### Table of Contents

Agenda	 5
Consider approval of the minutes from the December 17, 2018 regular city council meeting, and take any action necessary.	
12.17.18 CC Mtg Mins	 9
Blank Page	 30
Z2018-043 - Consider a request by Michael Worrell of Rockwall Honda for the approval of an ordinance amending SUP No. S- 76 (Ordinance No. 10-26) to allow changes to be made to an existing Motorcycle Dealership with Accessory Boat and Trailer Sales being a 1.152-acre parcel of land identified as Lot 6, Block A, Newman Center #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, and take any action necessary (2nd Reading).	
Ord_2nd Reading.	 31
Blank Page	 38
Z2018-046 - Consider a request by Brad Helmer on behalf of Heritage Christian Academy (HCA) for the approval of an ordinance for a Specific Use Permit (SUP) allowing existing temporary educational buildings in conjunction with a private school to remain on a 6.64-acre parcel of land identified as Lot 1, Block A, Heritage Christian Academy Addition, City of Rockwall, Rockwall County, Texas, zoned Multi-Family 14 (MF- 14) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1408 S. Goliad Street [SH-205], and take any action necessary (2nd Reading).	
2nd Reading	 39
Blank Page	 47
P2018-044 - Consider a request by Dub Douphrate of Douphrate and Associates on behalf of Russell Frank for the approval of a final plat for Lot 1, Block A, Hacienda Car Wash Addition being a 2.008-acre tract of land identified as portions of Lots 1 & 2, Block A, the Woods at Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 2215 Ridge Road [FM-740], and take any action necessary.	
P2018-044	 48
Blank Page	 53
P2018-045 - Consider a request by Jennifer Haynes of Urban Structure on behalf of Andrew Malzer of RaceTrac Petroleum, Inc. the approval of a replat for Lots 4 & 5, Block A, the Woods at Rockwall Addition being a 4.47-acre tract of land identified as Lots 1 & 2, Block A, the Woods at Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 2215 & 2205 Ridge Road [FM-740], and take any action necessary.	
P2018-045	 54
Blank Page	 59

P2018-046 - Consider a request by David Ellis for the approval of a replat for Lots 5, 6 & 7, Block A, Ellis Centre, Phase 2 Addition being a 2.62-acre tract of land identified as Lots 1 & 3, Block A, Ellis Centre, Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1930 & 1950 Alpha Road, and take any action necessary.		
P2018-046		 60
Blank Page		 65
Consider approval of a resolution terminating Ascensus Trust Company as Passive Trustee of the City of Rockwall 457(b) Plan; appointing Reliance Trust Company as Passive Trustee (in Place of Ascensus Trust) with respect to the city's 457(b) plan, and take any action necessary.		
Memo_457(b) plan adjustment		 66
Resolution.		 67
Blank Page		 68
Appointment with Dewayne Cain to discuss amending the Unified Development Code (UDC) to allow accessory buildings in an Agricultural (AG) District, and take any action necessary.		
Memorandum	• •	 69
Blank Page		 79
Z2018-049 - Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of an ordinance for a Specific Use Permit (SUP) for an animal shelter on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary (1st Reading).		
Z2018-049		 80
Blank Page		
Z2018-052 - Discuss and consider a request by Russell Phillips on behalf of Rockwall Retail Investors, LLC for the approval of an ordinance for a Specific Use Permit (SUP) for a mini- warehouse facility on a 7.489-acre tract of land identified as Lot 23, Rainbow Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, generally situated north of Horizon Road and east of Ranch Trail Road, and take any action necessary (2nd Reading).		
Z2018-052		 118
2nd Reading		 119
Blank Page		 127
Z2018-048 - Discuss and consider a request by Amanda Henry for the approval of an ordinance for a Specific Use Permit (SUP) for an accessory building that does not meet the requirements stipulated by the Unified Development Code (UDC) on a 0.253- acre tract of land identified as part of Lot 47B of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 205 S. Clark Street, and take any action necessary (2nd Reading).		
Z2018-048		 128
2nd Reading Ord	• •	 129

