 8, 9, & 11
 ROCKWALL RENTAL PROPERTIES, L.P.
 P.O. BOX 818
 Terrell, Texas 75160

PROJECT INFORMATION
 Project No.: RNP 20523
 Date: April 07, 2021
 Drawn By: WS
 Scale: 1"=60'
 SHEET 1 of 2



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

CASE NO. _____

OWNERS DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS}
COUNTY OF ROCKWALL}

We, the undersigned owners of the land shown on this plat, and designated herein as LOT 12 & 13, BLOCK 1, ALLIANCE ADDITION PHASE 2 to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I also understand the following;

- 1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.
We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Addition upon the public services required in order that the development will comport with the present and future growth needs of the City; we, our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exactions made herein.
7. Drainage/Detention Easements/Facilities shall be owned, operated, maintained and repaired by property owner.

N & H LEGACY PARTNERS, LLC

Representative:

STATE OF TEXAS}
COUNTY OF ROCKWALL}

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

Given upon my hand and seal of office this _____ day of _____, 2021.

Notary Public in and for the State of Texas

My Commission Expires:

ROCKWALL RENTAL PROPERTIES, L.P.

Representative:

STATE OF TEXAS}
COUNTY OF ROCKWALL}

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

Given upon my hand and seal of office this _____ day of _____, 2021.

Notary Public in and for the State of Texas

My Commission Expires:

OWNERS CERTIFICATE

STATE OF TEXAS}
COUNTY OF ROCKWALL}

WHEREAS, N & H Legacy Partners, LLC and Rockwall Rental Properties, L.P., being the owners of a tract of land in the County of Rockwall, State of Texas, being all of Lots 8, 9, 10, and 11, Block 1, Alliance Addition Phase 2, an addition to the City of Rockwall, Texas according to the Plat recorded in Cabinet G, Slide 301, of the Plat Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod with cap stamped "TNP" set on the northwest line of F.M. 549, a variable width right-of-way, for the east corner of said Lot 9;

THENCE South 44 degrees 53 minutes 03 seconds West along the northwest line of said F.M. 549, same being the southeast line of said Alliance Addition Phase 2, a distance of 264.46 feet to a 5/8 inch iron rod with cap stamped "RPLS 5430" found at the east end of a corner clip for the southeast corner of said Lot 10;

THENCE South 89 degrees 40 minutes 49 seconds West along said corner clip continuing along the northwest line of said F.M. 549, a distance of 128.63 feet to a concrete monument found on the northeast line of F.M. 3097, a called 100 foot right-of-way, for the southwest corner of said Lot 10;

THENCE North 45 degrees 36 minutes 20 seconds West along the northeast line of said F.M. 3097, same being the southwest line of said Alliance Addition Phase 2, a distance of 519.77 feet to a 5/8 inch iron rod with cap stamped "RPLS 5430" found on the southeast line of Andrews Drive, a called 60 foot right-of-way, for the west corner of said Lot 11;

THENCE North 44 degrees 23 minutes 28 seconds East along the southeast line of said Andrews Drive, same being the northwest line of said Lot 11 and Lot 8, a distance of 360.81 feet to a 5/8 inch iron rod with cap stamped "RPLS 5430" found for the north corner of said Lot 8, same being the west corner of Lot 7, Block 1 of said Alliance Addition Phase 2;

THENCE South 45 degrees 36 minutes 28 seconds East departing the southeast line of said Andrews Drive and along the common line of said Lot 7 and Lot 8, a distance of 210.60 feet to a 5/8 inch iron rod with cap stamped "RPLS 5430" found for the south corner of said Lot 7;

THENCE North 44 degrees 29 minutes 37 seconds East continuing along the common line of said Lot 7 and Lot 8, a distance of 3.61 feet to a 1/2 inch iron rod with cap stamped "STOVALL" found for west corner of Lot 1A, Block A, Alliance Addition, an addition to the City of Rockwall, Texas as recorded in Cabinet F, Slide 153 of the Plat Records of Rockwall County, Texas;

THENCE South 45 degrees 36 minutes 32 seconds East continuing along the southwest line of said Lot 1A, Block A, a distance of 298.08 feet to 5/8 inch iron rod with cap stamped "TNP" set for corner at the beginning of a curve to the right;

THENCE with said curve to the right continuing along the southwest line of said Lot 1A, Block A, having a radius of 100.00 feet, a central angle of 17 degrees 22 minutes 53 seconds, an arc length of 30.34 feet, a chord bearing of South 36 degrees 55 minutes 03 seconds East, a distance of 30.22 feet to a 5/8 inch iron rod with cap stamped "RPLS 5430" found for corner at the beginning of a reverse curve to the left;

THENCE with said reverse curve to the left having continuing along the southwest line of said Lot 1A, Block A, having a radius of 108.00 feet, a central angle of 17 degrees 23 minutes 03 seconds, an arc length of 32.77 feet, a chord bearing of South 36 degrees 54 minutes 55 seconds East, a distance of 32.64 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

THENCE South 45 degrees 36 minutes 33 seconds East continuing along the southwest line of said Lot 1A, Block A, a distance of 42.63 feet to the POINT OF BEGINNING containing 217,456 square feet, or 4.992 acres of land.

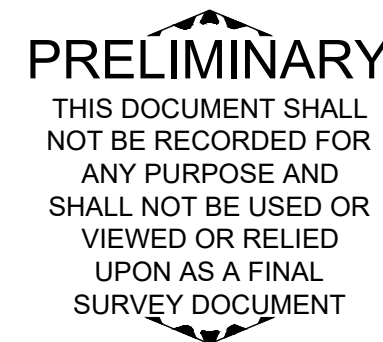
SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Brian J. Maddox II, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____, 2021

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.
BRIAN J. MADDOX II, R.P.L.S. NO. 6659



RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission _____ Date _____

APPROVED
I hereby certify that the above and foregoing plat of LOT 12 & 13, BLOCK 1, ALLIANCE ADDITION PHASE 2, an addition to the City of Rockwall, Texas, was

approved by the City Council of the City of Rockwall on the _____ day of _____, 2021.

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 _____, 2021.

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

OWNER LOT 10
N & H LEGACY PARTNERS, LLC
P.O. BOX 818
Terrell, Texas 75160

OWNER LOT 8, 9, & 11
ROCKWALL RENTAL PROPERTIES, L.P.
P.O. BOX 818
Terrell, Texas 75160

PROJECT INFORMATION
Project No.: RNP 20523
Date: April 07, 2021
Drawn By: WS
Scale: 1"=60'
SHEET 2 of 2



CASE NO. _____

**FINAL PLAT
LOT 12 & 13, BLOCK 1
ALLIANCE ADDITION PHASE 2**

BEING A REPLAT OF LOTS 8, 9, 10, & 11, BLOCK A, ALLIANCE ADDITION PHASE 2 CONTAINING A TOTAL OF 4.992 ACRES

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

SURVEYOR
TEAGUE NALL AND PERKINS, INC.
825 Watters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph 214.461.9864 fx
T.B.P.L.S. Registration No. 10194381
www.tnpsc.com 32



MEMORANDUM

TO: Mary Smith, Interim City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: June 7, 2021

SUBJECT: P2021-024; REPLAT FOR LOT 1, BLOCK A, JOHNSON ADDITION

Attachments

Case Memo
Development Application
Location Map
Replat

Summary/Background Information

Consider a request by Scott H. Johnson for the approval of a *Replat* for Lot 1, Block A, Johnson Addition being an 0.24-acre parcel of land identified as Lot E, Block 112, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 505 E. Bourne Street, and take any action necessary.

Action Needed

The City Council is being asked to approve, approve with condition, or deny the replat.



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council
DATE: June 7, 2021
APPLICANT: Scott H. Johnson
CASE NUMBER: P2021-024; *Replat for Lot 1, Block A, Johnson Addition*

SUMMARY

Consider a request by Scott H. Johnson for the approval of a Replat for Lot 1, Block A, Johnson Addition being an 0.24-acre parcel of land identified as Lot E, Block 112, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 505 E. Bourne Street, and take any action necessary.

PLAT INFORMATION

- The purpose of the applicant's request is to Replat a 0.24-acre tract of land (*i.e. Lot E, Block 112, B. F. Boydston Addition*) into one (1) lot (*i.e. Lot 1, Block A, Johnson Addition*) for the purpose of delineating the floodplain on the subject property. The subject property is located at 505 E. Bourne Street, and is zoned Single Family 7 (SF-7) District.
- The subject property was annexed prior to 1934 based on the August 25, 1934 Sanborn Map. At some point after August 25, 1934, the subject property was platted as Lot E, Block 112, B. F. Boydston Addition. According to the City's historic zoning maps, the subject property was zoned Single-Family 3 (SF-3) District as of January 3, 1972. This designation changed between January 4, 1972 and May 15, 1983 to a Single-Family 7 (SF-7) District based on the May 16, 1983 zoning map. Since the time of annexation, the property has remained vacant.
- The surveyor has completed the majority of the technical revisions requested by staff, and this Replat -- *conforming to the requirements for plats as stipulated by 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 Replat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the Replat for *Lot 1, Block A, Johnson Addition*, staff would propose the following conditions of approval:

- (1) All technical comments from City Staff (*i.e. Engineering, Planning and Fire Department*) shall be addressed prior to submittal of civil engineering plans; and
- (2) Any construction resulting from the approval of this Replat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On May 25, 2021, the Planning and Zoning Commission approved a motion to recommend approval of the replat with the conditions of approval by a vote of 7-0



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

P2021-024

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:

- MASTER PLAT (\$100.00 + \$15.00 ACRE) ¹
- PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) ¹
- FINAL PLAT (\$300.00 + \$20.00 ACRE) ¹
- REPLAT (\$300.00 + \$20.00 ACRE) ¹
- AMENDING OR MINOR PLAT (\$150.00)
- PLAT REINSTATEMENT REQUEST (\$100.00)

TO: CITY OF ROCKWALL

SITE PLAN APPLICATION FEES:

- SITE PLAN (\$250.00 + \$20.00 ACRE) ¹
- AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ¹
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST (\$100.00)

NOTES:

¹: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS TBO EAST BOVEN ST

SUBDIVISION BF BOYOSTON

LOT E BLOCK 112

GENERAL LOCATION EAST BOVEN, EAST OF LAMAR^{6E} CODE 3140.0112.000E.00.02

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING SF3

CURRENT USE SF3

PROPOSED ZONING SF3

PROPOSED USE SF3

ACREAGE 0.240

LOTS [CURRENT] 1

LOTS [PROPOSED] 1

SITE PLANS AND PLATS: BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB316Z THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

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

OWNER SCOTT H. JOHNSON

APPLICANT

CONTACT PERSON SCOTT H. JOHNSON

CONTACT PERSON

ADDRESS 709 STILLWATER DR.

ADDRESS

CITY, STATE & ZIP ROCKWALL TX 75087

CITY, STATE & ZIP

PHONE 214.448.7212

PHONE

E-MAIL ZIP75087@GMAIL.COM

E-MAIL

NOTARY VERIFICATION [REQUIRED]

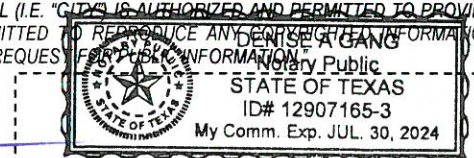
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Scott Johnson [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 320.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 14th DAY OF May, 2021. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 14 DAY OF May, 2021.

OWNER'S SIGNATURE Scott Johnson

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



MY COMMISSION EXPIRES July 30, 2024



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.



OWNER'S CERTIFICATE

STATE OF TEXAS:
COUNTY OF ROCKWALL:

BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE B. F. BOYDSTUN SURVEY, ABSTRACT NO. 14, ROCKWALL COUNTY, TEXAS, BEING KNOWN AS THAT TRACT OF LAND DESCRIBED IN DEED TO SCOTT JOHNSON, RECORDED IN INSTRUMENT NO. 2018000010262, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE RECOGNIZED NORTH RIGHT-OF-WAY LINE OF BOURN STREET, SAID POINT BEING THE RECOGNIZED SOUTHEAST CORNER OF SAID JOHNSON TRACT AND THE APPARENT SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO ROCKWALL HABITAT FOR HUMANITY, RECORDED IN INSTRUMENT NO. 2017000008235, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS;

THENCE NORTH 89 DEGREES 43 MINUTES 52 SECONDS WEST, ALONG THE RECOGNIZED SOUTH LINE OF SAID JOHNSON TRACT AND SAID RIGHT-OF-WAY LINE, A DISTANCE OF 80.00 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE RECOGNIZED SOUTHWEST CORNER OF SAID JOHNSON TRACT AND THE APPARENT SOUTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN DEED AS "TRACT 1" TO SAMUEL L. BUFFINGTON, ETAL, RECORDED IN VOLUME 2270, PAGE 96, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS;

THENCE NORTH 00 DEGREES 16 MINUTES 08 SECONDS EAST, ALONG THE RECOGNIZED WEST LINE OF SAID JOHNSON TRACT AND THE APPARENT EAST LINE OF SAID BUFFINGTON TRACT 1, A DISTANCE OF 130.00 FEET TO A 3/8 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE RECOGNIZED NORTHWEST CORNER OF SAID JOHNSON TRACT AND AN APPARENT INNER ELL CORNER OF LOT 2, BLOCK 1 OF SAMUEL BUFFINGTON ADDITION, AN ADDITION TO ROCKWALL COUNTY, TEXAS, RECORDED IN CABINET A, SLIDE 225, PLAT RECORDED, ROCKWALL COUNTY, TEXAS, FROM WHICH A 1/2 INCH IRON ROD FOUND FOR WITNESS BEARS SOUTH 00 DEGREES 16 MINUTES 08 SECONDS WEST - 10.94 FEET AND FROM SAID WITNESS A 1/2 INCH IRON ROD FOUND FOR REFERENCE, THE APPARENT SOUTHWEST CORNER OF SAID LOT 2 BEARS NORTH 89 DEGREES 43 MINUTES 52 SECONDS WEST - 60.00 FEET;

THENCE SOUTH 89 DEGREES 43 MINUTES 52 SECONDS WEST, ALONG THE RECOGNIZED NORTH LINE OF SAID JOHNSON TRACT, PASSING A 1/2 INCH IRON ROD FOUND FOR WITNESS AT 39.86 FEET AND CONTINUING FOR A TOTAL DISTANCE OF 80.00 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE APPARENT MOST WESTERLY SOUTH LINE OF A TRACT OF LAND DESCRIBED IN DEED TO ROCKWALL HABITAT FOR HUMANITY, RECORDED IN INSTRUMENT NO. 2017000008236, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS, SAID POINT BEING THE RECOGNIZED NORTHEAST CORNER OF SAID JOHNSON TRACT AND THE APPARENT NORTHWEST CORNER OF SAID ROCKWALL TRACT (INST. NO. 2017000008235);

THENCE SOUTH 00 DEGREES 16 MINUTES 08 SECONDS WEST, ALONG THE RECOGNIZED EAST LINE OF SAID JOHNSON TRACT AND THE APPARENT WEST LINE OF SAID ROCKWALL TRACT (INST. NO. 2017000008235), A DISTANCE OF 130.00 FEET TO THE PLACE OF BEGINNING AND CONTAINING 10,400.00 SQ. FT. OR 0.240 ACRES OF LAND.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I Scott Johnson the undersigned owner(s) of the land shown on this plat, and designated herein as Johnson Addition, an addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I Scott Johnson further certify that all other parties who have a mortgage or lien interest in the Johnson Addition, subdivision have been notified and signed this plat. I Scott Johnson understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I Scott Johnson also understand the following:

- No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
- 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.
- 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.
- The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
- 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.
- No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

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

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

7. Property owner shall be responsible for all maintenance, repair, and reconstruction of drainage and detention systems.

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

Owner: Scott Johnson

By: Scott Johnson

STATE OF TEXAS
COUNTY OF ROCKWALL

NOTARY PUBLIC

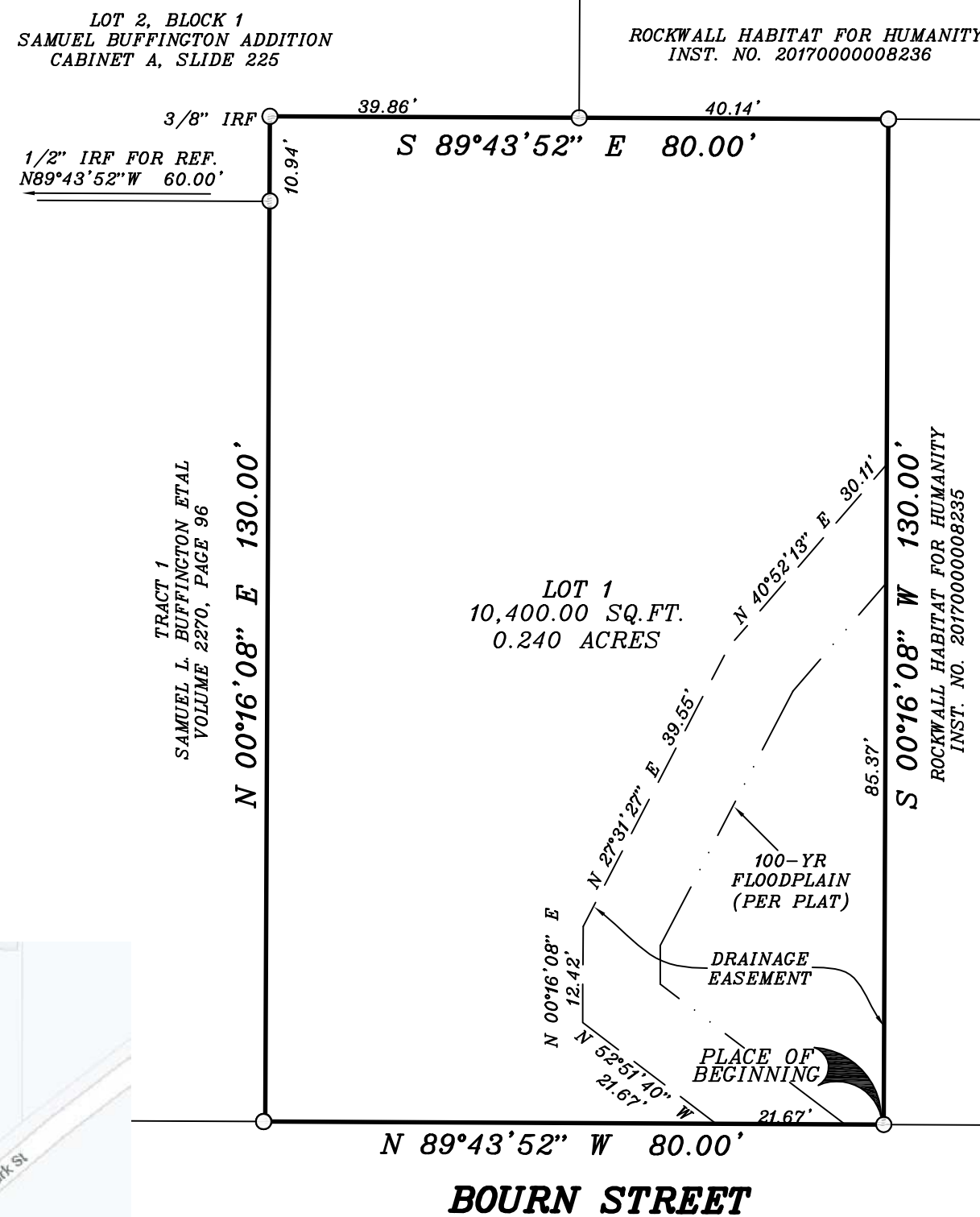
Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

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

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

OWNER
SCOTT JOHNSON
709 STILLWATER DRIVE
ROCKWALL, TEXAS, 75087
PHONE: (214) 448-7212
CAD. TECH. MM JOB NO. 1801517-4

PRELIMINARY PLAT
JOHNSON ADDITION
BEING A 0.24 ACRE TRACT OF LAND
ROCKWALL, ROCKWALL COUNTY, TEXAS



LEGEND

- R.O.W.-RIGHT-OF-WAY
- PFC-POINT FOR CORNER
- ⊗ 1/2" IRON ROD SET
- IRF/IRS- IRON ROD FOUND/SET (UNLESS OTHERWISE NOTED)
- EASMT'-EASEMENT
- 1" IRON PIPE FOUND
- 1/2" IRON ROD FOUND
- EASEMENT LINE
- FLOODPLAIN LINE

SURVEYOR'S CERTIFICATE

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

EXECUTED THIS 8TH DAY OF APRIL, 2021

BRIAN GALLIA
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5569

NOTARY PUBLIC

STATE OF TEXAS
COUNTY OF HUNT

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: _____

Planning & Zoning Commission, Chairman _____ Date _____

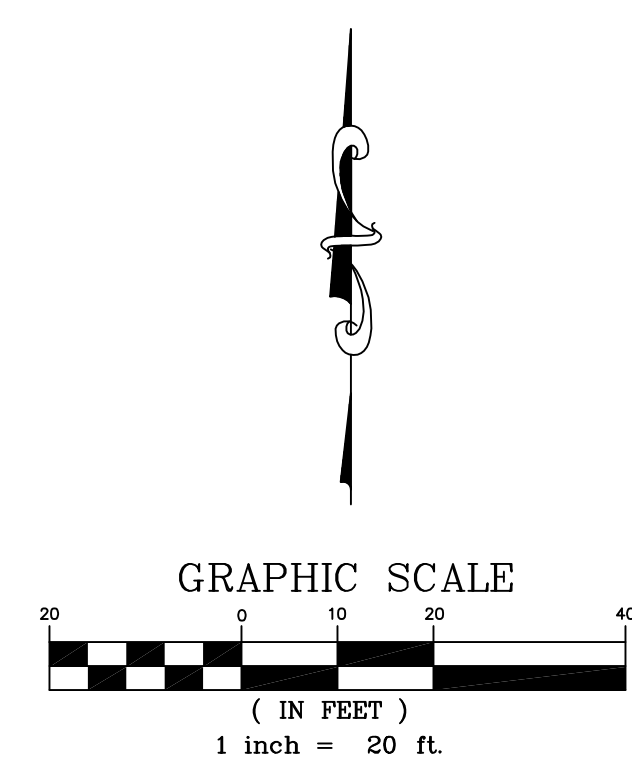
APPROVED:

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



VICINITY MAP



NOT TO SCALE

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

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

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

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.

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

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

NOTE: ACCORDING TO THE F.I.R.M. IN COMMUNITY PANEL NO. 48085C0575J, THIS PROPERTY APPEARS TO LIE IN ZONE X & A AND APPEARS NOT TO LIE WITHIN THE 100 YEAR FLOOD ZONE. THIS STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES, THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

NOTE: BEARING BASIS: GEODETIC NORTH, WORLD GEODETIC SYSTEM 1984 (WGS84), GPS OBSERVED.

TEXAS LICENSED SURVEYING FIRM REGISTRATION NUMBER 10150300



MEMORANDUM

TO: Mary Smith, Interim City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: June 7, 2021

SUBJECT: P2021-025; REPLAT FOR LOT 2, BLOCK 1, OUR SAVIOR LUTHERAN CHURCH ADDITION

Attachments

Case Memo
Development Application
Location Map
Replat

Summary/Background Information

Consider a request by Austin McDaniel of Landev Engineers on behalf of Josh Kirby for the approval of a *Replat* for Lot 2, Block 1, Our Savior Lutheran Church Addition being a 4.0152-acre parcel of land identified as Lot 1, Block 1, Our Savior Lutheran Church Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 13 (PD-13), addressed as 3003 Horizon Road [FM-3097], and take any action necessary.

Action Needed

The City Council is being asked to approve, approve with condition, or deny the replat.



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council
DATE: June 7, 2021
APPLICANT: Austin McDaniel; *Landev Engineers*
CASE NUMBER: P2021-025; *Replat for Lot 2, Block 1, Our Savior Lutheran Church Addition*

SUMMARY

Consider a request by Austin McDaniel of Landev Engineers on behalf of Josh Kirby for the approval of a Replat for Lot 2, Block 1, Our Savior Lutheran Church Addition being a 4.0152-acre parcel of land identified as Lot 1, Block 1, Our Savior Lutheran Church Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 13 (PD-13), addressed as 3003 Horizon Road [FM-3097], and take any action necessary.

PLAT INFORMATION

- The purpose of the applicant's request is to Replat a 4.0152-acre parcel of land (*i.e. Lot 1, Block 1, Our Savior Lutheran Church Addition*) into one (1) lot (*i.e. Lot 2, Block 1, Our Savior Lutheran Church Addition*) for the purpose of establishing a detention easement necessary for the expansion of the existing *House of Worship (i.e. Our Savior Lutheran Church)*. The subject property is located at 3003 Horizon Road, and is zoned Planned Development District 13 (PD-13).
- On August 2, 1976, the subject property was annexed into the City of Rockwall by *Ordinance No. 76-11*. According to the Rockwall County Appraisal District (RCAD), the 15,125 SF house of worship was constructed in 1980, with a 9,015 SF addition constructed in 2013. On February 2, 1981, the City Council approved to zone the subject property Planned Development District 13 (PD-13) by *Ordinance No. 81-05*. On September 10, 1984, the City Council approved an amendment to Planned Development District 13 (PD-13) -- *through Ordinance No. 84-43* -- to allow the subject property to have an educational building. On May 15, 2001 the subject property was platted as Lot 1, Block 1, Our Savior Lutheran Church Addition [Case No. PZ2001-030]. On July 31, 2012 the Planning and Zoning Commission approved a miscellaneous case [Case No. MIS2012-008] to remove a feature tree.
- The surveyor has completed the majority of the technical revisions requested by staff, and this Replat -- *conforming to the requirements for plats as stipulated by 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 Replat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the Replat for Lot 2, Block 1, Our Savior Lutheran Church Addition, staff would propose the following conditions of approval:

- (1) All technical comments from City Staff (*i.e. Engineering, Planning and Fire Department*) shall be addressed prior to submittal of civil engineering plans; and

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

PLANNING AND ZONING COMMISSION

On May 25, 2021, the Planning and Zoning Commission approved a motion to recommend approval of the replat with the conditions of approval by a vote of 7-0



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. p2021-025

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:

- MASTER PLAT (\$100.00 + \$15.00 ACRE)¹
- PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE)¹
- FINAL PLAT (\$300.00 + \$20.00 ACRE)¹
- REPLAT (\$300.00 + \$20.00 ACRE)¹
- AMENDING OR MINOR PLAT (\$150.00)
- PLAT REINSTATEMENT REQUEST (\$100.00)

SITE PLAN APPLICATION FEES:

- SITE PLAN (\$250.00 + \$20.00 ACRE)¹
- AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE)¹
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE)¹
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE)¹

OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST (\$100.00)

NOTES:

¹: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 3003 Horizon Road
 SUBDIVISION Our Savior Lutheran Church LOT 1A BLOCK 1
 GENERAL LOCATION 4.015-Acres

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING PD-13 CURRENT USE Church
 PROPOSED ZONING N/A PROPOSED USE Church (same)
 ACREAGE 4.015-Acres LOTS [CURRENT] 1 LOTS [PROPOSED] 1

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

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

<input type="checkbox"/> OWNER	<u>Josh Kirby</u>	<input checked="" type="checkbox"/> APPLICANT	<u>Landev Engineers</u>
CONTACT PERSON	<u>Church Representative</u>	CONTACT PERSON	<u>Austin McDowell</u>
ADDRESS	<u>3003 Horizon Rd.</u>	ADDRESS	<u>1801 Gateway Blvd Suite 101</u>
CITY, STATE & ZIP	<u>Rockwall, Texas 75032</u>	CITY, STATE & ZIP	<u>Richardson, Texas, 75080</u>
PHONE	<u>469-585-8634</u>	PHONE	<u>972-672-4262</u>
E-MAIL	<u>JKirby@magnumhome.com</u>	E-MAIL	<u>amcdowell@landevengineers.com</u>

NOTARY VERIFICATION [REQUIRED]

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

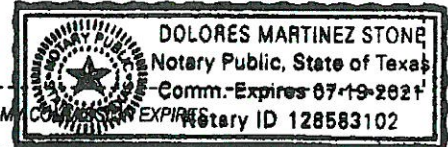
I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 1400 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 14 DAY OF May, 2021. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION.*

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 14 DAY OF May, 2021.

OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Dolores Martinez Stone





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.



POINT OF BEGINNING

RALPH HALL PARKWAY

ROCKWALL PARKWAY

LOT 1R1, BLOCK 1
OUR SAVIOR LUTHERAN CHURCH ADDITION
4.0152 AC.

REM. LOT 1R
BLOCK 1
OUR SAVIOR LUTHERAN CHURCH ADDITION
CAB. E, SL. 23
O.P.R.R.C.T.

OUR SAVIOR EVANGELICAL
LUTHERAN CHURCH OF ROCKWALL
DOC NO 19769-413
O.P.R.R.C.T.

JAMES SMITH SURVEY, ABSTRACT A-200

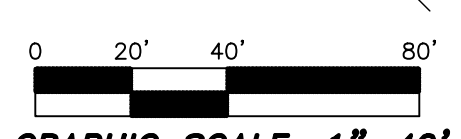
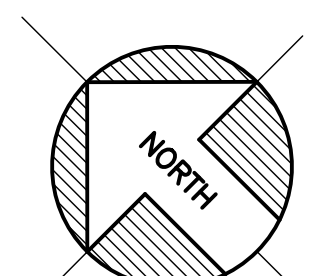
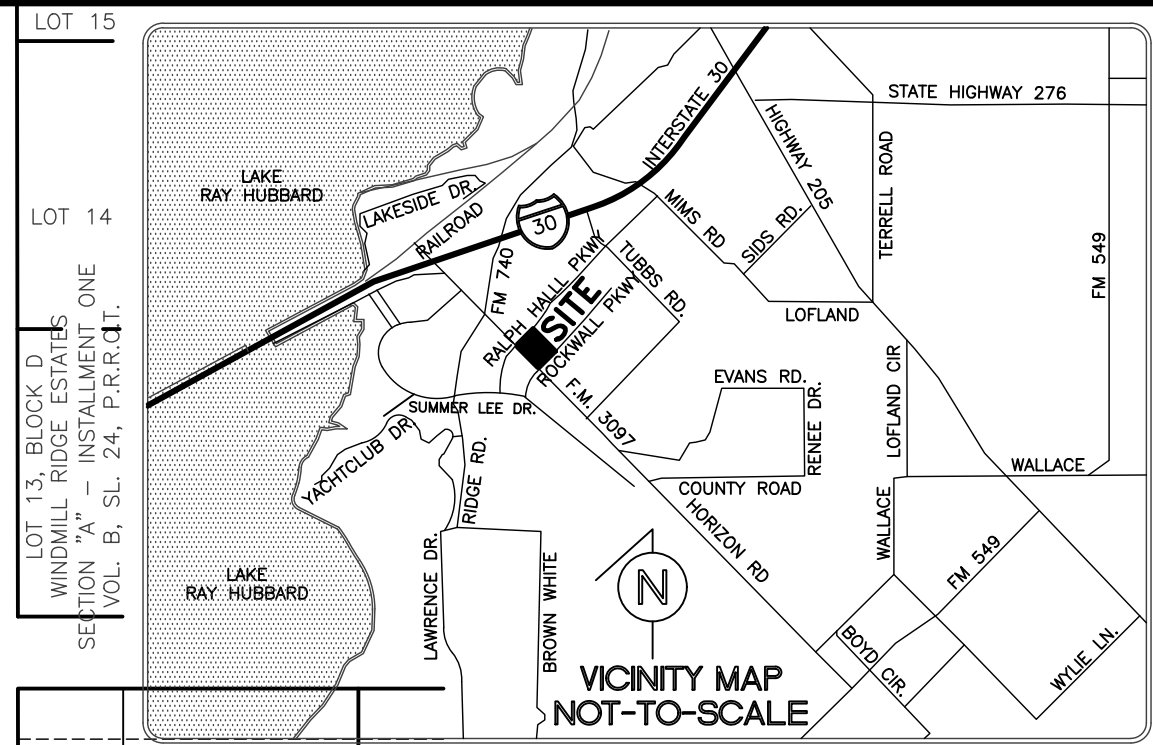
N 44°55'44" E - 325.04'

S 44°54'06" W - 341.46'

N 45°00'30" W - 448.20'

HORIZON ROAD - F.M. HIGHWAY 3097
(VARIABLE WIDTH RIGHT-OF-WAY)

5,237 S.F. (0.1202 AC.)
THE STATE OF TEXAS
TXDOT PARCEL NO. 8
INST.#20130000499503
O.P.R.R.C.T.



~ LINE TABLE ~

NO.	BEARING	DISTANCE
L1	S 89°56'15" W	20.52'
L2	N 00°01'42" W	43.24'

NOTE:
THE PURPOSE OF THIS PLAT IS TO
RE-DEDICATE A LOT AND ONE NEW
EASEMENT.

WINDMILL RIDGE DRIVE

FINAL PLAT
OF
LOT 1R1, BLOCK A
OUR SAVIOR LUTHERAN CHURCH ADDITION

AN ADDITION TO
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
4.0152 ACRES OF LAND OUT OF
JAMES SMITH SURVEY, ABSTRACT A-200

BEING A REPLAT OF
REMAINDER OF LOT 1R, BLOCK 1
OUR SAVIOUR LUTHERAN CHURCH ADDITION
RECORDED IN CABINET "E", SLIDE 23
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

740/3097 LIMITED PARTNERSHIP
(REMANDER OF 64.805 AC. TRACT)
VOL. 620, PG. 69

25' BUILDING SETBACK



BLUE SKY SURVEYING
& MAPPING, CORPORATION
11015 MIDWAY ROAD
DALLAS, TEXAS 75229
PHONE: (214) 358-4500
FAX: (214) 358-4600
CONTACT: DAVID PETREE, RPLS 1890
DRPETREE@BLUESKYSURVEYING.COM

OWNER:
OUR SAVIOR EVANGELIC LUTHERAN
CHURCH OF ROCKWALL
3003 HORIZON RD
ROCKWALL, TX
CONTACT: JOSH KIRBY
EMAIL: JKIRBY@MAGNUMHOM.COM
TEL: 469-585-8634

LEGEND

O.P.R.R.C.T.	OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
IRS	IRON ROD SET
IRF	IRON ROD FOUND

CASE NO. _____

MAY 4, 2021

PAGE 1 OF 2

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS, OUR SAVIOR EVANGELICAL LUTHERAN CHURCH OF ROCKWALL, ARE THE OWNERS OF ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND BEING PART OF LOT 1R IN BLOCK 1 OF OUR SAVIOR LUTHERAN CHURCH ADDITION, AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CAB. E, SL. 23 OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS, AS FOLLOWS:

BEGINNING AT A POINT ALONG THE SOUTHEAST RIGHT-OF-WAY LINE OF RALPH HALL PARKWAY (110 FOOT R.O.W.), SAID POINT BEING THE NORTHERN-MOST CORNER OF SAID LOT 1R, AND ALSO BEING THE WESTERN-MOST POINT OF LOT 6 OF WINDMILL RIDGE ESTATES NO. 38 SUBDIVISION, AN ADDITION TO THE CITY OF ROCKWALL, ACCORDING TO THE PLAT THEREOF, RECORDED IN CABINET C, SLIDE 224, PLAT RECORDS, ROCKWALL COUNTY, TEXAS;;

THENCE SOUTH 45° 03' 07" EAST AND DEPARTING SAID RALPH HALL PARKWAY, AND FOLLOWING ALONG THE COMMON LINE OF SAID LOT 1R AND SAID WINDMILL RIDGE ESTATES FOR A DISTANCE OF 493.10 FEET TO A POINT FOR THE EASTERN-MOST CORNER OF SAID LOT 1R, AND BEING THE SOUTHERN-MOST CORNER OF LOT 1 OF SAID WINDMILL RIDGE ESTATES; SAID POINT ALSO BEING ON THE NORTHWEST RIGH-OF-WAY LINE OF ROCKWALL PARKWAY (A 60 FOOT R.O.W.);

THENCE SOUTH 44° 54' 06" WEST AND FOLLOWING ALONG THE COMMON LINE OF SAID LOT 1R AND SAID ROCKWALL PARKWAY FOR A DISTANCE OF 341.46 FEET TO A POINT FOR CORNER OF A 5,237 SQUARE FEET PARCEL OF LAND "PARCEL NO. 8" DEDICATED FOR ROAD WIDENING OF FARM TO MARKET ROAD 3097, TO THE STATE OF TEXAS UNDER INSTRUMENT NUMBER 20130000499503, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY;

THENCE SOUTH 89° 56' 15" WEST AND FOLLOWING ALONG THE LINE OF SAID PARCEL NO. 8 R.O.W. DEDICATION FOR A DISTANCE OF 20.52 FEET TO A POINT FOR THE SOUTHWEST CORNER OF SAID LOT 1R;

THENCE NORTH 45° 00' 30" WEST AND FOLLOWING ALONG THE COMMON LINE OF SAID WIDENING FOR F.M. 3097 AND SAID LOT 1R FOR A DISTANCE OF 448.20 FEET TO A POINT FOR CORNER;

THENCE NORTH 00° 01' 42" WEST CONTINUING ALONG SAID WIDENING, AND ALONG THE CORNER CLIP THEREOF AT THE INTERSECTION OF SAID F.M. 3097 AND AFORESAID RALPH LAUREN PARKWAY FOR A DISTANCE OF 43.24 FEET TO A POINT FOR CORNER ON THE SOUTHEAST R.O.W. LINE OF SAID RALPH LAUREN PARKWAY;

THENCE NORTH 44° 55' 44" EAST AND FOLLOWING ALONG THE COMMON LINE OF SAID LOT 1R AND SAID RALPH LAUREN PARKWAY FOR A DISTANCE OF 325.04 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.0152 ACRES (174,900 SQUARE FEET) OF LAND, MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS }
COUNTY OF ROCKWALL }

WE, THE UNDERSIGNED OWNERS OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS LOT 1R1, BLOCK 1, OUR SAVIOR LUTHERAN CHURCH ADDITION, AN ADDITION TO THE CITY OF ROCKWALL, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN ON THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED. WE FURTHER CERTIFY THAT ALL OTHER PARTIES WHO HAVE A MORTGAGE OR LIEN INTEREST, 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

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.

(7) PROPERTY OWNER SHALL BE RESPONSIBLE FOR ALL MAINTENANCE, REPAIR, AND RECONSTRUCTION OF ALL SYSTEMS IN DRAINAGE AND DETENTION EASEMENTS.

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.

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS, AND RESOLUTIONS OF THE CITY OF ROCKWALL.

WITNESS, MY HAND AT DALLAS, TEXAS, THIS THE _____ DAY OF _____, 2021.

OUR SAVIOR EVANGELICAL LUTHERAN CHURCH OF ROCKWALL

JOSH KIRBY - CHURCH DEVELOPMENT REPRESENTATIVE

STATE OF TEXAS }
COUNTY OF ROCKWALL }

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JOSH KIRBY, 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 _____, 2021.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES:

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS: THAT I, DAVID PETREE, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND, AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION.

PRELIMINARY

DAVID PETREE
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 1890

FLOOD NOTE

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) - NATIONAL FLOOD INSURANCE PROGRAM (NFIP) - FLOOD INSURANCE RATE MAP (FIRM) - FOR THE ROCKWALL COUNTY, TEXAS AND INCORPORATED AREAS - MAP NO. 48397C0040L, MAP REVISED, SEPTEMBER 26, 2008, THE PROPERTY SHOWN HEREON LIES IN ZONE "X" (OTHER AREAS).

ZONE "X"(OTHER AREAS) IS DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN".

THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURE THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

RECOMMENDED FOR FINAL APPROVAL

PLANNING AND ZONING COMMISSION

PLANNING & ZONING

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 _____, 2021.

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 _____, 2021.

MAYOR, CITY OF ROCKWALL

CITY SECRETARY

CITY ENGINEER

FINAL PLAT
OF
LOT 1R1, BLOCK A
OUR SAVIOR LUTHERAN CHURCH ADDITION
AN ADDITION TO
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
4.0152 ACRES OF LAND OUT OF
JAMES SMITH SURVEY, ABSTRACT A-200
BEING A REPLAT OF
REMAINDER OF LOT 1R, BLOCK 1
OUR SAVIOUR LUTHERAN CHURCH ADDITION
RECORDED IN CABINET "E", SLIDE 23
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS



BLUE SKY SURVEYING
& MAPPING, CORPORATION
11015 MIDWAY ROAD
DALLAS, TEXAS 75229
PHONE: (214) 358-4500
FAX: (214) 358-4600
CONTACT: DAVID PETREE, RPLS 1890
DRPETREE@BLUESKYSURVEYING.COM

OWNER:
OUR SAVIOR EVANGELIC LUTHERAN
CHURCH OF ROCKWALL
3003 HORIZON RD
ROCKWALL, TX
CONTACT: JOSH KIRBY
EMAIL: JKIRBY@MAGNUMHOM.COM
TEL: 469-585-8634

CASE NO. _____

MAY 4, 2021



MEMORANDUM

TO: Mary Smith, Interim City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: June 7, 2021

SUBJECT: P2021-027; PRELIMINARY PLAT FOR LOTS 1-14, BLOCK A, CREEKSIDE COMMONS ADDITION

Attachments

Case Memo
Development Application
Location Map
Preliminary Plat
Treescape Plan
Preliminary Water Plan
Preliminary Wastewater Plan
Parcel Map Checklist Report

Summary/Background Information

Consider a request by Keaton Mai of the Dimension Group on behalf of Russell Phillips of Rockwall 205 Investors, LLC for the approval of a *Preliminary Plat* for Lots 1-14, Block A, Creekside Commons being a 34.484-acre tract of land identified as Tracts 17-5 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, generally located at east of the intersection of S. Goliad Street [SH-205] and S. FM-549, and take any action necessary.

Action Needed

The City Council is being asked to approve, approve with condition, or deny the preliminary plat.



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council
DATE: June 7, 2021
APPLICANT: Keaton Mai; *Dimension Group*
CASE NUMBER: P2021-027; *Preliminary Plat for Lots 1-14, Block A, Creekside Commons Addition*

SUMMARY

Consider a request by Keaton Mai of the Dimension Group on behalf of Russell Phillips of Rockwall 205 Investors, LLC for the approval of a Preliminary Plat for Lots 1-14, Block A, Creekside Commons being a 34.484-acre tract of land identified as Tracts 17-5 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, generally located at east of the intersection of S. Goliad Street [SH-205] and S. FM-549, and take any action necessary.

PLAT INFORMATION

- The purpose of the applicant's request is to preliminary plat a 34.484-acre tract of land (*i.e. Tracts 17-5 of the W. W. Ford Survey, Abstract No. 80*) proposing (14) lots (*i.e. Lots 1-14, Block A, Creekside Commons Addition*) to facilitate the future commercial development of the subject property and to ensure that adequate public facilities (*e.g. fire lane, public access/right-of-way, utilities, and drainage*) necessary to serve the development are provided. Additionally, the applicant will be dedicating a variable width TXDOT right-of-way that will bi-sect the subject property and provide a connection from the existing S. FM-549 to SH-205.
- The purpose of the preliminary plat is to provide sufficient information to evaluate and review the general design of the development and to ensure compliance with the density and dimensional requirement stipulated for a property that is situated within the SH-205 Overlay (SH-205 OV) District and the Commercial (C) District as required by the Unified Development Code (UDC). In addition, preliminary plats are also required to ensure conformance with the OURHometown Vision 2040 Comprehensive Plan, the Master Thoroughfare Plan, and the requirements of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances. The proposed preliminary plat appears to conform to these requirements of these documents.
- According to Section 38-8(f)(1), *Expiration of Plats*, of the Municipal Code of Ordinances, "(t)he applicant shall submit a final plat to the city for the entire area for which a preliminary plat has been approved, within one year of the date of approval or conditional approval of the preliminary plat. If the property owner fails to submit a final plat application within such period, the preliminary plat shall lapse, and all further proceedings concerning the subdivision shall terminate. The applicant shall be required to submit a new preliminary plat, as required by this chapter, subject to all zoning and subdivision standards then in effect."
- The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stipulated by the 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 *Conditions of Approval* section below.
- With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the preliminary plat for *Lots 1-14, Block A, Creekside Commons Addition*, staff would propose the following conditions of approval:

- (1) All technical comments from City Staff (*i.e. Engineering, Planning and Fire Department*) shall be addressed prior to submittal of civil engineering plans; and,
- (2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On May 25, 2021, the Planning and Zoning Commission approved a motion to recommend approval of the preliminary plat with the conditions of approval by a vote of 7-0.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

PLATTING APPLICATION FEES:

- MASTER PLAT (\$100.00 + \$15.00 ACRE) ¹
- PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) ¹
- FINAL PLAT (\$300.00 + \$20.00 ACRE) ¹
- REPLAT (\$300.00 + \$20.00 ACRE) ¹
- AMENDING OR MINOR PLAT (\$150.00)
- PLAT REINSTATEMENT REQUEST (\$100.00)

SITE PLAN APPLICATION FEES:

- SITE PLAN (\$250.00 + \$20.00 ACRE) ¹
- AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ¹
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST (\$100.00)

NOTES:

¹: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS **TBD**

SUBDIVISION **ABS 0080, WW Ford Survey**

LOT **Tract 17-5** BLOCK **TBD**

GENERAL LOCATION **NEC of HWY 205 and FM 549, Rockwall, TX 75032**

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING **Commercial (C)**

CURRENT USE **Undeveloped**

PROPOSED ZONING **Commercial (C)**

PROPOSED USE **Mixed use**

ACREAGE **34.484**

LOTS [CURRENT] **1**

LOTS [PROPOSED] **14**

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

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

OWNER **Rockwall 205 Investors LLC**

APPLICANT **The Dimension Group**

CONTACT PERSON **Russell Phillips**

CONTACT PERSON **Keaton Mai**

ADDRESS **1 Candlelite Trail**

ADDRESS **10755 Sandhill Rd**

CITY, STATE & ZIP **Heath, TX 75032**

CITY, STATE & ZIP **Dallas, TX 75238**

PHONE **469-446-7734**

PHONE **214-600-1152**

E-MAIL **rphil404@aol.com**

E-MAIL **kmai@dimensiongroup.com**

NOTARY VERIFICATION [REQUIRED]

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

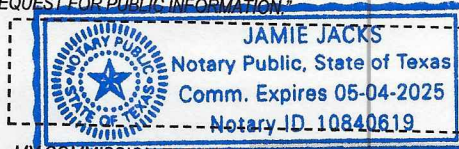
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 717.26 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE MAY 14 DAY OF 2021. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 13 DAY OF May, 2021.