Blank Page		. 135
Z2018-054 - Discuss and consider a request by Andrew Bennett of BOKA Powell, LLC on behalf of the owner Vinod Miranda for the approval of an ordinance for a Specific Use Permit (SUP) for an office building that will exceed 36-feet in height within the Scenic Overlay (SOV) District on a 9.7-acre tract of land identified at Tract 15 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the southwest corner of Ridge Road [FM-740] and Turtle Cove Boulevard, and take any action necessary. (2nd Reading)		
Memorandum		
Ord_2nd Reading		
Blank Page	•••	. 145
A2018-004 - Discuss and consider a request by Pat Atkins on behalf of the owner C.D.T. Rockwall/2017 LLC for the approval of an ordinance for the voluntary annexation of a 14.995-acre tract of land identified as Tract 1-03 of the P. B. Harrison Survey, Abstract No. 97, Rockwall County, Texas, and take any action necessary. (1st reading)		
A2018-004		. 146
Blank Page		. 159
Discuss and consider approval of a concept plan for Harbor Urban Beach Park, and take any action necessary.		
memo		. 160
Concept Plan		. 161
Blank Page		. 162
Discuss and consider a recommendation of the City Council Naming Subcommittee regarding approval of a resolution naming a parks and recreation venue in the City, and take any action necessary.		
Resolution.		. 163
Blank Page		. 165
Discuss and consider legislative topics for the 86th Session of the Texas Legislature, and take any action necessary.		
Legislative		. 166
Blank Page		. 167
Discuss and consider (re)appointments to the city's Main Street Advisory Board, and take any action necessary.		
Memo		. 168
Cannon Application		. 169
Blank page		. 170
Building Inspections Monthly Report - November 2018		
B.I. Report		. 171
Blank Page		
Fire Department Monthly Report - November 2018		
Rockwall Fire Department November Monthly Report		
GIS Division Monthly Report - November 2018		

GIS Monthly Report (November 2018)
Blank Page
Harbor PD Monthly Report - November 2018
Harbor PD
Blank Page
Internal Operations Monthly Report - November 2018
IO Report
Airport Report
Blank Page
Police Department Monthly Report - November 2018
11November Rockwall Police Monthly Activity Report
2018 - External
Blank Page
Recreation Monthly Report - November 2018
Rec Monthly
Blank Page
Rockwall Animal Adoption Center Monthly Report - November 2018
RAAC-November 2018
Blank Page
Rockwall Meals on Wheels Senior Services Quarterly Report
MOW Report
Blank Page
STAR Transit Monthly Report - November 2018
STAR November
Blank Page
STAR Transit Quarterly Report
STAR Quarterly
Blank page



### ROCKWALL CITY COUNCIL REGULAR MEETING Monday, January 07, 2019 - <u>5:00 PM</u> City Hall - 385 S. Goliad St., Rockwall, TX 75087

#### I. CALL PUBLIC MEETING TO ORDER

#### II. EXECUTIVE SESSION.

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

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

#### III. ADJOURN EXECUTIVE SESSION

- IV. RECONVENE PUBLIC MEETING (6:00 P.M.)
- V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION
- VI. INVOCATION AND PLEDGE OF ALLEGIANCE MAYOR PRO TEM FOWLER
- VII. OPEN FORUM

#### VIII. CONSENT AGENDA

- **p.9 1.** Consider approval of the minutes from the December 17, 2018 regular city council meeting, and take any action necessary.
- p.31 2. Z2018-043 Consider a request by Michael Worrell of Rockwall Honda for the approval of an ordinance amending SUP No. S-76 (Ordinance No. 10-26) to allow changes to be made to an existing Motorcycle Dealership with Accessory Boat and Trailer Sales being a 1.152-acre parcel of land identified as Lot 6, Block A, Newman Center #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, and take any action necessary (2nd Reading).
- p.39 3. Z2018-046 Consider a request by Brad Helmer on behalf of Heritage Christian Academy (HCA) for the approval of an ordinance for a Specific Use Permit (SUP) allowing existing temporary educational buildings in conjunction with a private school to remain on a 6.64-acre parcel of land identified as Lot 1, Block A, Heritage Christian Academy Addition, City of Rockwall, Rockwall County, Texas, zoned Multi-Family 14 (MF-14) District, situated within the SH-205

Overlay (SH-205 OV) District, addressed as 1408 S. Goliad Street [SH-205], and take any action necessary (2nd Reading).

- p.48 4. P2018-044 Consider a request by Dub Douphrate of Douphrate and Associates on behalf of Russell Frank for the approval of a final plat for Lot 1, Block A, Hacienda Car Wash Addition being a 2.008-acre tract of land identified as portions of Lots 1 & 2, Block A, the Woods at Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 2215 Ridge Road [FM-740], and take any action necessary.
- p.54 5. P2018-045 Consider a request by Jennifer Haynes of Urban Structure on behalf of Andrew Malzer of RaceTrac Petroleum, Inc. the approval of a replat for Lots 4 & 5, Block A, the Woods at Rockwall Addition being a 4.47-acre tract of land identified as Lots 1 & 2, Block A, the Woods at Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 2215 & 2205 Ridge Road [FM-740], and take any action necessary.
- p.60 6. P2018-046 Consider a request by David Ellis for the approval of a replat for Lots 5, 6 & 7, Block A, Ellis Centre, Phase 2 Addition being a 2.62-acre tract of land identified as Lots 1 & 3, Block A, Ellis Centre, Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1930 & 1950 Alpha Road, and take any action necessary.
- p.66 7. Consider approval of a resolution terminating Ascensus Trust Company as Passive Trustee of the City of Rockwall 457(b) Plan; appointing Reliance Trust Company as Passive Trustee (in Place of Ascensus Trust) with respect to the city's 457(b) plan, and take any action necessary.