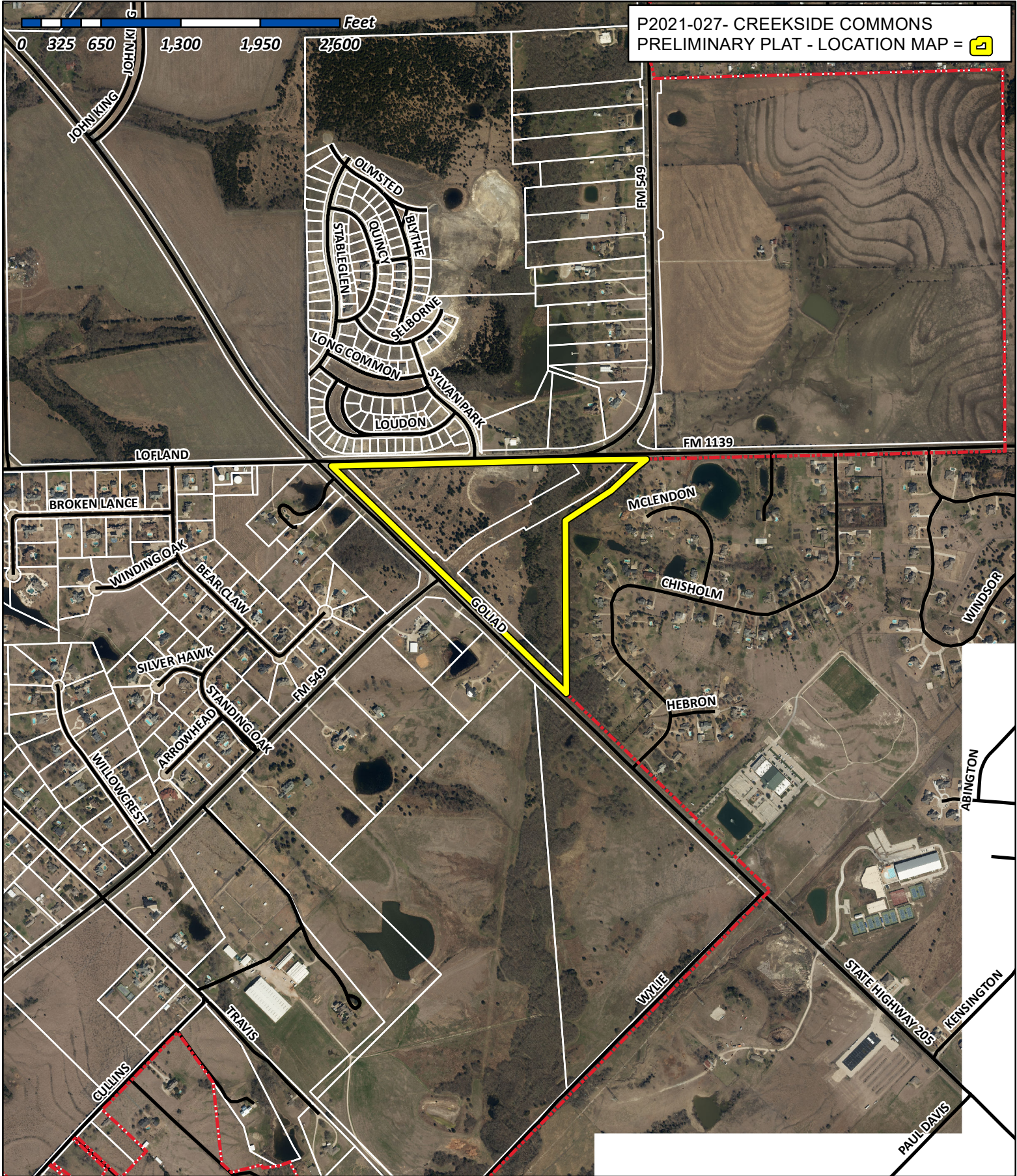
OWNER'S SIGNATURE

Russell Phillips

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



MY COMMISSION EXPIRES _____



P2021-027- CREEKSIDE COMMONS
 PRELIMINARY PLAT - LOCATION MAP =

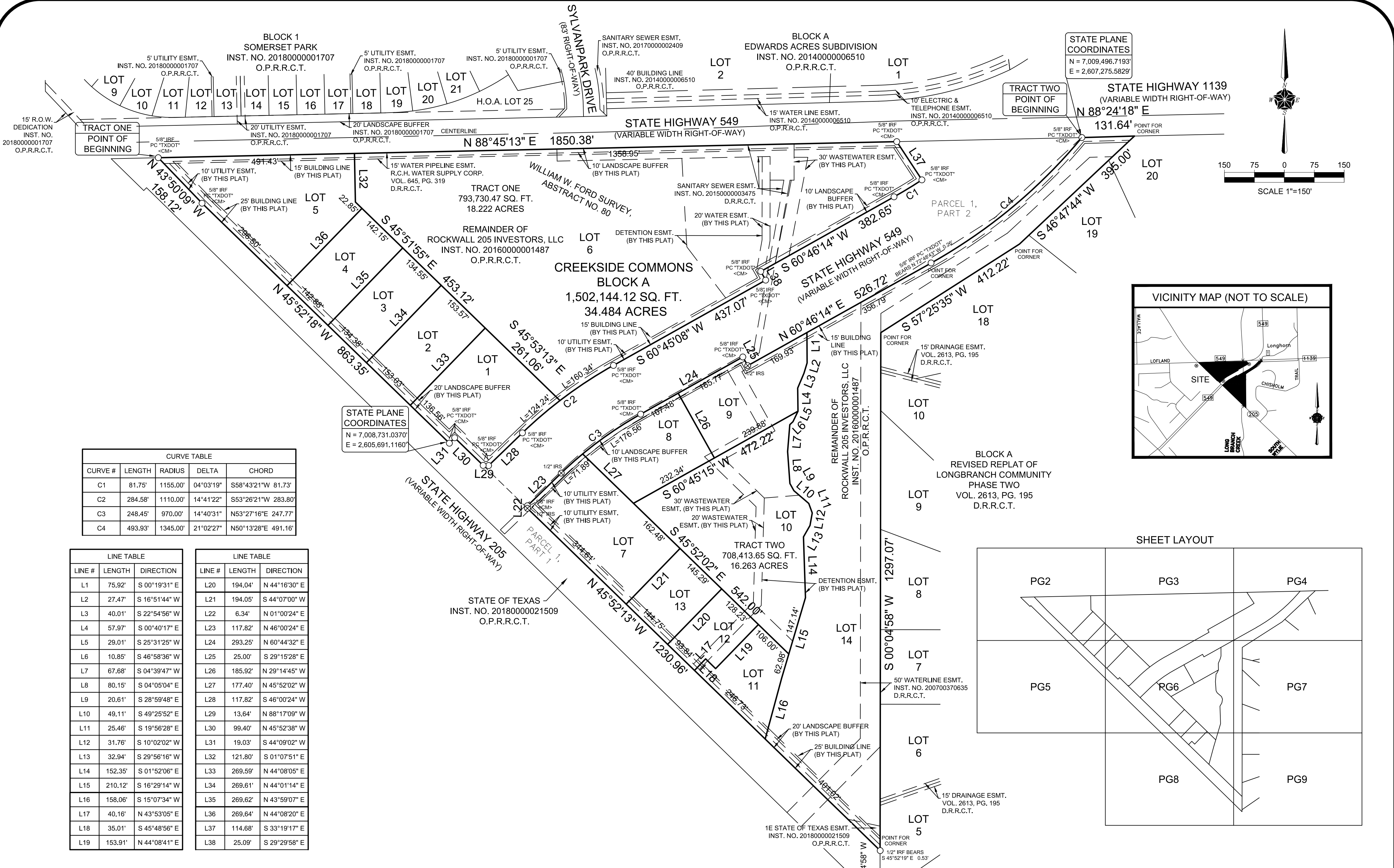


City of Rockwall

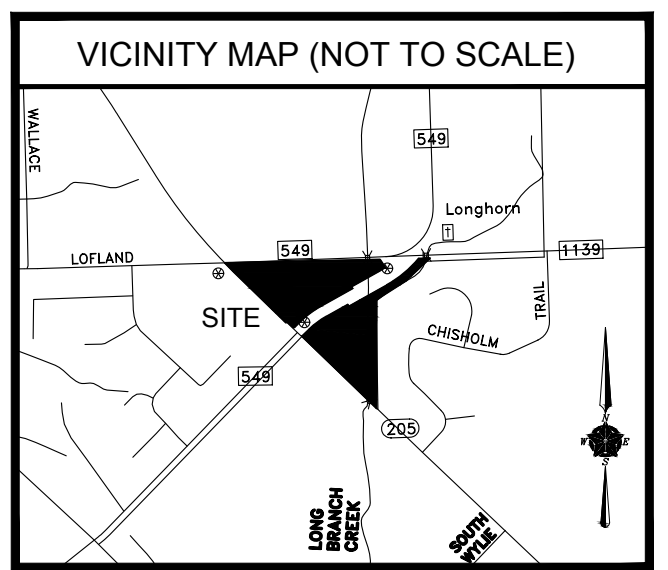
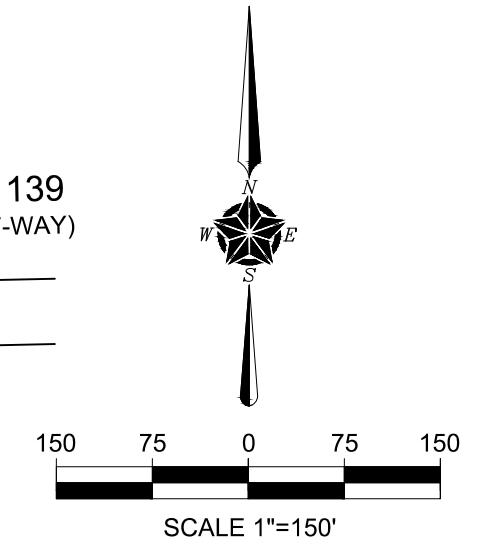
Planning & Zoning Department
 385 S. Goliad Street
 Rockwall, Texas 75032
 (P): (972) 771-7745
 (W): www.rockwall.com

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





STATE PLANE COORDINATES
 N = 7,009,496.7193'
 E = 2,607,275.5829'



CURVE TABLE

CURVE #	LENGTH	RADIUS	DELTA	CHORD
C1	81.75'	1155.00'	04°03'19"	S58°43'21"W 81.73'
C2	284.58'	1110.00'	14°41'22"	S53°26'21"W 283.80'
C3	248.45'	970.00'	14°40'31"	N53°27'16"E 247.77'
C4	493.93'	1345.00'	21°02'27"	N50°13'28"E 491.16'

LINE TABLE

LINE #	LENGTH	DIRECTION
L1	75.92'	S 00°19'31" E
L2	27.47'	S 16°51'44" W
L3	40.01'	S 22°54'56" W
L4	57.97'	S 00°40'17" E
L5	29.01'	S 25°31'25" W
L6	10.85'	S 46°58'36" W
L7	67.68'	S 04°39'47" W
L8	80.15'	S 04°05'04" E
L9	20.61'	S 28°59'48" E
L10	49.11'	S 49°25'52" E
L11	25.46'	S 19°56'28" E
L12	31.76'	S 10°02'02" W
L13	32.94'	S 29°56'16" W
L14	152.35'	S 01°52'06" E
L15	210.12'	S 16°29'14" W
L16	158.06'	S 15°07'34" W
L17	40.16'	N 43°53'05" E
L18	35.01'	S 45°48'56" E
L19	153.91'	N 44°08'41" E

LINE TABLE

LINE #	LENGTH	DIRECTION
L20	194.04'	N 44°16'30" E
L21	194.05'	S 44°07'00" W
L22	6.34'	N 01°00'24" E
L23	117.82'	N 46°00'24" E
L24	293.25'	N 60°44'32" E
L25	25.00'	S 29°15'28" E
L26	185.92'	N 29°14'45" W
L27	177.40'	N 45°52'02" W
L28	117.82'	S 46°00'24" W
L29	13.64'	N 88°17'09" W
L30	99.40'	N 45°52'38" W
L31	19.03'	S 44°09'02" W
L32	121.80'	S 01°07'51" E
L33	269.59'	N 44°08'05" E
L34	269.61'	N 44°01'14" E
L35	269.62'	N 43°59'07" E
L36	269.64'	N 44°08'20" E
L37	114.68'	S 33°19'17" E
L38	25.09'	S 29°29'58" E

LEGEND:
 IRF IRON ROD FOUND
 PC "TXDOT" IRON ROD FOUND WITH PINK CAP STAMPED "TXDOT"
 IRS IRON ROD SET WITH YELLOW CAP STAMPED "TXHS"
 <CM> CONTROLLING MONUMENT
 D.R.R.C.T. DEED RECORDS, ROCKWALL COUNTY, TEXAS
 M.R.R.C.T. MAP RECORDS, ROCKWALL COUNTY, TEXAS
 O.P.R.R.C.T. OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
 INST. NO. INSTRUMENT NUMBER
 VOL., PG. VOLUME, PAGE
 ESMT. EASEMENT
 L= LENGTH

ENGINEER
 THE DIMENSION GROUP
 10755 SANDILL ROAD
 DALLAS, TEXAS 75238
 attn: KEATON MAI

OWNER
 ROCKWALL 205 INVESTORS, LLC
 1 CANDLELITE TRAIL
 HEATH, TEXAS 75032



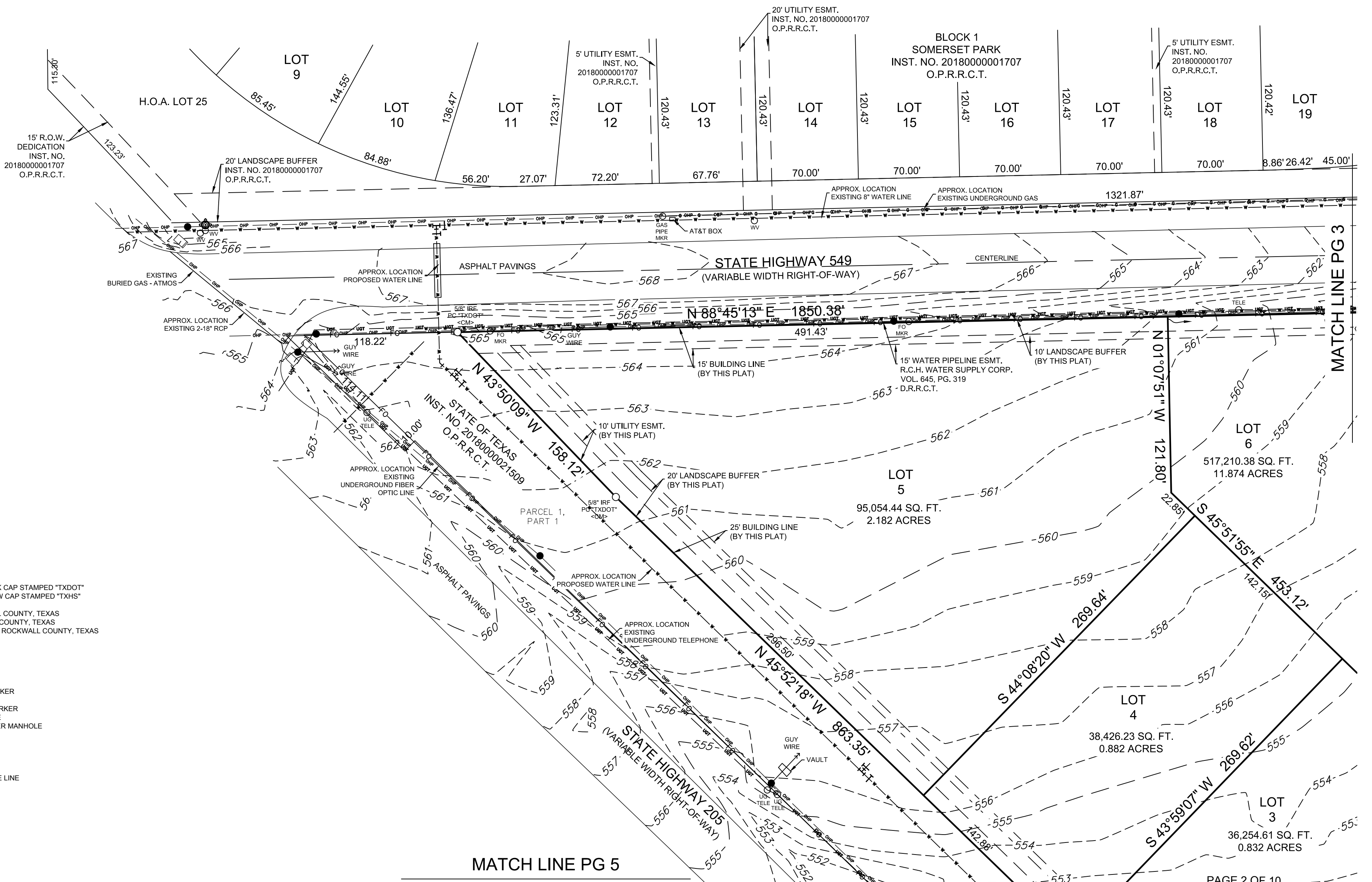
TEXAS HERITAGE SURVEYING, LLC

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

PRELIMINARY PLAT
CREEKSIDE COMMONS
 LOTS 1-14, BLOCK A
 BEING TRACTS OF LAND SITUATED IN THE
 WILLIAM W. FORD SURVEY, ABSTRACT NO. 80
 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
 1,502,144.12 SQUARE FEET / 34.484 ACRES
 CASE NO.



50 25 0 25 50
SCALE 1"=50'

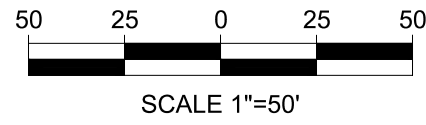


LEGEND:

- IRF IRON ROD FOUND
- PC 'TXDOT' IRON ROD FOUND WITH PINK CAP STAMPED 'TXDOT'
- IRS IRON ROD SET WITH YELLOW CAP STAMPED 'TXHS'
- <CM> CONTROLLING MONUMENT
- D.R.R.C.T. DEED RECORDS, ROCKWALL COUNTY, TEXAS
- M.R.R.C.T. MAP RECORDS, ROCKWALL COUNTY, TEXAS
- O.P.R.R.C.T. OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
- INST. NO. INSTRUMENT NUMBER
- VOL., PG. VOLUME, PAGE
- ESMT. EASEMENT
- WV WATER VALVE
- GV GAS VALVE
- FO MKR FIBER OPTIC MARKER
- UGC MKR UNDERGROUND CABLE MARKER
- TELE TELEPHONE PEDESTAL
- CPM CATHODIC PROTECTION MARKER
- SAN. SEW. SANITARY SEWER MANHOLE
- PROPOSED SANITARY SEWER MANHOLE
- POWER POLE POWER POLE
- FIRE HYDRANT FIRE HYDRANT
- GAS METER GAS METER
- GUARD RAIL GUARD RAIL
- OHP OVERHEAD POWER LINE
- UGT UNDERGROUND TELEPHONE LINE
- FO FIBER OPTIC LINE
- SS SANITARY SEWER LINE
- G UNDERGROUND GAS LINE
- CONCRETE PAVING CONCRETE PAVING

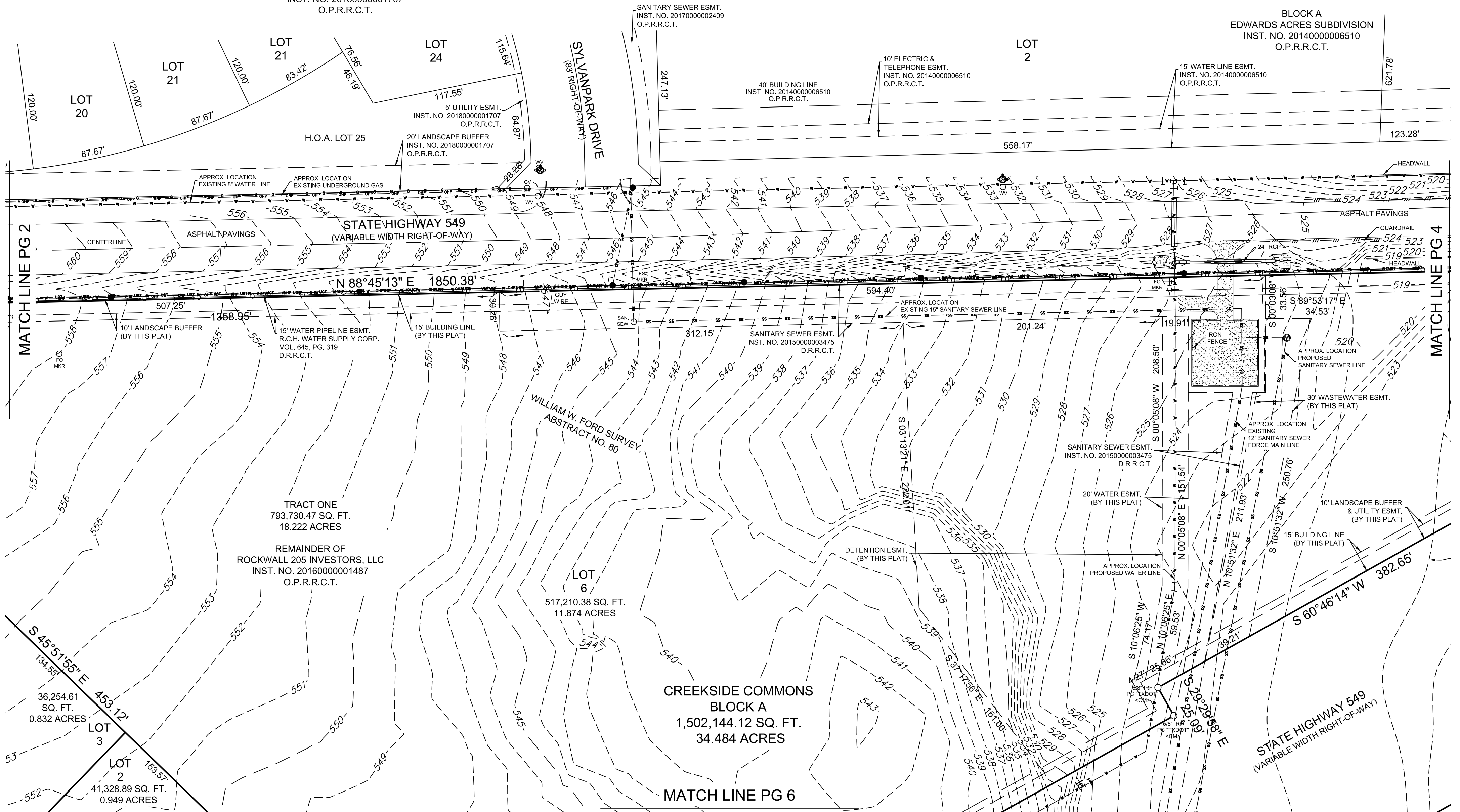
MATCH LINE PG 5

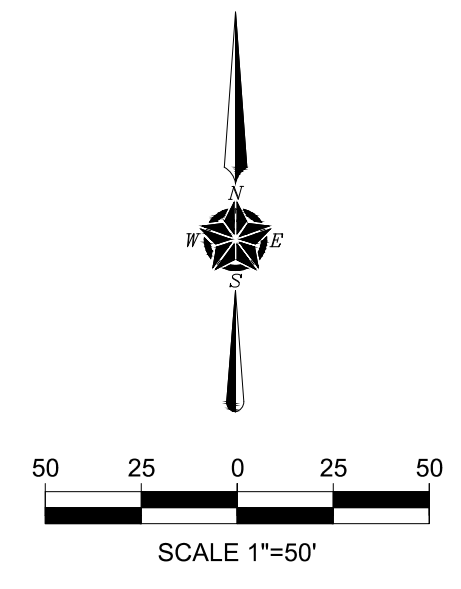
MATCH LINE PG 3



BLOCK 1
SOMERSET PARK
INST. NO. 2018000001707
O.P.R.R.C.T.

BLOCK A
EDWARDS ACRES SUBDIVISION
INST. NO. 20140000006510
O.P.R.R.C.T.





BLOCK A
EDWARDS ACRES SUBDIVISION
INST. NO. 2014000006510
O.P.R.R.C.T.

LOT 1

10' ELECTRIC & TELEPHONE ESMT.
INST. NO. 2014000006510
O.P.R.R.C.T.

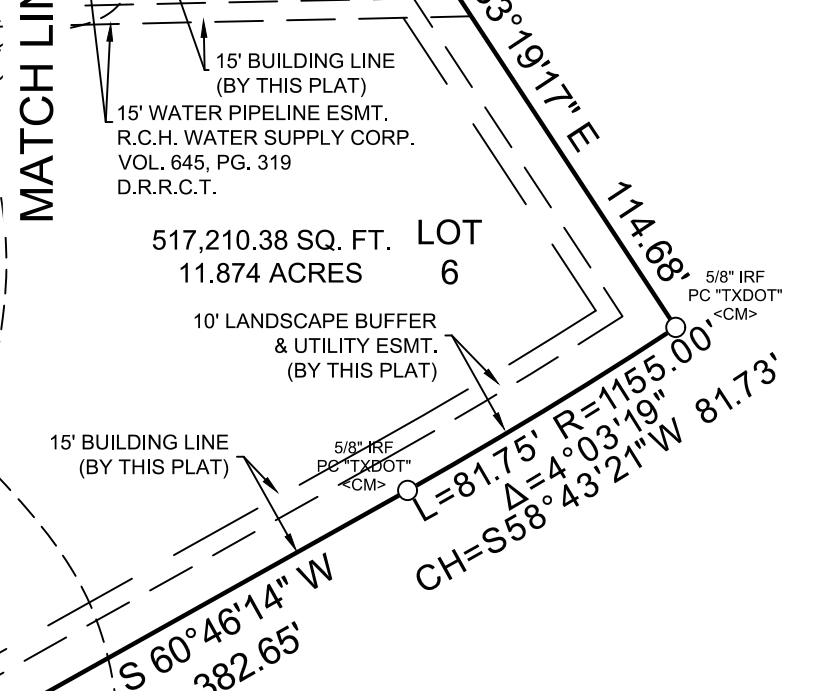
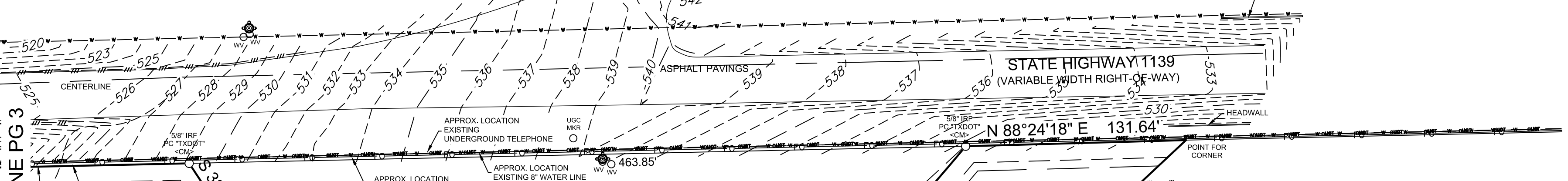
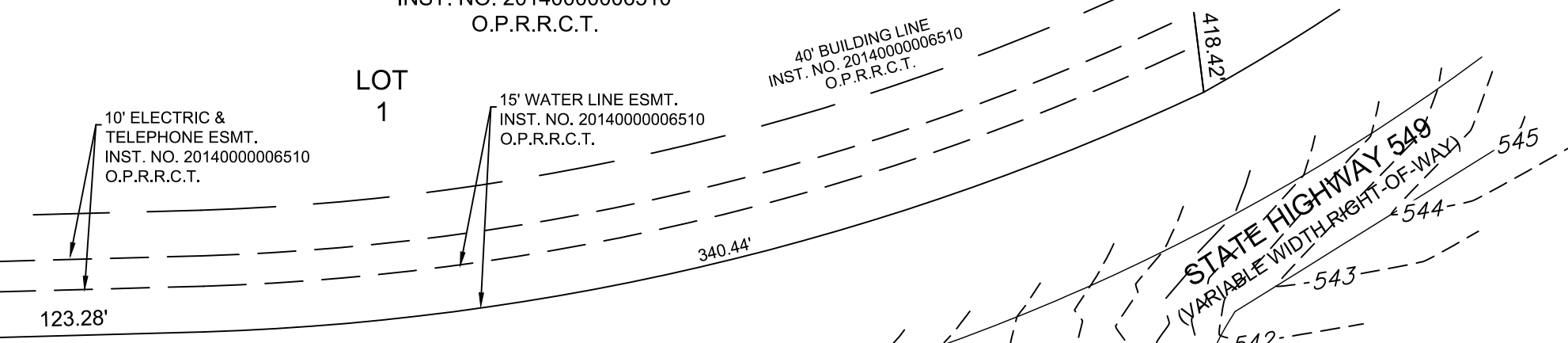
15' WATER LINE ESMT.
INST. NO. 2014000006510
O.P.R.R.C.T.

40' BUILDING LINE
INST. NO. 2014000006510
O.P.R.R.C.T.

STATE HIGHWAY 549
(VARIABLE WIDTH RIGHT-OF-WAY)

STATE HIGHWAY 1139
(VARIABLE WIDTH RIGHT-OF-WAY)

N 88°24'18" E 131.64'

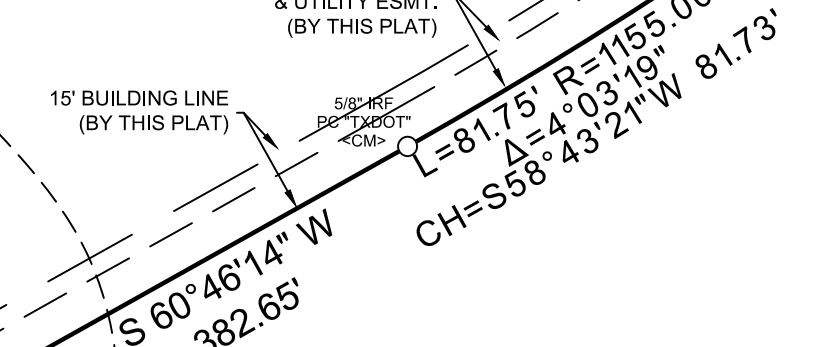


517,210.38 SQ. FT.
11.874 ACRES

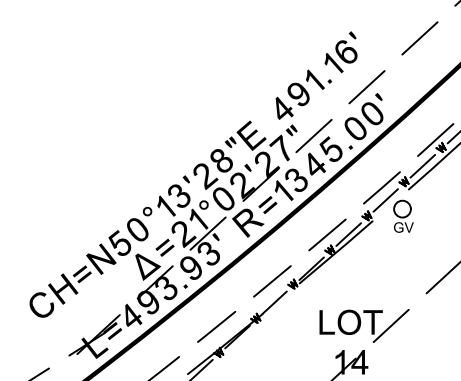
LOT 6

ASPHALT PAVINGS

LOT 20



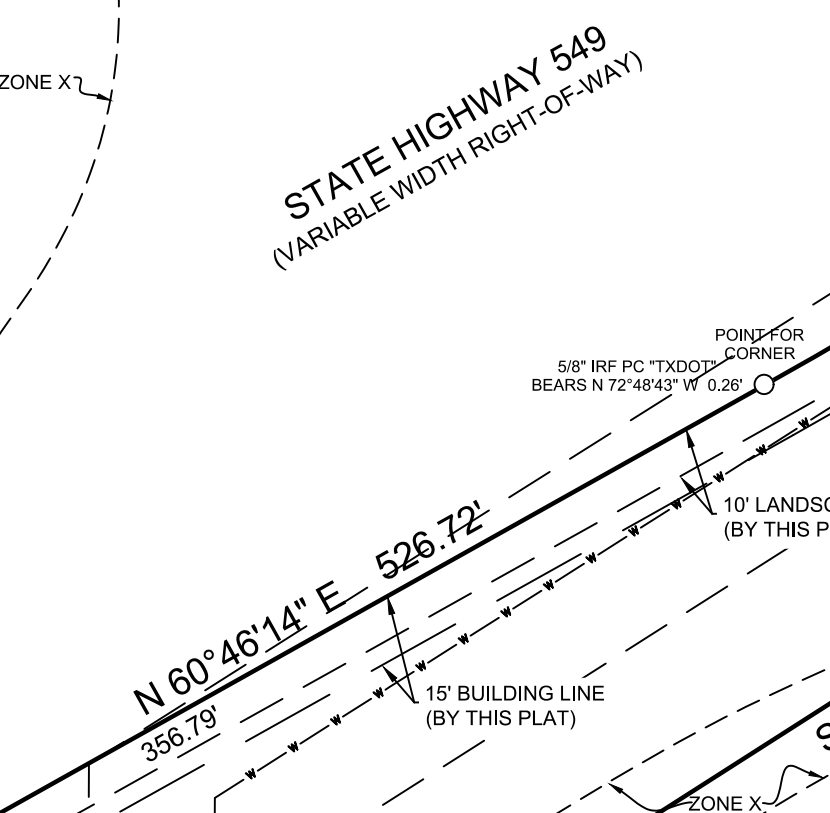
PARCEL 1,
PART 2



LOT 14

326,865.77 SQ. FT.
7.504 ACRES

LOT 19

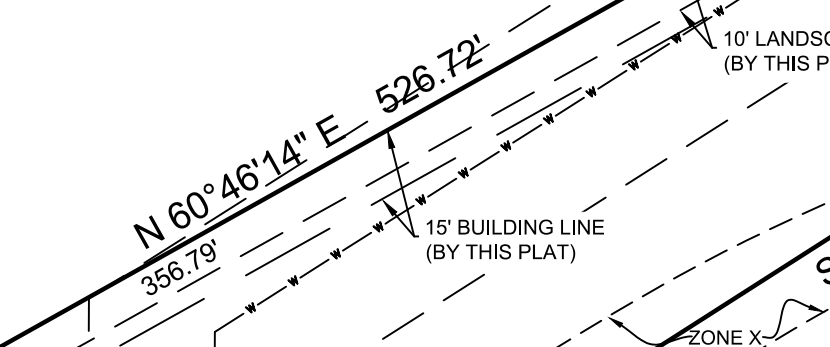


STATE HIGHWAY 549
(VARIABLE WIDTH RIGHT-OF-WAY)

50' WATERLINE ESMT.
INST. NO. 200700370635
D.R.R.C.T.

LOT 18

BLOCK A
REVISED REPLAT OF
LONGBRANCH COMMUNITY
PHASE TWO
VOL. 2613, PG. 195
D.R.R.C.T.



N 60°46'14" E 526.72'

S 57°25'35" W 412.22'

MATCH LINE PG 7

MATCH LINE PG 2



LOT 3
36,254.61 SQ. FT.
0.832 ACRES

20' LANDSCAPE BUFFER
(BY THIS PLAT)
10' UTILITY ESMT.
(BY THIS PLAT)

APPROX. LOCATION
EXISTING
UNDERGROUND TELEPHONE
APPROX. LOCATION
EXISTING
UNDERGROUND FIBER
OPTIC LINE

APPROX. LOCATION
PROPOSED WATER LINE

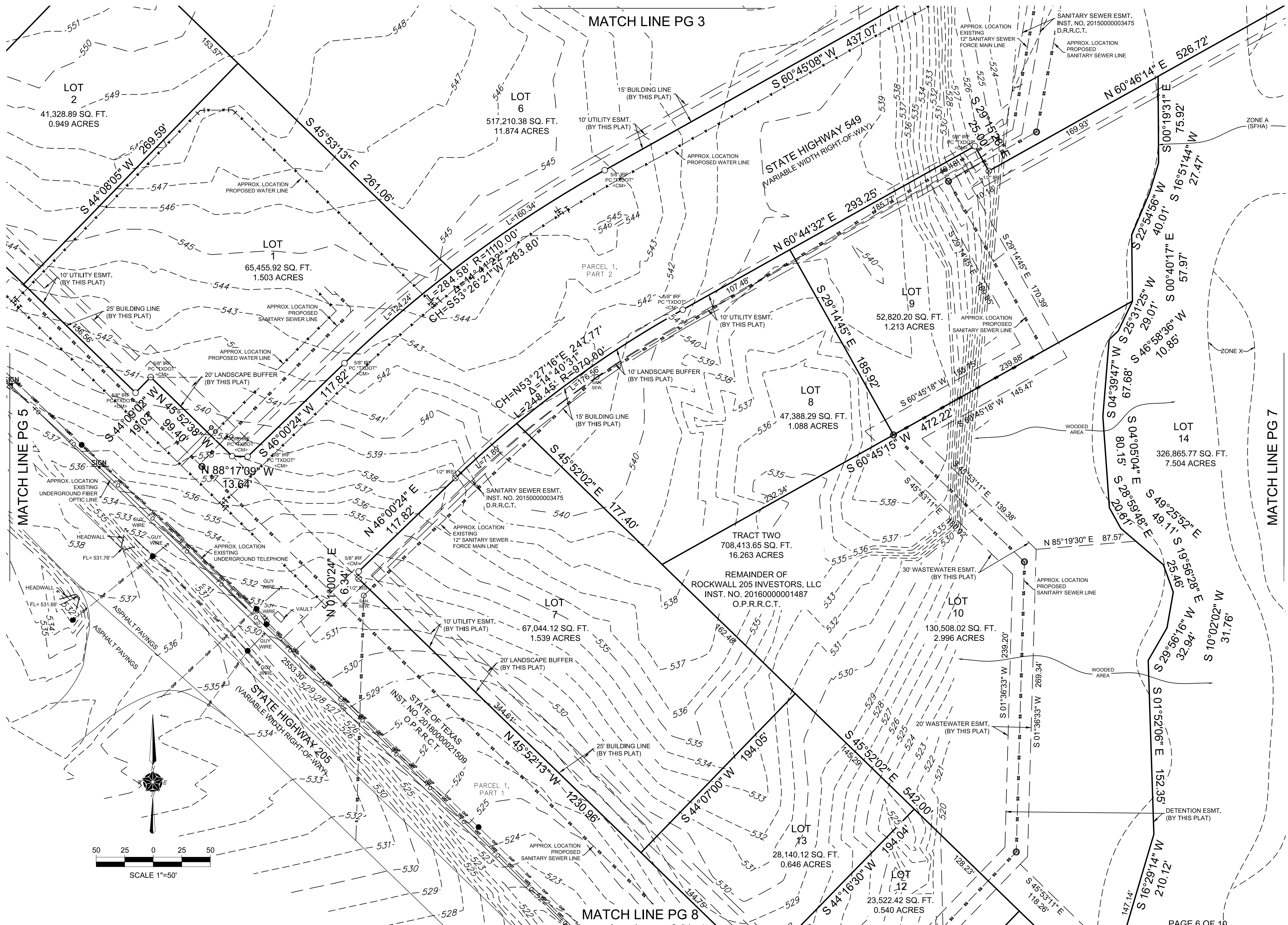
STATE OF TEXAS
O.P.R.C.T.
INST. NO 20180000021509

STATE HIGHWAY 205
VARIABLE WIDTH RIGHT-OF-WAY

PARCEL 1,
PART

MATCH LINE PG 6

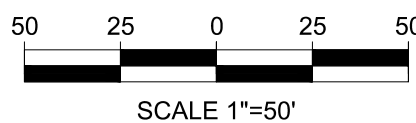
MATCH LINE PG 3



MATCH LINE PG 5

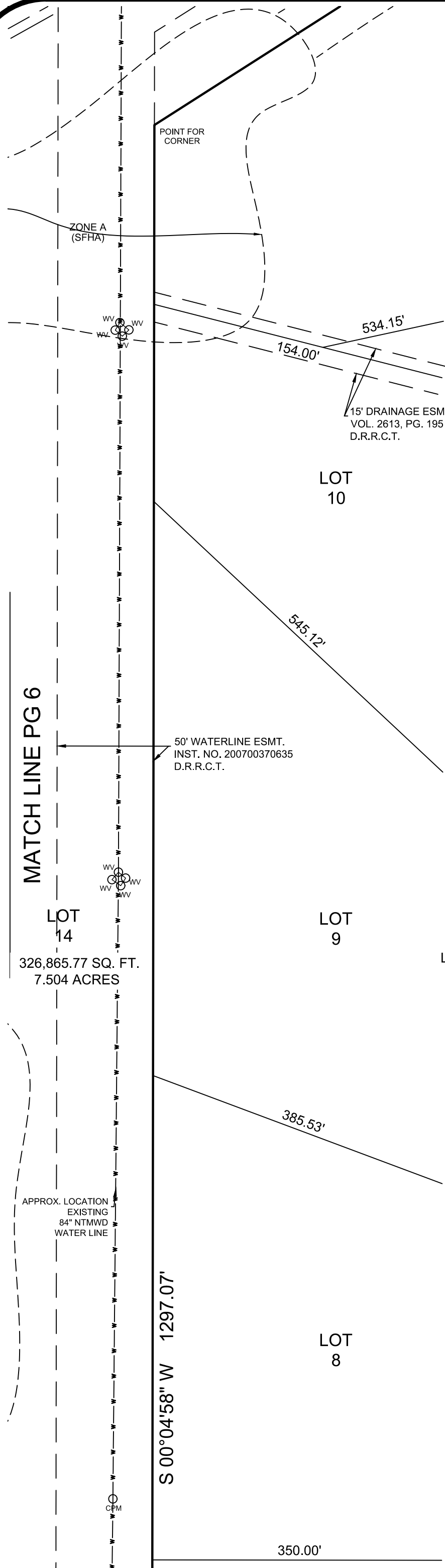
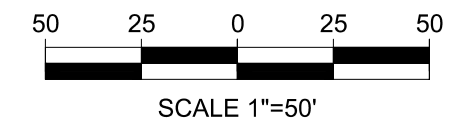
MATCH LINE PG 7

MATCH LINE PG 8

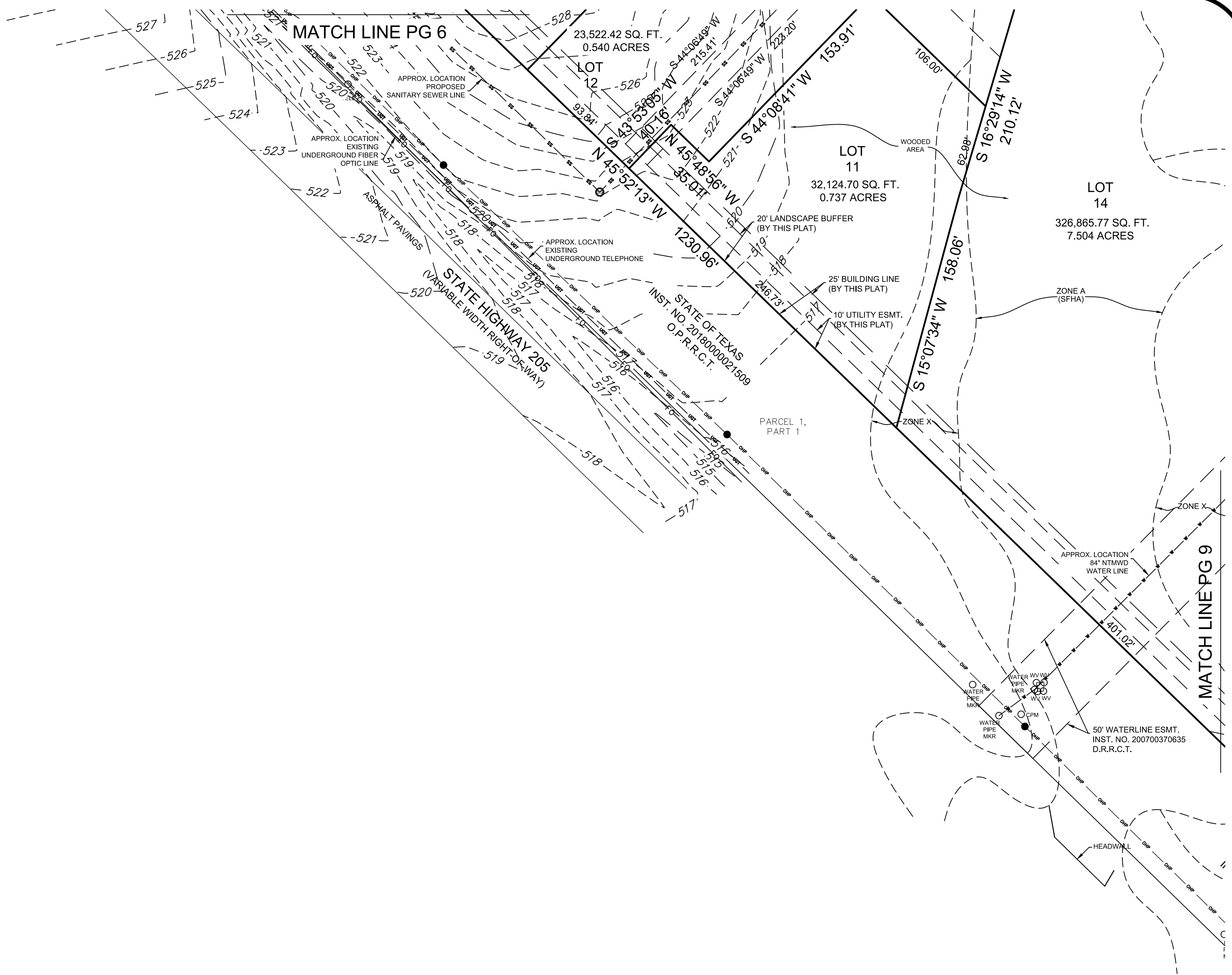
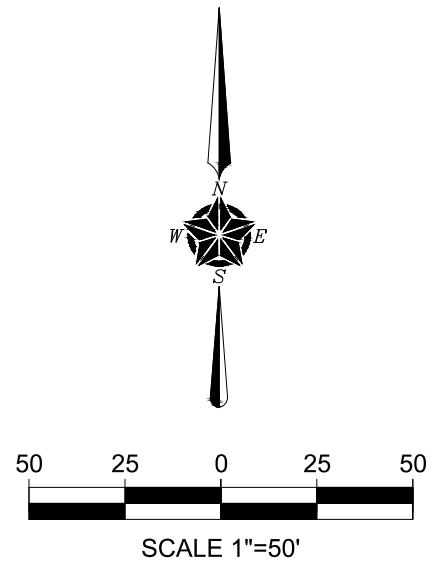


MATCH LINE PG 4

LOT 18



MATCH LINE PG 9



MATCH LINE PG 7

OWNER'S CERTIFICATE:

STATE OF TEXAS
COUNTY OF ROCKWALL

TRACT ONE

WHEREAS, Rockwall 205 Investors, LLC is the owner of that tract of land situated in the William W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, being that same tract of land described in General Warranty Deed to Rockwall 205 Investors, LLC recorded in Instrument Number 2016000001487 of the Official Public Records of Rockwall County, Texas, less that tract of land described as Parcel 1 Part 1 and Parcel 1 Part 2 in deed to the State of Texas recorded in Instrument Number 20180000021509 of the Official Public Records of Rockwall County, Texas, and the remaining being more particularly described by metes and bounds as follows:

Beginning at a 5/8 inch iron rod with pink plastic cap stamped "TXDOT" found for corner, said corner being in the northeast corner of said State of Texas Parcel 1 Part 1 tract, said corner also being in the south right-of-way line of existing State Highway 549 (variable width right-of-way);

Thence North 88 degrees 45 minutes 13 seconds East, along the south right-of-way line of said existing State Highway 549, a distance of 1,850.38 feet to a 5/8 inch iron rod with pink plastic cap stamped "TXDOT" found for corner, said corner being the northwest corner of said State of Texas Parcel 1 Part 2 tract, said corner also being in a northwest right-of-way line of new State Highway 549 (variable width right-of-way);

Thence, along the northwest line of said State of Texas Parcel 1 Part 2 tract and along the northwest line of said new State Highway 549, the following courses and distances:

Thence South 33 degrees 19 minutes 17 seconds East, a distance of 114.68 feet to a 5/8 inch iron rod with pink plastic cap stamped "TXDOT" found for corner, said corner being the beginning of a non-tangent curve to the right, having a delta of 04 degrees 03 minutes 19 seconds, a radius of 1,155.00 feet and a chord bearing and distance of South 58 degrees 43 minutes 21 seconds West, 81.73 feet;

Thence, in a southwesterly direction, along said curve to the right, an arc length of 81.75 feet to a 5/8 inch iron rod with pink plastic cap stamped "TXDOT" found for corner;

Thence South 60 degrees 46 minutes 14 seconds West, a distance of 382.65 feet to a 5/8 inch iron rod with pink plastic cap stamped "TXDOT" found for corner;

Thence South 29 degrees 29 minutes 58 seconds East, a distance of 25.09 feet to a 5/8 inch iron rod with pink plastic cap stamped "TXDOT" found for corner;

Thence South 60 degrees 46 minutes 08 seconds West, a distance of 437.07 feet to a 5/8 inch iron rod with pink plastic cap stamped "TXDOT" found for corner, said corner being the beginning of a non-tangent curve to the left, having a delta of 14 degrees 41 minutes 22 seconds, a radius of 1,110.00 feet and a chord bearing and distance of South 53 degrees 26 minutes 21 seconds West, 283.80 feet;

Thence, in a southwesterly direction, along said curve to the left, an arc length of 284.58 feet to a 5/8 inch iron rod with pink plastic cap stamped "TXDOT" found for corner;

Thence South 46 degrees 00 minutes 24 seconds West, a distance of 117.82 feet to a 5/8 inch iron rod with pink plastic cap stamped "TXDOT" found for corner;

Thence North 88 degrees 17 minutes 09 seconds West, a distance of 13.64 feet to a 5/8 inch iron rod with pink plastic cap stamped "TXDOT" found for corner, said corner being in a northeast line of said State of Texas Parcel 1 Part 1 tract;

Thence North 45 degrees 52 minutes 38 seconds West, along a northeast line of said State of Texas Parcel 1 Part 1 tract, a distance of 99.40 feet to a 5/8 inch iron rod with pink plastic cap stamped "TXDOT" found for corner;

Thence South 44 degrees 09 minutes 02 seconds West, along a northeast line of said State of Texas Parcel 1 Part 1 tract, a distance of 19.03 feet to a 5/8 inch iron rod with pink plastic cap stamped "TXDOT" found for corner;

Thence North 45 degrees 52 minutes 18 seconds West, along a northeast line of said State of Texas Parcel 1 Part 1 tract, a distance of 863.35 feet to a 5/8 inch iron rod with pink plastic cap stamped "TXDOT" found for corner;

Thence North 45 degrees 50 minutes 09 seconds West, along a northeast line of said State of Texas Parcel 1 Part 1 tract, a distance of 158.12 feet back to the POINT OF BEGINNING and containing 793,730.47 square feet or 18.222 acres of land.

GENERAL NOTES:

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

2) Bearings are based upon the Texas State Plane Coordinate System, Texas North Central Zone, (4202) North American Datum of 1983, (2011).

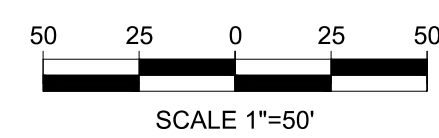
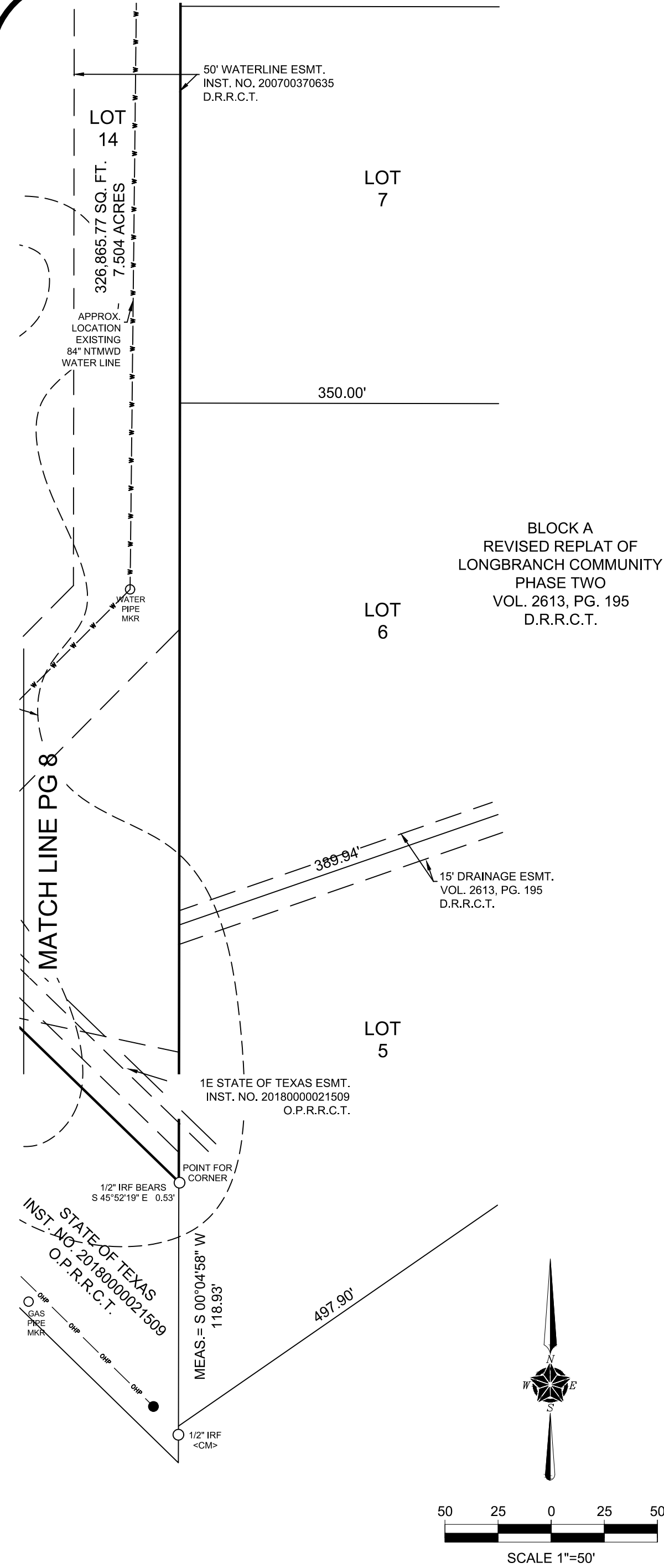
3) The purpose of this plat is to create 14 lots.

4) Benchmarks:

COR-8: Aluminum disk stamped "City of Rockwall Survey Monument" at the northerly intersection of Silver View Lane and Diamond Way Drive ± 1 foot north of curb line in center of curve.
N= 7,018,063.113; E= 2,609,533.682; Elevation= 600.48'

COR-9: Brass disk stamped "City of Rockwall Survey Monument" on the south side of Discovery Boulevard at the southeaster corner of curb inlet ± 180 feet east intersection of Discovery/Corporate.
N= 7,020,550.132; E= 2,607,463.893; Elevation= 595.63'

5) Zoning: Commercial (C) District



SURVEYOR

TEXAS HERITAGE
SURVEYING, LLC



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

PRELIMINARY PLAT
CREEKSIDE COMMONS
LOTS 1-14, BLOCK A

BEING A TRACT OF LAND SITUATED IN THE WILLIAM W. FORD SURVEY, ABSTRACT NO. 80 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
1,502,144.12 SQUARE FEET / 34.484 ACRES
CASE NO.

PAGE 9 OF 10

DATE: 5/12/2021 / JOB # 2002727-2 / SCALE= 1" = 50' / DRAWN: JACOB

OWNER'S CERTIFICATE:

STATE OF TEXAS
COUNTY OF ROCKWALL

TRACT TWO

WHEREAS, Rockwall 205 Investors, LLC is the owner of that tract of land situated in the William W. Ford Survey, Abstract No. 80, Rockwall County, Texas, being that same tract of land described in General Warranty Deed to Rockwall 205 Investors, LLC recorded in Instrument Number 2016000001487 of the Official Public Records of Rockwall County, Texas, less that tract of land described as Parcel 1 Part 1 and Parcel 1 Part 2 in deed to the State of Texas recorded in Instrument Number 2018000021509 of the Official Public Records of Rockwall County, Texas, and the remaining being more particularly described by metes and bounds as follows:

Beginning at a 5/8 inch iron rod with pink plastic cap stamped "TXDOT" found for corner, said corner being in the northeast corner of said State of Texas Parcel 1 Part 2 tract, said corner also being in the south right-of-way line of State Highway 1139 (variable width right-of-way);

Thence North 88 degrees 24 minutes 18 seconds East, along the south right-of-way line of State Highway 1139 (variable width right-of-way), a distance of 131.64 feet to a point for corner, said point being in the north line of Lot 20, Block A of Revised Replat of Longbranch Community Phase Two, an addition to the City of Rockwall, Rockwall County, Texas according to the plat thereof recorded in Volume 2613, Page 195 of the Deed Records of Rockwall County, Texas;

Thence South 46 degrees 47 minutes 44 seconds West, along the northwest line of Lots 20, 19 and 18, Block A of said Revised Replat of Longbranch Community Phase Two, a distance of 395.00 feet to a point for corner, said corner being in a northwest line of said Lot 18;

Thence South 57 degrees 25 minutes 35 seconds West, along a northwest line of said Lot 18, a distance of 412.22 feet to a point for corner, said point being in the west line of said Lot 18;

Thence South 00 degrees 04 minutes 58 seconds West, along a west line of Lots 18, 10, 9, 8, 7, 6, and 5 of Block A of said Revised Replat of Longbranch Community Phase Two, a distance of 1,297.07 feet to a point for corner, from which lies a 1/2 inch iron rod found which bears South 45 degrees 52 minutes 19 seconds East, 0.53 feet;

Thence North 45 degrees 52 minutes 13 seconds West, along the northeast line of said State of Texas Parcel 1 Part 1 tract, a distance of 1,230.96 feet to a 1/2 inch iron rod with yellow plastic cap stamped "TXHS" set for corner;

Thence North 01 degrees 00 minutes 24 seconds East, along a northeast line of said State of Texas Parcel 1 Part 1 tract, a distance of 6.34 feet to a 5/8 inch iron rod found for corner;

Thence, along the southeastern line of said State of Texas Parcel 1 Part 2 tract and along the southeast line of said new State Highway 549, the following courses and distances:

Thence North 46 degrees 00 minutes 24 seconds East, a distance of 117.82 feet to a 1/2 inch iron rod with yellow plastic cap stamped "TXHS" set for corner, said corner being the beginning of a non-tangent curve to the right, having a delta of 14 degrees 40 minutes 31 seconds, a radius of 970.00 feet and a chord bearing and distance of North 53 degrees 27 minutes 16 seconds East, 247.77 feet;

Thence, in a northeasterly direction, an arc length of 248.45 feet to a 5/8 inch iron rod with pink plastic cap stamped "TXDOT" found for corner;

Thence North 60 degrees 44 minutes 32 seconds East, a distance of 293.25 feet to a 5/8 inch iron rod with pink plastic cap stamped "TXDOT" found for corner;

Thence South 29 degrees 15 minutes 28 seconds East, a distance of 25.00 feet to a 1/2 inch iron rod with yellow plastic cap stamped "TXHS" set for corner;

Thence North 60 degrees 46 minutes 14 seconds East, a distance of 526.72 feet to a point for corner, from which lies a 5/8 inch iron rod with pink plastic cap stamped "TXDOT" found which bears North 72 degrees 48 minutes 43 seconds West, 0.26 feet, said corner being the beginning of a non-tangent curve to the left, having a delta of 21 degrees 02 minutes 27 seconds, a radius of 1,345.00 feet and a chord bearing and distance of North 50 degrees 13 minutes 28 seconds East, 491.16 feet;

Thence, in a northeasterly direction, along the southeast line of said State of Texas Parcel 1 Part 2 tract, along said curve to the left, an arc length of 493.93 feet back to the POINT OF BEGINNING and containing 708,413.65 square feet or 16.263 acres of land.

OWNER'S DEDICATION:

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as the CREEKSIDE COMMONS subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the CREEKSIDE COMMONS subdivision have been notified and signed this plat. I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I also understand the following;

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

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

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

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

Rockwall 205 Investors, LLC

Justin Webb
Manager

STATE OF TEXAS
COUNTY OF ROCKWALL

BEFORE ME, the undersigned authority, on this day personally appeared Justin Webb, a Texas limited liability company, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2021.

Notary Signature

SURVEYORS CERTIFICATE:

I, Gary E. Johnson, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSES AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT. (5/13/2021)

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

Approved:

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____, 2021.

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

WITNESS OUR HANDS, this _____ day of _____, 2021.

Mayor, City of Rockwall

City Secretary

City Engineer

SURVEYOR

TEXAS HERITAGE
SURVEYING, LLC



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

PRELIMINARY PLAT
CREEKSIDE COMMONS
LOTS 1-14, BLOCK A

BEING TRACTS OF LAND SITUATED IN THE WILLIAM W. FORD SURVEY, ABSTRACT NO. 80 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS 1,502,144.12 SQUARE FEET / 34.484 ACRES CASE NO.

PAGE 10 OF 10

DATE: 5/12/2021 / JOB # 2002727-2 / SCALE= 1" = 40' / DRAWN: JACOB

ENGINEER
THE DIMENSION GROUP
10755 SANDILL ROAD
DALLAS, TEXAS 75238
attn: KEATON MAI

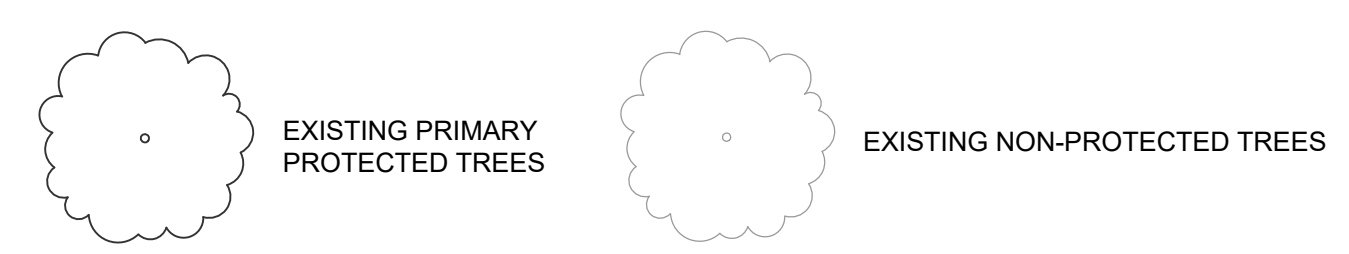
OWNER
ROCKWALL 205 INVESTORS, LLC
1 CANDLELITE TRAIL
HEATH, TEXAS 75032

[CAD 2002727-2.dwg] [CAD 2002727-2-OUT-05-12-21.dwg] [24x3618x-OUT-05-05-21.dwg] [PROJECTS\2021\EDD\Rockwall_Tree_Survey\RECEIVED V-BASE-OUT\20200513.dwg May 14, 2021 - 10:13am
Drawing name: C:\Users\abrcy\Documents\EDD\PROJECTS\2021\EDD\Rockwall_Tree_Survey\RECEIVED V-BASE-OUT\20200513.dwg

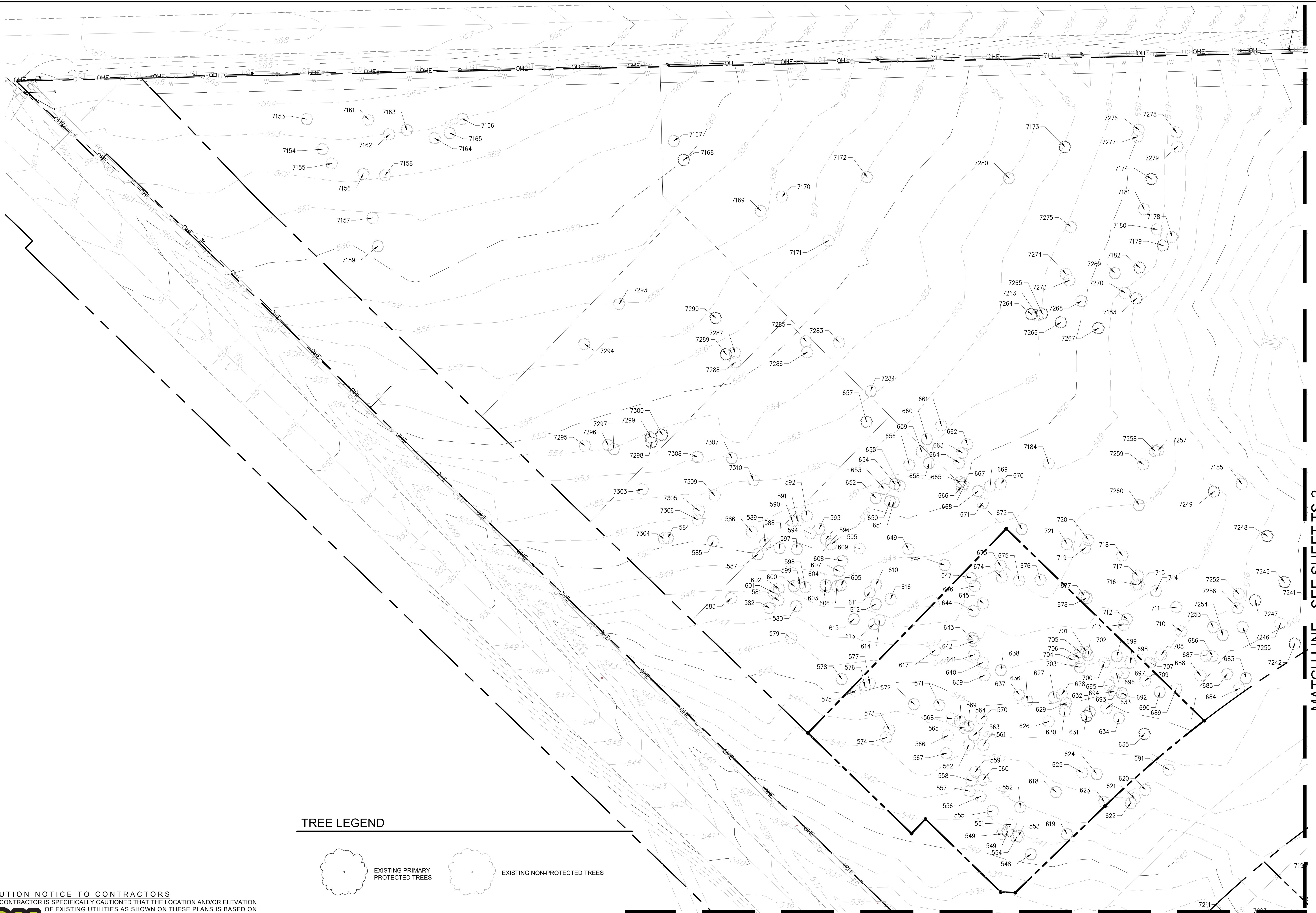
CAUTION NOTICE TO CONTRACTORS
 THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL 811 AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF THE UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATED ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THESE PLANS.



TREE LEGEND

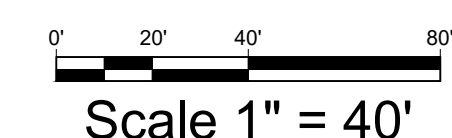


SEE SHEET TS-4 FOR TREE SURVEY TABLE



MATCH LINE - SEE SHEET TS-3


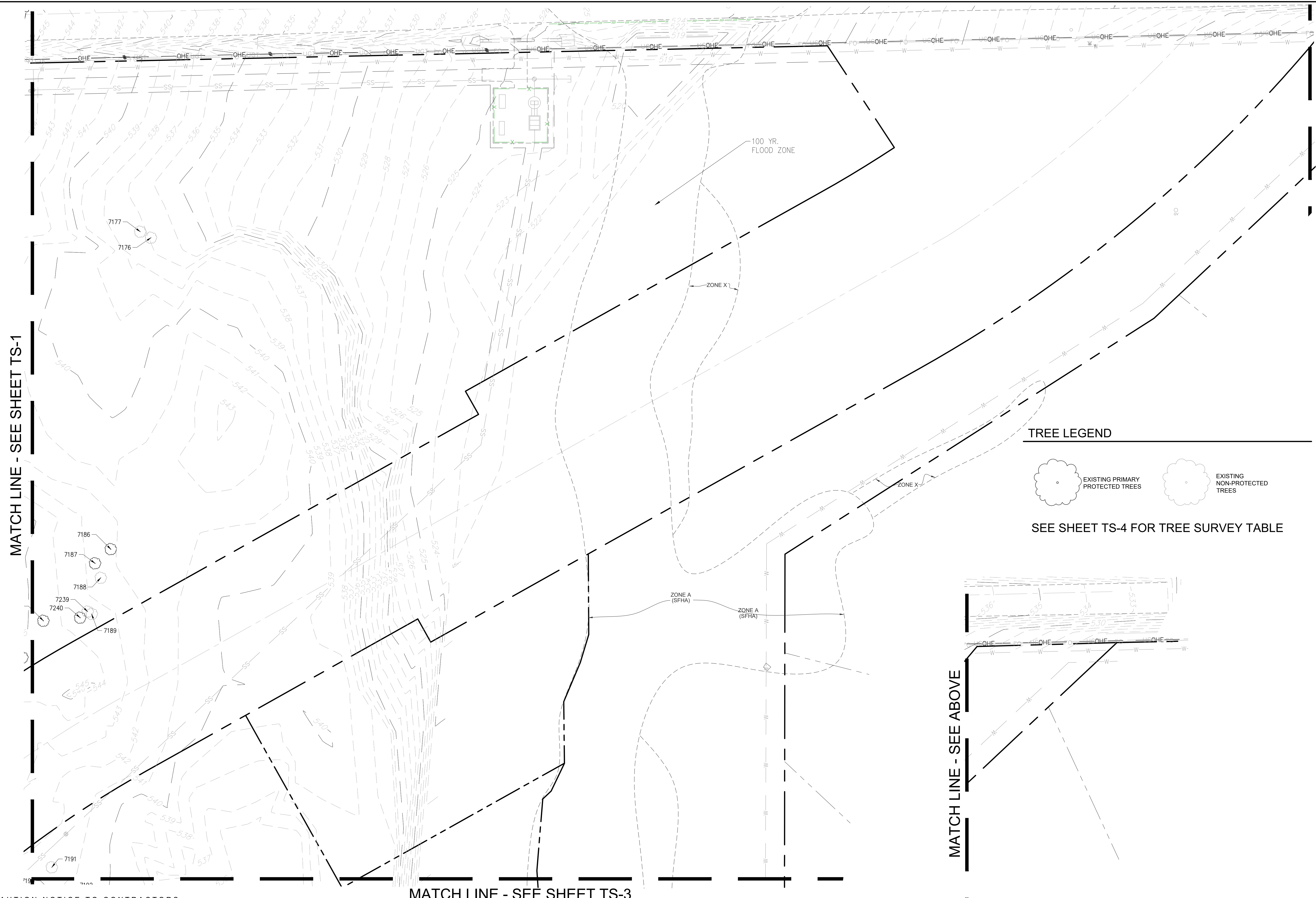
MATCH LINE - SEE SHEET TS-2



 ARCHITECTURE - CIVIL ENGINEERING - MEP ENGINEERING 5600 S. GREENWAY, SUITE 200, DALLAS, TEXAS 75242 TEL: 714.828.2188 www.thedimensiongroup.com															
 800.968.6430 14455 Dallas Pkwy., Ste. 600 Addison, TX 75001 www.EvergreenDesignGroup.com															
<small>SERVICE AND ARE PROTECTED BY COMMON LAW, STATUTORY AND OTHER RELEVANT RIGHTS INCLUDING COPYRIGHT. THEY MAY NOT BE REPRODUCED OR USED FOR ANY PURPOSE WITHOUT THE EXPRESS WRITTEN CONSENT OF THE ENGINEER.</small>															
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>#</th> <th>DATE</th> <th>REVISION DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	#	DATE	REVISION DESCRIPTION				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>BY</td> <td> </td> </tr> <tr> <td>DESIGNED BY</td> <td> </td> </tr> <tr> <td>DRAWN BY</td> <td> </td> </tr> <tr> <td>APPROVED BY</td> <td> </td> </tr> </table>	BY		DESIGNED BY		DRAWN BY		APPROVED BY	
#	DATE	REVISION DESCRIPTION													
BY															
DESIGNED BY															
DRAWN BY															
APPROVED BY															
TREE SURVEY PLAN CREEKSIDE COMMONS NWC STATE HIGHWAY 205 & FM 549 ROCKWALL, TEXAS															
SHEET TS-1															

[CAD 2002727-2.dwg] [CAD 2002727-2-OUT-05-12-21.dwg] [24x3618-OUT-05-05-21.dwg]
 Drawing name: C:\Users\jbray\Documents\DRBLA\PROJECTS\2021\EDD\Rockwall_Tree_Survey\RECEIVED V-BASE-OUT20200513.dwg, May 14, 2021, - 10:12 am

CAUTION NOTICE TO CONTRACTORS
 THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL 811 AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF THE UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATED ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THESE PLANS.

MATCH LINE - SEE BELOW

MATCH LINE - SEE SHEET TS-1

MATCH LINE - SEE SHEET TS-3


MATCH LINE - SEE ABOVE



THE DIMENSION GROUP
 ARCHITECTURE - CIVIL ENGINEERING - MEP ENGINEERING
 5600 S. GARDNER ROAD, SUITE 200, DALLAS, TEXAS 75249
 TEL: 714.528.2182 WWW.DIMENSIONGROUP.COM



EVERGREEN DESIGN GROUP
 8001 W. LAKOTA, SUITE 100
 15455 DALLAS PARKWAY, SUITE 600
 DALLAS, TEXAS 75244
 WWW.EVERGREENDESIGNGROUP.COM



REGISTERED LANDSCAPE ARCHITECT
 R. BRANTLEY
 STATE OF TEXAS
 3423
 05/14/2021

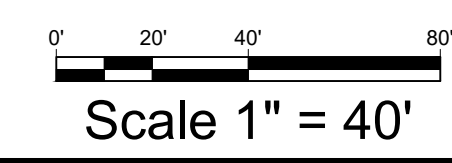
SERVICE AND ARE PROTECTED BY COMMON LAW, STATUTORY AND OTHER RIGHTS RESERVED. INCLUDING COPYRIGHT, THEY MAY NOT BE REPRODUCED OR USED FOR ANY PURPOSE WITHOUT THE WRITTEN CONSENT OF THE ENGINEER.

#	DATE	REVISION DESCRIPTION	BY

project no.	200-672	drawn by	
date	5/14/2021 - 10:12 am	designed by	
dwg.	V-BASE-OUT20200513.dwg	approved by	

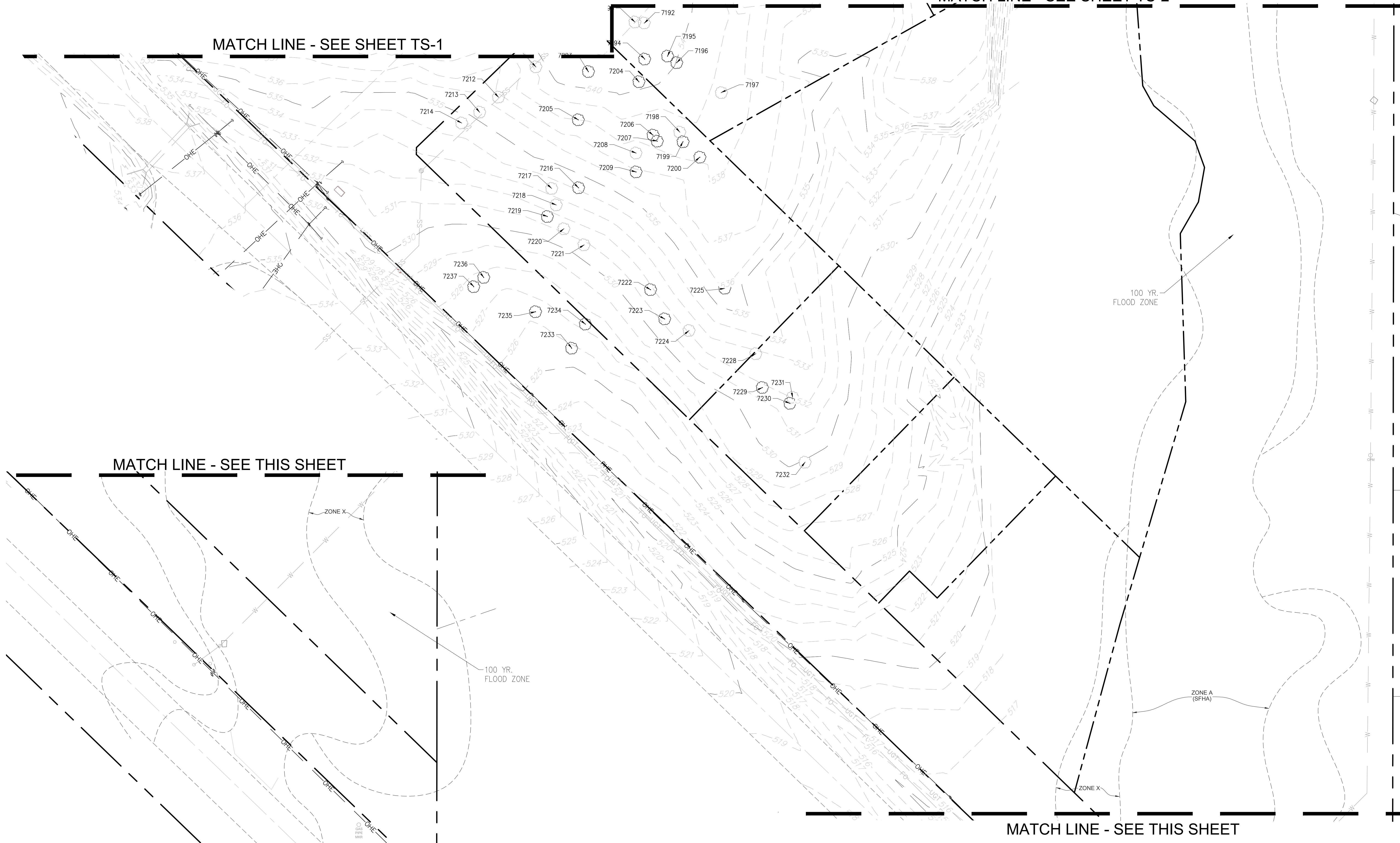
TREE SURVEY PLAN
 CREEKSIDE COMMONS
 NWC STATE HIGHWAY 205 & FM 549
 ROCKWALL, TEXAS

SHEET
TS-2



MATCH LINE - SEE SHEET TS-2

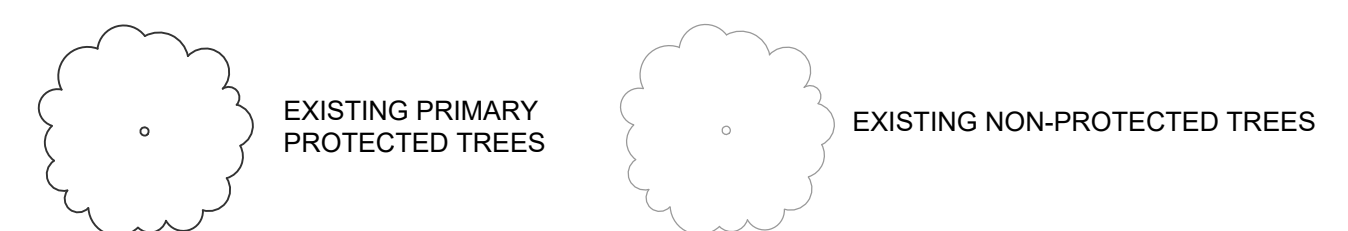
MATCH LINE - SEE SHEET TS-1



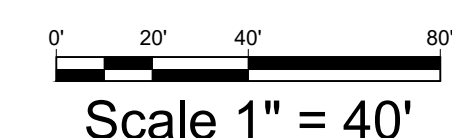
MATCH LINE - SEE THIS SHEET

MATCH LINE - SEE THIS SHEET

TREE LEGEND



SEE SHEET TS-4 FOR TREE SURVEY TABLE



THE DIMENSION GROUP
 ARCHITECTURE - CIVIL ENGINEERING - MEP ENGINEERING
 5600 S. GARDEN DRIVE, SUITE 200, ROCKWALL, TEXAS 75087
 TEL: 714.528.2188 www.dimensiongroup.com

EVERGREEN DESIGN GROUP
 (800) 668-6630
 14455 Dallas Pkwy., Ste. 600
 Addison, TX 75001
 www.EvergreenDesignGroup.com



05/14/2021

SERVICE AND ARE PROTECTED BY COMMON LAW, STATUTORY AND OTHER RELEVANT RIGHTS INCLUDING COPYRIGHT. THEY MAY NOT BE REPRODUCED OR USED FOR ANY PURPOSE WITHOUT THE WRITTEN CONSENT OF THE ENGINEER.

#	DATE	REVISION DESCRIPTION	BY

project no.	200-672	drawn by	
date	5/14/2021 - 10:12 am	designed by	
dwg.	V-BASE-OUT20200513.dwg	approved by	

TREE SURVEY PLAN
 CREEKSIDE COMMONS
 NWC STATE HIGHWAY 205 & FM 549
 ROCKWALL, TEXAS

SHEET **TS-3**

[CAD 2002727-2.dwg] [CAD 2002727-2-OUT-05-12-21.dwg] [24x3618-OUT-05-05-21.dwg] [PROJECTS\2021\EDD\Rockwall_Tree_Survey\RECEIVED-V-BASE-OUT20200513.dwg May 14, 2021 - 10:12am Drawing name: C:\Users\jbray\Documents\EDD\PROJECTS\2021\EDD\Rockwall_Tree_Survey\RECEIVED-V-BASE-OUT20200513.dwg May 14, 2021 - 10:12am]

811
 CAUTION NOTICE TO CONTRACTORS
 THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL 811 AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF THE UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THESE PLANS.

[CAD 2002727-2.dwg] [CAD 2002727-2-OUT-05-12-21.dwg] [24x2618s-OUT-05-05-21.dwg] [Drawing name: C:\Users\jbracy\Documents\DLA\PROJECTS\2021\EDD\Rockwall_Tree_Survey\RECEIVED-V-BASE-OUT20200513.dwg May 14, 2021 - 10:09am]

CAUTION NOTICE TO CONTRACTORS

THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL 811 AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF THE UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATED ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THESE PLANS.



TREE INVENTORY

POINT NUMBER	SPECIES	DBH (IN.)	POINT NUMBER	SPECIES	DBH (IN.)	POINT NUMBER	SPECIES	DBH (IN.)
548	CEDAR	6	648	CEDAR	10	7189	CEDAR	10
549	CEDAR	6	649	BOIS D'ARC	6	7191	CEDAR	9
550	MESQUITE	6	650	BOIS D'ARC	6	7192	CEDAR	8
551	CEDAR	8	651	BOIS D'ARC	6	7193	CEDAR	10
552	CEDAR	8	652	BOIS D'ARC	6	7194	CEDAR	15
553	CEDAR	6	653	BOIS D'ARC	6	7195	CEDAR	12
554	CEDAR	6	654	BOIS D'ARC	6	7196	CEDAR	14
555	CEDAR	8	655	BOIS D'ARC	6	7197	CEDAR	8
556	CEDAR	8	656	BOIS D'ARC	6	7198	CEDAR	10
557	CEDAR	6	657	CEDAR	10	7199	CEDAR	11
558	CEDAR	6	658	CEDAR	10	7200	CEDAR	11
559	CEDAR	6	659	CEDAR	8	7203	CEDAR	12
560	CEDAR	6	660	CEDAR	8	7204	CEDAR	11
561	CEDAR	8	661	CEDAR	8	7205	CEDAR	13
562	CEDAR	6	662	BOIS D'ARC	8	7206	CEDAR	12
563	CEDAR	6	663	BOIS D'ARC	6	7207	CEDAR	11
564	CEDAR	6	664	BOIS D'ARC	6	7208	CEDAR	8
565	CEDAR	6	665	CEDAR	8	7209	CEDAR	12
566	CEDAR	8	666	CEDAR	6	7211	CEDAR	8
567	CEDAR	8	667	CEDAR	6	7212	CEDAR	8
568	CEDAR	6	668	CEDAR	6	7213	CEDAR	8
569	CEDAR	8	669	CEDAR	8	7214	CEDAR	8
570	CEDAR	6	670	CEDAR	8	7216	CEDAR	12
571	CEDAR	6	671	CEDAR	6	7217	CEDAR	9
572	CEDAR	6	672	CEDAR	8	7218	CEDAR	8
573	CEDAR	6	673	CEDAR	10	7219	CEDAR	15
574	CEDAR	6	674	BOIS D'ARC	6	7220	CEDAR	10
575	CEDAR	6	675	BOIS D'ARC	6	7221	CEDAR	9
576	CEDAR	6	676	BOIS D'ARC	6	7222	CEDAR	11
577	CEDAR	6	677	CEDAR	8	7223	CEDAR	13
578	CEDAR	6	678	CEDAR	8	7224	CEDAR	8
579	CEDAR	8	683	CEDAR	8	7225	CEDAR	14
580	CEDAR	6	684	CEDAR	8	7228	CEDAR	8
581	CEDAR	6	685	CEDAR	8	7229	CEDAR	14
582	CEDAR	6	686	BOIS D'ARC	8	7230	CEDAR	16
583	CEDAR	6	687	BOIS D'ARC	6	7231	CEDAR	9
584	CEDAR	6	688	CEDAR	10	7232	CEDAR	9
585	CEDAR	8	689	BOIS D'ARC	8	7233	NA - IN ROW	12
586	CEDAR	8	690	CEDAR	8	7234	NA - IN ROW	12
587	CEDAR	8	692	CEDAR	6	7235	NA - IN ROW	15
587	CEDAR	8	693	CEDAR	6	7236	NA - IN ROW	15
588	CEDAR	8	694	CEDAR	8	7237	NA - IN ROW	13
589	CEDAR	8	695	CEDAR	8	7239	CEDAR	10
589	CEDAR	8	696	CEDAR	8	7240	CEDAR	13
590	CEDAR	10	697	CEDAR	10	7241	CEDAR	15
591	CEDAR	6	698	CEDAR	8	7242	CEDAR	13
592	CEDAR	8	699	CEDAR	10	7245	CEDAR	10
593	BOIS D'ARC	6	700	CEDAR	8	7246	CEDAR	10
594	BOIS D'ARC	6	701	CEDAR	15	7247	CEDAR	15
595	BOIS D'ARC	6	702	CEDAR	6	7248	CEDAR	15
596	CEDAR	10	703	CEDAR	6	7249	CEDAR	14
597	CEDAR	10	704	CEDAR	6	7252	CEDAR	8
598	CEDAR	6	705	CEDAR	6	7253	CEDAR	8
599	CEDAR	8	706	CEDAR	6	7254	CEDAR	8
600	CEDAR	8	707	CEDAR	10	7255	CEDAR	8
601	CEDAR	NA	708	CEDAR	8	7256	CEDAR	8
602	CEDAR	NA	709	CEDAR	8	7257	CEDAR	8
603	CEDAR	6	710	CEDAR	8	7258	CEDAR	8
604	CEDAR	6	711	CEDAR	8	7259	CEDAR	8
605	CEDAR	6	712	CEDAR	8	7260	CEDAR	9
606	CEDAR	8	713	CEDAR	8	7263	CEDAR	10
607	CEDAR	8	714	BOIS D'ARC	6	7264	CEDAR	13
608	CEDAR	8	715	CEDAR	6	7265	CEDAR	14
609	CEDAR	10	716	CEDAR	6	7266	CEDAR	12
610	CEDAR	8	717	CEDAR	6	7267	CEDAR	12
611	CEDAR	8	718	BOIS D'ARC	8	7268	CEDAR	8
612	CEDAR	6	719	BOIS D'ARC	6	7269	CEDAR	10
613	CEDAR	8	720	BOIS D'ARC	6	7270	NA - IN ROW	10
614	CEDAR	8	721	BOIS D'ARC	6	7273	CEDAR	9
615	CEDAR	10	7153	CEDAR	10	7274	CEDAR	9
616	CEDAR	8	7154	CEDAR	9	7275	CEDAR	9
617	CEDAR	10	7155	CEDAR	9	7276	CEDAR	10
618	CEDAR	10	7156	CEDAR	10	7277	CEDAR	9
619	CEDAR	6	7157	CEDAR	8	7278	CEDAR	9
620	CEDAR	6	7158	CEDAR	10	7279	CEDAR	9
621	CEDAR	8	7159	CEDAR	10	7280	CEDAR	9
622	CEDAR	10	7161	CEDAR	8	7283	CEDAR	10
623	CEDAR	10	7162	CEDAR	10	7284	CEDAR	10
624	CEDAR	8	7163	CEDAR	10	7285	CEDAR	10
625	CEDAR	8	7164	CEDAR	8	7286	CEDAR	9
626	CEDAR	8	7165	CEDAR	8	7287	CEDAR	10
627	CEDAR	6	7166	CEDAR	8	7288	CEDAR	10
628	CEDAR	6	7167	CEDAR	10	7289	CEDAR	11
629	CEDAR	8	7168	CEDAR	12	7290	CEDAR	15
630	CEDAR	8	7169	CEDAR	9	7293	CEDAR	8
631	CEDAR	12	7170	CEDAR	10	7294	CEDAR	8
632	CEDAR	8	7171	CEDAR	10	7295	CEDAR	10
633	CEDAR	6	7172	CEDAR	9	7296	CEDAR	10
634	CEDAR	10	7173	CEDAR	11	7297	CEDAR	10
635	CEDAR	12	7174	CEDAR	14	7298	CEDAR	11
636	CEDAR	8	7176	CEDAR	9	7299	CEDAR	11
637	CEDAR	6	7177	CEDAR	8	7300	CEDAR	11
638	CEDAR	10	7178	CEDAR	10	7303	CEDAR	10
639	CEDAR	6	7179	CEDAR	14	7304	CEDAR	8
640	CEDAR	6	7180	CEDAR	8	7305	CEDAR	8
641	CEDAR	6	7181	CEDAR	9	7306	CEDAR	9
642	CEDAR	8	7182	CEDAR	12	7307	CEDAR	9
643	CEDAR	8	7183	CEDAR	10	7308	CEDAR	10
644	CEDAR	8	7185	CEDAR	12	7309	CEDAR	8
645	CEDAR	10	7186	CEDAR	12	7310	CEDAR	8
646	CEDAR	6	7187	CEDAR	12	NA	CEDAR	8
647	CEDAR	6	7188	CEDAR	10	NA	CEDAR	8

SHADED AREAS INDICATE NON-PROTECTED TREES
 ORANGE AREAS INDICATE TREES IN ROW
 WHITE AREAS INDICATE PRIMARY PROTECTED TREES
 NO FEATURE TREES ON SITE

ARCHITECTURE - CIVIL ENGINEERING - MEP ENGINEERING
 5600 S. GREENWAY, SUITE 2500 DALLAS, TX 75242
 TEL: 714.528.2186 www.dimensiongroup.com

EVERGREEN DESIGN GROUP
 (800) 606-6630
 14455 Dallas Pkwy., Ste. 100
 Addison, TX 75001
 www.EvergreenDesignGroup.com

05/14/2021

BY _____

DATE _____

REVISION DESCRIPTION

drawn by _____

designed by _____

approved by _____

project no. 200-672

date 5/14/2021 - 10:09 am

dwg. V-BASE-OUT20200513.dwg

TREE SURVEY PLAN

CREEKSIDE COMMONS

NWC STATE HIGHWAY 205 & FM 549

ROCKWALL, TEXAS

SHEET

TS-4

Parcel Map Check Report

Client:

Tract One
Creekside Commons
2002727-2

Date: 5/13/2021 4:12:29 PM

Prepared by:

Jacob
Texas Heritage Surveying
10610 Metric Drive

Parcel Name: Boundary - AVAT_P - Lots : 3

Description:

Process segment order counterclockwise: False

Enable mapcheck across chord: False

North: 7,009,446.2141' East: 2,604,961.9068'

Segment# 1: Line

Course: N88°45'13"E Length: 1,850.38'
North: 7,009,486.4610' East: 2,606,811.8490'

Segment# 2: Line

Course: S33°19'17"E Length: 114.68'
North: 7,009,390.6380' East: 2,606,874.8440'

Segment# 3: Curve

Length: 81.75' Radius: 1,155.00'
Delta: 4°03'19" Tangent: 40.89'
Chord: 81.73' Course: S58°43'21"W
Course In: N33°18'18"W Course Out: S29°14'59"E
RP North: 7,010,355.9386' East: 2,606,240.6411'
End North: 7,009,348.2050' East: 2,606,804.9920'

Segment# 4: Line

Course: S60°46'14"W Length: 382.65'
North: 7,009,161.3543' East: 2,606,471.0665'

Segment# 5: Line

Course: S29°29'58"E Length: 25.09'
North: 7,009,139.5163' East: 2,606,483.4215'

Segment# 6: Line
Course: S60°45'08"W Length: 437.07'
North: 7,008,925.9704' East: 2,606,102.0750'

Segment# 7: Curve
Length: 284.58' Radius: 1,110.00'
Delta: 14°41'22" Tangent: 143.08'
Chord: 283.80' Course: S53°26'21"W
Course In: S29°12'58"E Course Out: N43°54'20"W
RP North: 7,007,957.1764' East: 2,606,643.8673'
End North: 7,008,756.9160' East: 2,605,874.1170'

Segment# 8: Line
Course: S46°00'24"W Length: 117.82'
North: 7,008,675.0820' East: 2,605,789.3560'

Segment# 9: Line
Course: N88°17'09"W Length: 13.64'
North: 7,008,675.4900' East: 2,605,775.7220'

Segment# 10: Line
Course: N45°52'38"W Length: 99.40'
North: 7,008,744.6900' East: 2,605,704.3700'

Segment# 11: Line
Course: S44°09'02"W Length: 19.03'
North: 7,008,731.0370' East: 2,605,691.1160'

Segment# 12: Line
Course: N45°52'18"W Length: 863.35'
North: 7,009,332.1582' East: 2,605,071.4194'

Segment# 13: Line
Course: N43°50'09"W Length: 158.12'
North: 7,009,446.2141' East: 2,604,961.9068'

Perimeter: 4,447.54' Area: 793,730.47Sq.Ft.
Error Closure: 0.0088 Course: S87°24'24"W

Error North : -0.00040

East: -0.00876

Precision 1: 505,404.55

Parcel Map Check Report

Client:

Tract Two
Creekside Commons
2002727-2

Date: 5/13/2021 4:13:48 PM

Prepared by:

Jacob
Texas Heritage Surveying
10610 Metric Drive

Parcel Name: Boundary - AVAT_P - Lots : 4

Description:

Process segment order counterclockwise: False

Enable mapcheck across chord: False

North:7,009,496.7193' East:2,607,275.5829'

Segment# 1: Line

Course: N88°24'18"E Length: 131.64'
North: 7,009,500.3835' East: 2,607,407.1745'

Segment# 2: Line

Course: S46°47'44"W Length: 395.00'
North: 7,009,229.9644' East: 2,607,119.2535'

Segment# 3: Line

Course: S57°25'35"W Length: 412.22'
North: 7,009,008.0315' East: 2,606,771.8760'

Segment# 4: Line

Course: S0°04'58"W Length: 1,297.07'
North: 7,007,710.9615' East: 2,606,770.0051'

Segment# 5: Line

Course: N45°52'13"W Length: 1,230.96'
North: 7,008,568.0637' East: 2,605,886.4623'

Segment# 6: Line

Course: N1°00'24"E Length: 6.34'
North: 7,008,574.3989' East: 2,605,886.5736'

Segment# 7: Line
Course: N46°00'24"E Length: 117.82'
North: 7,008,656.2329' East: 2,605,971.3346'

Segment# 8: Curve
Length: 248.45' Radius: 970.00'
Delta: 14°40'31" Tangent: 124.91'
Chord: 247.77' Course: N53°27'16"E
Course In: S43°53'00"E Course Out: N29°12'29"W
RP North: 7,007,957.1071' East: 2,606,643.7280'
End North: 7,008,803.7700' East: 2,606,170.3882'

Segment# 9: Line
Course: N60°44'32"E Length: 293.25'
North: 7,008,947.0931' East: 2,606,426.2298'

Segment# 10: Line
Course: S29°15'28"E Length: 25.00'
North: 7,008,925.2823' East: 2,606,438.4483'

Segment# 11: Line
Course: N60°46'14"E Length: 526.72'
North: 7,009,182.4849' East: 2,606,898.1012'

Segment# 12: Curve
Length: 493.93' Radius: 1,345.00'
Delta: 21°02'27" Tangent: 249.78'
Chord: 491.16' Course: N50°13'28"E
Course In: N29°15'19"W Course Out: S50°17'46"E
RP North: 7,010,355.9354' East: 2,606,240.7933'
End North: 7,009,496.7193' East: 2,607,275.5829'

Perimeter: 5,178.40' Area: 708,413.64Sq.Ft.
Error Closure: 0.0063 Course: N59°52'37"W
Error North : 0.00315 East: -0.00544

Precision 1: 821,968.25



MEMORANDUM

TO: Mary Smith, Interim City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: June 7, 2021

SUBJECT: P2021-028; REPLAT FOR LOT 9, BLOCK A, ELLIS CENTRE #2 ADDITION

Attachments

Case Memo
Development Application
Location Map
Replat

Summary/Background Information

Consider a request by Akhil D. Vats for the approval of a *Replat* for Lot 9, Block A, Ellis Centre, Phase Two Addition being a 0.70-acre parcel of land identified as Lot 6, Block A, Ellis Centre #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, located at the western corner of the intersection of Alpha Drive and Beta Drive, and take any action necessary.

Action Needed

The City Council is being asked to approve, approve with condition, or deny the replat.



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council
DATE: June 7, 2021
APPLICANT: Akhil D. Vats
CASE NUMBER: P2021-028; *Replat for Lot 9, Block A, Ellis Centre #2 Addition*

SUMMARY

Consider a request by Akhil D. Vats for the approval of a Replat for Lot 9, Block A, Ellis Centre, Phase Two Addition being a 0.70-acre parcel of land identified as Lot 6, Block A, Ellis Centre #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, located at the western corner of the intersection of Alpha Drive and Beta Drive, and take any action necessary.

PLAT INFORMATION

- The purpose of the applicant's request is to Replat a 0.70-acre parcel of land (*i.e. Lot 6, Block A, Ellis Centre #2 Addition*) into one (1) lot (*i.e. Lot 9, Block A, Ellis Centre #2 Addition*) for the purpose of establishing the necessary easements to develop a medical office building. The subject property is generally located at the western corner of the intersection of Alpha Drive and Beta Drive, and is zoned Light Industrial (LI) District.
- On November 30, 1959, the subject property was annexed into the City of Rockwall by *Ordinance No. 60-01*. At the time of annexation, the subject property was designated as an Agricultural (AG) District. According to the 1983 zoning map the subject property was still zoned Agricultural (AG) District as of May 16, 1983. On December 5, 1983 the City Council approved a zoning change [*Case No. PZ1983-035-01; Ordinance No. 83-61*] for the subject property changing the zoning from an Agricultural (AG) District to a Light Industrial (LI) District. On October 13, 1983, the Planning and Zoning Commission approved a site plan [*Case No. PZ1983-041-01*] for an office park -- *which included the subject property* -- along Alpha Drive. Following this approval, a final plat [*Case No. PZ1984-014-01*] was filed on February 15, 1985 establishing the subject property as a portion of Lot 1, Block A, Ellis Centre Addition. On May 18, 1987, the City Council approved a replat [*Case No. PZ1987-037-01*] of Lot 1, Block A, Ellis Centre Addition establishing Lot 1R, Block A, Ellis Centre Addition. On January 7, 2019, the City Council again approved a replat [*Case No. P2018-046*], which established the current boundaries of the subject property (*i.e. as Lot 6, Block A, Ellis Centre #2 Addition*). On July 14, 2020, the Planning and Zoning Commission approved a site plan [*Case No. SP2020-010*] for a 7,200 SF medical office building on the subject property.
- The surveyor has completed the majority of the technical revisions requested by staff, and this Replat -- *conforming to the requirements for plats as stipulated by 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 Replat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the Replat for Lot 9, Block A, Ellis Centre #2 Addition, staff would propose the following conditions of approval:

- (1) All technical comments from City Staff (*i.e. Engineering, Planning and Fire Department*) shall be addressed prior to submittal of civil engineering plans; and
- (2) Any construction resulting from the approval of this Replat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On May 25, 2021, the Planning and Zoning Commission approved a motion to recommend approval of the replat with the conditions of approval by a vote of 7-0



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. P2021-028

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

PLATTING APPLICATION FEES:

- MASTER PLAT (\$100.00 + \$15.00 ACRE) ¹
- PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) ¹
- FINAL PLAT (\$300.00 + \$20.00 ACRE) ¹
- REPLAT (\$300.00 + \$20.00 ACRE) ¹ \$320
- AMENDING OR MINOR PLAT (\$150.00)
- PLAT REINSTATEMENT REQUEST (\$100.00)

SITE PLAN APPLICATION FEES:

- SITE PLAN (\$250.00 + \$20.00 ACRE) ¹
- AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ¹
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST (\$100.00)

NOTES:

¹: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS ALPHA DRIVE
~~1001 E. GOLIAD STREET~~ Rockwall TX 75087

SUBDIVISION ELLIS CENTRE 2 - REPLAT LOT 6 BLOCK A

GENERAL LOCATION ALPHA DRIVE & BETA CT.

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING LF CURRENT USE COMMERCIAL

PROPOSED ZONING LF PROPOSED USE GAME

ACREAGE 0.7AC LOTS [CURRENT] 1 LOTS [PROPOSED] 1

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

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

OWNER Akhil D. Vats APPLICANT SAME

CONTACT PERSON _____ CONTACT PERSON _____

ADDRESS 709 Comed Dr Rockway ADDRESS _____

CITY, STATE & ZIP Rockway TX 75087 CITY, STATE & ZIP _____

PHONE 408 221 0918 PHONE _____

E-MAIL dr@akhilvats@gmail.com E-MAIL _____

NOTARY VERIFICATION [REQUIRED]

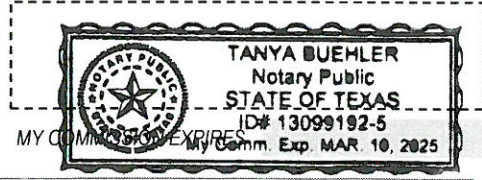
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Akhil D. Vats [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

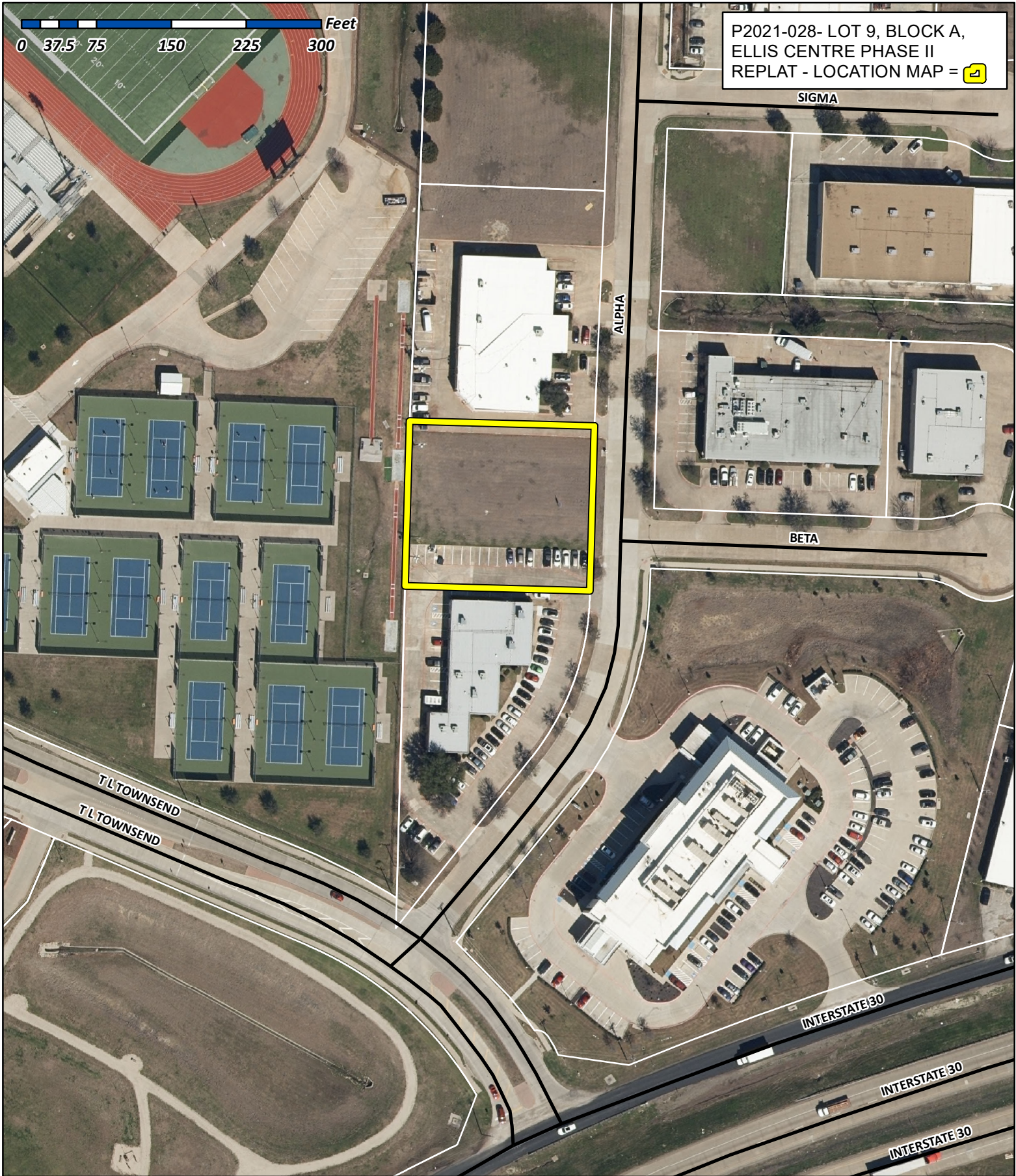
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 320.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 14th DAY OF MAY, 2021. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 14 DAY OF MAY, 2021.

OWNER'S SIGNATURE [Signature]

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS [Signature]





P2021-028- LOT 9, BLOCK A,
 ELLIS CENTRE PHASE II
 REPLAT - LOCATION MAP = [icon]



City of Rockwall

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

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



OWNER'S CERTIFICATE
(Public Dedication)

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS ADAT ESTATE, INC. BEING THE OWNERS OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING Lot 6, Block A, of Ellis Centre, Phase Two, Lot 5, 6 & 7, Block A, an Addition to the City of Rockwall, County, Texas, according to the Plat thereof recorded in Document no. 2019000001536, of the Plat Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an "X" found chiseled in concrete for corner in the west right-of-way line of Alpha Drive, at the southeast corner of said Lot 6, Block A;

THENCE N. 88 deg. 25 min. 08 sec. W. a distance of 185.00 feet to a 1/2" iron rod found for corner at the southwest corner of Lot 6 and northwest corner of Lot 7, Block A;

THENCE N. 01 deg. 34 min. 52 sec. E. along the west line of said Lot 6, Block A, a distance of 165.00 feet to a 1/2" iron rod found for corner at the northwest corner of said Lot 6, Block A and southwest corner of Lot 5;

THENCE S. 88 deg. 25 min. 08 sec. E. along the north line of Lot 6, Block A, a distance of 185.00 feet to an "X" found chiseled in concrete for corner at the northeast corner of Lot 6, Block A and at the southeast corner of Lot 7, Block A and in the west right-of-way line of Alpha Drive;

THENCE S. 01 deg. 34 min. 52 sec. W. along said right-of-way line, a distance of 165.00 feet to the POINT OF BEGINNING and containing 30,525 square feet or 0.70 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

We the undersigned owners of the land shown on this plat, and designated herein as LOT 8, BLOCK A, ELLIS CENTRE, PHASE TWO, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in LOT 8, BLOCK A, ELLIS CENTRE, PHASE TWO, 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:

- No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
- 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.
- 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.
- The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
- 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.
- No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

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

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

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the 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 I may have as a result of the dedication of exaction's made herein.

for ADAT ESTATE, LLC _____

STATE OF TEXAS
COUNTY OF _____

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: _____

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

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



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

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission _____ Date _____

APPROVED

I hereby certify that the above and foregoing plat of LOT 8, BLOCK A, ELLIS CENTRE, PHASE TWO, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____, _____.

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

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

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

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

City Engineer _____ Date _____

FINAL PLAT

LOT 8, BLOCK A
ELLIS CENTRE, PHASE TWO

BEING A REPLAT OF
LOT 6, BLOCK A
ELLIS CENTRE PHASE TWO

1 LOT
0.70 ACRES OR 30,525 S.F.
A. HANNA SURVEY, A-99
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

SYMBOL LEGEND											
TV	GAS	TEL	FF	PP							
TELEVISION CABLE RISER	LINE METER	PHONE RISER	PIPE HYDRANT	POWER POLE							
ELEC	ELEC BOX	RY	LP	1/2" IRON ROD FOUND 1' CORNER							
ELECTRIC METER	SUBSURFACE METER	METER	LIGHT POLE								
-X-	EASEMENT LINE	PROPERTY LINE	ADJ. COR. MARK	PROPOSED FENCE							

OWNER:
ADAT ESTATE, INC.
482 ARCADIA WAY
ROCKWALL, TEXAS 75087

H.D. Fetty Land Surveyor, LLC

Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE MARCH 19, 2021
SCALE 1" = 20' FILE # 20130105-6RP
CLIENT ADAT

CITY OF ROCKWALL

ORDINANCE NO. 21-19

SPECIFIC USE PERMIT NO. S-246

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 5 (PD-5) [ORDINANCE NO. 19-38] AND THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL ADJACENT TO AN ESTABLISHED SUBDIVISION, A GUEST QUARTERS/SECONDARY LIVING UNIT, AND AN ACCESSORY STRUCTURE* THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME, ACCESSORY STRUCTURE, DETACHED GARAGE, AND GUEST QUARTERS/SECONDARY LIVING UNIT ON AN 8.011-ACRE TRACT OF LAND, IDENTIFIED AS TRACT 19-2 OF THE S. S. MCCURRY SURVEY, ABSTRACT NO. 146, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Lance Tyler for the approval of a Specific Use Permit (SUP) for *Residential Infill Adjacent to an Established Subdivision, a Guest Quarters/Secondary Living Unit*, and an *accessory structure* that exceeds the maximum allowable size to allow the construction of a single-family home, accessory structure, detached garage, and guest quarters/secondary living unit on an 8.011-acre tract of land being described as Tract 19-2 of the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) [*Ordinance No. 19-38*] for Single-Family 8.4 (SF-8.4) District land uses, addressed as 550 E. Quail Run Road, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that Planned Development District 5 (PD-5) [*Ordinance No. 19-38*] the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall should be amended as follows:

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

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for *Residential Infill Adjacent to an Established Subdivision, a Guest*

Quarters/Secondary Living Quarters, and an *accessory structure* that exceeds the maximum size to allow for the construction of a single-family home, accessory structure, detached garage, and guest quarters/secondary living unit in accordance with Article 04, *Permissible Uses*, the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 03.01, *General Residential District Standards*, and Subsection 03.08, *Single-Family 8.4 (SF-8.4) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] and to the requirements set forth in Planned Development District 5 (PD-5) [Ordinance No. 19-38] -- as heretofore amended and may be amended in the future -- and with the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the construction of a single-family home, guest quarters/secondary living unit, and accessory building on the *Subject Property* and conformance to these operational conditions are required:

- 1) Development of the *Subject Property* shall generally conform to the *Residential Plot Plan* as depicted in *Exhibit 'B'* of the draft ordinance.
- 2) Construction of a single-family home on the *Subject Property* shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of the draft ordinance.
- 3) The construction of the guest quarters/secondary living unit on the *Subject Property* shall generally conform to the *Building Elevations* depicted in *Exhibit 'D'* of the draft ordinance.
- 4) The construction of an accessory structure on the *Subject Property* shall generally conform to the *Building Elevations* depicted in *Exhibit 'E'* of the draft ordinance.
- 5) The accessory structure shall not exceed a maximum size of 620 SF.
- 6) The guest quarters/secondary living unit shall not exceed a maximum size of 3,150 SF.
- 7) The subject property shall be limited to three (3) accessory structures (*i.e. a detached garage, accessory building, and guest quarters/secondary living unit*) as depicted in *Exhibit 'B'* of the draft ordinance.
- 8) The guest quarters/secondary living unit may be conveyed as a separate housing unit if the property is subdivided -- in accordance with the Unified Development Code (UDC) and Planned Development District 5 (PD-5) -- prior to conveyance; however, should the guest quarters/secondary living unit be modified to not meet the zoning requirements for a single-family home -- prior to the subdivision of land --, the guest quarters/secondary living unit may not be conveyed separately from the primary structure

2.2 COMPLIANCE

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

- 1) Upon obtaining a *Building Permit*, should the contractor operating under the guidelines of this

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

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7TH DAY OF JUNE, 2021.

Kevin Fowler, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

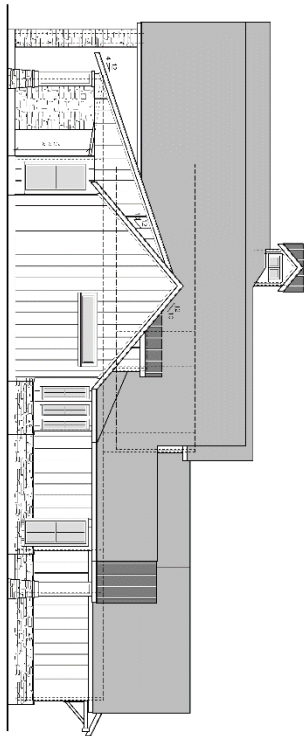
Frank J. Garza, City Attorney

1st Reading: May 17, 2021

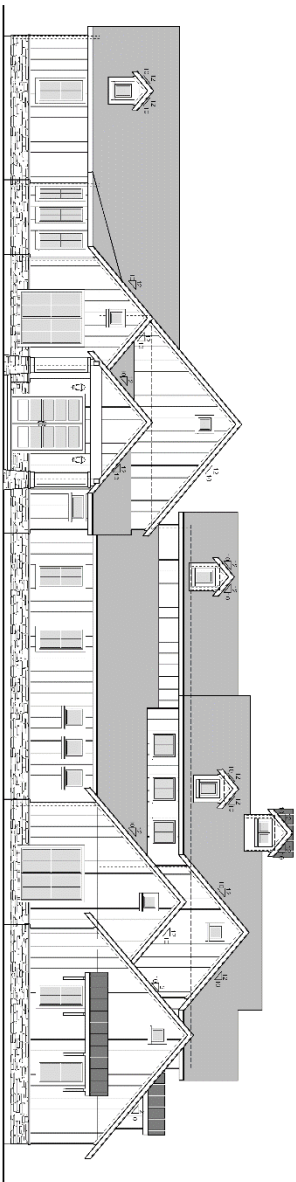
2nd Reading: June 7, 2021

Address: 550 E. Quail Run Road
Legal Description: Tract 19-2 of the S. S. McCurry Survey, Abstract No. 146





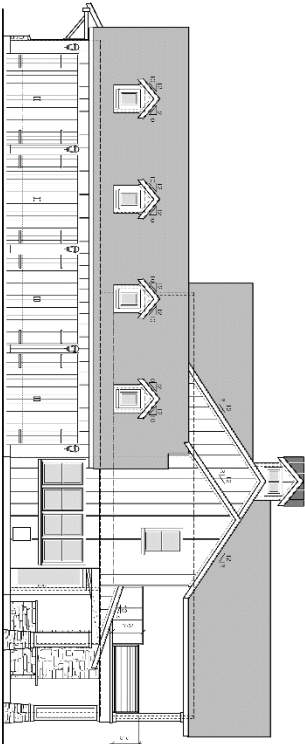
3.01 RESIDENCE EXTERIOR ELEVATION - LEFT



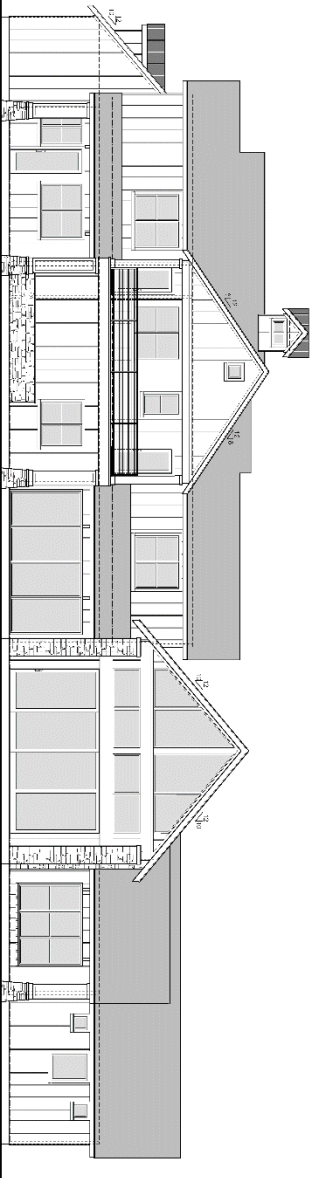
3.02 RESIDENCE EXTERIOR ELEVATION - FRONT

EXTERIOR
ELEVATIONS

3.01



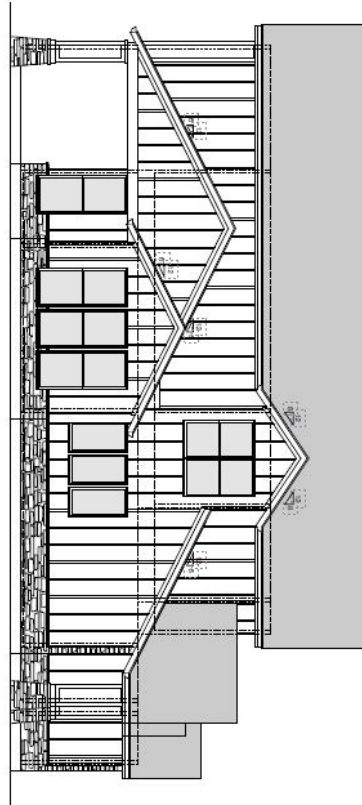
RESIDENCE EXTERIOR ELEVATION - RIGHT
Scale: 3/16" = 1'-0"



RESIDENCE EXTERIOR ELEVATION - REAR
Scale: 3/16" = 1'-0"

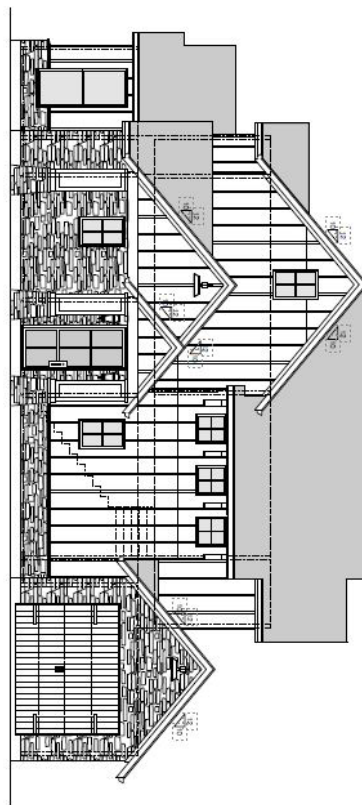
EXTERIOR
ELEVATIONS

3.02



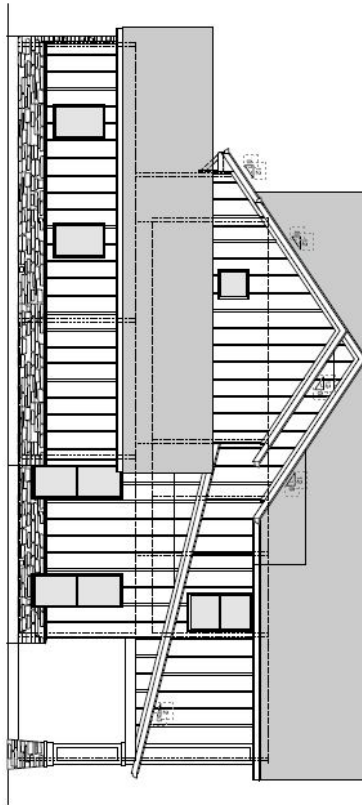
301
SCALE: 1/8" = 1'-0"

301
GUEST HOUSE EXTERIOR ELEVATION - LEFT



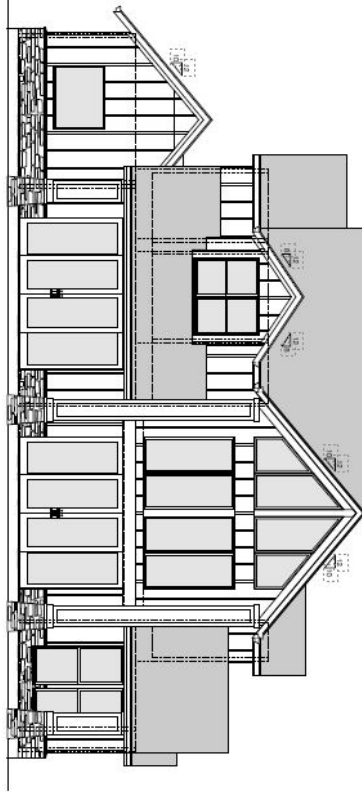
302
SCALE: 1/8" = 1'-0"

302
GUEST HOUSE EXTERIOR ELEVATION - FRONT



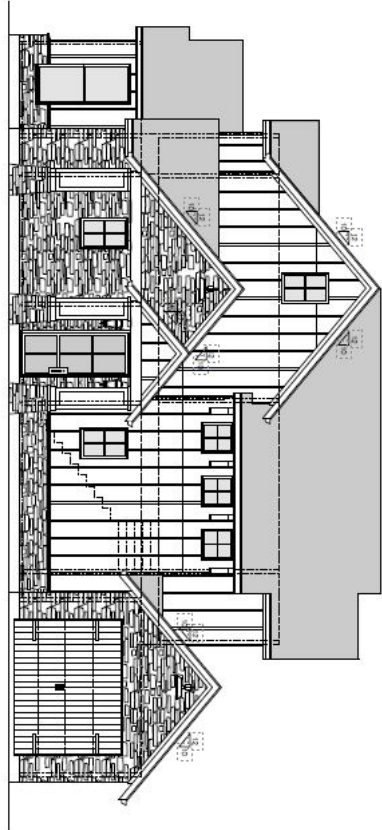
303
SCALE: 1/8" = 1'-0"

303
GUEST HOUSE EXTERIOR ELEVATION - RIGHT



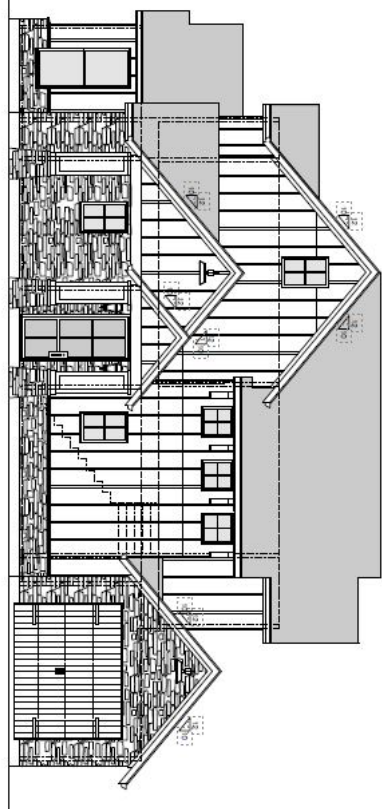
304
SCALE: 1/8" = 1'-0"

304
GUEST HOUSE EXTERIOR ELEVATION - REAR



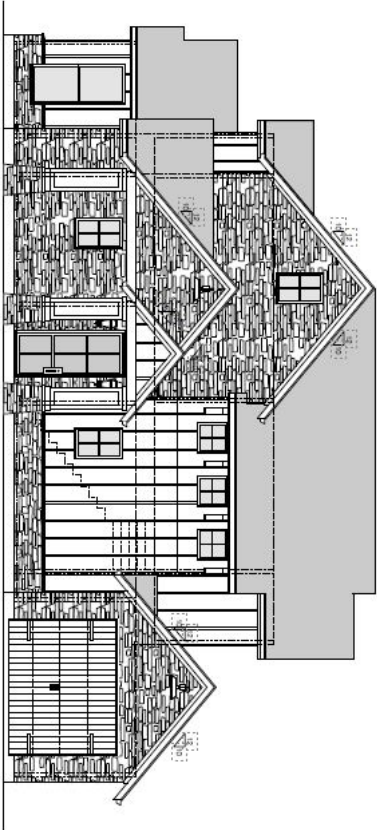
3/4" = 1'-0" GUEST HOUSE EXTERIOR ELEVATION - FRONT

option 2



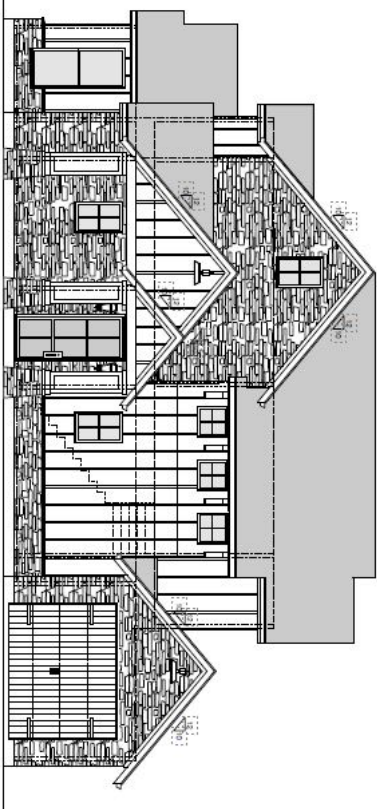
3/4" = 1'-0" GUEST HOUSE EXTERIOR ELEVATION - FRONT

option 1



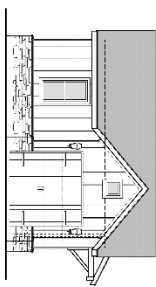
3/4" = 1'-0" GUEST HOUSE EXTERIOR ELEVATION - FRONT

option 3

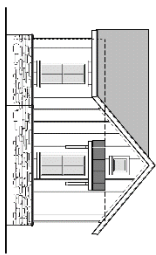


3/4" = 1'-0" GUEST HOUSE EXTERIOR ELEVATION - FRONT

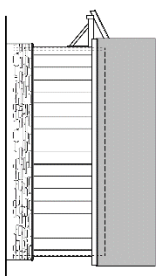
option 4



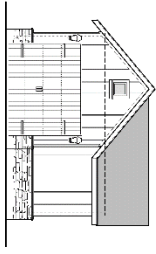
26 DETACHED GARAGE ELEVATION
LEFT
Scale: 3/16" = 1'-0"



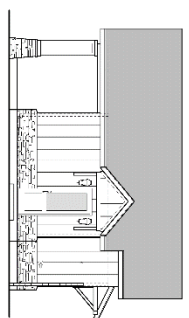
27 DETACHED GARAGE ELEVATION
FRONT
Scale: 3/16" = 1'-0"



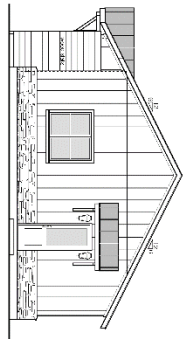
28 DETACHED GARAGE ELEVATION
RIGHT
Scale: 3/16" = 1'-0"



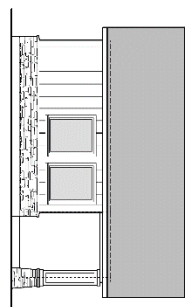
29 DETACHED GARAGE ELEVATION
REAR
Scale: 3/16" = 1'-0"



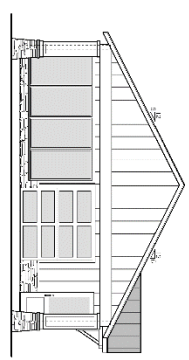
30 CABANA EXTERIOR ELEVATION - LEFT
Scale: 3/16" = 1'-0"



31 CABANA EXTERIOR ELEVATION - FRONT
Scale: 3/16" = 1'-0"



32 CABANA EXTERIOR ELEVATION - RIGHT
Scale: 3/16" = 1'-0"



33 CABANA EXTERIOR ELEVATION - REAR
Scale: 3/16" = 1'-0"

EXTERIOR
ELEVATIONS

3.03

CITY OF ROCKWALL

ORDINANCE NO. 21-20

SPECIFIC USE PERMIT NO. S-247

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.16-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 9, BLOCK D, FOREE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Michael Morgan for the approval of a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow the construction of a single-family home on a 0.16-acre parcel of land being described as Lot 9, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 704 Parks Avenue, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

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

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 03.01, *General Residential District Standards*, and Subsection 03.09, *Single-Family 7 (SF-7) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] -- as heretofore amended and may be amended in the future -- and

with the following conditions:

2.1 OPERATIONAL CONDITIONS

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

- 1) The development of the *Subject Property* shall generally conform to the *Residential Plot Plan* as depicted in *Exhibit 'B'* of this ordinance.
- 2) The construction of a single-family home on the *Subject Property* shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of this ordinance.
- 3) Once construction of the single-family home has been completed, inspected, and accepted by the City of Rockwall, this Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.

2.2 COMPLIANCE

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

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

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

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

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

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

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 7TH DAY OF JUNE, 2021.**

Kevin Fowler, Mayor

ATTEST:

Kristy Cole, City Secretary

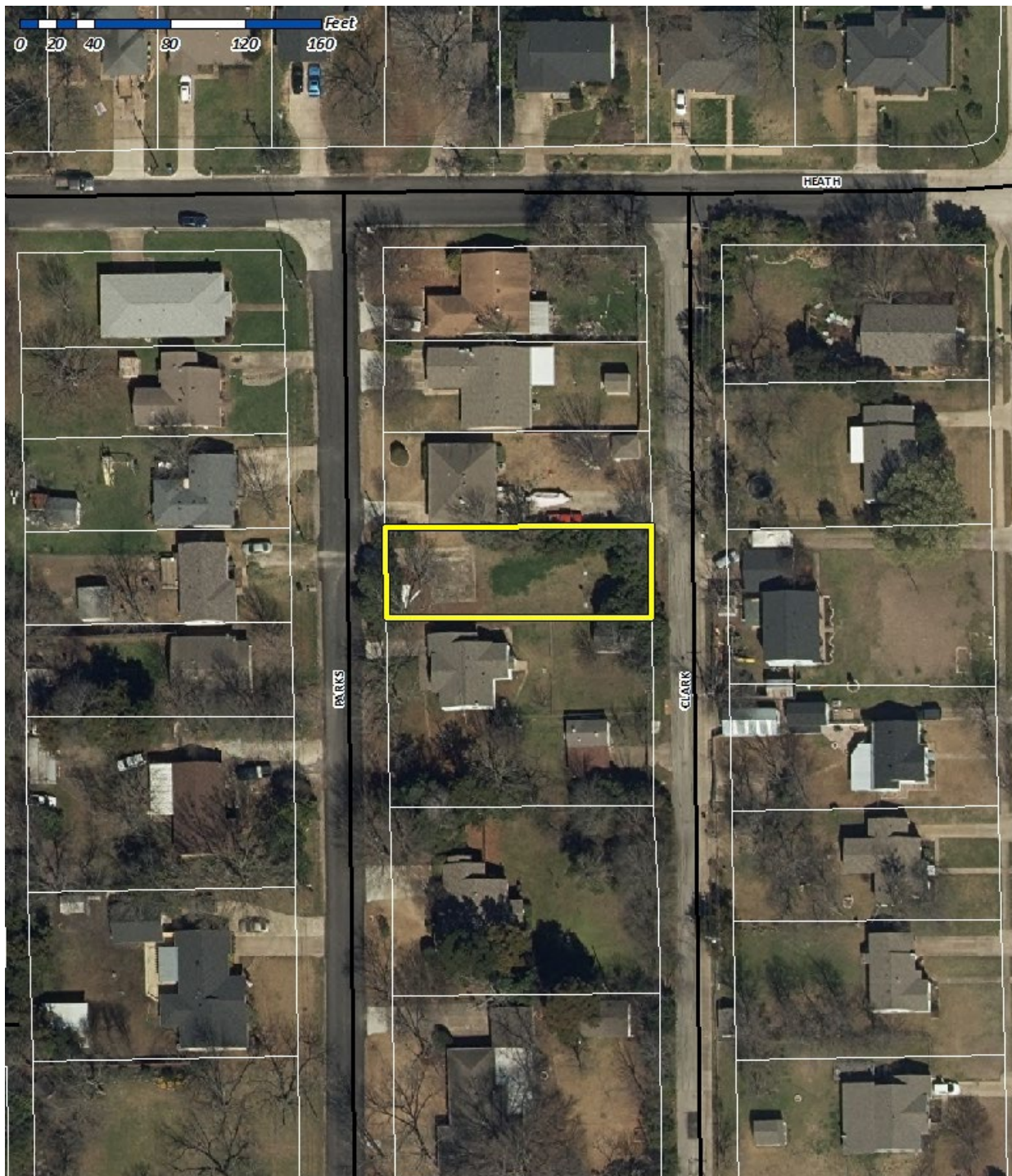
APPROVED AS TO FORM:

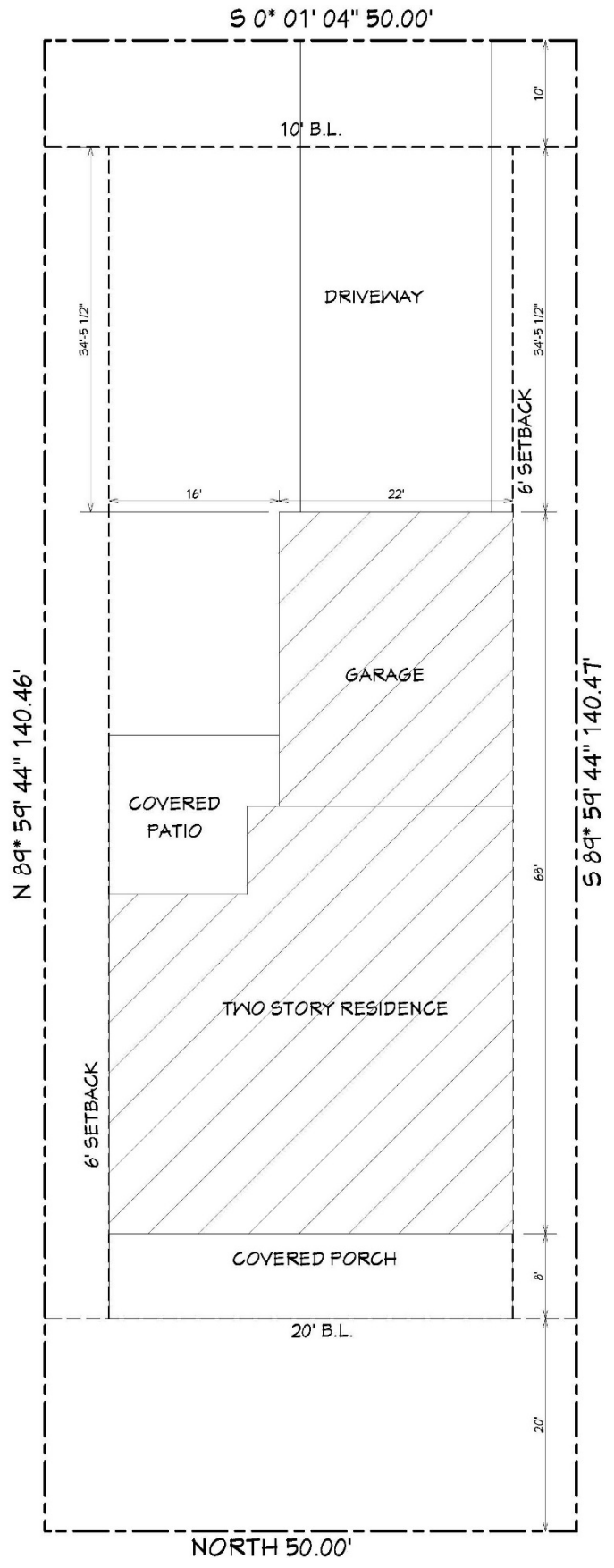
Frank J. Garza, *City Attorney*

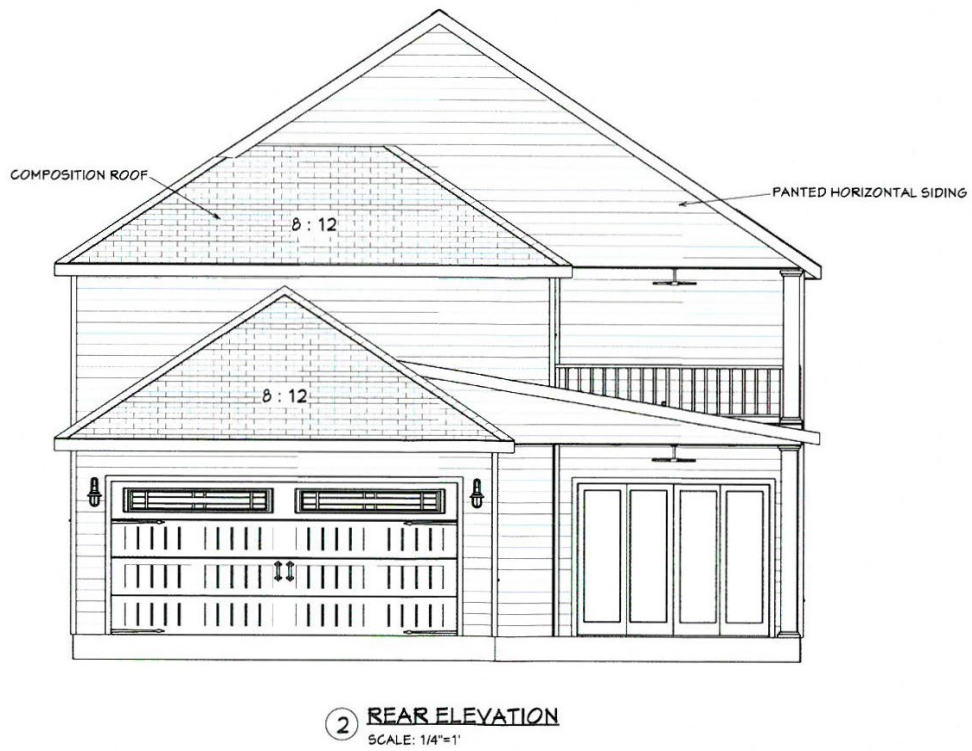
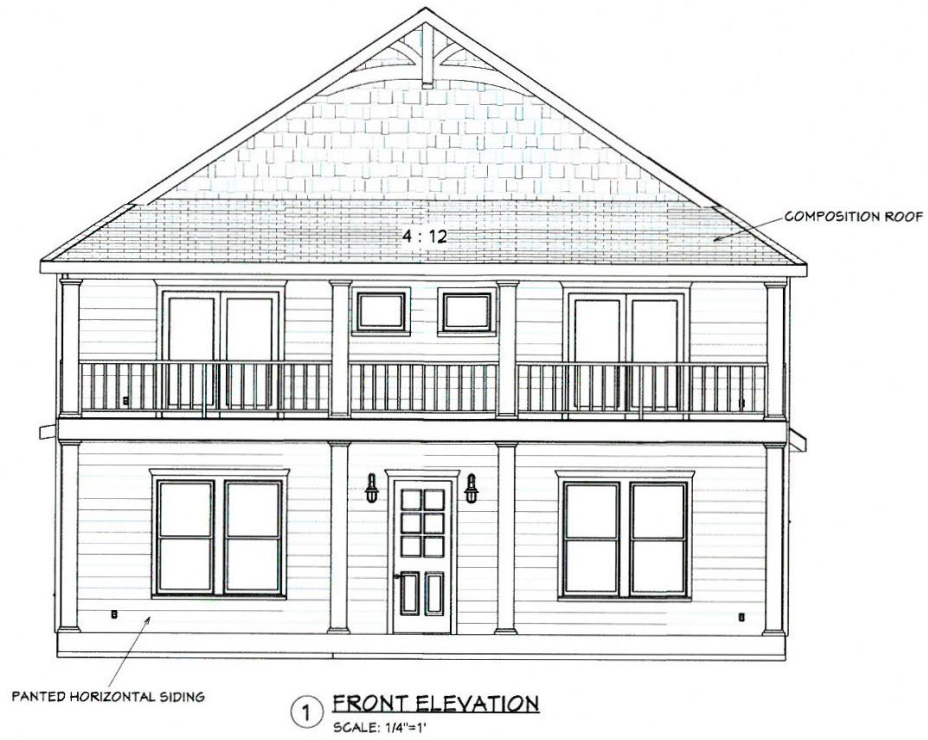
1st Reading: May 17, 2021

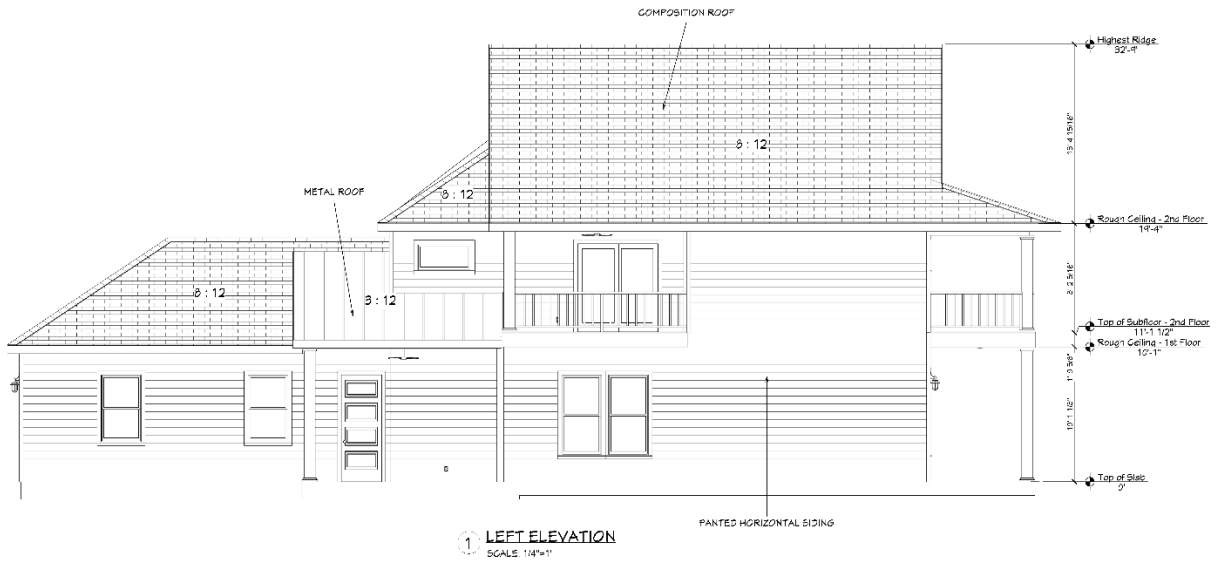
2nd Reading: June 7, 2021

Address: 704 Parks Avenue
Legal Description: Lot 9, Block D, Foree Addition

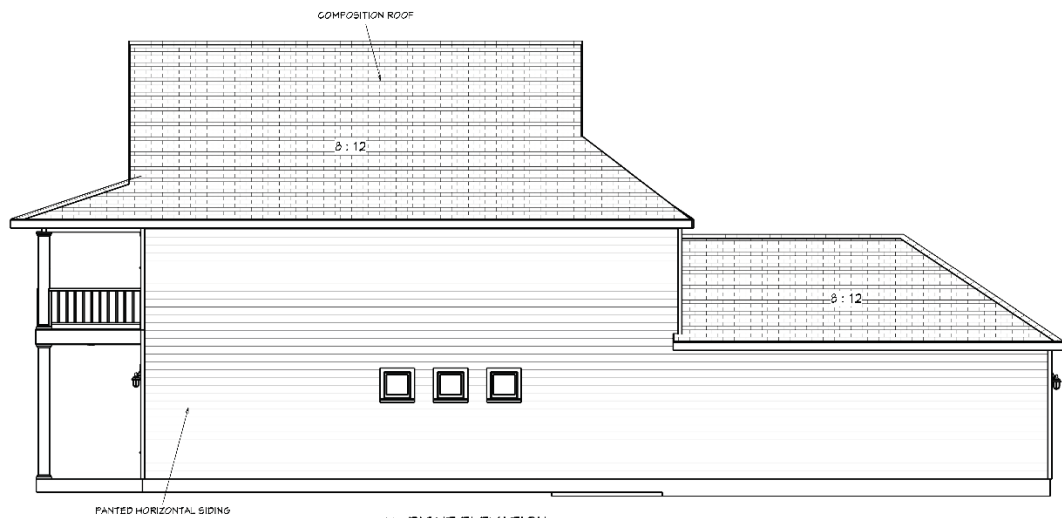








1 LEFT ELEVATION
SCALE: 1/4"=1'



2 RIGHT ELEVATION
SCALE: 1/4"=1'



MEMORANDUM

TO: Mary Smith, Interim City Manager

CC: Honorable Mayor and City Council

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

DATE: June 7, 2021

SUBJECT: FM 552 UTILITY RELOCATION PROJECT

Attachments

Location Map

Contract Amendment No. 1

Summary/Background Information

The Texas Department of Transportation (TXDOT) is designing the expansion of FM 552 from SH 205 (N. Goliad St.) to SH 66. Before construction begins on FM 552, the City will need to relocate any existing City maintained water and wastewater lines that will be in conflict with the proposed construction. In order to determine which lines need to be relocated, a utility conflict analysis will need to be performed within the FM 552 corridor.

The City currently has a contract with Birkhoff, Hendricks and Carter, L.L.P. to perform a utility conflict analysis within the FM 552 corridor. The consultant has completed the utility conflict analysis and determined which utilities will need to be relocated. The next step will be to proceed with professional engineering design services and construction plan preparation for the utility relocations. Staff requested that Birkhoff, Hendricks and Carter, L.L.P. provide a contract amendment for these services under their current contract with the City.

If you have any questions, please advise.

Action Needed

Staff requests that the City Council consider approving *Amendment No. 1* for professional engineering services contract with Birkhoff, Hendricks and Carter, L.L.P., to perform the engineering design and construction plan preparation for the *FM 552 Utility Relocation Project* in an additional amount not to exceed \$244,310.00, to be paid out of the Water and Sanitary Sewer Fund.

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS

11910 Greenville Ave., Suite 600

Dallas, Texas 75243

Phone (214) 361-7900

www.bhellp.com

JOHN W. BIRKHOFF, P.E.
GARY C. HENDRICKS, P.E., R.P.L.S.
JOE R. CARTER, P.E.
MATT HICKEY, P.E.
ANDREW MATA, JR., P.E.
DEREK B. CHANEY, P.E., R.P.L.S.
CRAIG M. KERKHOFF, P.E.
JUSTIN R. IVY, P.E.

May 26, 2021

Mr. Jeremy White, P.E., CFM
Civil Engineer
City of Rockwall
385 Goliad Street
Rockwall, Texas 75087

Re: F.M. 552 Utility Relocations project
Professional Engineering Services Agreement – Amendment No. 1

Dear Mr. White:

As you requested, we are pleased to submit this Amendment No. 1 to our Engineering Services Agreement (ESA Amendment 1) with the City of Rockwall for the F.M. 552 Utility Relocations project, dated July 8, 2020. The scope of work in the original agreement is limited to a conceptual evaluation of utility conflicts to identify potential horizontal conflicts between the City's existing water and sanitary sewer system and the F.M. 552 Paving and Drainage Improvements proposed by TxDOT. The conceptual utility conflict evaluation is now complete, and the resulting plan for recommended conceptual utility relocations is enclosed as "Exhibit A" and included by reference.

This Amendment No. 1 adds the additional scope of services to provide engineering design, bidding, and construction administration services for relocation of the existing water and sanitary sewer facilities determined to be in conflict as part of the original contract scope of services.

The scope of services as described herein on Attachment "A" – ESA Amendment 1 is hereby appended to "Attachment "A" of the original agreement.

ATTACHMENT "A" – ESA AMENDMENT 1

Scope of Services

Project Description:

The City of Rockwall (City) desires to engage the services of Birkhoff, Hendricks and Carter, L.L.P. (Consultant) to provide the necessary engineering design, bidding, and construction administration services in connection with the F.M. 552 Utility Relocations project. The 100% complete paving and drainage plans adequate for utility relocation for the F.M. 552 Paving and Drainage Improvement project have now been provided by TxDOT and will be the design basis for the City's necessary utility relocations.

BASIC SERVICES

2. Preliminary Engineering

2.1. Project Management

- 2.1.1. Conduct project kickoff meeting with Consultant's Project Manager and City Staff.
- 2.1.2. Prepare and send Project Status Update (PSU) to City's Project Manager on monthly basis. PSU will summarize work completed in previous period, work in process and/or anticipated to be completed in next period, actions or information needed from City, and a Project schedule update. PSU will be attached to the monthly invoice.
- 2.1.3. Prepare and submit project schedule to City staff.

2.2. Preliminary Engineering

- 2.2.1. Review TxDOT 100% Paving and Drainage Plans Adequate for Utility Relocations for the F.M. 552 Improvements to confirm the limits of conceptually identified conflicts with the City's existing water and sanitary sewer lines. Consultant will coordinate with TxDOT and their engineering consultant, to obtain updated electronic files associated with most current engineering design plans (all in digital CAD format).
- 2.2.2. Using previously gathered construction record drawings, compare elevations of known existing utilities with those of proposed TxDOT F.M. 552 storm drainage pipes and structures, roadways, and bridge and bridge support structures (e.g., piers) and identify any additional localized relocations required. Gather additional construction record drawings if needed.
- 2.2.3. Review the most current update to the City of Rockwall Water and Wastewater System Master Plans and associated hydraulic models (maintained by the Consultant) to evaluate potential for combining existing parallel utilities or oversizing of utilities to accommodate the buildout design requirements. Consultant will also incorporate the recent infrastructure study for the Nelson Lakes Subdivision and evaluate potential impacts on the utility relocations.
- 2.2.4. Conduct route study for alternate alignments and/or approaches to the conceptual relocation of the City's 16-inch water line and 12-inch force main between S.H. 205 and

Stone Creek Drive. Alternates include placement of proposed 16-inch water line in existing fire lane south of F.M. 552, and pipe bursting of existing 8-inch sanitary sewer in fire lane south of F.M. 552 to receive discharge from 12-inch force main.

- 2.2.5. If necessary, coordinate SUE/Potholing at key utility crossings to be performed by the Consultant's sub-contractor.
- 2.2.6. Establish preliminary horizontal alignments for the proposed water and sanitary sewer relocations. Efforts will be made to utilize existing City of Rockwall permanent utility easements, or the proposed F.M. 552 right-of-way in accordance with the TxDOT Utility Accommodation Policy. If these options are not feasible, a proposed permanent easement will be recommended.
- 2.2.7. Prepare preliminary plans showing proposed preliminary alignments (no profiles) for each project location. Plans will be prepared at a scale of no less than 1"=40'.
- 2.2.8. Identify potential land rights needed based on preliminary alignments for proposed utility relocations.
- 2.2.9. Update the conceptual engineer's opinion of probable construction cost based on the preliminary utility relocation plan.
- 2.2.10. Update the project schedule, including design phase, land rights acquisition (by City), bidding phase and construction phase elements.
- 2.2.11. Submit preliminary plans and engineer's opinion of probable project cost to the City for review. The submittal shall include Two (2) half size copies and an Electronic PDF copy.
- 2.2.12. Attend a meeting with City Staff to review preliminary plans.
- 2.2.13. Address any comments from City's review of preliminary plans.
- 2.2.14. Coordinate the proposed improvements with TxDOT. If necessary, assist the City with preparation of the TxDOT Utility Agreement, including the necessary forms and supporting exhibits.
- 2.2.15. If necessary, attend one meeting with the City and TxDOT to review the City's proposed utility relocations.
- 2.2.16. Coordination with Mt. Zion Water Supply Corporation (WSC) to obtain alignment for relocations of their facilities where adjacent to proposed City of Rockwall utility relocations. Contact info for Mt. Zion WSC representative to be provided by the CITY.

3. Final Design Phase

3.1. Project Management

- 3.1.1. Conduct progress meetings at 60% and 90% completion to monitor the development of the project regarding project status, coordination issues and discuss City review comments of the plans.
- 3.1.2. Prepare and send PSU to City's Project Manager on monthly basis via progress report attached to monthly invoices. PSU will summarize work completed in previous period, work in progress and/or anticipated to be completed in next period, actions or information needed from City, and a project schedule update.

3.1.3. Conduct up to two (2) project site visits.

3.2. Submittals

3.2.1. Submit 60%, 90% and 100% complete progress submittals to the City for review and comment. The following will be required for each submittal:

- (a) Construction Plans
 - i. Two (2) Full Size copies – 22-inch x 34-inch
 - ii. Two (2) Half Size copies – 11-inch x 17-inch
 - iii. Electronic PDF copy (PDF only for 100%)
 - iv. Electronic PDF copy– Scanned City comments previous submittal
- (b) Engineer’s Opinion of Probable Construction Cost
 - i. Two (2) Copies and electronic PDF copy (PDF only for 100%)
- (c) 90% and 100% – Project Specifications and Bidding Documents
 - i. Two (2) Copies and electronic PDF copy (PDF only for 100%)

3.3. Construction Plans

- (a) Each plan sheet in the construction plans set will conform to the Engineering Drawing Requirements set forth in the City of Rockwall’s Standards of Design and Construction.
- (b) Plan sheets will include additional documentation, notation, and clarification required by the City’s Project Manager.
- (c) Each stage of the construction plan review process will address City comments from previous submittals.
- (d) Following is a table of the required construction plan sheets and at which submittals they are required.

Plan Sheets	60%	90%	100%
Cover Sheet w/ Location Map and Sheet Index	X	X	X
Legend Sheet	X	X	X
General Notes Sheet	X	X	X
Horizontal/Vertical Coordinate Control Sheet (1"=40' scale)	X	X	X
Temporary Sewage Bypass Plan (no greater than 1"=100' scale)		X	X
Erosion Control Plans (1"=40' scale)		X	X
Water Line Plan/Profiles (1"=20'H, 1"=5'V scale)	X	X	X
Sanitary Sewer Plan/Profiles (1"=20'H, 1"=5'V scale)	X	X	X
Restoration Plan (1"=40' scale)		X	X
Construction Sequencing & Access Plan (no greater than 1"=100' scale)		X	X
Construction Details		X	X

- (e) Prepare plan-profile sheets for the proposed water lines, sanitary sewer, and force main relocations at a scale of not less than 1"= 40' on 11"x17" sheet size.
- (f) Locate new fire hydrants, main line isolation valves and branch line (lateral) isolation valves at same locations as existing and new locations if requested by the City.

- (g) Show approximate horizontal and vertical location of utility crossings along the proposed alignment from record drawings and field surveys of manholes.
- (h) Identify existing water meters and services lines to be transferred to proposed water lines.
- (i) Develop and prepare temporary sewage bypass plan and requirements for bypassing of force main flows during construction. Provide conceptual layout of proposed bypass plan, including determination of peak wastewater flows required, suction and discharge locations. Bypass plan will be shown at a scale of not less than 1"=100' on 11"x17" sheet size.
- (j) Identify existing sanitary sewer cleanouts and service laterals to be transferred to proposed sanitary sewer.
- (k) Review FEMA flood plain mapping to determine approximate elevation of 100-year floodplain along the route. If necessary, design improvements to raise existing manhole rim elevations above flood plain elevation.
- (l) Design connections of proposed water and sanitary sewer lines to the existing water distribution and wastewater collection systems.
- (m) Prepare construction sequencing and access plans.
- (n) Prepare erosion control plans.
- (o) Prepare surface restoration plans to identify required replacement limits of pavement, sidewalk, driveway, irrigation, and revegetation.
- (p) Select applicable City standard construction details and incorporate into the plans. Prepare additional details as required.
- (q) Complete QA/QC review of the 60%, 90% and 100% plans.

3.4. Franchise Utility Coordination

- (a) Obtain list of franchise utility contacts from the City. (60%)
- (b) Provide electronic PDF set of preliminary construction plans adequate for franchise utility relocation via email to each franchise utility for their review. Request each franchise utility to mark up the plans to show the size, type and location of their existing and proposed relocated utilities. (60%)
- (c) Attend up to two (2) franchise utility coordination meetings hosted by the City at City Hall.
- (d) Notify the City if franchise utility relocations are required. (90%)
- (e) Conduct coordination with the franchise utilities if any relocations are required. (90%)

3.5. Specifications/Construction Contracts (90% and 100%). Prepare general notes, specifications, and bidding documents in accordance with City of Rockwall requirements. Identify and prepare special specifications and/or special provisions applicable to the project. Prepare proposal and bid schedule of applicable items.

3.5.1. Contract documents will include the following:

- (a) City of Rockwall standard construction contract forms
- (b) Notice to bidders
- (c) Special instructions to bidders
- (d) Bid Schedule (Bid-Tab) – Electronic for Bidding

- (e) Standard construction contract
- (f) Performance bond
- (g) Payment bond
- (h) Maintenance bond
- (i) Certificate of insurance
- (j) General conditions
- (k) Special conditions
- (l) Technical specifications
- (m) Bid Item Descriptions
- (n) Permits for work as may be required by TxDOT

- 3.6. Engineer's Opinion of Probable Construction Cost (60%, 90% and 100%). Generate tabulation of proposed quantities of work and formulate an engineer's opinion of probable construction cost based on historic bidding data of similar projects.
- 3.7. Consultant to coordinate with TxDOT on items related to the project crossing or being adjacent to the TxDOT right-of-way. If necessary, provide one construction plan submittal at 60% completion and assist City with permit submittals as required to achieve acceptance of proposed improvements.

4. Bidding Phase

- 4.1. Furnish the City with one 11-inch x 17-inch set of final construction plans, and one set of final Bidding Documents and Specifications for use during the bidding phase. Documents shall also be provided to the City in electronic PDF format.
- 4.2. City will be responsible for advertisement of the project in the local newspaper.
- 4.3. Consultant will upload a PDF version of the plans and specifications to the project bidding distribution site CivCast. Consultant will manage the project for the City on CivCast, which will include setting up project, payment of fees, document upload, and issuing of addendum(s).
- 4.4. Attend the pre-bid meeting at City Hall.
- 4.5. Consultant will respond to contractor questions submitted via phone call and email correspondence only. Consultant will provide design clarifications in addenda format, sealed, signed, and dated. The Consultant will upload the addenda to CivCast. All addenda will be posted a minimum of 48-hours before the bid opening.
- 4.6. Attend the Bid Opening at City Hall.
- 4.7. Consultant shall complete tabulation of bids, checking for mathematical errors and unbalanced bids. Original bid documents to be returned to the City after tabulation.
- 4.8. Provide bid tabulation, in PDF format, to City via email and to Contractors who submitted bids via CivCast.
- 4.9. Obtain experience record and references from the apparent low bidder. Check references of apparent low bidder. Formulate opinion from information received and provide a letter of recommendation to the City for award of a construction contract.
- 4.10. Return Bid Bonds to bidders after award of contract.
- 4.11. After award of contract by the City, Return Bid Bonds to their respective bidders.

- 4.12. Assemble and prepare five (5) sets of construction contract documents between the City and the contractor and facilitate execution of all sets by both parties.

5. Construction Phase

- 5.1. Conform construction plans and project specifications to addendums.
- 5.2. Pre-Construction Meeting: Prepare for and attend the Pre-Construction Meeting prior to commencement of Work at the Site. Consultant to provide the following quantities of conformed plans and specifications for distribution at the Pre-Construction Meeting.
- a) Half-size plans (11-inch x 17-inch) plans – (15 Total)
 - 7 – City (File, Engr. Dept. PM, Inspector, Sub-Inspector, Water, Wastewater, Streets/Drainage)
 - 4 – Franchise Utility Company Reps. (AT&T, Atmos, TXU/ONCOR, Charter)
 - 3 – Contractor/Sub-contractors
 - 1 – Geotech/Materials Testing Lab
 - b) Full-size plans (24-inch x 36-inch) plans – (5 Total)
 - 2 – City (File and Inspector)
 - 3 – Contractor/Subcontractors
 - c) Specification Books – (7 Total)
 - 3 – City (Engr. PM, Inspector, Sub Inspector)
 - 3 – Contractor/Subcontractors
 - 1 – Geotech/Materials Testing Lab
 - d) Plan Set “Approved for Construction” on CD.
- 5.3. Attend on-site construction observation meetings to observe progress, clarify design concepts and/or assist with solutions needed to overcome obstacles in construction (as applicable to scope of work) or to study and evaluate possible practical alternative solutions as requested by the City. Three (3) site visits are included in the budget. Notes of the site visits will be maintained in the consultant’s file.
- 5.4. When requested by the City, provide a memo of the site visit observations to the City.
- 5.5. Clarifications and Interpretations. Issue clarifications and interpretations of the Contract documents to City as appropriate. Field Orders authorizing variations from the requirements of the Contract Documents will be made by City from clarifications and interpretations made by the Consultant.
- 5.6. Shop Drawings and Samples. Review and take appropriate action in respect to Shop Drawings and Samples and other data which Contractor is required to Submit. Review of shop drawings will be completed by review of electronic PDF files provided by the Contractor. Consultant review and appropriate action will not extend to means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction or to related safety precautions and programs. Such appropriate action of the Consultant is limited to the following:
- (a) No exceptions taken,
 - (b) Revise and resubmit,
 - (c) Make corrections noted, and
 - (d) Rejected.
- 5.7. Substitutes and “or-equal”. Evaluate and determine the acceptability of substitute or “or-equal” materials and equipment proposed by Contractor in accordance with the Contract documents, but subject to the provisions of applicable standards of state or local government entities. “Or-equal”

acceptance by the Consultant will only be provided if the Consultant has experience with the substitution.

- 5.8. Limitation of Responsibilities. The Consultant shall not be responsible for the acts or omissions of any Contractor, or of any of their subcontractors, suppliers, or of any other individual or entity performing or furnishing the Work.
- 5.9. Construction Walk Through. Consultant shall be present at the City's construction walk through and will prepare a "punch/checklist" for the contractor to use to achieve final project acceptance.

ADDITIONAL SERVICES

6. Design Surveys

- 6.1. Consultant will prepare and send a "Request for Right of Entry for Surveying" and "Start of Engineering Design Notice" documents to property owners immediately adjacent to the proposed project route via regular U.S. Postal Service. Templates for documents and information for property owners will be provided by the City.
- 6.2. Conduct Property Research using Rockwall County records
 - 6.2.1. Obtain plat information from County records or as provided by the City.
 - 6.2.2. Gather existing right-of-way (ROW) and easement information from Rockwall County records, and other records provided by the City.
- 6.3. Consultant will submit request to Texas 811 for location of franchise utilities.
- 6.4. Consultant shall submit request for location of City Utilities by calling City Service Center at 972-771-7730.
- 6.5. Topographic and Design Survey – Complete topo and design survey only on properties that provided right of entry. A confirmation field survey will be completed to verify accuracy and reliability of topographic survey data obtained from TxDOT for the F.M. 552 Paving and Drainage project. Field surveys will be conducted on an as-need basis at the discretion of the Consultant to supplement the TxDOT field survey data. The budget included for design surveys will not be sufficient to cover full topographic and design surveys for the expected limits of utility relocations.
 - 6.5.1. Establish horizontal control points and temporary vertical control benchmarks in the vicinity of the proposed improvements.
 - 6.5.2. Perform field survey to identify and tie the horizontal and vertical location of relevant topographic elements. The field survey shall include, but is not limited to the following:
 - (a) Property boundary corner monumentation (that can be located)
 - (b) Sanitary sewer manholes (including flow line measure-down)
 - (c) Pavement, driveways, curbs, sidewalks, barrier free ramps, and signs.
 - (d) Storm sewer inlets, culverts, manholes, junction boxes and headwalls (including culvert sizes and flow line elevations)
 - (e) Top of bank, toe of bank and flow line of drainage channels/tributary.
 - (f) Utility vaults, water valves, water meters, wastewater cleanouts, sprinkler heads, utility poles, utility markers, and City and franchise utilities and markings
 - (g) Trees, including species and caliper (2-inch caliper and larger)
 - (h) Landscape features, including planters, shrubs, rocks and borders

- (i) Buildings and permanent structures
- (j) Retaining walls, fences and screening walls (including material type)

5.1 Perform up to one site visit for the purposes of reviewing the results of field survey and determining the need for additional surveys.

7. Easement Plat and Field Note Preparation

7.1. Prepare easement documents (metes and bounds description and graphic exhibits) for proposed utility relocations or temporary construction easements if required by the project. A budget for preparation of four (4) easement plat and field notes is included.

7.2. Individual parcel easement documents shall be prepared on 8.5-inch x 11-inch paper size, and both an electronic PDF copy and two (2) set of originals sealed, dated, and signed by a Registered Professional Land Surveyor shall be provided to the City.

7.2.1. Graphic exhibits shall contain the following:

- (a) Parcel number
- (b) Area required
- (c) Area remaining
- (d) Legal description
- (e) Current owner
- (f) Any existing platted easements or easements filed by separate instrument including easements provided by utility companies.
- (g) All physical features

7.2.2. Metes and bounds descriptions of the easement parcel will be prepared and provided on a separate sheet from the graphic exhibit, and each type of easement shall be described separately.

7.3. Consultant shall obtain an Abstract of Title report from a land title company and provide the City with the report for each property requiring a permanent easement. This report will be needed to verify ownership and any encumbrances (e.g., deeds of trust, unpaid tax liens, mechanic's liens, etc.) on the property that might affect the landowner's rights to grant the proposed easement to the City. A budget is included to secure and provide title reports for four (4) parcels. The City Attorney will draft the front-end language of easement documents. The easement will be filed by the City at the County.

7.4. The Consultant shall provide easement plat and field notes to the City and/or their assigned Land Rights Acquisition Agent.

8. Subsurface Utility Exploration (SUE) – Level A (Performed with a Sub-contractor)

8.1. If the project requirements dictate, SUE Quality Level A will be performed to identify the horizontal location and depth of the existing utilities. A budget for six (6) SUE locates is included.

EXPECTED CONTRACTING SERVICE FOR SUE LOCATES:

Axis Construction, LP
1331 Maxwell Road
Haslet, TX 76052

The payment schedule shown in **Attachment “B”** of the original agreement is hereby modified as follows:

ATTACHMENT “B”
Payment Schedule

<u>Task</u>		<u>Original Fee Amount</u>	<u>This Amendment No. 1 Amount</u>	<u>Revised Fee Amount</u>
<u>BASIC SERVICES</u>				
1	Engineering Evaluation of Utility Conflicts	\$41,040.00	\$0.00	\$41,040.00
2	Preliminary Engineering	\$0.00	\$25,900.00	\$25,900.00
3	Final Design Phase	\$0.00	\$118,400.00	\$118,400.00
4	Bidding Phase	\$0.00	\$6,900.00	\$6,900.00
5	Construction Administration Phase	\$0.00	\$18,800.00	\$18,800.00
Basic Services Subtotal:		\$41,040.00	\$170,000.00	\$211,040.00
Compensation for additional services under Tasks 6-9 shall be on an hourly basis of salary cost times a multiplier of 2.45 for time expended on the task. Field survey crew shall be based on \$170.00 per hour, inclusive of all equipment rentals and software licensing; plus, mileage charge at the IRS established rate. Expenses shall be at invoice cost times a multiplier of 1.15.				
<u>ADDITIONAL SERVICES</u>				
6	Design Surveys	\$0.00	\$17,900.00	\$17,900.00
7	Easement Plat and Field Note Preparation	\$0.00	\$21,600.00	\$21,600.00
8	Subsurface Utility Exploration (SUE)	\$0.00	\$8,000.00	\$8,000.00
9	Construction Record Drawing Preparation	\$0.00	\$4,600.00	\$4,600.00
Additional Services Subtotal:		\$0.00	\$52,100.00	\$52,100.00
ENGINEERING SERVICES CONTINGENCY**(To be 10% of Services)		\$4,104.00	\$22,210.00	\$26,314.00
**(This service is a miscellaneous amount to be used at the discretion of the City for additional Services outside of the scope of the contract. This item will be controlled by the City and will only be used if the City chooses. The Engineer has no right or guarantee to the use of this Contingency)				
Project Total:		\$45,144.00	\$244,310.00	\$289,454.00

The project schedule shown in Attachment “C” – ESA Amendment 1 is hereby appended to “Attachment “C” of the original agreement.

ATTACHMENT “C” – ESA AMENDMENT 1

Project Schedule

Notice to Proceed (NTP)	June 2021
Conduct Field Surveys	July 2021
Submit Preliminary Alignment Plans to City for Review	September 2021
Submit 60% Preliminary Plans to City for Review	November 2021
Submit 90% Preliminary Plans & Specs to City for Review	April 2022
Submit 100% Final Plans & Specifications	May 2022
Advertise Project for Bids	May 2022
Construction Contract Award	June 2022
Construction (Assumes 180 Calendar Days)	June – November 2022

The Sub-consultants shown in Attachment “D” – ESA Amendment 1 is hereby appended to “Attachment “D” of the original agreement.

ATTACHMENT “D” – ESA AMENDMENT 1

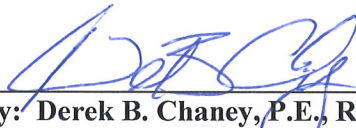
Sub-Consultants

The Sub-Consultants anticipated for the work included in the scope of services for this project are as follows.

Subsurface Utility Exploration:	Axis Construction, LP 1331 Maxwell Road Haslet, TX 76052 Joe Swinnea, President
---------------------------------	--

If this Amendment No. 1 to our Professional Engineering Services Agreement for the F.M. 552 Utility Relocations project, dated July 8, 2020, meets with your approval, please have it executed on behalf of the City of Rockwall and returned to our office.

APPROVED BY BIRKHOFF, HENDRICKS & CARTER, L.L.P.



By: **Derek B. Chaney, P.E., R.P.L.S., Partner**

05/26/21

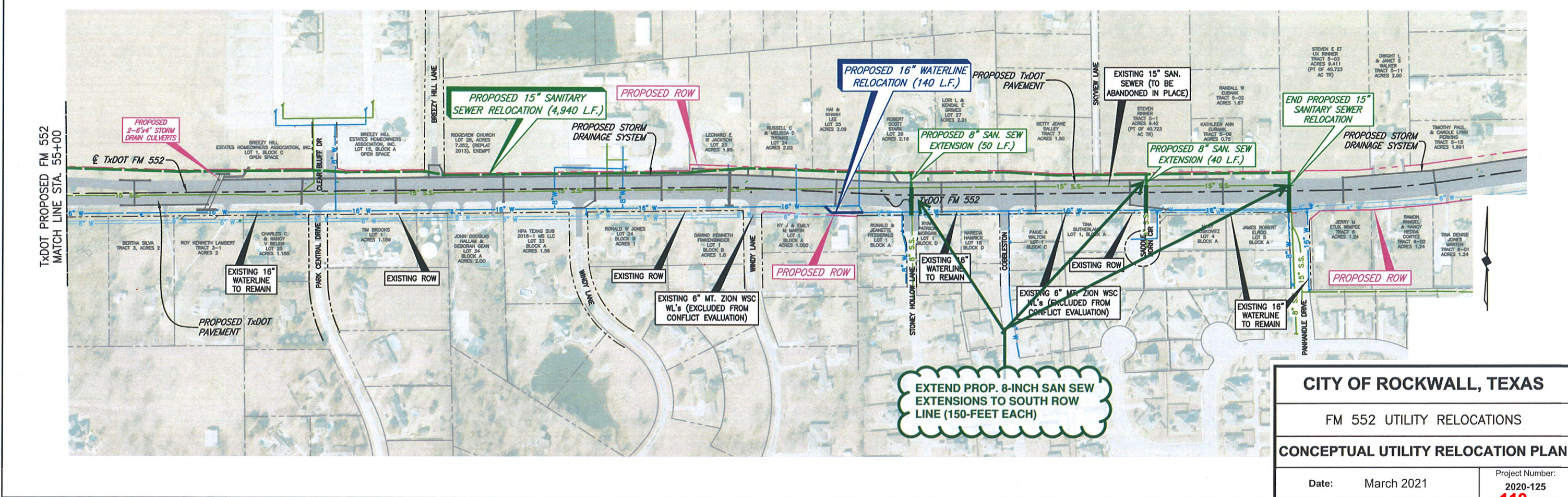
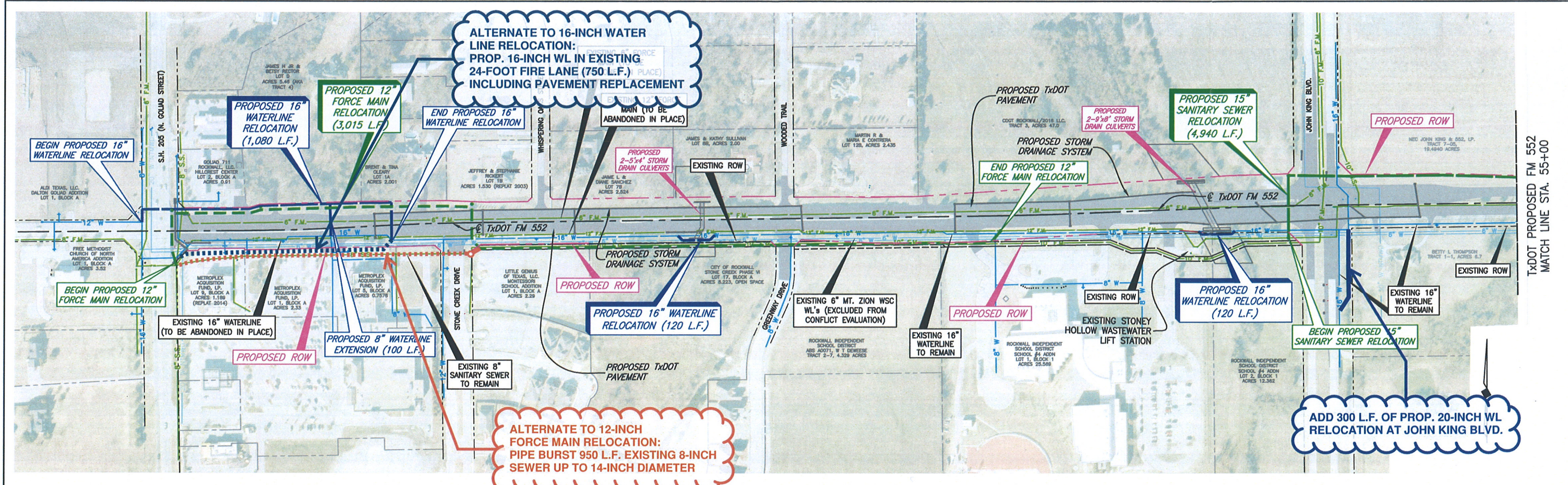
Date:

APPROVED BY THE CITY OF ROCKWALL, TEXAS

By: **Mary Smith, Interim City Manager**

Date:

cc: Ms. Amy Williams, P.E.



CITY OF ROCKWALL, TEXAS	
FM 552 UTILITY RELOCATIONS	
CONCEPTUAL UTILITY RELOCATION PLAN	
Date: March 2021	Project Number: 2020-125



City of Rockwall
The New Horizon

MEMORANDUM

TO: Honorable Mayor & City Council Members
FROM: Mary Smith, Interim City Manager
DATE: June 7, 2021
SUBJECT: Funding for 2021 Texas Canine Workshop

The 2021 Texas Canine Workshop will be held in the City of Rockwall from September 26 – October 1, 2021 at the Springhill Suites. The training is held annually to provide advanced training for Police and Fire K-9 teams. They will come from around the State and a few from out-of-state. The group is requesting HOT funds to assist in the preparation and running of this annual training. They expect to fill 40 rooms for up to 5 room nights. A complete application is attached for Council’s review. The subcommittee reviewed the request which totaled \$13,600.

Prior to Council action on the above, the Hotel Occupancy Tax budget is as follows:

Fund Balance carried forward	\$ 823,355
Budgeted Revenues	750,000
Previously Allocated Funding	<u>(685,256)</u>
Projected Fund Balance	\$ 888,100

Action Needed

Consider approval of \$13,600 funding and authorize the Interim City Manager to execute the funding agreement.



City of Rockwall
The New Horizon

Application

Hotel Occupancy Tax

Program Year 2021

MUST BE TYPED or PRINTED

Deliver to:

City of Rockwall Finance Office

Attn: Lea Ann Ewing

385 S. Goliad St., Rockwall, TX 75087

Ph. 972-771-7700 Fax 972-771-7728 lewing@rockwall.com

Organization Name: Texas K-9 Conference

Name of Event: 2021 Texas Canine Work Shop

Date(s) of Event: Sept 26 – Oct 01, 2021

Funding Request \$:13,600.00

Website Address:

Mailing Address: 812 CR 3433, Lampasas Texas 76550

Physical Address:

Telephone: 512-734-1903

Fax:

Primary Contact Name: Sam Stephenson - President

Mailing Address: 385 S. Goliad St. Rockwall, Texas 75087

Email Address: mstephenson@rockwall.com

Telephone: 972-772-6423

Fax:

Secondary Contact Name: Chris Ford - Treasurer

Mailing Address: 812 CR 3433, Lampasas, Texas 76550

Email Address: chris.ford@tdi.texas.gov

Conference Email Address: TXK9conference@gmail.com

Telephone: 214-304-0658

Fax:

► COMPLETE AN APPLICATION FOR EACH EVENT/PROGRAM/EXHIBIT REQUESTING FUNDS ►

INCOMPLETE APPLICATIONS WILL NOT BE FORWARDED TO THE COUNCIL SUBCOMMITTEE

1. Mark an "X" next to the category or categories that your organization is requesting funds in the attached budget request.

X Advertising/Tourism Requested funding amount \$ 13600
 Conducting solicitation or promotional programs that encourage tourists and delegates to come to the City of Rockwall.

Arts Requested funding amount \$
 Providing encouragement, promotion, improvement and application of the arts as it relates to the presentation, performance execution or exhibition of the major art forms in the City of Rockwall.

Historical Requested funding amount \$
 Providing historical restoration, preservation, programs and encouragement to visit preserved historic sites or museums located in the City of Rockwall.

2. Describe the program or event for the upcoming fiscal year (Oct. 1 2020 - Sept. 30, 2021) that you are requesting Hotel Tax funding. What is your event and why are you having it? **See Attached**

3. How does the event/ program meet the definition of the categories listed in Item No. 1 above (promotion of tourism and the hotel industry in the City of Rockwall)? **Yes**

4. Is the event/ program that the organization is requesting Hotel Tax funds held in/ on City-owned property?
No Name location: **Springhill Suites- Rockwall**

5. Will your organization provide special event insurance coverage for the event/ program if held on City property?
No Name of Insurance Company:

6. Provide 3 years attendance history for the above listed programs, activities, exhibits or event described in Item No. 2 above.

Event	Year	Event Duration in Days	Audience Size	# of Attendees in hotel rooms
Texas Canine Conference-Dallas	2019	5	100	40
Texas Canine Conference-Dallas	2018	5	100	35
Texas Canine Conference-Dallas	2017	5	80	35
Texas Canine Conference-Dallas	2016	5	75	30

2. Description of Event:

We have hosted the Texas K-9 Conference since 2003. This will be our 18th year to host the conference. The conference has grown over the years and it has grown into a collaborative effort the State Fire Marshal's Office, Harris County Fire Marshal's Office and the Rockwall Fire Department. We were not able to host the conference last year due to Covid 19 and travel restrictions most agencies had. The dates of the conference this year will be September 26 – October 01. We have secured the Springhill Suites in Rockwall to host the event and for our out-of-town attendees to attend.

We are expecting 30 to 50 actual canine teams that will be coming in from around the State and a few from other states. Most all of the canine teams will be affiliated with a fire department or law enforcement agency. We sometimes have a few search and rescue teams that are civilians. We will have 4 to 5 instructors that are North American Police Work Dog Association (NAPWDA) master instructors and will be certifying the dog teams in their respective disciplines. We will be offering certifications and training in police patrol (canine apprehension by police), narcotics, explosives, tracking and trailing, accelerants and cadaver searches. Most all of the dogs attending will be German Sheperds, Belgian Malinois (like Kenna) a few Labrador Retrievers, and maybe a blood hound or two.

7. What specific market will you target with the event/ program's marketing plan? Attach up to 3 examples and evidence of marketing area and readership (Label Exhibit C).

North American Police Work Dog Association, Texas State Fire Marshal's Website, Facebook, Google Events. (see attachments)

8. The City of Rockwall must require segregated accounting of its Hotel funds. Organizations must maintain and account for revenue provided from the tax authorized by section 351.101(a) within one of the two options listed below.
- a) Separate checking account without combining with any other revenues or maintained in any other bank account or
 - b) Maintain a line item accounting, whereby the Hotel revenues may not be combined with any other revenues or expenditures. The funds may be maintained in the same bank account, provided they are reported as a separate line item in the organization's budget. Interest earned on the Hotel revenues must be used to support the event/ program as well.

Will the organization be able to segregate the accounting process in either a) or b) above? Yes

9. Provide all of the following documentation with this application and label each as outlined below.

Exhibit A	Proposed budget for each event/ program using attached form
Exhibit B	Letter of determination certifying federal tax exempt 501(c)(3) status
Exhibit C	Examples and evidence of marketing area and readership (limit 3)
Exhibit D	List members of the governing body including name, position, mailing address and phone number
Exhibit E	W-9 Form https://www.irs.gov/pub/irs-pdf/fw9.pdf ?
Exhibit F	Form 1295 https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm

We certify, to the best of our ability, that the information in this application, including all exhibits and supporting documentation is true and correct to the best of our knowledge. It is understood and agreed that any funds awarded as a result of this application will be used for the purpose set for herein and the program guidelines.

President/ Board Chairman:

Date

Print Name *Sam Stephenson*

Signature



Event/ Treasurer:

Date

Print Name Chris M. Ford

Signature



Both signatures are required for the application to be complete.

EXHIBIT A

**Hotel Occupancy Tax Funding Request
Event/Program Budget - Program Year 2021**

Financial information (round to the nearest dollar). Include a completed copy of this budget with funding request.

Organization Name: Texas Canning Conference
 Event/Program Name: 2021 Texas Canning Certification Workshop
 Requested Funding: \$ 13600.00

Expenses (for this project only)	Total Expenses	HOT Funds Request		
1. Personnel				
Administrative				
Artistic				
Technical				
Other personnel				
2. Fees for outside professional service				
Administrative <u>Box Meals</u>	2000.00			
Artistic <u>Tasting Supplies</u>	1500.00			
Technical				
3. Space Rental <u>Instructor Rooms</u>	4300.00	4300.00		
4. Equipment Rental <u>Conference Room</u>	1000.00			
5. Travel/Transportation	4000.00	4000.00		
6. Promotion/Printing	1500.00	1500.00		
7. Costumes/Royalties <u>Banquet</u>	3000.00	2000.00		
8. Other (supplies, postage etc.) <u>Per Diem (Instructors)</u>	1800.00	1800.00		
9. Sub-Totals				
10. Total Expenses	19100.00	13600.00		

Total Revenues				
Revenues (for this project only)				
1. Total Amount of HOT fund request	13600.00			
2. Admissions (ticket and concessions)	5000.00			
3. Donations				
4. Organizational funds budgeted				
5. Grants (State)				
6. Other (list):				
7. Other (list):				
8. Other (list):				
9. Other (list):				
10. Total income and contributions				
11. Total In-Kind				
12. Total Revenues	18600.00			

Financial Information (for this project only)				
Fiscal Year (Oct 1 st - Sept 30 th)	2018 actual	2019 actual	2020 actual	2021 Projected
Total Revenues				18600.00
Total Expenses				13600.00
Total Hotel funds awarded				13600.00



Department of the Treasury
Internal Revenue Service
Tax Exempt and Government Entities
P.O. Box 2508
Cincinnati, OH 45201

TEXAS CANINE CONFERENCE
C/O CHRIS FORD
812 CR 3433
LAMPASAS, TX 76550

Date:
03/09/2021
Employer ID number:
85-4211202
Person to contact:
Name: Customer Service
ID number: 31954
Telephone: 877-829-5500
Accounting period ending:
December 31
Public charity status:
509(a)(2)
Form 990 / 990-EZ / 990-N required:
Yes
Effective date of exemption:
November 1, 2020
Contribution deductibility:
Yes
Addendum applies:
No
DLN:
26053746002120

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Sincerely,

Stephen A. Martin
Director, Exempt Organizations
Rulings and Agreements

Letter 947 (Rev. 2-2020)
Catalog Number 35152P

ARTICLES OF ASSOCIATION

The undersigned, a majority of whom are citizens of the United States, desiring to form a Uniform Unincorporated Nonprofit Association under the laws of Texas, do hereby certify:

First: The name of the Association is Texas Canine Conference.

Second: The place in this state where the principal office of the Association shall be located at the address at which the President has official residence; or at such place as the Association may from time to time determine.

Third: The Association is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code. More specifically the Association is formed and shall be operated exclusively to the training and certification canine teams from across the state of Texas. The Association will work to provide equipment and training opportunities for canine teams.

Fourth: The names and addresses of the person who are the initial trustees of the Association are as follows:

Name: David Rives

Address: 3604 Midwest Drive, Bryan, TX77802

Name: Chris Ford

Address: 812 County Road 3433, Lampasas, TX 76550

Fifth: No part of the net earnings of the Association shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article Third hereof. No substantial part of the activities of the Association shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, the Association shall not carry on any other activities not permitted to be carried on (a) by an association exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by an association, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

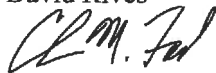
Sixth: The Association consists of individuals dedicated to the promotion of operational canine teams in the state of Texas. Membership is open to all persons over the age of twenty one years who support the development of canine teams in the state of Texas.

Seventh: Upon the dissolution of the Association, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose.

In witness whereof, the undersigned have executed these Articles of Association on the 1st day of November, 2020.



David Rives



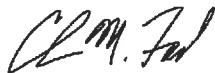
Chris Ford

Texas Canine Conference

Business Meeting Agenda

December 9, 2020

1. Meeting called at verify quorum of board members. Verify quorum of association members if the agenda lists items to be discussed and voted on by members.
2. Pledge of Allegiance and Prayer.
3. Reading of minutes from previous meeting, David Rives makes a motion to accept and seconded by Thomas Hubertus. All in favor. Motion Passed.
4. Agenda Items to be discussed / voted on:
 - a. Election of board members for the Texas Canine Conference. The following were nominated by members for the following positions.
 - i. President – Sam Stephenson
 - ii. Vice President- David Rives
 - iii. Treasurer- Chris Ford
 - iv. Assistant Treasurer- Thomas Hubertus
 - v. Secretary – Billy Lang
 - vi. Assistant Secretary- Eddie Tessier
 - b. Chris Ford makes a motion to accept the nomination for members as noted above, David Rives seconded the motion. All in favor. Motion passed to accept the nominations for board member.
5. A motion for the Texas Canine Association to establish a bank account at the First State Bank of Burnet, Lampasas Branch was made by Chris Ford and seconded by David Rives. All in favor. Motion passed.
6. A motion was made that the account will be set up as Chris Ford, Treasurer will be a signer and Thomas Hubertus will be a signer for the account. The account will require two signatures for any and all transaction made from the account. The motion was seconded by David Rives and seconded by Thomas Hubertus. All in favor. Motion passed.
7. Association has applied with the IRS for 501C3. The cost of application is \$275.00 and was paid for by Chris M. Ford. Chris Ford is requesting reimbursement for the cost of the application. Motion to pay Chris M. Ford \$275.00 for reimbursement from the Texas Canine Conference Account was made by Thomas Hubertus and seconded by David Rives. All in favor. Motion Passed.
8. Next Texas Canine Conference Business meeting will be January 2021.
9. Meeting Adjourned.



Chris M. Ford

DR

David Rives

Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

Go to www.irs.gov/FormW9 for instructions and the latest information.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
Texas Canine Conference

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

Individual/sole proprietor or single-member LLC

C Corporation

S Corporation

Partnership

Trust/estate

Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____

Other (see instructions) ▶ **Association**

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) 1

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
812 CR 3433

6 City, state, and ZIP code
Lampasas, TX 76550

7 List account number(s) here (optional)

Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Social security number

				-					
--	--	--	--	---	--	--	--	--	--

OR

Employer identification number

8	5	-	4	2	1	1	2	0	2
---	---	---	---	---	---	---	---	---	---

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here Signature of U.S. person ▶ *[Signature]* Date ▶ **5/11/2021**

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding, later.*

Exhibit D

Texas Canine Conference Governing Body

President- Sam Stephenson (Rockwall Fire Department)

17450 Chaparral Trot

Rockwall, Texas 75087

214-304-0658

Vice President- David Rives (Texas State Fire Marshal's Office)

3604 Midwest Drive

Bryan, Texas 77802

979-777-3734

Treasurer- Chris Ford (Texas State Fire Marshal's Office)

812 County Road 3433

Lampasas, Texas 76550

512-734-1903

Secretary- Billy Lang (Texas State Fire Marshal's Office)

2210 95th Street

Lubbock, Texas 79423

806-773-7217

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.
Texas K9 Conference
Lampasas, TX United States

Certificate Number:
2021-751374

Date Filed:
05/12/2021

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.
City of Rockwall

Date Acknowledged:

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.
HOT2021
2021 Texas Canine Work Shop

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.

6 UNSWORN DECLARATION

My name is Sam Stephenson, and my date of birth is 11/10/64.

My address is 17450 Chynard Trail, Rockwall, TX, 75087, USA.
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Rockwall County, State of Texas, on the 12 day of May, 2021.
(month) (year)


Signature of authorized agent of contracting business entity
(Declarant)



Registration

Link: <https://bit.ly/2QrEmJ8>

Payment: **Check**

Please mail a check to:
Texas Canine Conference
C/O Chris Ford
812 County Road 3433, Lampasas, TX 76550

Paypal/Credit Card

<https://paypal.me/TXK9Conference>

Steps:

1. Click Link
2. Click Send
3. Type in the amount owed (\$200 per team)
4. In the "Add a Note" section, please list K9 Handler Name and K9 Name

Cost: **\$200 per team**

Save the Date



NAPWDA and Texas Fire Marshal's Office Certifications

When: Sept. 26 - Oct. 1

Where: Rockwall, TX

Cost: \$200

**Who: Accelerant, Patrol, Narcotics,
Tracking, Explosives, and
Cadaver K9 Teams**

Hotel: Springhill Suites

Contact: TXK9Conference@gmail.com



NAPWDA

North American Police Work Dog Association

[Home](#) | [About Us](#) | [Contacts](#) | [Membership Info](#) | [Workshops](#) | [Merchandise](#) | [Valor Pages](#) | [More](#) | [Login](#)



PROTECTING THOSE WHO PROTECT U

Visit EZRideronline.com or Call 800-277-086

3291 S Byron Butler Pkwy Perry, Florida 32348

Advertising & Sponsorships

[NAPWDA Advertising & Sponsorships](#) | [Advertising Cont Form Fillable](#)

There are many ways to support NAPWDA and reach our membership. With over 3,000 active members there is an opportunity for everyone.

Website Advertising

Your designed 460 x 60 pixel Banner Ad placed on the NAPWDA web site for a full 365-day, 12-month period. Ads click to your website or email and rotate as visitors visit the site.

Choose from a stand-alone web ad or combine web advertising with a print campaign to reach the greatest number of people.

Magazine Advertising

NAPWDA publishes a full-color magazine multiple times a year. Advertisers may choose from a 1/3 page ad, 1/2 page ad or full-page ad in either color or black-and-white. Center spreads and covers may also be available. See the [download](#) or [contact us](#) for more information.

Sponsorship Opportunities

These opportunities may be customized, if need be, to fit your company's individual needs and budget. Sponsorships run for a 12-month period.

Supporter - \$750 - \$1,499 donation

You will receive:

- Click to Site Banner Ad on the NAPWDA website for 1 year
- A 1/3 page (4.75"w x 4.75"h or 2.25"w x 10.5"h) B&W ad for a full year in the NAPWDA Official Magazine
- A Vendor Booth at the NAPWDA National Workshop - free of charge

Bronze - \$1,500 - \$2,499 donation

You will receive:

- A Click to Site Banner Ad on the NAPWDA website for 1 year
- A 1/2 page (8"w x 5"h or 5"w x 8"h) B&W ad for a full year in the NAPWDA Official Magazine
- Your collateral or information inserted into Welcome Bags at the NAPWDA National Workshop and NAPWDA State Workshops (if you wish)
- A Vendor Booth at the NAPWDA National Workshop - free of charge

Silver* - \$2,500 - \$4,999 donation

You will receive:

- Click to Site Banner Ad on the NAPWDA website for 1 year
- 1 - Full Page (8"w x 10.5"h) B&W ad for a full year in the NAPWDA Official Magazine
- Your collateral or information inserted into Welcome Bags at the NAPWDA National Workshop and NAPWDA State Workshops (if you wish)
- A Vendor Booth at the NAPWDA National Workshop - free of charge
- The opportunity to showcase your product (if it may be used by the general public) at the Public K Demonstration held during the National Workshop

Gold* - \$5,000 - \$9,999 donation

You will receive:

- Click to Site Banner Ad on the NAPWDA website for 1 year
- 1 - Full Page (8"w x 10.5"h) color ad for a full year in the NAPWDA Official Magazine
- Your collateral or information inserted into Welcome Bags at the NAPWDA National Workshop and NAPWDA State Workshops (if you wish)
- A Vendor Booth at the NAPWDA National Workshop - free of charge
- The opportunity to showcase your product (if it may be used by the general public) at the Public K Demonstration held during the National Workshop
- Dinner for 2 guests at the NAPWDA National Workshop Banquet
- Your company logo on the National Workshop T-Shirt arm

Platinum*^ - \$10,000+ donation

You will receive:

- 2 - 980 x 120 pixel Click to Site Banner Ads on the NAPWDA website plus 2- 300 x 120 pixel Click to Site Banner Ads on the NAPWDA mobile site for 1 year
- 2 - Full Page (8"w x 10.5"h) color ads for a full year in the NAPWDA Official Magazine
- Your collateral or information inserted into Welcome Bags at the NAPWDA National Workshop and NAPWDA State Workshops (if you wish)
- Opportunity to do Meet and Greet during check-in at Nationals
- A Vendor Booth at the NAPWDA National Workshop - free of charge
- Opportunity to showcase your product (if it may be used by the general public) during the public demonstration at the National Workshop
- Dinner for up to 4 guests at the National Banquet
- Your company logo on National T-Shirt arm (or MT/T-shirts)
- Exclusive promotion of your product^ (*barring any contracts currently in place*)
- Ability to use the NAPWDA logo and name (as approved by the NAPWDA Executive Board) as an endorsement of your product.
- Platinum Sponsors are given the first opportunity to renew their Platinum Sponsorship prior to others on the waitlist for Platinum Sponsorship.

^NAPWDA is proud to offer Platinum Sponsor's exclusive advertising (barring any contracts currently in place). NAPWDA appreciates your support and in return will not take additional advertising or sponsorships from companies that sell a product similar to yours.



North American Police Work Dog Association

Advertising Opportunities

Welcome

Thank you for showing interest in the North American Police Work Dog Association. NAPWDA is a 501 c3 charitable organization. Formed in 1977, it is comprised of active and retired law enforcement officers throughout the United States and several other countries. Their mission statement, clearly stated is, "Dedicated to Assisting Work Dog Teams Throughout the World". The organization looks for Advertisers that have similar goals and have products geared towards their member's needs.

NAPWDA conducts in-service training workshops in various states throughout the year and holds an annual National Workshop that moves from state to state. Officers and their K9's attend these workshops for problem solving, legal updates, new techniques in various phases of police work dog use and certifications to high standards.

NAPWDA is honored to currently have more than 2,800 Active Members and 300 Associate Members, and continues to see a yearly membership increase. For more information on NAPWDA, please feel free to visit www.NAPWDA.com.

Banner Ads

Your designed 480x60 pixel Banner Ad placed on the NAPWDA web and mobile site for a full 365-day, 12-month period. Ads click to your website or email and rotate as visitors visit the site.

Ad alone - \$300.00/year

Ad with advertising package - \$175.00/year

NAPWDA Magazine Advertising

Placement	Color Ads*	B&W Ads*
Full Page	\$330.00	\$290.00
1/2 Page (h or v)	\$280.00	\$230.00
1/3 Page (h or v)	\$205.00	\$185.00
Inside Front/Back Cover*	\$425.00	n/a
Back Page*	\$550.00	n/a

* Prices are per issue with ad contract. Back Cover **ONLY** available with a minimum one year contract. Full Page ad Sizes – 8”w x 10.5”h; ½ Page ad Sizes – 8”w x 5”h or 4”w x 10.5”h; 1/3 page square ad size is: 4.75”w x 4.75”h; 1/3 page vertical ad size is: 2.25”w x 10.5”h. Prices are per issue. All advertisers **must** have a valid credit card on file **even if they are paying with check per issue**. Credit card must clear or prepayment must be received prior to ad being placed in any issues. Copy may change each issue and client has option to go to a larger ad size and take advantage of discount in that bracket. Ads will get billed out per issue, unless full payment is desired. Payment must be received at least **15-days prior to publication deadline**.

NAPWDA publishes their magazine a minimum of twice a year, in the spring and fall. Ad deadlines are: February 6 and July 6. New Ads may be submitted for each issue, as long as they are received in the correct format no later than the deadline date corresponding to the issues purchased. NAPWDA has the right to reject any advertising they deem inappropriate. The North American Police Work Dog Association Magazine is the official publication of NAPWDA. Opinions expressed in this publication do not necessarily represent those of NAPWDA unless specifically stated.

All rights in letters and articles submitted to the NAPWDA Magazine will be treated as unconditionally assigned for publication and copyright purposes; and are subject to NAPWDA's unrestricted right to edit and comment editorially. No responsibilities can be assumed for unsolicited materials. All advertising copy shall be printed exactly as submitted by the advertiser; however, if it is a physical impossibility due to the mechanical limitations, the advertiser shall be notified accordingly. NAPWDA has the right to reject any advertising that it deems inappropriate.

For more information
about Advertising or
Sponsorships, contact
Jorry Heinrich-Rode
262-552-8094
Jorry@3P-Inc.com



North American Police Work Dog Association

Advertising and Sponsorship Opportunities

Sponsorship Opportunities*

We are pleased to share the following sponsorship opportunities with you. These opportunities can be customized, if need be, to fit your company's individual needs and budget. All Sponsorships run for a 12-month period.

Supporter - \$750 - \$1,499 donation

You will receive:

- 🐾 Click to Site Banner Ad on the NAPWDA website for 1 year
- 🐾 A 1/3 page (4.75" w x 4.75" h or 2.25" w x 10.5" h) B&W ad in a full year of the NAPWDA Official Magazine
- 🐾 A Vendor Booth at the NAPWDA National Workshop - free of charge

Bronze - \$1,500 - \$2,499 donation

You will receive:

- 🐾 A Click to Site Banner Ad on the NAPWDA website for 1 year
- 🐾 A 1/2 page (8" w x 5" h or 5" w x 8" h) B&W ad in a full year of the NAPWDA Official Magazine
- 🐾 Your collateral or information inserted into Welcome Bags at the NAPWDA National Workshop and NAPWDA State Workshops (if you wish)
- 🐾 A Vendor Booth at the NAPWDA National Workshop - free of charge

Silver* - \$2,500 - \$4,999 donation

You will receive:

- 🐾 Click to Site Banner Ad on the NAPWDA website for 1 year
- 🐾 1 Full Page (8" w x 10.5" h) B&W ad in a full year of the NAPWDA Official Magazine
- 🐾 Your collateral or information inserted into Welcome Bags at the NAPWDA National Workshop and NAPWDA State Workshops (if you wish)
- 🐾 A Vendor Booth at the NAPWDA National Workshop - free of charge
- 🐾 The opportunity to showcase your product (if it may be used by the general public) at the Public K9 Demonstration held during the National Workshop

Gold* - \$5,000 - \$9,999 donation

You will receive:

- 🐾 Click to Site Banner Ad on the NAPWDA website for 1 year
- 🐾 1 Full Page (8" w x 10.5" h) color ad in a full year of the NAPWDA Official Magazine
- 🐾 Your collateral or information inserted into Welcome Bags at the NAPWDA National Workshop and NAPWDA State Workshops (if you wish)
- 🐾 A Vendor Booth at the NAPWDA National Workshop - free of charge
- 🐾 The opportunity to showcase your product (if it may be used by the general public) at the Public K9 Demonstration held during the National Workshop
- 🐾 Dinner for 2 guests at the NAPWDA National Workshop Banquet
- 🐾 Your company logo on the National Workshop T-Shirt arm

For more information
about Advertising or
Sponsorships, contact
Jorry Heinrich-Rode
262-552-8094
Jorry@3P-Inc.com



North American Police Work Dog Association Advertising and Sponsorship Opportunities

Platinum** - \$10,000+ donation

You will receive:

- 🐾 2 Click to Site 980x120 px Banner Ads on the NAPWDA website for 1 year, plus 2 - 300x120 banner Ads on the mobile site.
- 🐾 2 Full Page (8" w x 10.5" h) color ads *per issue* in a full year of the NAPWDA Official Magazine
- 🐾 Your collateral or information inserted into Welcome Bags at the NAPWDA National Workshop and NAPWDA State Workshops (if you wish)
- 🐾 Opportunity to do Meet and Greet during check-in at Nationals
- 🐾 A Vendor Booth at the NAPWDA National Workshop - free of charge
- 🐾 Opportunity to show case your product (if it may be used by general public) during the public demonstration at the National Workshop
- 🐾 Dinner for up to 4 guest at the National Banquet
- 🐾 Your company logo on National T-Shirt arm (or MT/T shirts)
- 🐾 Exclusive promotion of your product* (barring any contracts currently in place)
- 🐾 Ability to use NAPWDA logo and name (as approved by the NAPWDA Executive Board) as an endorsement of your product.
- 🐾 Platinum Sponsors are given first opportunity to renew their Platinum Sponsorship prior to others on the wait list for Platinum Sponsorship.

★NAPWDA is proud to offer Platinum Sponsor's exclusive advertising (barring any contracts currently in place). NAPWDA appreciates your support and in return will not take additional advertising or sponsorships from companies that sell a product similar to yours.

*K9 breeders, suppliers, and training companies are welcome to advertise in the NAPWDA Magazine, but are not eligible to take part in these particular Sponsorship Opportunities.

Thank you for reviewing these programs and opportunities. I look forward to speaking with you in the future and working with you as you partner with a great national law enforcement and SAR K9 organization. Should you need any additional information on Advertising or Sponsorships, or if you would like to discuss a customized Sponsorship Package for your company, please contact me at 262-552-8094 or Jorry@3P-Inc.com.

Thank you,

Jorry L. Heinrich-Rode

🐾 NAPWDA Associate Member; Advertising, Sponsorship and Fundraising Representative for the North American Police Work Dog Association

🏠 President
Premier Planning Partners, Inc.
262-552-8094
262-552-8098 (fax)
Jorry@3P-Inc.com

For more information
about Advertising or
Sponsorships, contact
Jorry Heinrich-Rode
262-552-8094
Jorry@3P-Inc.com

*K9 breeders, suppliers, and training companies are welcome to advertise in the NAPWDA Magazine but are not eligible to take part in particular Sponsorship Opportunities.



Your Partner for Memorials
Premier Planning Partners



Pairing officers with
perfect canine partners
for over 10 years.

FMK9
PROVEN QUALITY TRAINING



North American Police Work Dog Association
PO Box 99
Valdese, NC 28690

[Donate](#)

All logos and By-laws/Certification Rates \$2000 NAPV



NAPWDA

North American Police Work Dog Association

[Home](#) | [About Us](#) | [Contacts](#) | [Membership Info](#) | [Workshops](#) | [Merchandise](#) | [Valor Pages](#) | [More](#) | [Login](#)

PURINA
PRO PLAN

ADVANCED NUTRITION
THAT FUELS HEROES

EXPLORE SPORT

PURINA Your Pet, Our Passion



2021 National Workshop in Broken Arrow, OK begins May 23. See link below.



NAPWDA knows that sometimes all it takes to change the world is a little support. Since our founding in 1977, we have been determined to make an impact. The core of our efforts is to bring our team's fresh ideas and passion for the range of activities we're involved in. Through all of our endeavors, we hope to display the conviction behind our beliefs.

Make a Difference Today

FIRST TIME VISITING OUR NEW SITE? CLICK LOG IN & SIGN UP TO GAIN ACCESS TO THE MEMBERS ONLY AREAS. YOUR OLD ACCOUNT ACCESS WILL NOT WORK ON THE NEW SITE. PLEASE REGISTER FOR ACCESS.

Approval generally takes about 24-hours. You will get an email upon approval.



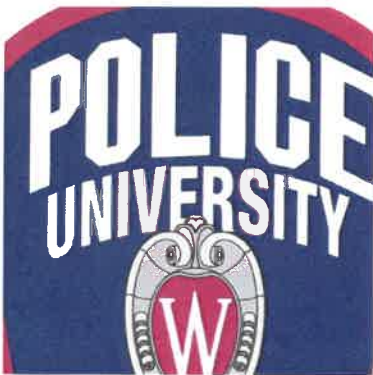
NAPWDA AT A GLANCE

Founded in 1977, we are composed of law enforcement K9 officers throughout the US and several other countries. We are dedicated to assisting police work dog teams throughout the world. We conduct service training throughout the year and hold a major national workshop yearly. Officers and their K9's attend these events for problem-solving, legal updates, new techniques in various phases of police work, dog use and certifications to our standards. Check back often for new information.

Take Care and Stay Safe,
Rusty Jones, National Secretary

[Learn More](#)

Upcoming Events



**2021
NAPWD...**

Sun, May 09 | Ma...

[Register](#)



**2021
MAPWD...**

Mon, May 10 | Pitt...

[Register](#)



**2021
NAPWD...**

Sun, May 23 | Sto...

[Register](#)



**2021
MLECA...**

Mon, Jun 21 | Gre...

[Register](#)





2021 Indiana...

Mon, Sep 13 | Val...

[Register](#)

CONTACT NAPWDA

Name

Email

Subject

Type your message here

I'm not a robot

reCAPTCHA
Privacy - Terms

Submit





PO Box 99
Valdese, NC 28690

All logos and By-laws/Certification Rules ©2020 NAPV

State Fire Marshal Calendar

* **NOTE:** Some sponsors and contact information are external to TDI.

September 2021

- Texas K-9 Conference
September 26, 2021 through October 1, 2021

 **Stay
connected!**
[Sign up for updates.](#)

For more information, contact: Fire.Marshal@tdi.texas.gov

Texas K-9 Conference

Date:

September 26, 2021 through October 1, 2021

Time:

8 a.m. - 5 p.m.

Location:

Rockwall, Texas

Details:

Accelerant, patrol, narcotics, tracking, explosives, and cadaver K9 teams are invited to participate in the 2021 Texas K-9 Conference.

Texas State Fire Marshal and North American Police Work Dog Association certifications are available.

[View flyer to register and learn more \(PDF\)](#)



TEXA
CONF



Texas K9 Conference

@TexasK9Conference · Interest

Send Message

Home

Reviews

Videos

More ▾

Liked



Upcoming Events

SUN, SEP 26 - OCT 1



2021 Texas K9 Conference and NAPWDA Certification workshop

Texas K9 Conference - Rockwall, Texas

Interested

Going

Invite



Past Events




No Past Events


About 733,000 results (0.72 seconds)

Events


Online events Today Tomorrow This Week This Weekend Next V

30 NNDDA National Training Conference
MAY May 30 – Jun 7
 Laredo
 Laredo, TX



26 2021 Texas K9 Conference and NAPWDA Certification...
SEP Sun, Sep 26 – Fri, Oct 1
 Rockwall
 Rockwall, TX



22 I Am "God's Road Dog" Conference
MAY Sat, 12 – 2 AM
 6662 Antoine Dr
 Houston, TX



[→ Search more events](#)

[Learn more](#) [Feedback](#)

<https://www.tdi.texas.gov> › 2021/09 › sfmo-092621

Texas K-9 Conference - Texas Department of Insurance

Accelerant, patrol, narcotics, tracking, explosives, and cadaver **K9** teams are invited to participate in the **2021 Texas K-9 Conference**.

<https://nndda.org> › Events

Next Level K-9 Texas 2021 Workshop - National Narcotic ...

Mar 8, 2021 — This event has passed. Next Level **K-9 Texas 2021** Workshop. March 8 - March 12.

<https://nndda.org> › Events

2021 National Training Conference Postponed - National ...

NNDDA Nationals. The National Training Seminar originally scheduled for **2021** has been postponed until 2022. Look for additional information in the coming ...

May 30, 2022 - May 31, 2022 [2021 National ...](#)

<https://www.k9copmagazine.com> › events › nndda-nati...

NNDDA National Training Conference - K9 Cop Magazine

May 30, 2021 – June 7, 2021. The 2021 National Training Seminar will be in Laredo, TX. Everything will be the same information as 2020. Look for additional ...

<https://www.mwdk9.com> ⓘ

[Military Working Dog | Military Working Dog Conference ...](#)

MAY 7, 8, 9 - 2021 ... There are many opportunities to be a part of our **conference**. Booth spaces are filling fast! ... Join us in San Antonio, TX on May 7, 8, 9 - 2021 ...

<https://taca.wildapricot.org> › events ⓘ

[TACA - Events - Texas Animal Control Association - Wild Apricot](#)

46th Annual Training **Conference** November 8-11, 2020 - Abilene, TX ... **2021 Texas Certified Cruelty Investigator Course** 201. Start. June 21, **2021**. 8:00 AM ...

<https://taca.wildapricot.org> ⓘ

[Texas Animal Control Association - Wild Apricot](#)

2021 Annual Conference Sponsors and Vendors Registration ... The **Texas Animal Control Association (TACA)** will hold its 46th Annual **Conference** in San Marcos, ...

<https://texas4-h.tamu.edu> › events › dogshow ⓘ

[State Dog Show | Texas 4-H](#)

The state 4-H **dog** show is held each year in July, and offers classes in agility, rally ... **2021** July 9-11, **2021**; 2022 July 8-10, 2022; 2023 July 7-9, 2023; 2024 July ...

<https://www.artandscienceofanimaltraining.org> › confer... ⓘ

[The Art & Science of Animal Training Conference | The Art ...](#)

Nov 6, 2020 — After considering all of the factors, we have decided to skip **2021** and wait until 2022 for our next Art and Science of **Animal Training Conference**. ... held February 19-20, 2022, at the Hurst **Conference** Center in Hurst, **Texas**.

Related searches ⓘ

next level k9 texas

k9 elite dog training

nnda nationals 2021

canine elite

working dog conference 2021

working dog supplies

military working dog conference

k9 handler equipment

1 2 3 4 5 6 7 8 9 10

[Next](#)



City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and Council
FROM: Joey Boyd, Assistant City Manager
DATE: June 1, 2021
SUBJECT: Ancillary Service Charges to Gexa Energy

The City has been a member of the Texas Coalition for Affordable Power for the purchase of electricity since 2002. TCAP is a non-profit, political subdivision corporation, owned and controlled by its 166 political subdivision members, the vast majority of which are cities. TCAP is governed by a 15- member board of directors, all of whom must be city employees or elected city officials.

The City received notification from TCAP that it will be charged for higher ancillary services charges related to the February winter storm. Ancillary services are reliability measures procured by the electric grid operator, the Electric Reliability Council of Texas, to maintain the stability and reliability of the electric grid, and typically consist of payments for electric generators to stand ready to provide additional power or load relief during times of rapid change as experienced during the winter storm.

The City of Rockwall owes Gexa Energy, the retail energy provider to TCAP members, \$289,283.54 for the cost of ancillary services attributed to the February 2021 winter storm.

The City Council is asked to consider amending the operating budget in the amount of \$289,283.54 and authorize the Interim City Manager to make this lump sum payment to Gexa Energy. Sufficient funds are available in the General Fund Reserves.

CITY OF ROCKWALL

ORDINANCE NO. 21-21

SPECIFIC USE PERMIT NO. S-248

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN *ACCESSORY BUILDING* THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.496-ACRE TRACT OF LAND, IDENTIFIED AS LOTS 5 & 6, BLOCK A, HIGHRIDGE ESTATES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Kristi Bryant for the approval of a Specific Use Permit (SUP) to allow an *Accessory Building* that exceeds the maximum allowable size on a 0.496-acre tract of land described as Lots 5 & 6, Block A, Highridge Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 710 & 804 S. Alamo Road, and being more specifically depicted and described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing an *Accessory Building* as stipulated by Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] -- as

heretofore amended and as may be amended in the future --, and with the following conditions:

2.1. OPERATIONAL CONDITIONS

The following conditions pertain to the operation of an *Accessory Building* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) The *Accessory Building* shall generally conform to the concept plan depicted in *Exhibit 'B'* of this ordinance.
- (2) The *Accessory Building* shall not exceed a maximum size of 288 SF.
- (3) The subject property shall not have more than one (1) accessory building.

2.2. COMPLIANCE

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

- (1) Upon obtaining a *Building Permit*, should the homeowner fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 2.02(F), *Revocation*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC).

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

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

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

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

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 7TH DAY OF JUNE, 2021.**

Kevin Fowler, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: May 17, 2021

2nd Reading: June 7, 2021

Address: 710 & 804 S. Alamo Street

Legal Description: Lots 5 & 6, Block A, Highridge Estates Addition





CITY OF ROCKWALL

ORDINANCE NO. 21-22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SUBSECTION 06.15, LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT, OF ARTICLE 05, DISTRICT DEVELOPMENT STANDARDS, AS DEPCITED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an amendment to the City of Rockwall's Unified Development Code [*Ordinance No. 20-02*] has been initiated by the City Council of the City of Rockwall to amend Subsection 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*]; and,

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

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

SECTION 1. That Section 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'A'* of this ordinance;

SECTION 2. 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 3. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code [*Ordinance No. 04-38*], and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 4. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7TH DAY OF JUNE, 2021.

Kevin Fowler, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: May 17, 2021

2nd Reading: June 7, 2021

(F) *General Requirements.*

- (5) *Temporary Structures on Leased Property in the Takeline Area.* Temporary structures (e.g. portable residential barbecue grills and ranges, trampolines, etc.) are permitted to be brought out into the takeline area providing that they are not allowed to remain in any part of the takeline area for more than 72 consecutive hours unless completely enclosed within a fenced area constructed in accordance with Subsection 06.15(J)(6). For temporary structures on unleased property in the takeline area see Article III, *Offenses Regarding the Use of the Lake Ray Hubbard Takeline*, of Chapter 22, *Miscellaneous Offenses*, of the Municipal Code of Ordinances.



City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Joey Boyd, Assistant City Manager

DATE: June 2, 2021

SUBJECT: Flagpole Project - Multiple Use Agreement with TXDOT

TXDOT has provided a Multiple Use Agreement (MUA) that allows the City to install a flagpole on its property between the I-30 access road and Laguna Drive.

Background

In January 2019, a small planning committee consisting of City Council members Bennie Daniels and Trace Johannesen, Rockwall residents David Cutcomb and John Adams, and city staff began discussing potential sites to place a flagpole on Interstate 30 at the western boundary of the City. The planning group evaluated 5 separate sites and multiple heights.

After consideration of all the sites, the planning group selected site #3 as the preferred site due to its proximity to Interstate 30, elevation, and that this location is in State right-of-way and is not shown to be involved in the reconstruction plans for Interstate 30. The site is between the I-30 service road and Laguna Drive.

In October 2019, the City Council approved the concept of the project, provided confirmation that the proposed site is the preferred location, and authorized further study of the site by funding a geotechnical study to get a soil report for base design. An FAA study was initiated at this time and discussions with the State began to get permission for the project on TXDOT right-of-way.

During the time that we were waiting for the FAA study to be completed, the Covid-19 pandemic began and there were additional concerns that State had with this site. Once those issues were addressed with the State, the City Council reaffirmed its commitment to the project in August 2020. Since then, the committee and staff have been working through the approval process with the State of Texas and the Federal Highway Administration.

FAA Approval

The FAA has issued a Determination of No Hazard To Air Navigation for the preferred site for a height of up to 198' above ground level. Based on the elevation, marking and lighting are not necessary for aviation safety, meaning no strobe will be needed at the top of the pole. This determination expires on October 8, 2021. If approved to proceed to construction, an application to extend this determination will be submitted to the FAA.

State Approval

TXDOT has evaluated the site against the proposed I-30 expansion plans, and there is no conflict. During the approval process with TXDOT, there was a requirement that the flag cannot extend over the right-of-way that holds vehicle traffic, so the proposed flag is 50x80 ft to provide a clear zone over the I-30 service road. The flagpole is proposed to be a height of 190 feet above ground level. Exhibits showing the conceptual layout of the site and an artistic rendering of the flagpole in relationship to the skyline are included.

The City Council previously authorized funds to perform a geotechnical study and some preliminary design work to develop budget estimates. That work will proceed as well with the completion of an agreement to use the site.

Project Budget

Staff has met with Nouveau Construction, a general contractor that has completed flag projects in the area, most recently for the City of Mesquite and University of Texas at Dallas. Nouveau has provided a project budget estimate of \$225,000, which includes all materials, labor, electrical, lighting, and equipment for the project. It is proposed to include a \$25,000 contingency for a total project budget of \$250,000. This proposal does not include any landscaping, irrigation, or other site amenities. If additional features are to be added, it is recommended to do those items after the I-30 expansion project is completed.

Requested City Council Action

Included for the City Council's review and consideration is a resolution approving the Multiple Use Agreement authorizing the City Manager to execute the agreement on behalf of the City. The MUA has already been approved by TXDOT in Austin and it has been sent to the Federal Highway Administration for approval. As part of the MUA with the State, the City will be required to submit more detailed plans for approval by TXDOT and the Federal Highway Administration once construction documents are completed. The City Council is also asked to consider approval of the project budget, which can be funded from General Fund Reserves.

CITY OF ROCKWALL, TEXAS
RESOLUTION NO. 21-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AUTHORIZING THE EXECUTION OF A MULTIPLE USE AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE FLAGPOLE PROJECT LOCATED ON STATE RIGHT-OF-WAY BETWEEN THE INTERSTATE 30 ACCESS ROAD AND LAGUNA DRIVE, IN ROCKWALL, TEXAS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall, Texas wishes to authorize the Interim City Manager to execute the multiple use agreement between the City of Rockwall and the Texas Department of Transportation (TXDOT);

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

SECTION 1. That the City Manager is authorized to execute the attached multiple use agreement with TXDOT attached hereto;

SECTION 2. That this resolution shall be in full force and effect from and after its passage, and it is accordingly so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS 7TH DAY OF JUNE, 2021.

APPROVED:

Kevin Fowler, Mayor

ATTEST:

Kristy Cole, City Secretary



MULTIPLE USE AGREEMENT

STATE OF TEXAS §

COUNTY OF TRAVIS §

THIS AGREEMENT made by the State of Texas by and between the Texas Department of Transportation, hereinafter referred to as "State", party of the first part, and City of Rockwall _____, hereinafter called _____ City _____,

_____ party of the second part, is to become effective when fully executed by both parties.

WITNESSETH

WHEREAS, on the _____ day of _____, 2021 _____, the governing body for the _____ City _____, entered into Resolution/Ordinance No. _____

_____ hereinafter identified by reference, authorizing the _____ City _____'s participation in this agreement with the State; and

WHEREAS, the _____ City _____ has requested the State to permit the construction, maintenance and operation of a public _____ Flagpole _____ on the highway right of way, _____ IH 30 and Horizon Rd. CONTROL SECTION NO. 0009-12 .

_____ (General description of area including either the control number or GPS coordinates.) _____

shown graphically by the preliminary conceptual site plan in Exhibit "A" and being more specifically described by metes and bounds of Exhibit "B", which are attached and made a part hereof; and

WHEREAS, the State has indicated its willingness to approve the establishment of such facilities and other uses conditioned that the _____ City _____ will enter into agreements with the State for the purpose of determining the respective responsibilities of the _____ City _____ and the State with reference thereto, and conditioned that such uses are in the public interest and will not damage the highway facilities, impair safety, impede maintenance or in any way restrict the operation of the highway facility, all as determined from engineering and traffic investigations conducted by the State.

AGREEMENT

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto to be by them respectively kept and performed as hereinafter set forth, it is agreed as follows:

1. DESIGN AND CONSTRUCTION

_____ City _____ will prepare or provide for the construction plans for the facility, and will provide for the construction work as required by said plans at no cost to the State. Said plans shall include the design of the access control, necessary horizontal and vertical clearances for highway structures, adequate landscape treatment, adequate detail to ensure compliance with applicable structural design standards, sufficient traffic control provisions, and general layout. They shall also delineate and define the construction responsibilities of both parties hereto. Completed plans will be submitted to State for review and approval and when approved shall be attached to the agreement and made a part thereof in all respects. Construction shall not commence until plans have been approved by the State. Any future revisions or additions shall be made after prior written approval of the State. Any sidewalks, curb ramps and other pedestrian elements to be constructed, either on site or off site, by the _____ City _____ shall be in accordance with the requirements of Title II of the Americans With Disabilities Act (ADA) and with the Texas Accessibility Standards (TAS). Elements constructed by the _____ City _____ and found not to comply with ADA or TAS shall be corrected at the entire expense of the _____ City _____.

2. INSPECTION

Ingress and egress shall be allowed at all times to such facility for Federal Highway Administration personnel and State Forces and equipment when highway maintenance operations are necessary, and for inspection purposes; and upon request, all parking or other activities for periods required for such operations will be prohibited.

3. PARKING REGULATIONS

Parking regulations shall be established limiting parking to single unit motor vehicles of size and capacity no greater than prescribed for 1¹/₂ ton trucks, such vehicles to conform in size and use to governing laws. Parking shall be permitted only in marked spaces.

Parking shall be prohibited when a security threat, as determined by TxDOT, exists.

4. PROHIBITION/SIGNS

Regulations shall be established prohibiting the parking of vehicles transporting flammable or explosive loads and prohibiting use of the area in any manner for peddling, advertising or other purposes not in keeping with the objective of a public facility. The erection of signs other than those required for proper use of the area will be prohibited. All signs shall be approved by the State prior to the actual erection.

5. RESPONSIBILITIES

Timely maintenance, repair and operation of the facility shall be entirely the responsibility of the _____ City _____. Such responsibility shall not be transferred, assigned or conveyed to _____ a third party without the advanced written approval of the State. These responsibilities expressly include the timely maintenance and repair of any portion of the facility necessary to comply with the Americans with Disabilities Act. Further, such responsibility shall include picking up trash, mowing and otherwise keeping the facility in a clean and sanitary condition, and surveillance by police patrol to eliminate the possible creation of a nuisance or hazard to the public. Hazardous or unreasonably objectionable smoke, fumes, vapor or odors shall not be permitted to rise above the grade line of the highway, nor shall the facility subject the highway to hazardous or unreasonably objectionable dripping, droppings or discharge of any kind, including rain or snow.

If the State determines that _____ City _____ has failed to comply with these responsibilities, it will perform the necessary work and charge _____ City _____ the actual cost of the work.

6. FEES

Any fees levied for use of the facilities in the area shall be nominal and no more than are sufficient to defray the cost of construction, maintenance and operations thereof, and shall be subject to State approval.

A. Retention Period. _____ City _____ shall maintain all books, documents, papers, The _____ accounting records and other evidence pertaining to fees collected and costs (hereinafter called the Records). The _____ City _____ shall make the records available during the term of _____ the Agreement and for four years from the date the Agreement is terminated, until completion of all audits, or until pending litigation has been completely and fully resolved, whichever occurs last.

B. Audit Report. If fees are collected by the _____ City _____ for the use of the facility under this agreement, the _____ City _____ will provide the State an annual audit report detailing the fees collected for the use of the facility and the costs associated with constructing, maintaining, and operating the facility within the same period. If the report shows more fees

collected than expenses for the construction, operation, or maintenance of the facility the
City must provide a multiple year plan detailing how the additional revenue
will be used for construction, operation, or maintenance of the facility.

C. Availability. The State or any of its duly authorized representatives, the Federal Highway Administration, the United States Department of Transportation, Office of Inspector General, and the Comptroller General shall have access to the _____ City _____'s records that are directly pertinent to this Agreement for the purpose of making audits and examinations.

7. TERMINATION UPON NOTICE

This provision is expressly made subject to the rights herein granted to both parties to terminate this agreement upon notice, and upon the exercise of any such right by either party, all obligations herein to make improvements to said facility shall immediately cease and terminate and _____ City _____ shall be responsible for the facility's timely removal at no cost to the State.

If the State determines that _____ City _____ has failed to timely remove the facility, it will perform the necessary work and charge _____ City _____ the actual cost of the work.

8. MODIFICATION/TERMINATION OF AGREEMENT

If in the sole judgment of the State it is found at any future time that traffic conditions have so changed that the existence or use of the facility is impeding maintenance, damaging the highway facility, impairing safety or that the facility is not being properly operated, that it constitutes a nuisance, is abandoned, or if for any other reason it is the State's judgment that such facility is not in the public interest, this agreement under which the facility was constructed may be: (1) modified if corrective measures acceptable to both parties can be applied to eliminate the objectionable features of the facility; or (2) terminated and the use of the area as proposed herein discontinued.

9. PROHIBITION OF STORAGE OF FLAMMABLE MATERIALS

All structures located or constructed within the area covered by the agreement shall be fire resistant. The storage of flammable, explosive or hazardous materials is prohibited. Operations deemed to be a potential fire hazard shall be subject to regulation by the State.

10. RESTORATION OF AREA

The _____ City _____ shall provide written notification to the State that such facility will be discontinued for the purpose defined herein. The _____ City _____ shall, within thirty (30) days from the date of said notification, clear the area of all facilities that were its construction responsibility under this agreement and restore the area to a condition satisfactory to the State.

11. PREVIOUS AGREEMENTS

It is understood that this agreement in no way modifies or supersedes the terms and provisions of any existing agreements between the parties hereto.

12. INDEMNIFICATION

_____ City _____ WILL INDEMNIFY THE STATE AGAINST ANY AND ALL DAMAGES AND CLAIMS FOR DAMAGES, INCLUDING THOSE RESULTING FROM INJURY OR DEATH OF PERSONS OR FOR LOSS OF OR DAMAGE TO PROPERTY, ARISING OUT OF, INCIDENT TO OR IN ANY MANNER CONNECTED WITH THE CONSTRUCTION, OPERATIONS OR MAINTENANCE OF THE FACILITY, WHICH INDEMNIFICATION SHALL EXTEND TO AND INCLUDE ANY AND ALL COURT COSTS, ATTORNEY'S FEES AND EXPENSES RELATED TO OR CONNECTED WITH ANY CLAIMS OR SUITS FOR DAMAGES, AND SHALL, IF REQUESTED IN WRITING BY THE STATE TO DO SO, ASSIST THE STATE OR RELIEVE THE STATE FROM DEFENDING ANY SUCH SUITS BROUGHT AGAINST IT.

13. INSURANCE

The _____ City _____, shall provide necessary safeguards to protect the public on State maintained highways including adequate insurance for payment of any damages which might result during the construction, maintenance, repair and operation of the facility. _____ City _____ shall include TxDOT as an additional insured by endorsement in _____ City _____'s commercial general liability insurance policy. Prior to beginning work on the State's right of way, the _____ City _____'s construction contractor shall submit to the State a completed insurance _____ form (TxDOT Form No. 1560) or appropriate certificate of self-insurance and shall maintain the required coverage during the construction of the facility.

14. USE OF RIGHT OF WAY

It is understood that the State by execution of this agreement does not impair or relinquish the State's right to use such land for highway purposes when it is required for the construction or re-construction of the traffic facility for which it was acquired, nor shall use of the land under such agreement ever be construed as abandonment by the State of such land acquired for highway purposes, and the State does not purport to grant any interest in the land described herein but merely consents to such use to the extent its authority and title permits.

15. ADDITIONAL CONSENT REQUIRED

The State asserts only that it has sufficient title for highway purposes. The _____ City _____ shall be responsible for obtaining such additional consent, permits or agreement as may be necessary due to this agreement. This includes, but is not limited to, appropriate permits and **161**

clearances for environmental, ADA and public utilities.

16. FHWA ADDITIONAL REQUIREMENTS

If the Facility is located on the Federal-Aid Highway System, "ATTACHMENT A", which states additional requirements as set forth in the Federal Highway Administration's Title 23, Code of Federal Regulations, § 710, shall be attached to and become a part of this agreement.

17. CIVIL RIGHTS ASSURANCES

The _____ City _____, for itself, its personal representatives, successors and interests and

assigns, as part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that: (1) no persons, on the grounds of race, color, sex, age, national origin, religion or disabling condition, shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of said facility; (2) that in the construction of any improvements on, over or under such land and the furnishing of services thereon, no person on the ground of race, color, sex, age, national origin, religion or disabling condition, shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination; (3) that the

City shall use the premises in compliance with all other requirements imposed by

_____ or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-Assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That if in the event of any breach of the above non-discrimination covenants, the State shall have the right to terminate the agreement and reenter and repossess said land and the facilities thereon, and hold the same as if said agreement had never been made or issued.

18. AMENDMENTS

Any changes in the time frame, character or responsibilities of the parties hereto shall be enacted by a written amendment executed by both parties hereto.

19. LEGAL CONSTRUCTION

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

20. AUDIT

The State may conduct an audit or investigation of any aspect of this agreement. The _____ City must provide the State with access to any information the State considers relevant to the investigation or audit. The audit can include, but is not limited to, any contract for construction or maintenance of any facility or structure authorized by this agreement or any contract to provide a service to the _____ City if that service is authorized by this agreement.

21. AUTHORITY OF STATE AUDITOR

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

22. NOTICES

All notices required under this agreement shall be mailed or hand delivered to the following respective addresses:

STATE (Mailing Address)	(Name of other party) (Mailing Address)
Texas Department of Transportation	City of Rockwall
Maintenance Division	385 S. Goliad Street
125 East 11th Street	Rockwall, TX 75087
Austin, Texas 78701-2483	

23. TIMELY PAYMENT

When required by any provision of this agreement requires a payment to be made to the State, the other party hereto shall within thirty (30) days from receipt of the State's written notification pay the State for the full cost of repairing any damages to the highway facility which may result from the other party's construction, maintenance, repair or operation of the facility.

24. WARRANTS

The signatories to this agreement warrant that each has the authority to enter into this agreement on behalf of the party represented.

List of Attached Exhibits:

- Exhibit A - General Layout
- Exhibit B - Metes and Bounds Description
- Exhibit C - Approved Construction Plans
- Exhibit D - Certificate of Insurance (TxDOT Form 1560)
- Exhibit E - Attachment A (FHWA Additional Requirements)

IN WITNESS WHEREOF, the parties have hereunto affixed their signature, the

_____ on the _____ day of _____, 20____, and the
State on the _____ day of _____, 20____.

STATE OF TEXAS

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

(Name of other party)

By: _____
Signature

Printed Name

By: _____
Director, Maintenance Division

Title

Printed Name

Agency

Date

Contact Office and Telephone No.

APPROVAL RECOMMENDED:

District Engineer

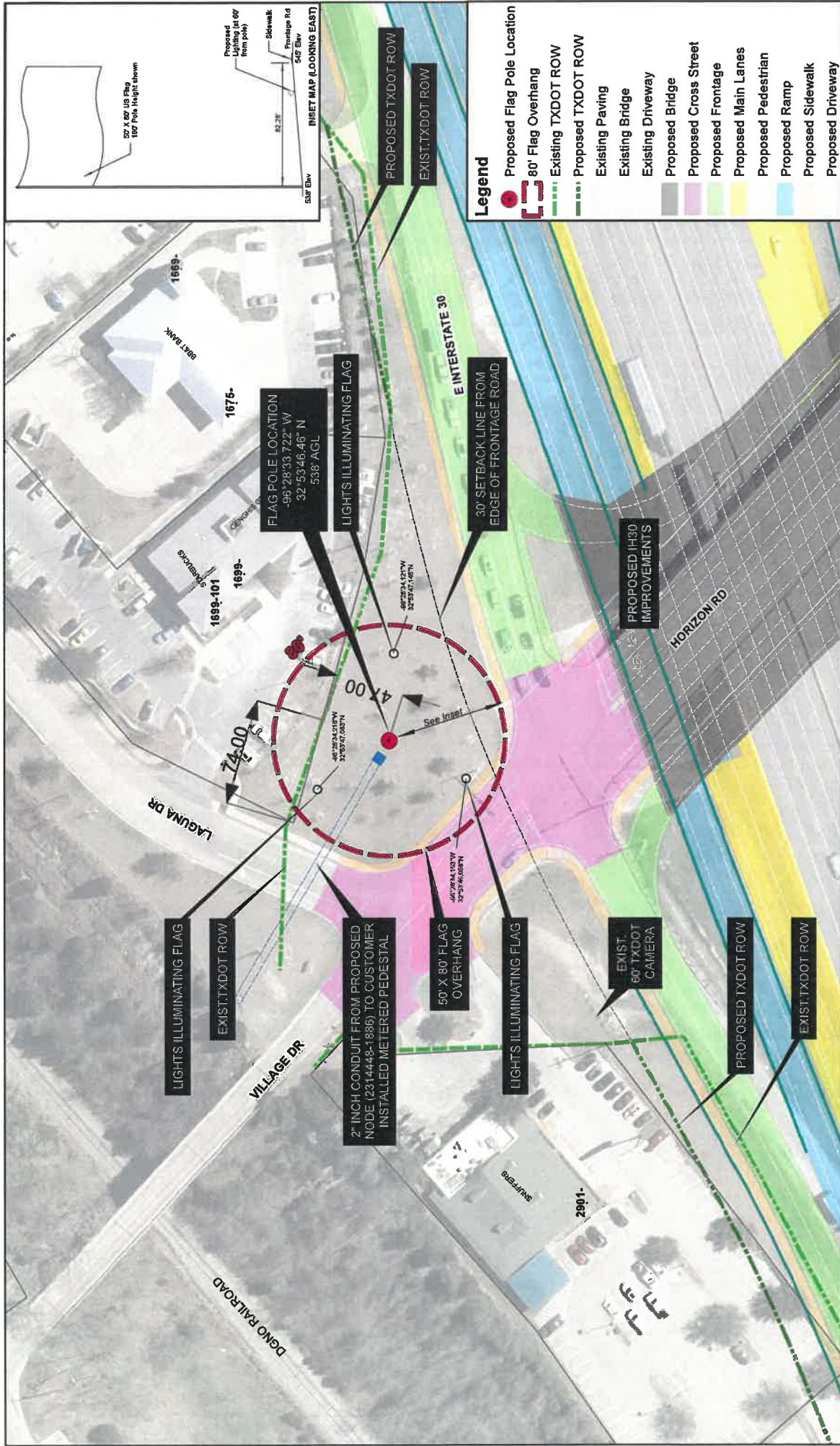
Printed Name

Date

ATTACHMENT A

Inasmuch as this project is on the Federal-Aid highway system, the following additional requirements as applicable with the Federal Highway Administration's Title 23, Code of Federal Regulations, § 710.105.

1. Any significant revision in the design or construction of the facility shall receive prior approval by the Texas Department of Transportation subject to concurrency by the FHWA.
2. Any change in the authorized use of real property interest shall receive prior approval by the Texas Department of Transportation subject to concurrence by the FHWA.
3. Real property interest shall not be transferred, assigned or conveyed to another party without prior Texas Department of Transportation approval subject to concurrence by the FHWA.
4. This agreement will be revocable in the event that the real property interest facility ceases to be used or is abandoned.



The data represented on this map was obtained with the best available data. Data is supplied from various sources and accuracy may vary. The City of Rockwall is not responsible for the accuracy of the data. The City of Rockwall does not warrant the accuracy of the data. All information is provided as is, with no warranty being made, either expressed or implied.

0 50 100 Feet
1 inch = 60 feet
Date: 2/12/2023
City of Rockwall, Inc.



**IH30 @ VILLAGE DR - FLAG POLE SITE
(50' X 80' FLAG SIZE)**

190'

FLAG POLE HT
BASE ELEV: 538'

50'X80' US FLAG



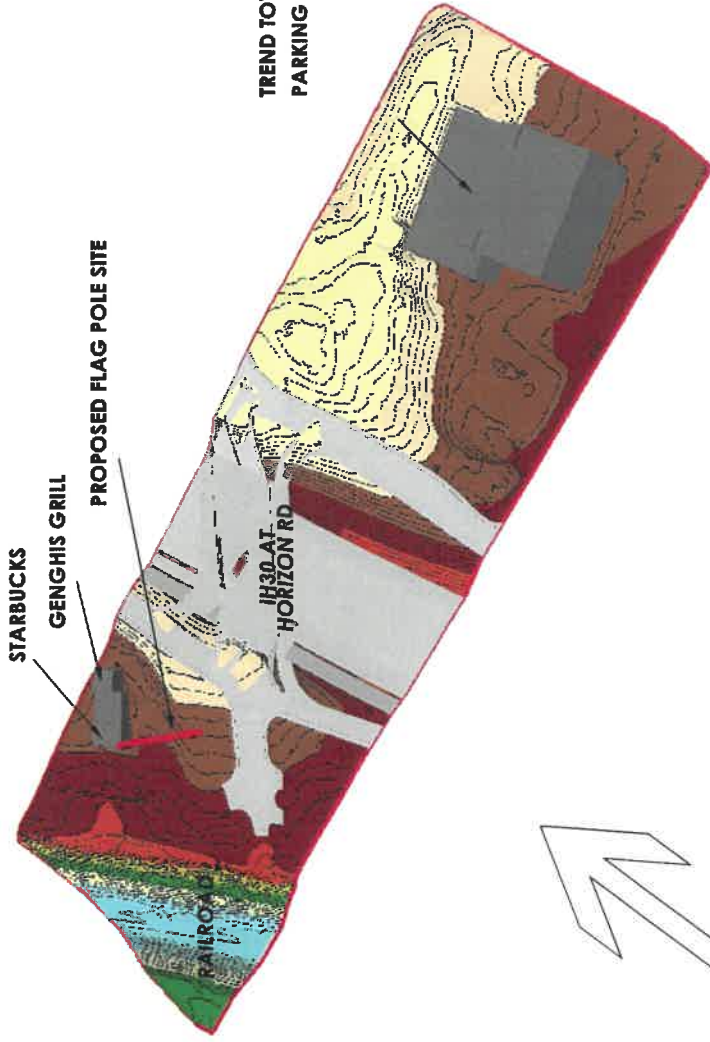
IH30 AT
HORIZON RD

RAILROAD

TREND TOWER
HT: 16'-9"
BASE ELEV: 536'



Viewer 1



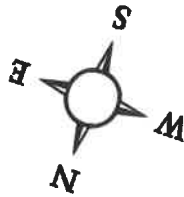
STARBUCKS
GENGHIS GRILL

PROPOSED FLAG POLE SITE

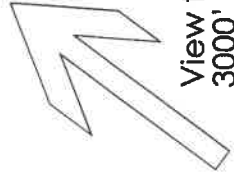
TREND TOWER AND
PARKING GARAGE

IH30 AT
HORIZON RD

APRIL 27, 2021



ROCKWALL GIS



View from approx.
3000' west on IH30

**FLAG POLE SITE AND
TREND TOWER COMPARISON**
INTERSTATE 30 (LOOKING EAST)



City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and City Council Members
FROM: Mary Smith, Interim City Manager
DATE: June 4, 2021
SUBJECT: Discovery Sculpture Project

For many years the local arts community and the City Council have discussed the creation of the “Discovery” sculpture to serve as a monument to the formation of our City through the depiction of the three early settlers who discovered one of the series of rock walls that cover the area. The three settlers, Benjamin F. Boydstun, land owner, Terry Utlely Wade, and Mr. Stephenson began to dig a well and uncovered a piece of the wall near downtown Rockwall. There is a tremendous historical record regarding the discovery of the wall, its use as a tourist attraction many decades ago, and the efforts over the years to determine whether it is man-made or a natural occurrence including a recent television documentary that unearthed a large portion of the wall just north of our city limits to study the question.

About 2003, local sculptor Jim Bryant, created the first “Discovery” statue in miniature form and an effort was made to sell maquettes from that small mold in order for funds to be raised to produce the statue in life-size (130%) and place it in the downtown square. While successful, this effort did not produce sufficient funds to produce the statue and at various times other fundraising mechanisms have been discussed. Of course the price of the bronze sculpture continued to increase over the years moving the target further out each time the project was discussed.

Recent talks about bringing the project back to life have gained traction and look promising. With the introduction of the Art in Public Places program with its associated 1% fee from bond projects a few years ago and the dramatic increase in the amount of hotel occupancy taxes generated from the new hotel establishments and ending of the Hilton rebate, the funding should be attainable. The Rockwall Alliance for the Arts has funds which were raised for this purpose and which they will commit to the project’s completion.

Local resident, Lorne Liechty, brought the idea to the forefront recently and spoke to both the Sculptor and the Foundry to solidify the effort to move forward and nail down a price for the bronze sculpture. The foundry in Arlington has agreed to hold their price commitment for up to 6 months as decisions are made and the contract reviewed and executed. We have requested a copy of the contract for the City Attorney to review.

We had a meeting with the City's Art Commission recently and they are enthusiastic about the project and will certainly play a role in getting the word out and keeping interest in the project. Ideas such as a web page about the project with frequent photos of the foundry's progress was discussed. With 2 retired educators on the Commission there was discussion about how the ISD students could be educated about the project and its history. And while we haven't had a conversation with the Rockwall County Historical Foundation yet they will surely provide resources toward that effort as well.

The statue has long been planned for the south – east corner of the Courthouse property and the City will need to negotiate an easement from the County for the sculpture location. It is the City's intent to both insure and maintain the sculpture which is somewhat different than past discussions. With the Parks Department staff's focus on the daily maintenance downtown we think this would be something that can be added to their cleaning and maintenance efforts. Some preliminary site planning efforts were completed back in 2018 which will need to be refined and then designed in order to prepare the site for the sculpture's placement with appropriate landscaping and lighting to complement it.

The below figures represent the foundry's quote for production of the bronze sculpture and a rough estimate of the site preparation, landscape, lighting, and signage (collectively referenced as site prep below) which will be needed to complete the project. The funding is available from the Arts Alliance, the Art in Public Places funding for downtown projects with the remaining balance from the Hotel Occupancy Tax fund reserves which are ample to cover this project and still retain a generous reserve. The project certainly hits the HOT categories allowed under state law including Arts, Tourism, and Historical.

Estimate of Project Cost:

Production and Delivery of Sculpture	\$237,000
Estimate of Site Prep and Installation	<u>87,800</u>
	\$324,800

Funds Needed to Complete the Project:

Arts Alliance Contribution	\$ 63,326
Downtown 1% Art Funds	67,099
HOT funds	<u>194,375</u>
	\$324,800

Council is asked to consider the interest in moving this project forward and allocating the funding for this project at this time. If we move ahead soon it is our understanding that we should have the Sculpture in place by Founder's Day May 2022.



City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council

FROM: Joey Boyd, Assistant City Manager

DATE: May 28, 2021

SUBJECT: Si Energy LP Request for Franchise Agreement

Si Energy, LP is requesting a franchise agreement with the City of Rockwall for the purpose of installing infrastructure to furnish and supply natural gas service to the general public.

Representatives of Si Energy LP will be at the meeting to provide information to the City Council about the company. The proposed term of this Ordinance begins on the Effective Date and ends on December 31, 2031. And, unless written notice is given by either party, it will be automatically renewed for up to two (2) additional terms of five (5) years each on the same terms and conditions.

The City Charter provides that the ordinance will require two readings and the ordinance caption must be published in the City's newspaper of record within 15 days after the first reading, and will not take effect until 30 days after the final reading and approval by the City Council.

An Ordinance is included for City Council review and consideration. The city attorney and city staff will be available to answer any questions.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, GRANTING TO SIENERGY, L.P. A NON-EXCLUSIVE FRANCHISE FOR A PERIOD OF TEN (10) YEARS TO FURNISH AND SUPPLY GAS TO THE GENERAL PUBLIC IN THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND TO TRANSPORT, DELIVER, SELL, AND DISTRIBUTE GAS IN AND OUT OF AND THROUGH SAID MUNICIPALITY FOR ALL PURPOSES; PROVIDING FOR THE PAYMENT OF A FEE OR CHARGE FOR THE USE OF THE STREETS, ALLEYS, AND PUBLIC WAYS; AND PROVIDING A SEVERABILITY CLAUSE, A PENALTY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, currently there are property owners and residents within the geographical boundaries of the City of Rockwall and a potential for future economic and population growth, which require or will require a supply of natural gas for their respective needs; and

WHEREAS, the introduction of the availability of a natural gas supply will be an incentive for the City to attract new development, as well as to provide additional gas service to existing property owners and residents; and

WHEREAS, the City, for the considerations provided by this Ordinance, and subject to the terms and conditions therein, has determined and finds that it is in the public interest of the City and its current property owners and residents to award a non-exclusive franchise to SiEnergy, L.P., (“SiEnergy” or “Company”), for the transmission, distribution and sale of natural gas as provided in this Agreement;

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

SECTION I. Grant of Franchise, Term, and Use

(A) City hereby grants to Company and its successors and assigns, subject to Section XIV herein, the non-exclusive right, privilege and franchise, and City’s consent, to use and occupy the present and future Public Right-of-Way of the City for the purpose of constructing, operating, maintaining, removing and replacing therein and thereon the System needed and necessary to transport, deliver, sell and distribute gas in, out of, and through the City, and to sell gas to persons, firms, and corporations, including all the general public, within the City’s corporate limits.

(B) The term of this Ordinance begins on the Effective Date (as defined herein) and ends on December 31, 2031; provided that, unless written notice is given by either party hereto to the other not less than six (6) months before the expiration of this Ordinance, it shall be automatically renewed for up to two (2) additional terms of five (5) years each on the same terms and conditions as set forth herein.

(C) The terms and conditions set forth in this Ordinance represent the terms and conditions under which the Company shall construct, operate, maintain, remove and replace the System within the City.

(D) By entering into this Ordinance, the City does not in any manner surrender or waive its regulatory or other authority or rights pursuant to the Constitution and statutes of the State of Texas as the same may be amended, nor any of its rights and powers pursuant to present or

future ordinances of the City. Likewise, Company's acceptance of the terms of this Ordinance shall in no way affect or impair Company's rights, obligations or remedies under any federal, state or local law or regulation, nor shall such acceptance be deemed a waiver, release or relinquishment of Company's rights to contest, appeal or file suit with respect to any action or inaction of the City, including adoption of ordinances by the City, that Company believes is contrary to this Ordinance or any federal, state or local law or regulation.

SECTION II. Definitions

- (A) "City" shall mean the City of Rockwall, Texas
- (B) "Company" shall mean SfEnergy, L.P. and its successors and assigns, but does not include a SfEnergy affiliate, which shall have no rights hereunder except by succession or assignment in accordance with Section XIV herein.
- (C) "City Engineer" shall mean the City Engineer of the City or such other officer of the City designated to approve engineering plans and designs for construction within Public Right-of-Way.
- (D) "City Manager" shall mean the City Manager of the City or his or her designee.
- (E) "Customer" shall mean any individual person, corporation, company, partnership, firm, unincorporated association, trust, municipality, or public or private entity located within the municipal corporate limits of the City and serviced by the Company through any use of the Public Right-of-Way.
- (F) "Gross Revenues" shall mean the operating revenue for the sale of gas after the Effective Date to the Company's customers within the corporate boundaries of the City pursuant to the accounting principles established by the Federal Energy Regulatory Commission, including specifically Accounts 480, 481 and 482, as amended, except as modified herein, including:
- (1) all revenues derived, directly or indirectly, from the sale of gas to all classes of customers in the City (excluding gas sold to another gas utility in the City for resale to its customers within the City);
 - (2) all revenues derived from the transportation of gas through the System of Company within the City to customers located within the City (excluding gas transported to another gas utility in the City for resale to its customers within the City);
 - (3) the purchase price or, if the purchase price is not disclosed to the Company by the Transport Customer, the value of gas transported by Company for Transport Customers through the System of Company within the City ("Third Party Sales") (excluding the value of any gas transported to another gas utility in the City for resale to its customers within the City). Company shall request that each Transport Customer of the Company disclose to the Company the purchase price of said gas. Should the Transport Customer fail or refuse to disclose such purchase price to Company, the value of such gas shall be established by utilizing 110% of the Houston Ship Channel index of prices for large package of gas as published each month in "Inside FERC's Gas Market Report" under "Delivered Spot-Gas Prices" (or a

successor publication or another publication agreed upon by City and Company) as reasonably near the time as the transportation service is performed;

- (4) franchise fees paid pursuant to Section X of this Ordinance, revenues from non-utility and non-regulated services or products, revenues billed but not ultimately collected or received by Company, and the following “miscellaneous charges:”
 - (a) charges to connect, disconnect, or reconnect gas,
 - (b) charges to handle returned checks from consumers within the City, and
 - (c) State gross receipts fees.

“Gross Revenues” shall not include:

- (i) the revenue of any Affiliate or subsidiary of Company;
- (ii) other than fees specifically included within the definition of Gross Revenues and franchise fees payable pursuant to Section X below, any taxes or fees required to be remitted to a third party including the City;
- (iii) interest or investment income earned by Company;
- (iv) monies received from the lease or sale of real or personal property;
- (v) amounts billed or collected from Company’s customers for refundable fees and deposits;
- (vi) State or federal grants, credits or reimbursements;
- (vii) sales of gas for resale or to wholesale customers;
- (viii) reimbursements for damage to, or relocation of, any part of the System;
- (ix) amounts billed or collected by the Company from its customers for charitable contributions such as Operation Roundup;
- (x) revenues billed but not ultimately collected or received by the Company; and
- (xi) payments received for contributions in aid of construction performed within the City, including but not limited to, builder contributions, under contracts entered into after the Effective Date.

(G) “Person” shall mean any natural person, or any association, firm, partnership, joint venture, corporation, or other legally recognized entity, whether for-profit or not-for-profit, but shall not, unless the context explicitly requires otherwise, include the City or any employee, agent, servant, representative, or official of the City.

(H) "Public Right-of-Way" shall mean public streets, alleys, highways, bridges, public easements, public places, thoroughfares and sidewalks of the City, as they now exist or may be hereafter constructed or extended within the corporate limits of the City.

(I) "System" or "System Facilities" shall mean Company's system of mains, pipelines, conduits, valves, feeders, regulator stations, laterals, service lines, measuring devices, and all other necessary plants, attachments, land, structures, facilities and appurtenances for the purpose of selling, storing, supplying, conveying, transmitting, distributing, and/or transporting natural gas and any gas, including the equivalent substitutes, for all other lawful purposes in, through, upon, under, and along the present and future streets, avenues, alleys, bridges, sidewalks, parks, easements, highways, and any other public place within the municipal corporate limits of the City.

(J) "Transport Customer" shall mean any Person for which Company delivers gas through the System of Company within the City for delivery or consumption within the City.

(I) "Affiliate" shall mean any individual, partnership, association, joint stock company, limited liability company, trust, corporation, or other Person or entity who owns or controls, or is owned or controlled by, or is under common ownership or control with, the entity in question.

SECTION III. Construction, Maintenance, Operation & Relocation of Company System Facilities

(A) Company's System shall be constructed and maintained so as not to unreasonably interfere with any existing water and wastewater lines, electric facilities, storm sewer lines, open drainage areas, cable, fiber optic cable, roadways, sidewalks, alleys, traffic control devices, public signs, or any other publicly owned or publicly franchised facility. Company shall promptly clean-up, repair, and restore all thoroughfares and other surfaces which it may disturb.

(B) Permits

- (1) Company's facilities shall not unreasonably interfere with City-owned public works facilities and with vehicular and pedestrian use of Public Right-of-Way.
- (2) Company shall not be required to submit a permit application for the placement of facilities outside of the Public Right-of-Way, however, Company shall provide detailed drawings to City Engineer, in accordance with Company's customary practice, reflecting Company's installations on private property to the extent necessary for City Engineer to verify compliance with City ordinances related to zoning, development, building regulations, and setbacks, and for easement verification.
- (3) Company shall submit a permit application to City Engineer for the placement of new facilities, for upgrade or augmentation of existing facilities, or for replacement of existing facilities in the Public Right-of-Way. Such permit application shall include:

- (a) complete plans and detailed drawings reflecting compliance with all applicable zoning, development, and building requirements of the City; and
 - (b) all additional information requested by City Engineer reasonably related to the permit request.
- (4) Except as otherwise provided in this Section III(B), following the submission of a permit application described herein, notice of City Engineer's approval or denial of Company's request for a permit shall be provided in accordance with City's usual procedures for processing of permit applications.
- (5) City Engineer shall endeavor to complete its review of Company's application within thirty (30) days after City's receipt of the permit application. Prior to the expiration of the said thirty (30) day period, City Engineer shall request any additional information that is necessary to complete its review of Company's application. City Engineer shall issue a decision regarding Company's permit application within fifteen (15) days after receipt of the additional information. If the additional information is not sufficient to complete the review of Company's application, the City Engineer may request additional information. City Engineer shall issue a decision regarding the application within fifteen (15) days after receipt of all additionally requested information.
- (6) If City Engineer has not approved or denied Company's request for a permit within:
- (a) Thirty (30) days after receipt by City of the permit application (if no additional information was requested by City), or
 - (b) The timeline established in Section III(B)(5) after receipt by City of all additional information requested by City reasonably related to the permit request,

then upon written request by Company, the City Engineer shall, within fifteen (15) days after such written request, approve (and issue) the permit or deny the permit application in question.

- (7) Company may proceed with the placement of the facilities described in its permit application if written notice of City Engineer's approval or denial of Company's request for a permit is not provided within the timeline pursuant to Section III(B)(6) above. Company may not proceed with the placement of the facilities described in its permit application if Company has failed to provide the additional information pursuant to Section III(B)(5).
- (8) A permit application approved by the City shall be valid for a period of time consistent with the amount of time reasonably required and submitted in the permit application for the Company to perform the work described in the permit application. City shall grant an extension of such time as reasonably required to complete such work upon City's receipt of Company's request in writing for such an extension, but in no case shall

the extended period exceed six (6) months from the date of such written request.

(C) Company shall install, maintain, construct, operate, remove and replace its facilities in accordance with applicable City ordinances and to not unreasonably interfere with traffic. In determining the location of new facilities of the City and other users of Public Right-of-Way within City, City shall minimize interference with then-existing System Facilities of Company and agrees to work with Company and other users of Public Right-of-Way to minimize, to the extent reasonably possible, interference with existing System Facilities of Company by other users of the Public Right-of-Way. In determining the location of the Company's new facilities in the City, the Company shall minimize interference with then-existing or documented planned underground structures of the City or with existing facilities of other users of the Public Right-of-Way. In the event of a conflict between the location of the proposed System Facilities of Company and the location of the existing facilities of City or other users of Public Right-of-Way within Public Right-of-Way which the parties involved have been unable to resolve through their good faith efforts, City or an authorized agent of City shall resolve the conflict and determine the location of the respective facilities within the Public Right-of-Way, subject however to the terms and conditions of this Ordinance and giving effect to generally accepted industry operational and safety practices.

(D) Company's property and operations within the Public Right-of-Way of the City shall be subject to such reasonable rules and regulations of the City as may be authorized by applicable law from time to time for the protection of the general public. The City shall endeavor to provide Company with reasonable notice and opportunity to review and comment upon any new or revised City laws, rules, or regulations that impact Company's use of the Public Right-of-Way, but the failure to do so shall not affect the applicability of such laws, rules, or regulations to Company.

(E) The City's annual and long-range capital improvements plans, as well as any updates or changes thereto, will be made available to Company upon request. City shall notify Company as soon as reasonably possible of any projects that will affect Company's System Facilities located in the Public Right-of-Way.

(F) Any and all excavations and obstructions in and upon the Public Right-of-Way caused by the Company's operations under this Ordinance shall be repaired and removed as quickly as is reasonably possible under the circumstances. All excavations shall be repaired in a good and workmanlike manner and restored to the approximate condition that existed prior to the excavation. Replacement of sod is to be of like kind, and smoothed, shaped, rolled, and compacted for proper landscape maintenance. The public shall be protected by barriers and lights placed, erected, marked, and maintained by the Company in accordance with the standards set forth in the current Texas Manual on Uniform Traffic Control Devices, as well as any other applicable local, state, and federal requirements. Company warrants that any such restoration work performed in the Public Right-of-Way shall be in satisfactory condition for a period not to exceed two (2) years, to the extent that such restoration work has not been disturbed by other users of the Public Right-of-Way or by acts of God. In the event that the Company fails to repair or restore an excavation site within fourteen (14) days after receipt of written notice from the City of a deficiency, the City may, at its option, perform the needed repair or restoration and the Company shall promptly reimburse the City for the reasonable cost of such repair or restoration. Except for repairs, day-to-day maintenance, or in cases of emergency conditions, work conducted within the Public Right-of-Way shall require an approved permit issued by the City Engineer prior to commencement of work. In no instance shall Company be required to pay fees or bonds related to its use of the Public Right-of-Way.

(G) The City reserves the right to lay, and permit to be laid, any City-owned facilities, such as storm water, sewer, gas, water, wastewater and other pipe lines, cable, and conduits, or other improvements, and to do and permit to be done any underground or overhead work that may be necessary or proper in, across, along, over, or under Public Right-of-Way occupied by Company. The City also reserves the right to change in any manner any City-owned curb, sidewalk, highway, alley, public way, street, and City-owned utility lines, storm sewers, drainage basins, drainage ditches, and other City facilities.

(H) If City, in constructing, reconstructing, improving, widening, or straightening its Public Right-of-Way, roadways, alleys, sewers, drainage, water lines, or other utilities, including modifications to sidewalks or other Public Right-of-Way required by the Americans with Disabilities Act, should request that Company remove or relocate its mains, laterals, and other System Facilities lying within Public Right-of-Way, Company shall do so at its own expense for System Facilities that are in conflict, unless such work is for the primary purpose of beautification or to accommodate a private developer. Company and City shall jointly determine whether System Facilities are in conflict and the extent that the proposed City facilities are determined by City and Company to be inconsistent with gas distribution industry standard safe operating practices for existing facilities. All such relocations shall be performed in accordance with applicable City ordinances. Company shall not be required to relocate System Facilities to a depth of greater than four (4) feet unless prior agreement is obtained from Company or required by all applicable state and federal rules and regulations establishing minimum safety standards. Depth shall be measured from the lower of existing grade or proposed future grade as set forth on plans or other specifications existing at the time such lines are installed or replaced.

(I) When Company is required by City to remove or relocate its mains, laterals, and other facilities lying within Public Right-of-Way to accommodate a request by City, and costs of utility removals or relocations are eligible under federal, state, county, local, or other programs for reimbursement of costs and expenses incurred by Company as a result of such removal or relocation, and such reimbursement is required to be handled through City, Company costs and expenses shall be included by City in any application by City for reimbursement if Company submits its cost and expense documentation to City prior to the filing of the application. City shall make all reasonable efforts to provide reasonable written notice to Company of the deadline for Company to submit documentation of the costs and expenses of such relocation to City for City to be able to submit its application for reimbursement to such program in a timely manner. Upon receipt of an amount of reimbursement intended for utility relocation including, but not limited to, gas utilities, City shall remit to Company, within sixty (60) days of receipt, the portion of reimbursement related to the relocation or removal of Company's facilities. If Company is required by City to remove or relocate its mains, laterals, or other System Facilities lying within Public Right-of-Way to accommodate a private developer or for projects whose primary purpose is beautification or for any reason other than the construction, reconstruction, improving, widening, or straightening of its Public Right-of-Way, roadways, alleys, sewers, drainage, water lines, or other utilities by City, Company shall be entitled to reimbursement from City or others of the cost and expense of such removal or relocation.

(J) When Company is required to remove or relocate its mains, laterals or other System Facilities to accommodate construction by City without reimbursement from City, Company shall have the right to seek recovery of relocation costs as provided for in applicable state and/or federal law. Nothing herein shall be construed to prohibit, alter, or modify in any way the right of Company to seek or recover a surcharge from customers for the cost of relocation pursuant to applicable state and/or federal law. City shall not oppose recovery of relocation costs

when Company is required by City to perform relocation. City shall not require that Company document request for reimbursement as a pre-condition to recovery from customers of such relocation costs pursuant to applicable state and/or federal law. Notwithstanding the foregoing, the City shall have the right to request other project documentation to the full extent provided by state law.

(K) If City abandons any portion of the Public Right-of-Way in which Company has System Facilities, for public safety reasons or in furtherance of a public project, City shall determine whether it is appropriate to retain a public utility easement in such Public Right-of-Way for use by Company. If City determines, in its sole discretion, that the continued use of the Public Right-of-Way by Company is compatible with the abandonment of the Public Right-of-Way, then in consideration of the compensation set forth in Section XX, and to the maximum extent of its right to do so, City shall grant Company an easement for such use, and the abandonment of the Public Right-of-Way shall be subject to the right and continued use of Company. If City determines, in its sole reasonable discretion, that it is not appropriate to retain a public utility easement in such Public Right-of-Way, Company shall be responsible, subject to the provisions of Section III, for relocating its System from such Public Right-of-Way, as directed by City. If Public Right-of-Way is sold, conveyed, abandoned, or surrendered by City to a third party, such action shall be conditioned upon Company's right to maintain use of the former Public Right-of-Way. If the third-party requests Company to relocate its System from the former Public Right-of-Way, and if such relocation is agreed to by Company, such relocation shall be at the expense of the party requesting same. In addition, in the event of a third party requesting the relocation, if the relocation cannot practically be made to another Public Right-of-Way, the expense of any right-of-way acquisition shall be considered a relocation expense to be reimbursed by the party requesting the relocation.

(L) Upon request by City made no more often than once in any 12-month period, Company shall provide maps showing the location of its primary System Facilities. In addition, Company shall cooperate in locating its System Facilities when necessary to avoid conflict and protect the health and safety of the public.

(M) In permitting such work to be done, the Company shall be liable to the City and/or other utility owners for any damage to such pipelines and facilities caused by Company or its agents or contractors.

SECTION IV. Laying of Lines in Advance of Paving

(A) Whenever City shall conclude to pave any Public Right-of-Way in which Company's System Facilities already exist or in which Company may propose to install its System Facilities, Company will be provided the opportunity, at no expense to City, in advance of such paving to modify such System Facilities, if defective or inadequate in size, and to lay new System Facilities, or modify same, if inadequate in size or defective, next to the property lines where buildings are already located.

(B) At least ninety (90) calendar days prior to the planned paving or repaving of Public Right-of-Way, City Engineer shall give Company written notice of the intention of City to pave any such Public Right-of-Way. Upon receipt of such notice, Company shall initiate its review process to determine the need to modify its System Facilities, and the need to lay or modify service lines underneath the portions of the Public Right-of-Way to be paved. If Company determines such a need, Company shall promptly initiate such work and shall thereafter proceed in a good faith and workmanlike manner to completion of the necessary work within ninety (90) calendar days after

receipt of the notice from the City Engineer. Company's failure to complete the necessary work within the ninety (90) day period may be excused at the City Manager's discretion, if Company has promptly notified the City of the circumstances that have caused the delay and has requested an extension of the construction period. City shall grant the extension unless withheld for good cause.

SECTION V. Indemnification and Liability Insurance

(A) COMPANY SHALL DEFEND, INDEMNIFY AND SAVE WHOLE AND HARMLESS THE CITY AND ALL OF ITS OFFICERS, AND EMPLOYEES AGAINST ANY AND ALL CLAIMS, LAWSUITS, JUDGMENTS, COSTS AND EXPENSES FOR PERSONAL INJURY (INCLUDING DEATH) , PROPERTY DAMAGE OR OTHER HARM FOR WHICH RECOVERY OF DAMAGES IS SOUGHT SUFFERED BY ANY PERSON OR PERSONS THAT MAY BE OCCASIONED BY, OR ARISE OUT OF COMPANY'S BREACH OF ANY OF THE TERMS OR PROVISIONS OF THIS AGREEMENT, OR BY ANY NEGLIGENT OR STRICTLY LIABLE ACT, OR OMISSION BY COMPANY, ITS OFFICERS, AGENTS, EMPLOYEES, SUBCONTRACTORS, AFFILIATES AND SUBSIDIARIES, IN THE CONSTRUCTION, MAINTENANCE, OPERATION, OR REPAIR OF THE GAS DISTRIBUTION SYSTEM, OR BY THE CONDUCT OF COMPANY'S BUSINESS IN THE CITY PURSUANT TO THIS ORDINANCE/FRANCHISE AGREEMENT; OR LITIGATION EXPENSES INCLUDING DISCOVERY COSTS AND EXPENSES INCLUDING ATTORNEYS' FEES AND EXPENSES INVOLVING THE FRANCHISE AGREEMENT OR THE COMPANY REGARDLESS OF THE IDENTITY OF PARTIES EXCEPT THAT THE INDEMNITY PROVIDED FOR IN THIS SECTION SHALL NOT APPLY TO ANY LIABILITY RESULTING FROM THE SOLE NEGLIGENCE OR FAULT OF THE CITY, ITS OFFICERS, AGENTS, EMPLOYEES OR SEPARATE CONTRACTORS, AND IN THE EVENT OF JOINT AND CONCURRENT NEGLIGENCE OR FAULT OF BOTH THE COMPANY AND THE CITY, RESPONSIBILITY AND INDEMNITY, IF ANY, SHALL BE APPORTIONED COMPARATIVELY IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS WITHOUT, HOWEVER, WAIVING ANY GOVERNMENTAL IMMUNITY AVAILABLE TO THE CITY UNDER TEXAS LAW AND WITHOUT WAIVING ANY OF THE DEFENSES OF THE PARTIES UNDER TEXAS LAW. IT IS UNDERSTOOD THAT IT IS NOT THE INTENTION OF THE PARTIES HERETO TO CREATE LIABILITY FOR THE BENEFIT OF THIRD PARTIES, BUT THAT THIS SECTION SHALL BE SOLELY FOR THE BENEFIT OF THE PARTIES HERETO AND SHALL NOT CREATE OR GRANT ANY RIGHTS, CONTRACTUAL OR OTHERWISE, TO ANY PERSON OR ENTITY.

(B) Company shall, at its sole cost and expense, obtain, maintain, or cause to be maintained, and provide, throughout the term of this Ordinance, insurance in the amounts, types and coverages in accordance with the following requirements. Such insurance may be in the form of self-insurance to the extent permitted by applicable law or by obtaining insurance, as follows:

(I) Commercial general or excess liability on an occurrence or claims made form with minimum limits of five million dollars (\$5,000,000) per occurrence and ten million dollars (\$10,000,000) aggregate. This coverage shall include the following:

- (1) Products/completed operations to be maintained for a warranty period of 2 years,
 - (2) Personal and advertising injury,
 - (3) Contractual liability, and
 - (4) Explosion, collapse, or underground (XCU) hazards.
- (II) Automobile liability coverage with a minimum policy limit of one million dollars (\$1,000,000) combined single limit each accident. This coverage shall include all owned, hired, and non-owned automobiles.
- (III) Workers' compensation and employer's liability coverage. Statutory workers' compensation benefits in accordance with the statutes and regulations of the State of Texas. Company must provide the City with a waiver of subrogation for workers' compensation claims.
- (IV) Upon request, the Company will provide proof of insurance in accordance with this Ordinance within thirty (30) days after such request. Company will not be required to furnish separate proof when applying for permits.

SECTION VI. Installation of Meter

If a meter is to be installed in or near the Public Right-of-Way, Company agrees to discuss with the City's representative the aesthetics of the meter placement and to accommodate the request of City to the maximum extent possible. If City requests a meter upgrade, Company will comply so long as City reimburses Company for the reasonable costs incurred by Company in changing meters. In no event, however, shall underground meters be required.

SECTION VII. Rates

Company shall furnish reasonably adequate service to the public at reasonable rates and charges therefor, and Company shall maintain its System in good order and condition. Such rates shall be established in accordance with all applicable statutes and ordinances. Company shall maintain on file with the City copies of its current tariffs, schedules, or rates, and charges and service rules and regulations applicable to the City. The rates and charges collected from its customers in the City shall be subject to revision and change by either the City or Company in the manner provided by law.

SECTION VIII. Extensions of Mains

Company shall not be required to extend mains on any Public Right-of-Way more than one hundred (100) feet for any one consumer of gas; provided, however, Company is not required to extend its mains or facilities if the customer will not use gas for space heating and water heating, or the equivalent load, at a minimum.

SECTION IX. Non-Exclusive Use

The rights and privileges granted to Company by this Ordinance are not to be considered exclusive and City hereby expressly reserves the right to grant, at any time, like privileges and

rights as it may see fit to any other person or corporation for the purpose of furnishing gas for, but not limited to, light, heat, and power to and for City and the inhabitants thereof.

SECTION X. Franchise Fee and Payment

(A) In consideration of the privilege granted by the City to Company to use and occupy the Public Right-of-Way in the City for the purposes stated herein, Company and its successors and assigns agree to deliver and pay to City, and City agrees to accept, a franchise fee in an amount equivalent to five percent (5%) of the Company’s Gross Revenues as defined in Section II(D). The initial payment shall be paid to the City by Company on or before the Due Date for the Quarter, as set forth below, in which the Effective Date occurs, and shall include Gross Revenues received by Company from the Effective Date of this Ordinance. Thereafter the Company shall pay the franchise fee quarterly as follows:

<u>Due Date</u>	<u>Quarter</u>
May 15	First (January 1 - March 31)
August 15	Second (April 1 - June 30)
November 15	Third (July 1 - September 30)
February 15	Fourth (October 1 - December 31)

(B) Each payment due during the term of this Ordinance will be made on or before the close of business on the payment due date. If any payment due date required by this Ordinance falls on a weekend or declared bank holiday, payment shall be made by the close of business on the next working day.

(C) It is expressly agreed that the franchise fee payments shall be in lieu of any and all other and additional occupation taxes, easement, franchise taxes or charges (whether levied as a special or other character of tax or charge), municipal license, permit, and inspection fees, bonds, street taxes, and street or alley rentals or charges, and all other and additional municipal taxes, charges, levies, fees, and rentals of whatsoever kind and character, including, without limitation, any charges under Chapter 182 of the Texas Tax Code (collectively, the “Other Charges”) that City may now impose or hereafter levy and collect from Company or Company’s agents, excepting only the usual general or special ad valorem taxes that City is authorized to levy and impose upon real and personal property and Company’s separate obligation to reimburse the City for street repairs in accordance with this Ordinance. Should City not have the legal power to agree that the payment of the franchise fees shall be in lieu of the Other Charges, then City agrees that it will apply so much of said franchise fee payments as may be necessary to satisfy Company’s obligations, if any, to pay such Other Charges.

(D) If Company fails to pay when due any payment provided for in this Section X, Company shall pay such amount plus interest consistent with the rate for customer deposits under Texas Utilities Code Section 183.003 from such due date until payment is received by City.

(E) SiEnergy Franchise Fee Recovery Tariff.

(1) The Company may from time-to-time file with the City a tariff amendment(s)

to provide for the recovery of the franchise fees payable by the Company under this Ordinance.

(2) City agrees that it will take no action, nor cause any other person or entity to take any action, to prohibit the recovery of such franchise fees by the Company.

(F) In order to determine the Gross Revenues received by Company, Company agrees that quarterly, on the same date that payment is made as provided in the preceding paragraphs of this Section X, it will provide a statement showing the amount of Gross Revenues for the period covered by the payments.

(G) Within thirty (30) days after receipt of a request by Company following the effective date of this Ordinance, the City shall provide Company (at the notice address specified in Section XV) with maps clearly showing the location of the boundaries of the City. Within thirty (30) days after City annexes property into, or de-annexes property from, the territory of City, City shall provide Company (at the notice address specified in Section XV) with maps clearly showing the location of the boundaries of such annexed or de-annexed property. Within sixty (60) days, or such additional time as mutually agreed to by the City and Company, after Company's receipt of (i) written notice from the City that the City has annexed territory into the City and (ii) maps showing clearly the areas annexed, the Company shall revise its accounting records to include the annexed territory, and Company's customers therein, within the City. After such time period, Gross Revenues related to Company's customers whose consuming facilities' points of delivery are located within such annexed area shall be included in the calculation of the franchise fee payable under this Ordinance. Likewise, Gross Revenues related to Company's customers whose consuming facilities' points of delivery are in any area de-annexed by City shall cease to be included in the calculation of the franchise fee payable under this Ordinance upon the effective date of such disannexation.

SECTION XI. Retention, Accessibility and Confidentiality of Records

(A) Company shall maintain the fiscal records and supporting documentation for payments of Gross Revenues associated with this Ordinance for not less than five years.

(B) Company gives City, its designee, or any of their duly authorized representatives, access to and the right to examine relevant books, accounts, records, audit reports, reports, files, documents, written material, and other papers belonging to or in use by Company pertaining to the franchise fee payable under this Ordinance (the "Records") during the Company's regular business hours and at the Company's principal offices upon receipt of five (5) business days written notice from the City. The City's access to the Records will be limited to information needed to verify that, within the five (5) year period prior to such access to the Records, Company is and has been complying with the terms of this Ordinance. If such an examination reveals that Company has underpaid the franchise fee to City, then upon receipt of written notification from City regarding the existence of such underpayment, Company shall undertake a review of City's claim and, if said underpayment is confirmed, remit the amount of underpayment to City, including any interest calculated in accordance with Section X(D). The cost of the audit shall be borne by City unless the Company is finally determined to have underpaid the franchise fee by five percent (5%) or more, in which case the reasonable costs of the audit shall be immediately reimbursed to the City by Company. The rights to access the Records shall terminate two (2) year(s) after the termination or expiration of this Ordinance. Company agrees to maintain the Records in an accessible location.

(C) City agrees, to the extent allowed by law, to maintain any information that is not required to be made public shall be kept confidential by City. The City shall provide notice to Company of any request for release of information previously designated by Company as proprietary or confidential non-public information prior to releasing the information to allow Company adequate time to pursue available remedies for protection. If the City receives a request under the Texas Public Information Act that includes Company's previously designated proprietary or confidential information, City will request an opinion from the Texas Attorney General as to the confidential or the proprietary nature of the information. The City also will provide Company with notice of the request, and thereafter Company is responsible for establishing that an exception under the Texas Public Information Act allows the City to withhold the information.

SECTION XII. Renegotiation

If either the City or Company requests renegotiation of any term of this Ordinance, Company and City agree to renegotiate in good faith revisions to all terms of this Ordinance. If the parties cannot come to agreement upon any provisions being renegotiated, then the existing provisions of this Ordinance will continue in effect for the remaining term of the Ordinance.

SECTION XIII. Termination

(A) The City, in accordance with subsection (B) below, may terminate this Ordinance and all rights and privileges pertaining thereto, in the event that the Company violates any material provision of this Ordinance (an "Event of Default").

(B) Uncured Events of Default.

- (1) Upon the occurrence of an Event of Default which can be cured by the immediate payment of money to City or a third party, Company shall have thirty (30) days (or such additional time as may be agreed to by the City) after receipt of written notice from City of an occurrence of such Event of Default to cure same before City may exercise any of its rights or remedies pursuant to Section XIII(C).
- (2) Upon the occurrence of an Event of Default by Company which cannot be cured by the immediate payment of money to City or a third party, Company shall have sixty (60) days (or such additional time as may be agreed to by the City) after receipt of written notice from City of an occurrence of such Event of Default to cure same before City may exercise any of its rights or remedies pursuant to Section XIII(C).
- (3) If the Event of Default is not cured within the time period allowed for curing the Event of Default as provided for herein, such Event of Default shall, without additional notice, become an Uncured Event of Default, which shall entitle City to exercise the remedies pursuant to Section XIII(C).

(C) Remedies. Upon receipt of a notice of an alleged Uncured Event of Default as described in Section XIII(B), which notice shall specify the alleged failure with reasonable particularity, the Company shall, within the time periods specified in Section XIII(B) or such longer period of time as may be agreed to by the City, either cure such alleged failure or, in a written response to the City, present facts and arguments in refuting or defending such alleged failure, or state that such alleged failure will be cured and set forth the method and time schedule for

accomplishing such cure. In the event that such cure is not forthcoming or the City determines that an unexcused "Uncured Event of Default" has occurred, City shall be entitled to exercise any and all of the following cumulative remedies:

- (1) The commencement of an action against Company at law for monetary damages.
- (2) The commencement of an action in equity seeking injunctive relief or the specific performance of any of the provisions, which as a matter of equity, are specifically enforceable.
- (3) The termination of the franchise granted herein.

(D) Remedies Not Exclusive. The rights and remedies of City and Company set forth in this Ordinance shall be in addition to, and not in limitation of, any other rights and remedies provided by law or in equity. City and Company understand and intend that such remedies shall be cumulative to the maximum extent permitted by law and the exercise by a party of any one or more of such remedies shall not preclude the exercise by such party, at the same or different times, of any other such remedies for the same failure to cure. However, notwithstanding this Section or any other provision of this Ordinance, City shall not recover both liquidated damages and actual damages for the same violation, breach, or noncompliance, either under this Section or under any other provision of this Ordinance.

(E) Termination. The franchise granted herein may be terminated only in accordance with the provisions of Section XIII(C). City shall notify Company in writing at least thirty (30) business days in advance of the City Council meeting at which the questions of termination shall be considered, and Company shall have the right to appear before the City Council in person or by counsel and raise any objections or defenses Company may have that are relevant to the proposed forfeiture or termination. The final decision of the City Council may be appealed to any court or regulatory authority having jurisdiction. Upon timely appeal by Company of the City Council's decision terminating the franchise granted herein, the effective date of such termination shall be either when such appeal is withdrawn or a court order upholding the termination becomes final and unappealable. If no appeal is filed, the effective date of such termination shall be the thirtieth (30th) day following the date of the final termination decision of the City Council. Until the termination becomes effective, the provisions of this Ordinance shall remain in effect for all purposes.

SECTION XIV. Successors and Assigns

Company's rights under this Ordinance shall not be assigned or transferred without the written consent of the City, which consent shall not be unreasonably withheld; provided, however, that Company may assign its rights under this Ordinance to a parent, subsidiary, affiliate or successor entity without such consent, so long as such parent, subsidiary, affiliate or successor (i) assumes all obligations of Company hereunder, and (ii) is bound to the same extent as Company hereunder. Company shall give the City sixty (60) days prior written notice of any assignment to a parent, subsidiary, affiliate or successor entity. Any required consent shall be expressed by an ordinance that fully recites the terms and conditions, if any, upon which such consent is given. Any assignment or transfer effected prior to the City's approval thereof, if required, shall authorize the City to treat such assignment or transfer as an Uncured Event of

Default and immediately implement the provisions of Section XIII, including the right to terminate the franchise granted herein.

SECTION XV. Notices

Any notice required or permitted to be delivered hereunder shall be deemed received if: (i) delivered in person to the applicable address set forth below; (ii) deposited in an official depository under the regular care and custody of the United States Postal Service located within the confines of the United States of America and sent by certified mail, return receipt requested, and addressed to such party at the applicable address set forth below; or (iii) delivered to such party by courier receipted delivery to the applicable address set forth below. Either party may designate another address within the confines of the continental United States of America for notice, but until written notice of such change is deemed received by the other party as provided above, the last address of such party designated for notice shall remain such party's address for notice.

If intended for the City:

City of Rockwall
Attention: City Manager
385 S. Goliad
Rockwall, Texas 75087
(972) 771-7700

If intended for the Company:

SiEnergy, L.P.
Attention: Chief Executive Officer
13215 Bee Cave Pkwy, Suite B-250
Bee Cave, Texas 78738
Travis County, Texas

SECTION XVI. Severability; Amendment; Ordinance Controlling

It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance. Both the Company and the City expressly recognize that this Ordinance creates a binding and enforceable contract between them, which contract may not be amended without written consent of both the Company and the City. Should any inconsistency or conflict exist now or in the future between the provisions of this Ordinance and the City's charter or another ordinance or ordinances, then the provisions of this Ordinance shall control to the extent of such inconsistency or conflict to the extent not prohibited by law.

SECTION XVII. Governing Law

This Ordinance shall be governed and construed in accordance with the laws of the State of Texas, without giving effect to any conflicts of law rule or principle that might result in the application of the laws of another jurisdiction. Exclusive venue for any action concerning this Ordinance, the transactions contemplated hereby, or the liabilities or obligations imposed hereunder shall be in the State District Court of Rockwall County, Texas.

SECTION XVIII. No Waiver

Either City or Company shall have the right to waive any requirement contained in this Ordinance, which is intended for the waiving party's benefit, but, except as otherwise provided herein, such waiver shall be effective only if in writing executed by the party for whose benefit such requirement is intended. No waiver of any breach or violation of any term of this Ordinance shall be deemed or construed to constitute a waiver of any other breach or violation, whether concurrent or subsequent, and whether of the same or a different type of breach or violation.

SECTION XIX. Paragraph Headings; Construction

The paragraph headings contained in this Ordinance are for convenience only and shall in no way enlarge or limit the scope or meaning of the various and several paragraphs hereof. Both parties have participated in the preparation of this Ordinance and this Ordinance shall not be construed either more or less strongly against or for either party.

SECTION XX. Acceptance; Effective Date

To accept the franchise granted herein, the Company must evidence its written acceptance of the terms and conditions of this Ordinance by executing and delivering to the City, within thirty (30) days after the City provides written notice to Company of the final adoption of this Ordinance by the City, a letter in the form of Exhibit A attached hereto and incorporated herein. Upon and subject to such written acceptance, this Ordinance shall become effective as of the first day of the calendar month that is not less than sixty (60) days after the final adoption of this Ordinance by the City (such date being the "Effective Date").

SECTION XXI. Repealer

Each and every other ordinance or part thereof which is directly in conflict with any provision herein as to the grant of a franchise for natural gas services and the regulation thereof is hereby repealed.

PASSED AND APPROVED ON THIS THE ___ DAY OF _____, 2021.

**CITY OF ROCKWALL, TEXAS
APPROVED:**

Kevin Fowler, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

EXHIBIT "A"

SiEnergy, L.P. Acceptance of Franchise Ordinance

[DATE]

City of Rockwall, Texas
Attention: City Secretary

RE: SiEnergy, L.P. Gas franchise; Ordinance No. _____

This letter certifies that SiEnergy, L.P. accepts and agrees to be contractually bound by the terms and conditions of Ordinance No. _____, a copy of which is attached hereto as Exhibit A.

SIENERGY, L.P.

By: _____

Printed Name: _____

Title: _____



City of Rockwall
The New Horizon

Building Inspections Department Monthly Report

April 2021

Permits

Total Permits Issued:	358
Building Permits:	54
Contractor Permits:	304
Total Commercial Permit Values:	\$3,880,335.80
Building Permits:	\$2,900,000.00
Contractor Permits:	\$980,335.80
Total Fees Collected:	\$306,654.35
Building Permits:	\$263,704.66
Contractor Permits:	\$42,949.69

Board of Adjustment

Board of Adjustment Cases: 0

5/4/2021
12:33:36PM

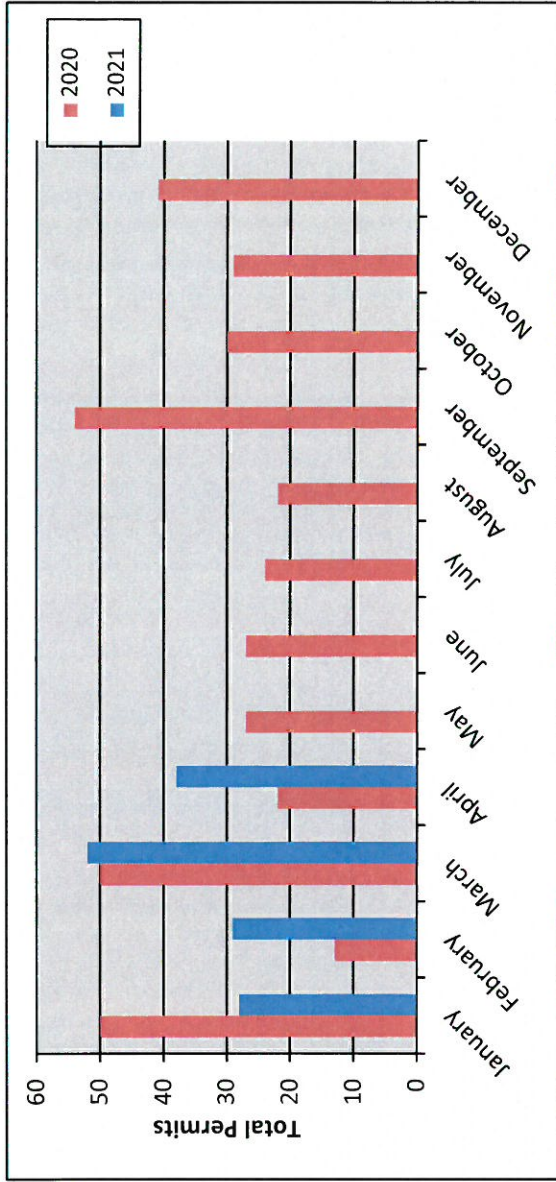
City of Rockwall
PERMITS ISSUED - Summary by Type and Subtype
For the Period 4/1/2021 to 4/30/2021

Type/Subtype	# of Permits Issued	Valuation of Work	Fees Charged
Commercial Building Permit	53	\$3,880,335.80	\$57,930.94
Certificate of Occupancy	14		\$1,065.00
Concrete Permit	1	49,000.00	\$658.05
Electrical Permit	12	150,501.00	\$2,818.75
Irrigation Permit	4		\$303.00
Mechanical Permit	1	7,000.00	\$153.77
New Construction	2	2,900,000.00	\$45,705.08
Plumbing Permit	5	24,385.80	\$637.52
Remodel	3	720,000.00	\$5,225.52
Sign Permit	8	29,449.00	\$689.25
Temporary Certificate of Occupancy	3		\$675.00
Residential Building Permit	305		\$248,723.41
Accessory Building Permit	13		\$1,240.96
Concrete Permit	16		\$1,791.98
Deck Permit	1		\$127.50
Driveway Permit	1		\$51.00
Electrical Permit	4		\$459.00
Fence Permit	53		\$2,696.00
Irrigation Permit	44		\$3,364.50
Mechanical Permit	13		\$1,601.50
New Construction	38		\$216,707.62
Outdoor Kitchen Permit	1		\$125.00
Patio Cover/Pergola	11		\$1,208.69
Plumbing Permit	35		\$4,140.43
Pool	17		\$2,464.50
Remodel	6		\$3,228.66
Retaining Wall Permit	6		\$356.00
Roofing Permit	23		\$1,718.00
Solar Panel Permit	7		\$2,954.33
Takeline - Boat House	1		\$51.00
Takeline - Seawall	1		\$0.00
Temporary Construction Trailer	1		\$3,774.74
Window & Door Permit	13		\$662.00
Totals:	358		\$306,654.35

New Residential Permits

Calendar Year

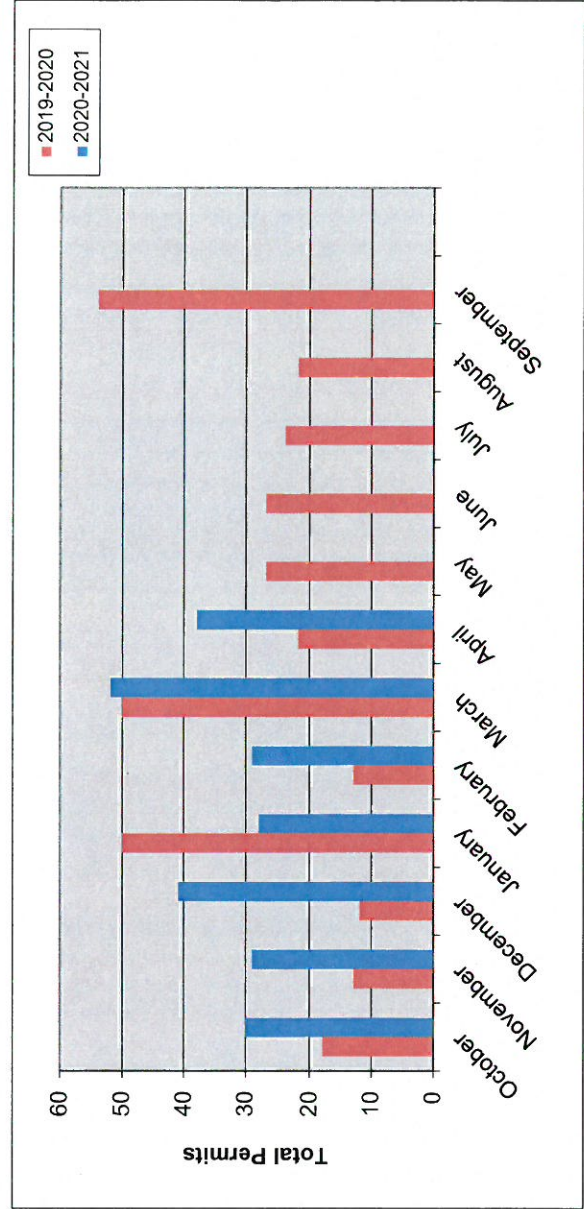
	Year	
	2020	2021
January	50	28
February	13	29
March	50	52
April	22	38
May	27	
June	27	
July	24	
August	22	
September	54	
October	30	
November	29	
December	41	
Totals	389	147



New Residential Permits

Fiscal Year

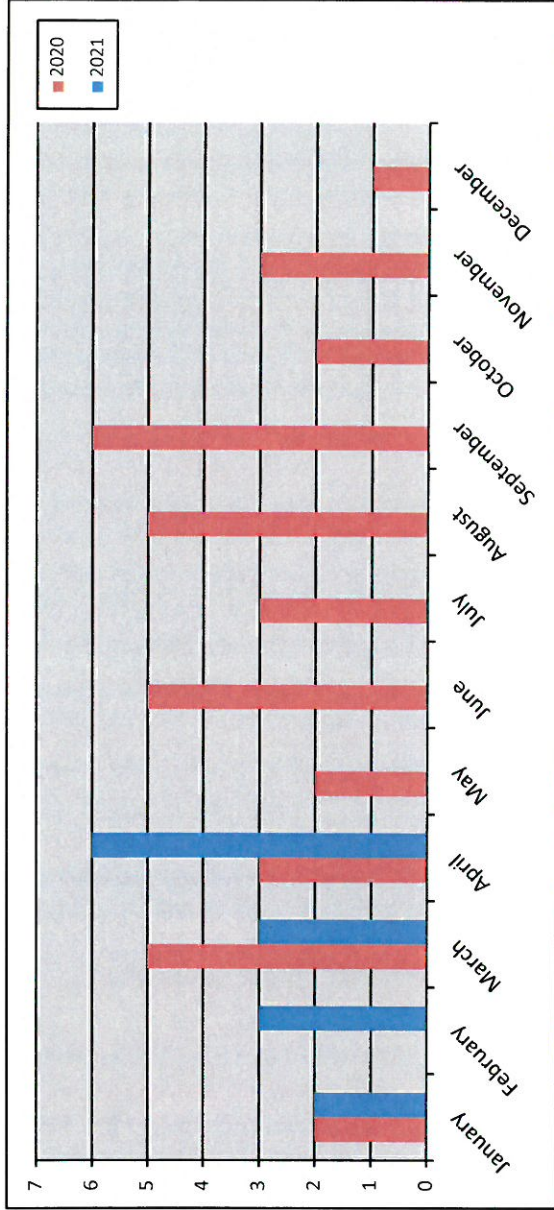
	Year	
	2019-2020	2020-2021
October	18	30
November	13	29
December	12	41
January	50	28
February	13	29
March	50	52
April	22	38
May	27	
June	27	
July	24	
August	22	
September	54	
Totals	332	332



Residential Remodel Permits

Calendar Year

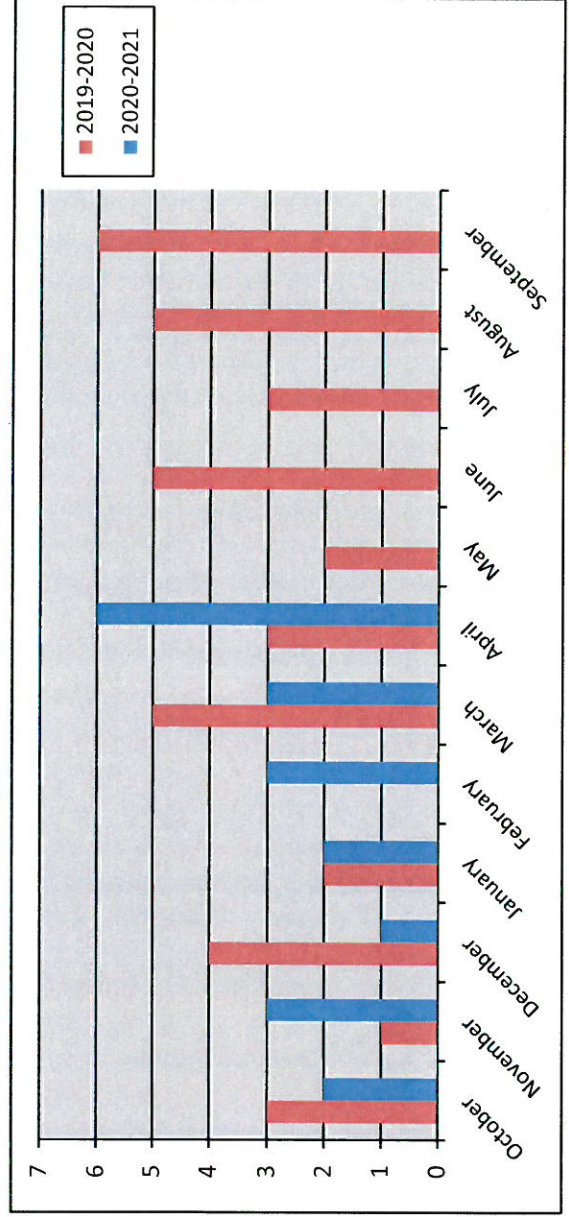
	Year	
	2020	2021
January	2	2
February	0	3
March	5	3
April	3	6
May	2	
June	5	
July	3	
August	5	
September	6	
October	2	
November	3	
December	1	
Totals	37	14



Residential Remodel Permits

Fiscal Year

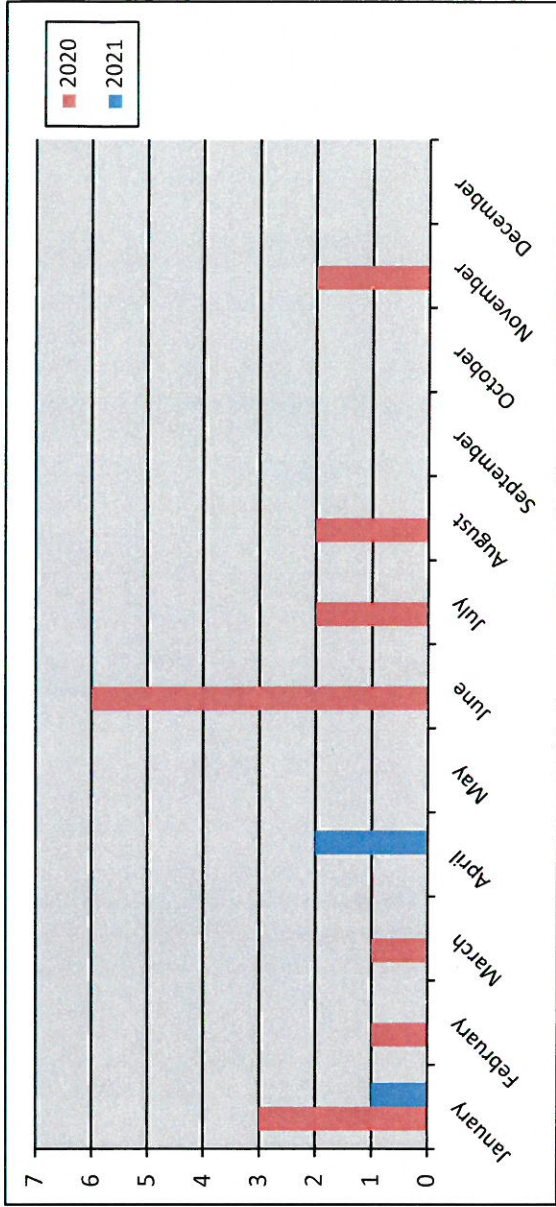
	Year	
	2019-2020	2020-2021
October	3	2
November	1	3
December	4	1
January	2	2
February	0	3
March	5	3
April	3	6
May	2	
June	5	
July	3	
August	5	
September	6	
Totals	39	20



New Commercial Permits

Calendar Year

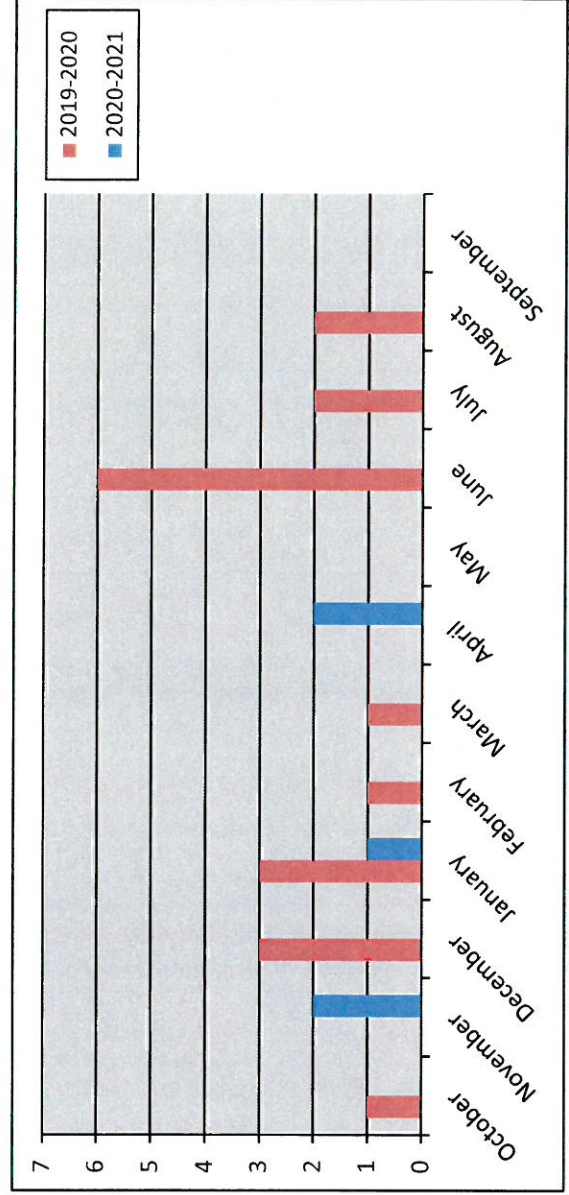
	Year	
	2020	2021
January	3	1
February	1	0
March	1	0
April	0	2
May	0	
June	6	
July	2	
August	2	
September	0	
October	0	
November	2	
December	0	
Totals	17	3



New Commercial Permits

Fiscal Year

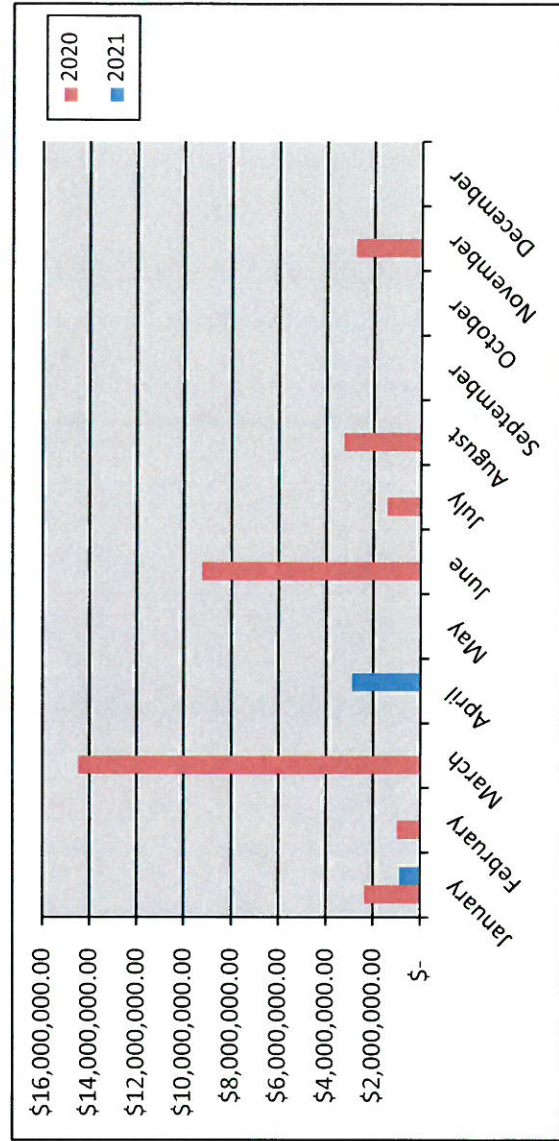
	Year	
	2019-2020	2020-2021
October	1	0
November	0	2
December	3	0
January	3	1
February	1	0
March	1	0
April	0	2
May	0	
June	6	
July	2	
August	2	
September	0	
Totals	19	5



New Commercial Value

Calendar Year

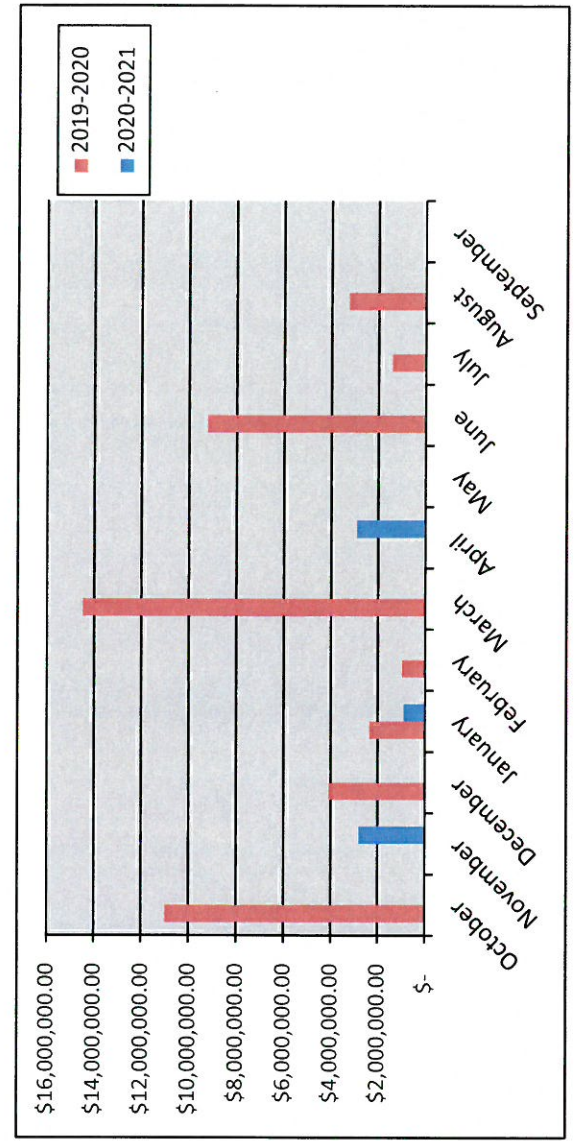
	Year	
	2020	2021
January	\$ 2,375,000.00	\$ 885,000.00
February	\$ 995,000.00	\$ -
March	\$ 14,500,000.00	\$ -
April	\$ -	\$ 2,900,000.00
May	\$ 9,244,001.00	\$ -
June	\$ 1,445,000.00	\$ -
July	\$ 3,284,065.00	\$ -
August	\$ -	\$ -
September	\$ -	\$ -
October	\$ 2,800,000.00	\$ -
November	\$ -	\$ -
December	\$ -	\$ -
Totals	\$ 34,643,066.00	\$ 3,785,000.00



New Commercial Value

Fiscal Year

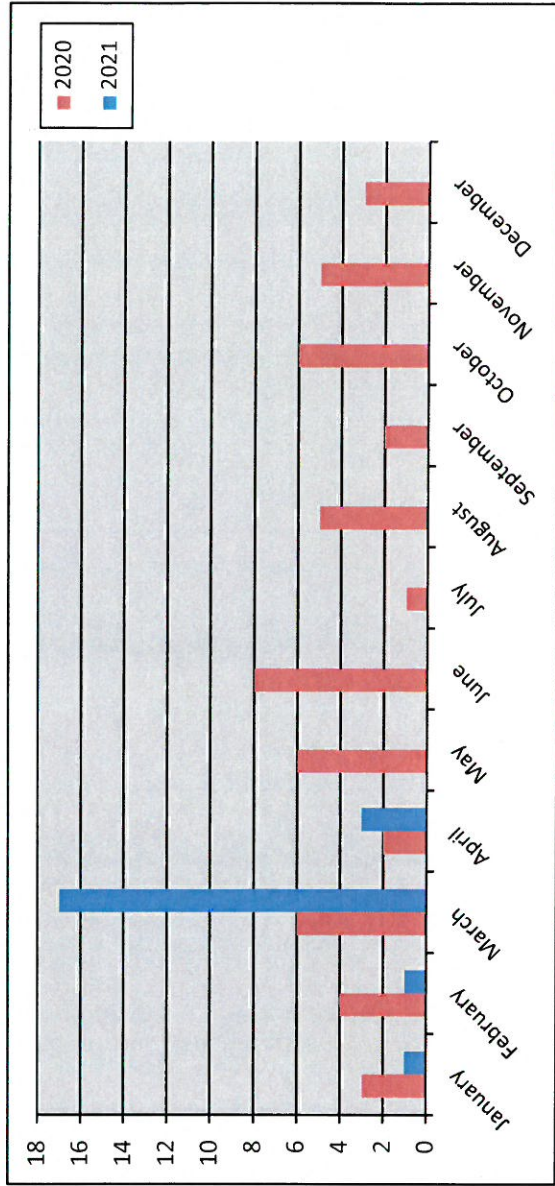
	Year	
	2019-2020	2020-2021
October	\$ 11,000,000.00	\$ -
November	\$ -	\$ 2,800,000.00
December	\$ 4,100,000.00	\$ -
January	\$ 2,375,000.00	\$ 885,000.00
February	\$ 995,000.00	\$ -
March	\$ 14,500,000.00	\$ -
April	\$ -	\$ 2,900,000.00
May	\$ -	\$ -
June	\$ 9,244,001.00	\$ -
July	\$ 1,445,000.00	\$ -
August	\$ 3,284,065.00	\$ -
September	\$ -	\$ -
Totals	\$ 46,943,066.00	\$ 6,585,000.00



Commercial Remodel Permits

Calendar Year

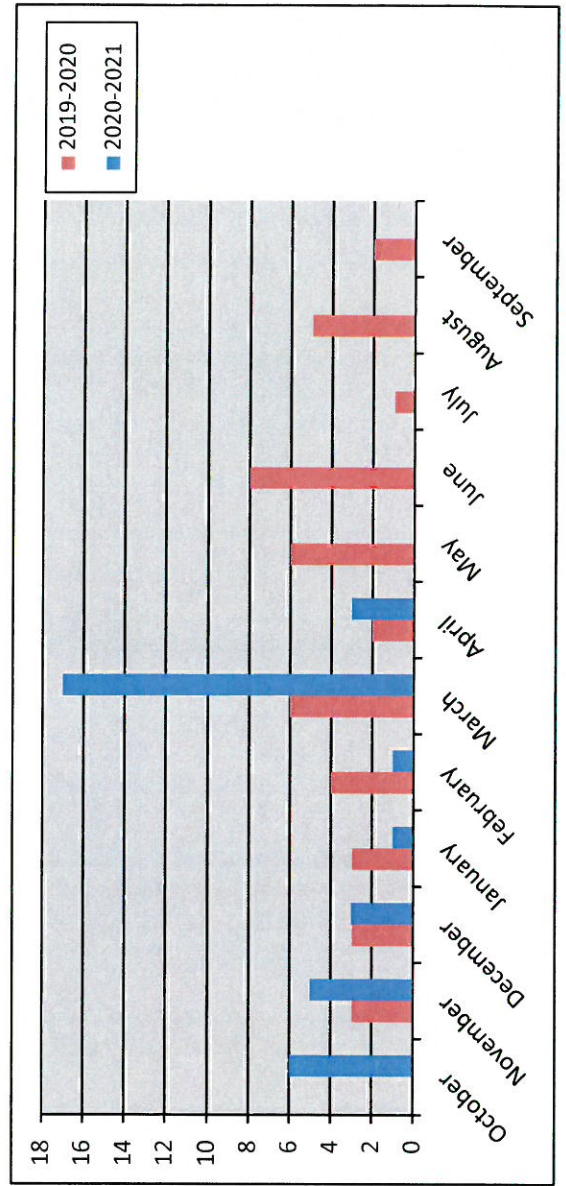
	Year	
	2020	2021
January	3	1
February	4	1
March	6	17
April	2	3
May	6	
June	8	
July	1	
August	5	
September	2	
October	6	
November	5	
December	3	
Totals	51	22



Commercial Remodel Permits

Fiscal Year

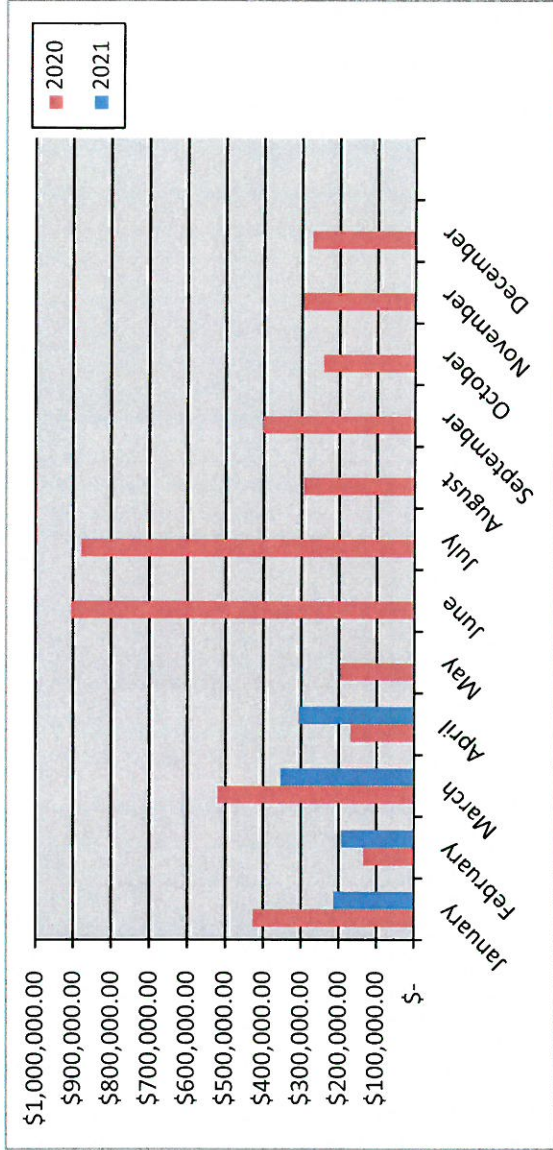
	Year	
	2019-2020	2020-2021
October	0	6
November	3	5
December	3	3
January	3	1
February	4	1
March	6	17
April	2	3
May	6	
June	8	
July	1	
August	5	
September	2	
Totals	43	36



Total Fees Collected

Calendar Year

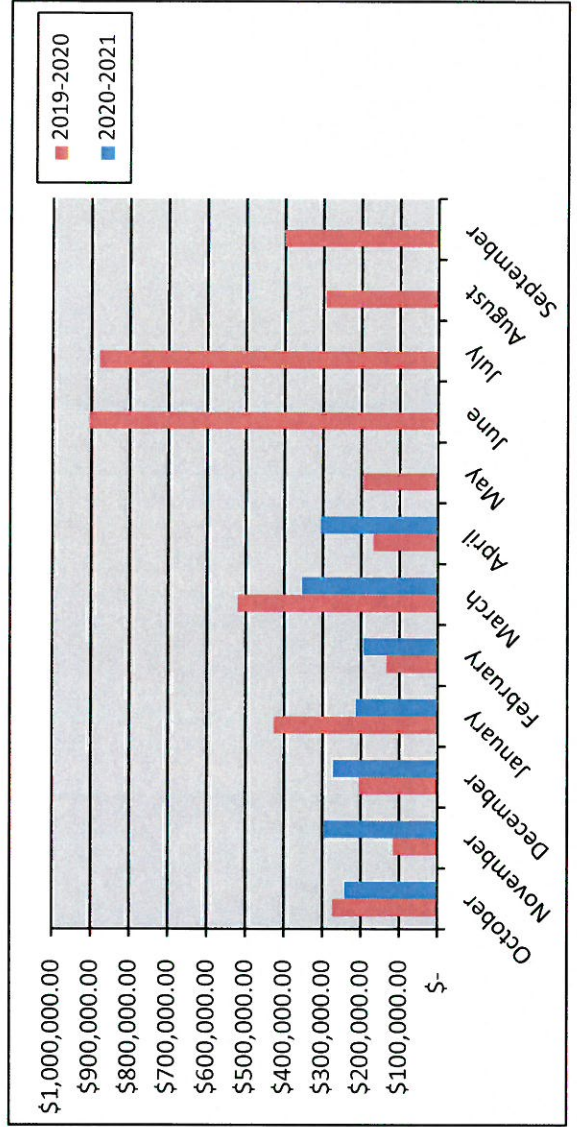
	Year	
	2020	2021
January	\$ 427,697.11	\$ 214,263.11
February	\$ 134,061.03	\$ 193,245.03
March	\$ 521,238.63	\$ 354,901.19
April	\$ 169,632.18	\$ 306,654.35
May	\$ 196,119.77	
June	\$ 906,969.19	
July	\$ 880,396.43	
August	\$ 294,303.58	
September	\$ 401,730.63	
October	\$ 242,859.42	
November	\$ 296,217.55	
December	\$ 272,486.48	
Totals	\$ 4,743,712.00	\$ 1,069,063.68



Total Fees Collected

Fiscal Year

	Year	
	2019-2020	2020-2021
October	\$ 274,121.49	\$ 242,859.42
November	\$ 116,656.13	\$ 296,217.55
December	\$ 205,859.61	\$ 272,486.48
January	\$ 427,697.11	\$ 214,263.11
February	\$ 134,061.03	\$ 193,245.03
March	\$ 521,238.63	\$ 354,901.19
April	\$ 169,632.18	\$ 306,654.35
May	\$ 196,119.77	
June	\$ 906,969.19	
July	\$ 880,396.43	
August	\$ 294,303.58	
September	\$ 401,730.63	
Totals	\$ 4,528,785.78	\$ 1,880,627.13



12:28:47PM

PERMITS ISSUED

For the Period 4/1/2021 to 4/30/2021

Permit Number	Permit Type	Site Address	Total Fees	Fees Paid
Application Date	Subtype	Parcel Number		
Issue Date	Status of Permit	Subdivision Name	Total SQFT	
		Plan Number	Valuation	
COM2020-5354	Commercial Building Permit			
12/22/2020	Certificate of Occupancy	1307 Ridge Rd, Suite	\$75.00	\$75.00
04/14/2021	ISSUED	1104 ., Rockwall, TX, 75087	8,000.00	
Contact Type				
Business Owner	Reza Shojaei	4910 Clay	Rowlett	TX 75088
Property Owner	AZT Corp	16600 Dallas Parkway, Suite 300	Rowlett	TX 75088
Contractors				
COM2021-1231	Commercial Building Permit			
03/19/2021	Certificate of Occupancy	1196 N T L Townsend,	\$76.50	\$76.50
04/28/2021	ISSUED	Rockwall, TX 75087	163,832.00	
Contact Type				
Business Owner	Brownstone Construction	6517 Mapleridge	Houston	TX 77081
Property Owner	Alders at Rockwall Property, LLC.	8235 Douglas Ave. Unit 1320	Dallas	TX
Contractors				
COM2021-1301	Commercial Building Permit			
03/23/2021	Certificate of Occupancy	2007 Industrial Blvd, Suite	\$75.00	\$75.00
04/13/2021	ISSUED	A, Rockwall, TX 75087	7,500.00	
Contact Type				
Business Owner	Jeff Gunter	2007 Industrial Blvd, Suite A	Rockwall	TX 75087
Property Owner	Jeff Gunter	2007 Industrial Blvd, Suite A	Rockwall	TX 75087
Contractors				
COM2021-1398	Commercial Building Permit			
03/26/2021	Certificate of Occupancy	1480 Justin Rd, Rockwall,	\$75.00	\$76.50
04/09/2021	ISSUED	TX 75087	7,481.00	
Contact Type				
Property Owner	SPR Packaging	1480 Justin Rd	Rockwall	TX 75087
Business Owner	ALVAPLAST US Development LLC.	1480 Justin Road	Rockwall	TX 75087
Contractors				
COM2021-1399	Commercial Building Permit			
03/26/2021	Certificate of Occupancy	1480 Justin Rd, Rockwall,	\$76.50	\$76.50
04/05/2021	ISSUED	TX 75087	22,564.00	

PERMITS ISSUED

For the Period 4/1/2021 to 4/30/2021

Permit Number	Permit Type	Site Address			Total Fees
Application Date	Subtype	Parcel Number			
Issue Date	Status of Permit	Subdivision Name	Valuation	Total SQFT	Fees Paid
Contact Type	Contact Name	Contact Address			
Property Owner	SPR Packaging	1480 Justin Rd	Rockwall	TX	75087
Business Owner	ALVAPLAST US Development LLC.	1480 Justin Road	Rockwall	TX	75087

Contractors

COM2021-1431	Commercial Building Permit				
03/29/2021	Certificate of Occupancy	106 KENWAY DR,			\$76.50
04/19/2021	ISSUED	ROCKWALL, 75087			2,011.00

Contact Type	Contact Name	Contact Address			
Business Owner	David Mitchell	106 Kenway St	Rockwall	TX	75087
Property Owner	Todd Bell	102 Kenway St	Rockwall	TX	75087

Contractors

COM2021-1532	Commercial Building Permit				
04/05/2021	Certificate of Occupancy	1915 ALPHA DR,			\$75.00
04/13/2021	ISSUED	ROCKWALL, 75087			50,400.00

Contact Type	Contact Name	Contact Address			
Business Owner	Longbow Interests LLC	DAVID M ELLIS AND JODY M ELLIS	Dallas	TX	75240
Property Owner	Longbow Interests LLC	DAVID M ELLIS AND JODY M ELLIS	Dallas	TX	75240
Contractor	CROSSLAND CONSTRUCTION COMPANY, INC.	ROSS WISDOM	COLUMBUS	KS	66726

Contractors

COM2021-1534	Commercial Building Permit				
04/05/2021	Certificate of Occupancy	1910 ALPHA DR,			\$76.50
04/13/2021	ISSUED	ROCKWALL, 75087			12,000.00

Contact Type	Contact Name	Contact Address			
Business Owner	Longbow Interests LLC	DAVID M ELLIS AND JODY M ELLIS	Dallas	TX	75240
Property Owner	Longbow Interests LLC	DAVID M ELLIS AND JODY M ELLIS	Dallas	TX	75240
Contractor	CROSSLAND CONSTRUCTION COMPANY, INC.	833 S. EAST AVE	COLUMBUS	KS	66726

Contractors

COM2021-1536	Commercial Building Permit				
04/05/2021	Certificate of Occupancy	1905 ALPHA DR,			\$76.50
04/13/2021	ISSUED	ROCKWALL, 75087			25,200.00

PERMITS ISSUED

For the Period 4/1/2021 to 4/30/2021

Permit Number	Permit Type	Site Address	Parcel Number	Total Fees	
Application Date	Subtype	Subdivision Name			
Issue Date	Status of Permit	Plan Number	Valuation	Total SQFT	Fees Paid
Contact Type					
Contact Name					
Contact Address					
Business Owner	Longbow Interests LLC	DAVID M ELLIS AND JODY M ELLIS	Dallas	TX	75240
Property Owner	Longbow Interests LLC	DAVID M ELLIS AND JODY M ELLIS	Dallas	TX	75240
Contractor	CROSSLAND CONSTRUCTION COMPANY, INC.	833 S. EAST AVE	COLUMBUS	KS	66726
Contractors					
<hr/>					
COM2021-1571	Commercial Building Permit				
04/06/2021	Temporary Certificate of Occupancy	1307 Ridge Rd., #1104,		\$300.00	\$300.00
04/14/2021	ISSUED	Rockwall, TX 75087		8,000.00	
Contact Type					
Contact Name					
Contact Address					
Business Owner	Reza Shojaei	1307 Ridge Rd. #1104	Rockwall	TX	75087
Property Owner	AZT Corp.	7841 Element Ave.	Plano	TX	75024
Contractors					
<hr/>					
COM2021-1747	Commercial Building Permit				
04/14/2021	Temporary Certificate of Occupancy	901 S GOLIAD ST,		\$75.00	\$75.00
04/30/2021	ISSUED	ROCKWALL, 75087		80.00	
Contact Type					
Contact Name					
Contact Address					
Business Owner	Tim Moore	313 Stonebridge Dr.	Rockwall	TX	75087
Property Owner	Tim Moore	313 Stonebridge Dr.	Rockwall	TX	75087
Contractors					
<hr/>					
COM2021-1773	Commercial Building Permit				
04/15/2021	Certificate of Occupancy	2065 Summer Lee Dr.		\$75.00	\$75.00
04/23/2021	ISSUED	#103, Rockwall, TX 75032		709.00	
Contact Type					
Contact Name					
Contact Address					
Business Owner	Jordan Steger	2065 Summer Lee Dr. #103	Rockwall	TX	75032
Property Owner	PA Harbor Retail, LLC.	8222 Douglas Ave. #390	Dallas	TX	75202
Contractors					
<hr/>					
COM2021-1833	Commercial Building Permit				
04/19/2021	Temporary Certificate of Occupancy	2901 RIDGE RD,		\$300.00	\$300.00
04/27/2021	ISSUED	ROCKWALL, TX 75032		5,400.00	
Contact Type					
Contact Name					
Contact Address					
Business Owner	SDI S ROCKWALL LLC	2901 RIDGE RD	ROCKWALL	TX	75032
Property Owner	SDI S ROCKWALL LLC	2901 RIDGE RD	ROCKWALL	TX	75032

12:28:47PM

PERMITS ISSUED

For the Period 4/1/2021 to 4/30/2021

Permit Number	Permit Type	Site Address	Valuation	Total Fees	Fees Paid
Application Date	Subtype	Parcel Number			
Issue Date	Status of Permit	Subdivision Name		Total SQFT	
		Plan Number			
Contractors					
COM2021-1983	Commercial Building Permit				
04/26/2021	Certificate of Occupancy	3005 N Goliad St.,		\$76.50	\$76.50
04/29/2021	ISSUED	Rockwall, TX 75087		10,886.00	
Contact Type	Contact Name	Contact Address			
Business Owner	Cary Albert	14114 Dallas Parkway	Dallas TX	75254	
Property Owner	DA 3009 Goliad Partners	5622 Harbor Town Dr.	Dallas TX	75287	
Contractors					
COM2021-2052	Commercial Building Permit				
04/28/2021	Certificate of Occupancy	3005 N. Goliad St., Suite		\$76.50	\$76.50
04/30/2021	ISSUED	100, Rockwall, TX 75032		1,600.00	
Contact Type	Contact Name	Contact Address			
Business Owner	William Beg	3005 N. Goliad St. #100	Rockwall TX	75087	
Property Owner	DA 3009 Goliad Partners, LP	14114 Dallas Pkwy., Suite 670	Dallas TX	75254	
Contractors					
COM2021-703	Commercial Building Permit				
02/19/2021	Certificate of Occupancy	501 Industrial Blvd,		\$76.50	\$76.50
04/06/2021	ISSUED	Rockwall, TX 75087		79,373.00	
Contact Type	Contact Name	Contact Address			
Business Owner	CAROLINA MOLINA	1480 JUSTIN RD	Rockwall TX	75087	
Property Owner	SPR PACKAGING	1480 JUSTIN RD.	Rockwall TX	75087	
Applicant	ZACH HILL	17311 DALLAS PKWY	Dallas TX	75248	
Contractors					
COM2021-921	Commercial Building Permit				
03/05/2021	Certificate of Occupancy	1340 MIMS RD.		\$75.00	\$75.00
04/06/2021	ISSUED	ROCKWALL, TX 75032		1,200.00	
Contact Type	Contact Name	Contact Address			
Business Owner	DEREK MOODY	801 INDUSTRIAL PKWY	Monroe LA	71201	
Property Owner	D&A REAL ESTATE	P.O. BOX 850	Rockwall TX	75087	
Manager	Zachary A Williams	2010 Enchanted Rock Dr	Forney TX	75126-0018	
Contractors					

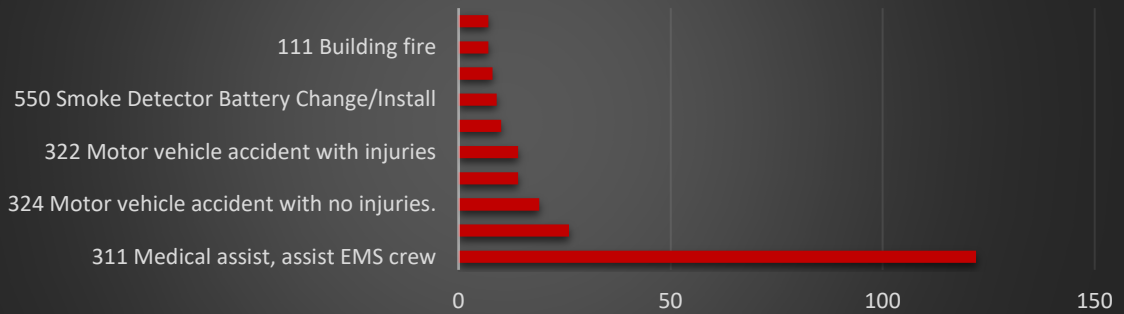
For the Period 4/1/2021 to 4/30/2021

Permit Number	Permit Type	Site Address			
Application Date	Subtype	Parcel Number		Total Fees	
Issue Date	Status of Permit	Subdivision Name		Valuation	Total SQFT
		Plan Number			Fees Paid
	17			Total Valuation:	
				Total Fees: \$1,737.00	
				Total Fees Paid: \$1,740.00	



April 2021 Monthly
Report

Top 10 Call Types

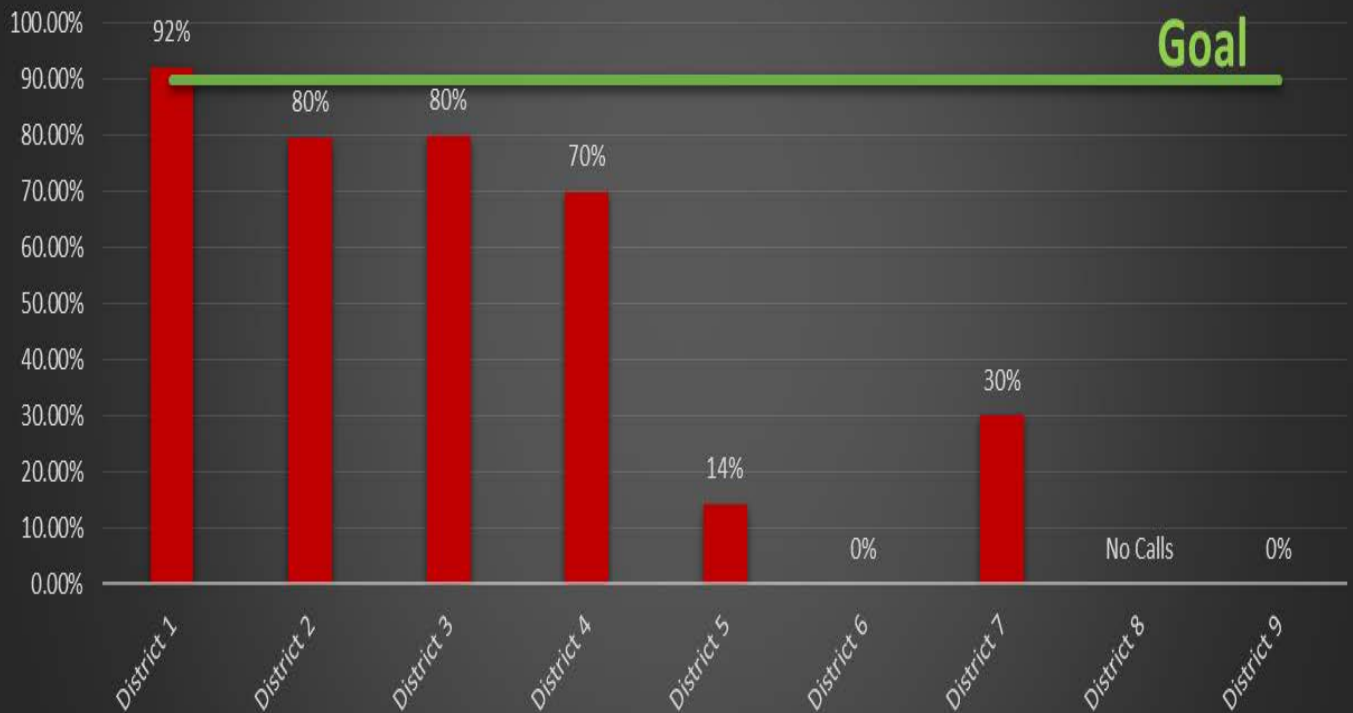


Incident Types	Incident Count
311 Medical assist, assist EMS crew	122
611 Dispatched & canceled en route	26
324 Motor vehicle accident with no injuries.	19
622 No incident found on arrival at dispatch address	14
322 Motor vehicle accident with injuries	14
745 Alarm system activation, no fire - unintentional	10
550 Smoke Detector Battery Change/Install	9
743 Smoke detector activation, no fire - unintentional	8
111 Building fire	7
412 Gas leak (natural gas or LPG)	7
733 Smoke detector activation due to malfunction	5
735 Alarm system sounded due to malfunction	4
651 Smoke scare, odor of smoke	3
444 Power line down	3
700 False alarm or false call, other	2
142 Brush or brush-and-grass mixture fire	2
100 Fire, other	2
143 Grass fire	2
744 Detector activation, no fire - unintentional	2
424 Carbon monoxide incident	2
151 Outside rubbish, trash or waste fire	2
522 Water or steam leak	2
113 Cooking fire, confined to container	1
652 Steam, vapor, fog or dust thought to be smoke	1
631 Authorized controlled burning	1
510 Person in distress, other	1
411 Gasoline or other flammable liquid spill	1
730 System malfunction, other	1
132 Road freight or transport vehicle fire (Commercial Vehicles)	1
442 Overheated motor	1
323 Motor vehicle/pedestrian accident (MV Ped)	1
736 CO detector activation due to malfunction	1
672 Biological hazard investigation, none found	1
422 Chemical spill or leak	1
462 Aircraft standby	1
554 Assist invalid	1
353 Removal of victim(s) from stalled elevator	1
531 Smoke or odor removal	1
365 Watercraft rescue	1
154 Dumpster or other outside trash receptacle fire	1
400 Hazardous condition, other	1
553 Public service	1
445 Arcing, shorted electrical equipment	1
Grand Total	288

April 2021 Dispatch to Arrival Analysis

Total Number of Calls	Percent of Runs per District	Number of Calls in 5.5 mins or Less	Average FD Response Time Minutes	% in 5.5 min or less	Goal of 90%
64	30%	59	0:03:55	92%	90%
69	33%	55	0:04:10	80%	90%
20	9%	16	0:03:47	80%	90%
40	19%	28	0:04:52	70%	90%
7	3%	1	0:06:16	14%	90%
1	0%	0	0:07:42	0%	90%
10	5%	3	0:06:27	30%	90%
0	0%	0	0:00:00	No Calls	90%
1	0%	0	0:09:10	0%	90%
212	100%	162	0:04:24	76%	90%

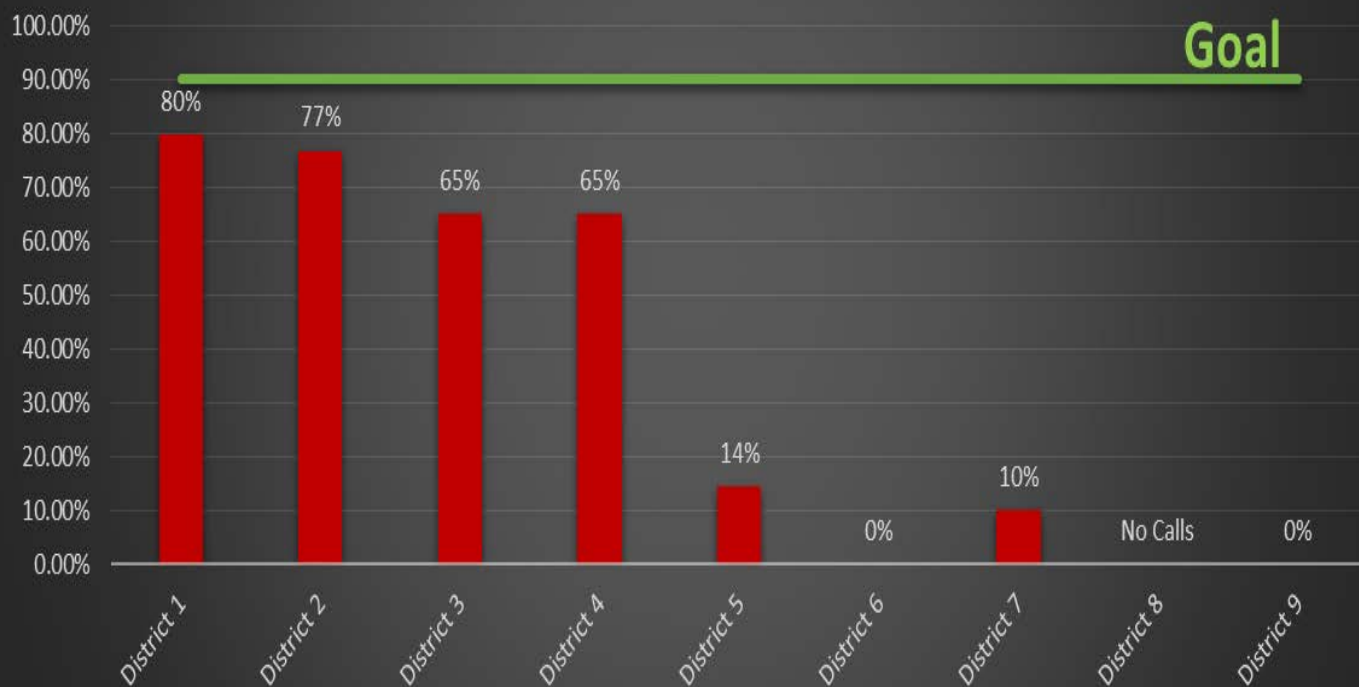
April 2021 - % of Code 3 Calls with Fire Dept Response Time of 5.5 mins or less by District



April 2021 Travel Time by District

District	Total Number of Calls	Percent of Runs per District	Number of Calls in 4 or Less	Average Travel Time Minutes	% in 4 min or less	Goal of 90%
District 1	64	30%	51	0:03:07	80%	90%
District 2	69	33%	53	0:02:58	77%	90%
District 3	20	9%	13	0:02:54	65%	90%
District 4	40	19%	26	0:03:48	65%	90%
District 5	7	3%	1	0:05:17	14%	90%
District 6	1	0%	0	0:06:04	0%	90%
District 7	10	5%	1	0:05:06	10%	90%
District 8	0	0%	0	0:00:00	No Calls	90%
District 9	1	0%	0	0:08:04	0%	90%
Department	212	100%	145	0:03:23	68%	90%

April 2021 - % of Code 3 Calls with Travel Time of 4 mins or less by District





Total Dollar Losses

April 2021



City of Rockwall
The New Horizon

Rockwall Fire Department

Print Date/Time: 05/25/2021 09:32
Login ID: rck\ihatcher
Layer: All
Areas: All

ORI Number: TX504
Incident Type: All
Station: All

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	\$57,350.00	\$80,000.00	\$18,211.00	\$214,350.00	\$28,811.00
Total Content Loss:	\$10,000.00	\$40,000.00	\$24,750.00	\$79,600.00	\$46,250.00
Total Property Pre-Incident Value:	\$2,239,740.00	\$167,869.00	\$5,796,795.00	\$27,603,129.00	\$14,824,355.00
Total Contents Pre-Incident Value	\$665,552.00	\$67,147.60	\$75,000.00	\$11,107,699.60	\$1,087,500.00
Total Losses:	\$67,350.00	\$120,000.00	\$42,961.00	\$293,950.00	\$67,350.00
Total Value:	\$2,905,292.00	\$235,016.60	\$5,871,795.00	\$38,710,828.60	\$15,911,855.00



Fire Marshal Division

April 2021 Report



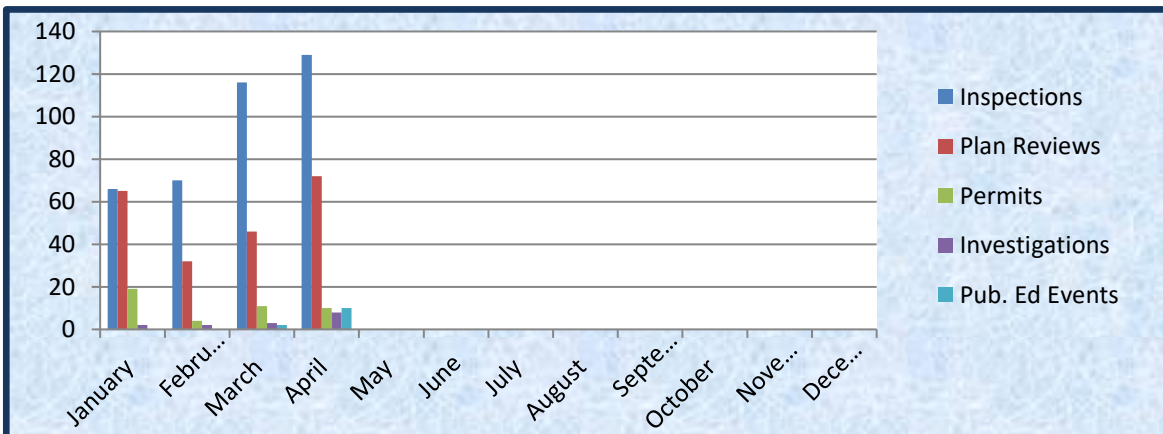
Inspections Conducted	
Total for the Month	129

Plan Reviews Completed	
Total for the Month	72

Permits Issued	
Total for the Month	10

Fire Investigations	
Active Investigations	3
Closed Investigations	5
Total for the Month	8

Public Education Events	
Total for the Month	10



APRIL 2021 MONTHLY REPORT



ROCKWALL PARKS
& RECREATION

PARTICIPATION



LITTLE KICKERS SESSION 2 - 31 KIDS ENROLLED



OUTDOOR FAMILY CAMPOUT - CANCELLED DUE TO RAIN



MOVIE IN THE PARK - CANCELLED DUE TO RAIN

MONTHLY OVERVIEW

APR '21

Part Time Labor Hours	104
Program Offerings	9
Program Participants	628
Resident Participants	403
Non-Resident Participants	225
Programs that Made	7
Cancelled Programs	2 (Rain)
% of Programs Cancelled	23%

FEE BASED RESIDENT VS NON-RESIDENT

7 programs

53%

47%

RENTALS



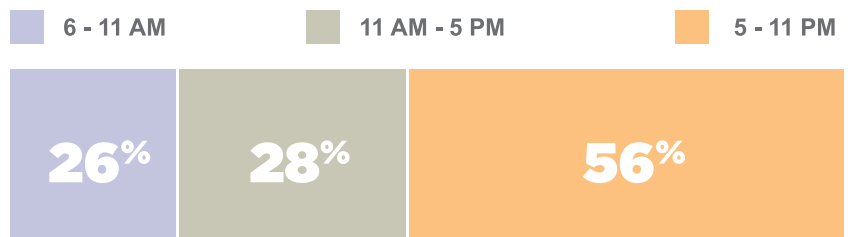
HMCC

APR '21

<i>Time Blocks Rented</i>	50
<i>Monthly Revenue</i>	\$1160

HMCC RENTAL ACTIVITY BY TIME BLOCK

50 Rentals



PAVILIONS

APR '21

<i>Time Blocks Rented</i>	59
<i>Monthly Revenue</i>	\$2360

PAVILION RENTAL ACTIVITY BY TIME BLOCK

59 Rentals



PARKS



FACILITY RENOVATION:

Myers Gate and Road Renovation and Myers Butter Fly Walk Renovation



FACILITY UPGRADES:

Myers Disc Golf Course Mando's and Pettinger Preserve Outdoor Classrooms



MARKETING

FACEBOOK PAGE LIKES



MAR

GAIN OR LOSS
+149

APR

+132

TOTAL LIKES THRU 4/30/2021

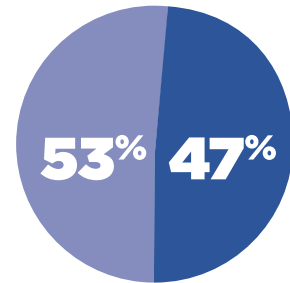


15,500

ONLINE REGISTRATION ACCOUNTS THROUGH ACTIVE

MAR **10004** **+98**

APR **10169** **+165**



RESIDENT VS NON-RESIDENT ACCOUNTS

PLAYROCKWALL.COM PERFORMANCE METRICS

PLAYROCKWALL.COM

PAGEVIEWS

Pageviews represent the total individual pages viewed by visitors to playrockwall.com within the month of April 2021.

84,637

SESSIONS

Sessions represent an individual collection of a user's visit while viewing pages on playrockwall.com

15,921

USERS

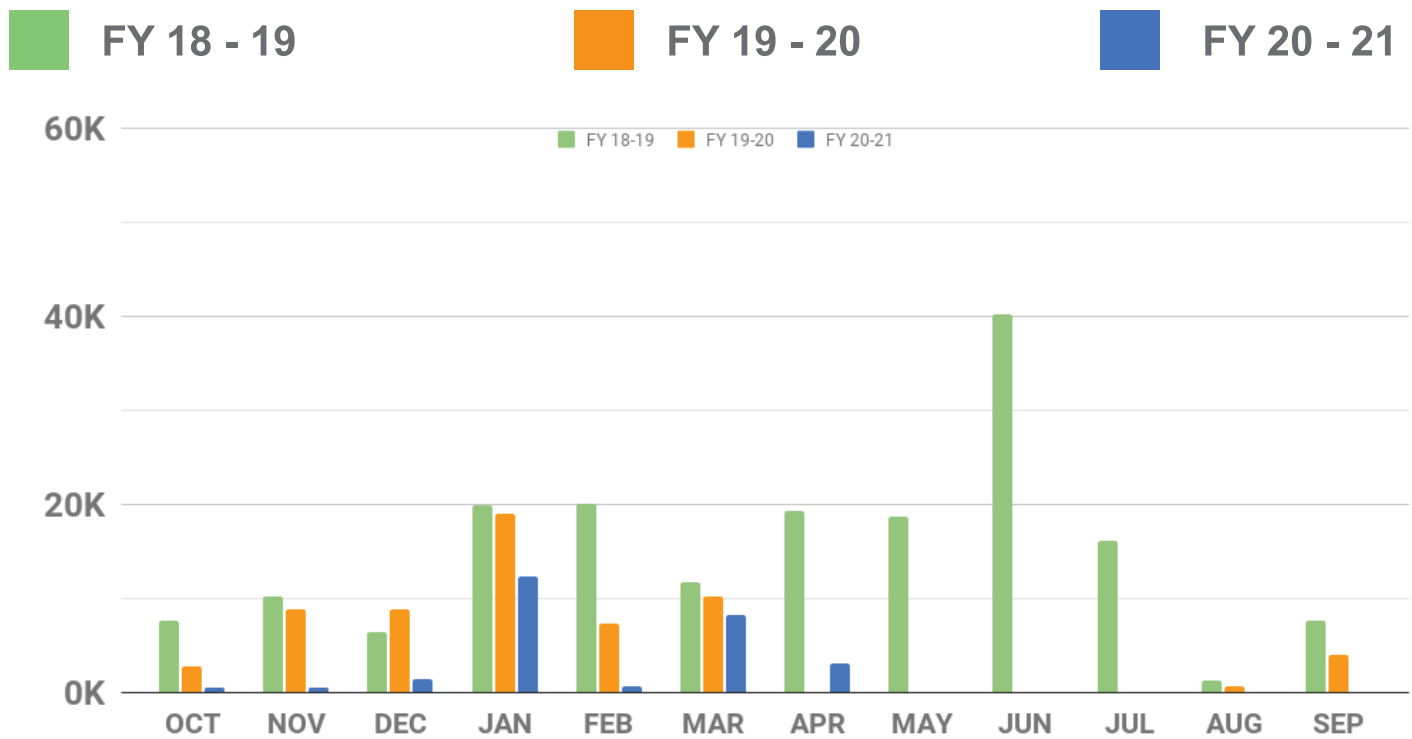
Visitors to playrockwall.com

11,438

REVENUE

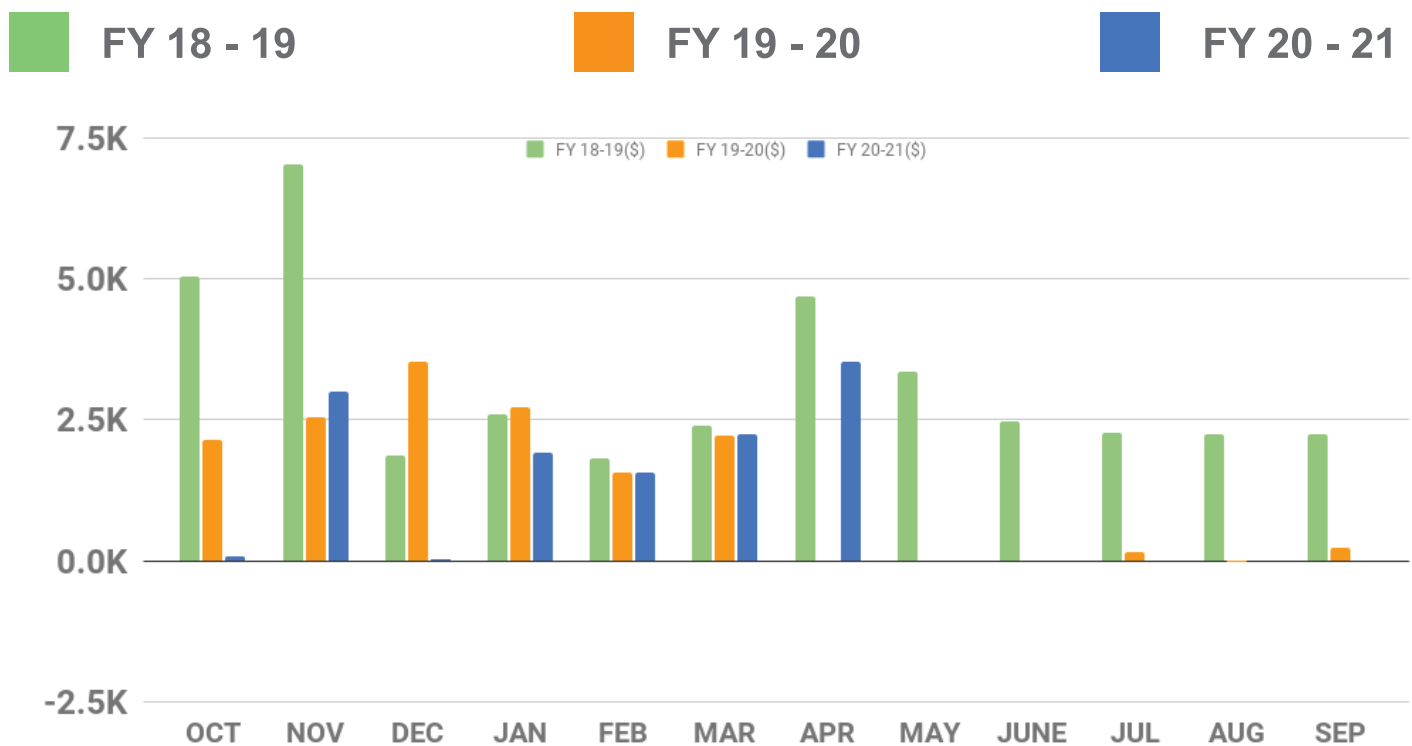
FEE BASED PROGRAM REVENUE BY MONTH

3 fiscal years



FACILITY REVENUE BY MONTH

3 fiscal years



Rockwall Police Department

Monthly Activity Report

April-2021

ACTIVITY	CURRENT MONTH APRIL	PREVIOUS MONTH MARCH	YTD 2021	YTD 2020	YTD % CHANGE
----------	------------------------	-------------------------	-------------	-------------	-----------------

PART 1 OFFENSES

Homicide / Manslaughter	0	0	0	0	0.00%
Sexual Assault	2	2	9	1	800.00%
Robbery	1	0	2	6	-66.67%
Aggravated Assault	2	2	11	8	37.50%
Burglary	1	4	15	25	-40.00%
Larceny	71	39	210	196	7.14%
Motor Vehicle Theft	4	6	20	26	-23.08%
TOTAL PART I	81	53	267	262	1.91%
TOTAL PART II	112	114	468	454	3.08%
TOTAL OFFENSES	193	167	735	716	2.65%

ADDITIONAL STATISTICS

FAMILY VIOLENCE	10	7	45	41	9.76%
D.W.I.	19	25	79	51	54.90%

ARRESTS

FELONY	21	27	92	114	-19.30%
MISDEMEANOR	45	45	184	171	7.60%
WARRANT ARREST	6	9	26	46	-43.48%
JUVENILE	1	2	8	28	-71.43%
TOTAL ARRESTS	73	83	310	359	-13.65%

DISPATCH

CALLS FOR SERVICE	2224	2030	7876	5146	53.05%
-------------------	------	------	------	------	--------

ACCIDENTS

INJURY	1	2	13	22	-40.91%
NON-INJURY	67	76	253	197	28.43%
FATALITY	0	0	0	0	0.00%
TOTAL	68	78	266	219	21.46%

FALSE ALARMS

RESIDENT ALARMS	42	52	161	180	-10.56%
BUSINESS ALARMS	134	142	560	459	22.00%
TOTAL FALSE ALARMS	176	194	721	639	12.83%
Estimated Lost Hours	116.16	128.04	475.86	421.74	12.83%
Estimated Cost	\$2,763.20	\$3,045.80	\$11,319.70	\$10,032.30	12.83%

ROCKWALL NARCOTICS UNIT

Number of Cases	5
Arrests	5
Arrest Warrants	1
Search Warrants	0
Seized	
Methamphetamine	1.2g

Rockwall Police Department

Dispatch and Response Times

April 2021

Police Department

	Average Response Time	
Priority 1		Number of Calls 121
Call to Dispatch	0:00:49	
Call to Arrival	0:05:38	
% over 7 minutes	26%	
Priority 2		Number of Calls 809
Call to Dispatch	0:02:10	
Call to Arrival	0:09:30	
% over 7 minutes	20%	
Priority 3		Number of Calls 77
Call to Dispatch	0:04:42	
Call to Arrival	0:15:12	
% over 7 minutes	56%	

Average dispatch response time goals are as follows:

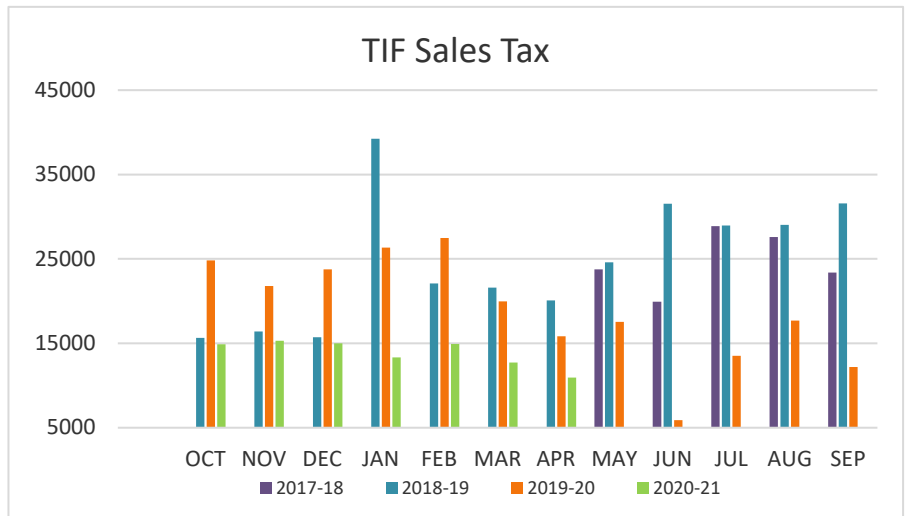
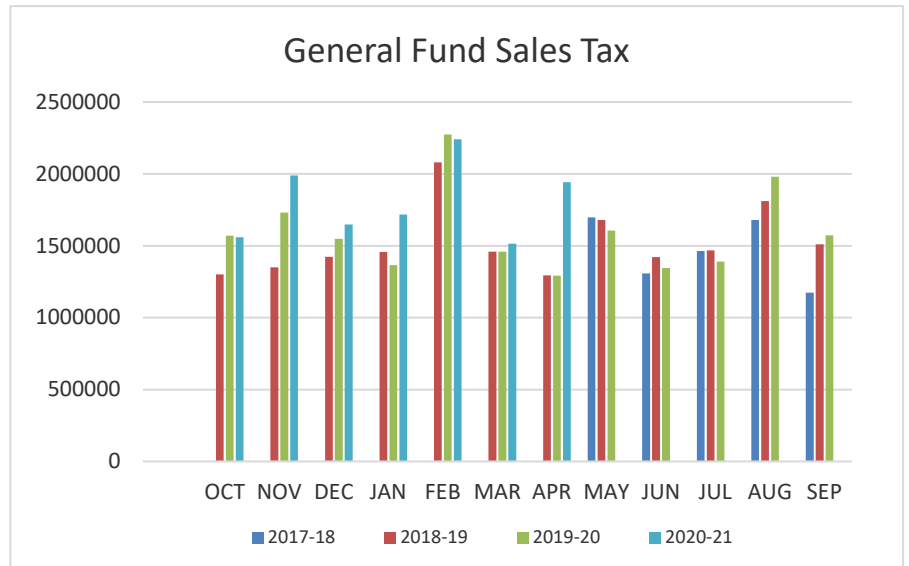
Priority 1: 1 Minute

Priority 2: 1 Minute, 30 Seconds

Priority 3: 3 Minutes

Sales Tax Collections - Rolling 36 Months

	<u>General Fund</u> Sales Tax	<u>TIF</u> Sales Tax
May-18	1,697,970	23,752
Jun-18	1,308,372	19,941
Jul-18	1,463,243	28,867
Aug-18	1,679,728	27,594
Sep-18	1,174,074	23,370
Oct-18	1,301,342	15,641
Nov-18	1,349,253	16,403
Dec-18	1,423,386	15,708
Jan-19	1,457,584	39,247
Feb-19	2,080,043	22,109
Mar-19	1,459,018	21,606
Apr-19	1,293,524	20,077
May-19	1,679,076	24,582
Jun-19	1,420,483	31,523
Jul-19	1,467,376	28,951
Aug-19	1,810,970	29,022
Sep-19	1,478,622	31,577
Oct-19	1,565,868	24,818
Nov-19	1,730,541	21,787
Dec-19	1,547,746	23,781
Jan-20	1,365,040	26,330
Feb-20	2,273,520	27,472
Mar-20	1,458,193	19,955
Apr-20	1,292,639	15,829
May-20	1,605,986	17,538
Jun-20	1,345,598	5,881
Jul-20	1,376,026	13,529
Aug-20	1,979,539	17,706
Sep-20	1,573,352	12,179
Oct-20	1,558,570	14,888
Nov-20	1,989,955	15,299
Dec-20	1,649,274	14,994
Jan-21	1,718,364	13,341
Feb-21	2,239,713	14,935
Mar-21	1,513,768	12,738
Apr-21	1,941,508	10,954



Notes:
 75% of total sales tax collected is deposited to the General Fund each month
 Comptroller tracks sales tax generated in the TIF and reports it monthly
 75% of TIF sales tax (city share) is pledged to the TIF

Monthly Water Consumption - Rolling 27 Months

	<u>Total Gallons</u>	<u>Daily Average</u>	<u>Maximum Day</u>
Feb-19	166,796,311	5,957,011	7,181,853
Mar-19	216,172,991	6,973,323	8,899,546
Apr-19	230,304,224	7,676,809	9,546,692
May-19	246,447,588	7,949,923	10,806,480
Jun-19	273,477,588	9,115,919	12,818,660
Jul-19	479,403,830	15,464,640	19,686,560
Aug-19	557,577,730	17,986,380	20,877,020
Sep-19	480,076,300	16,002,544	19,898,562
Oct-19	377,192,895	12,167,513	17,708,812
Nov-19	237,328,307	7,910,944	9,218,867
Dec-19	229,083,044	7,389,776	8,396,266
Jan-20	215,978,847	6,967,060	8,691,306
Feb-20	196,611,134	6,779,695	7,579,604
Mar-20	197,281,791	6,363,929	8,569,168
Apr-20	226,508,245	7,550,275	10,263,848
May-20	317,650,425	10,246,788	13,193,218
Jun-20	455,022,410	15,167,411	20,100,668
Jul-20	511,667,880	16,505,415	20,073,454
Aug-20	590,693,550	19,054,630	22,031,522
Sep-20	363,112,688	12,103,756	14,870,959
Oct-20	397,801,934	12,832,320	15,751,199
Nov-20	295,091,494	9,836,383	11,452,738
Dec-20	179,571,968	7,371,629	8,653,526
Jan-21	157,800,928	6,718,182	7,179,987
Feb-21	199,821,312	8,288,901	17,044,360
Mar-21	230,130,315	7,423,560	9,739,996
Apr-21	289,545,756	9,651,525	12,683,656

Source: SCADA Monthly Reports generated at the Water Pump Stations