#### IX. APPOINTMENT ITEMS

p.69 1. Appointment with Dewayne Cain to discuss amending the Unified Development Code (UDC) to allow accessory buildings in an Agricultural (AG) District, and take any action necessary.

#### X. PUBLIC HEARING ITEMS

p.801. Z2018-049 - Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of an ordinance for a Specific Use Permit (SUP) for an animal shelter on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary (1st Reading).

#### XI. ACTION ITEMS

p.118 1. Z2018-052 - Discuss and consider a request by Russell Phillips on behalf of Rockwall Retail Investors, LLC for the approval of an ordinance for a Specific Use Permit (SUP) for a miniwarehouse facility on a 7.489-acre tract of land identified as Lot 23, Rainbow Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, generally situated north of Horizon Road and east of Ranch Trail Road, and take any action necessary (2nd Reading).

- p.128 2. Z2018-048 Discuss and consider a request by Amanda Henry for the approval of an ordinance for a Specific Use Permit (SUP) for an accessory building that does not meet the requirements stipulated by the Unified Development Code (UDC) on a 0.253-acre tract of land identified as part of Lot 47B of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 205 S. Clark Street, and take any action necessary (2nd Reading).
- p.136 3. Z2018-054 Discuss and consider a request by Andrew Bennett of BOKA Powell, LLC on behalf of the owner Vinod Miranda for the approval of an ordinance for a Specific Use Permit (SUP) for an office building that will exceed 36-feet in height within the Scenic Overlay (SOV) District on a 9.7-acre tract of land identified at Tract 15 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the southwest corner of Ridge Road [FM-740] and Turtle Cove Boulevard, and take any action necessary (2nd Reading).
- p.146 4. A2018-004 Discuss and consider a request by Pat Atkins on behalf of the owner C.D.T. Rockwall/2017 LLC for the approval of an ordinance for the voluntary annexation of a 14.995-acre tract of land identified as Tract 1-03 of the P. B. Harrison Survey, Abstract No. 97, Rockwall County, Texas, and take any action necessary (1st reading).
- p.160 5. Discuss and consider approval of a concept plan for Harbor Urban Beach Park, and take any action necessary.
- p.163 6. Discuss and consider a recommendation of the City Council Naming Subcommittee regarding approval of a resolution naming a parks and recreation venue in the City, and take any action necessary.
- p.166 7. Discuss and consider legislative topics for the 86th Session of the Texas Legislature, and take any action necessary.
- p.168 8. Discuss and consider (re)appointments to the city's Main Street Advisory Board, and take any action necessary.

## XII. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

#### 1. Departmental Reports

- p.171 Building Inspections Monthly Report November 2018
- **p.184** Fire Department Monthly Report November 2018
- p.191 GIS Division Monthly Report November 2018
- p193 Harbor PD Monthly Report November 2018
- p.195 Internal Operations Monthly Report November 2018
- p.198 Police Department Monthly Report November 2018
- p.201 Recreation Monthly Report November 2018
- p.207 Rockwall Animal Adoption Center Monthly Report November 2018
- p.211 Rockwall Meals on Wheels Senior Services Quarterly Report

#### p.213 STAR Transit Monthly Report - November 2018

p.216 STAR Transit Quarterly Report

#### 2. City Manager's Report

#### XIII. EXECUTIVE SESSION

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

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

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

#### XV. ADJOURNMENT

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

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

### MINUTES ROCKWALL CITY COUNCIL Monday, December 17, 2018 4:00 p.m. Regular City Council Meeting City Hall, 385 S. Goliad, Rockwall, Texas 75087

#### I. CALL PUBLIC MEETING TO ORDER

The public meeting was called to order at 4:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler, and Council Members Patrick Trowbridge, Dana Macalik, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs, and City Attorney Frank Garza.

#### II. WORK SESSION

#### 1. Hold a work session with Rick Bernas of Republic Waste.

Rick Bernas of Republic Waste came forth and briefed the Council on proposed modifications to the city's recycling program and associated services. He also indicated that it is now time for the city to consider Republic's annual rate increase, in accordance with the contract. An Action Item regarding the rate increase has been included on this evening's agenda for the Council to consider.

Assistant City Manager Mary Smith went on to share that the city has annually offered a "Household Hazardous Waste (Collection) Day." She explained that there has been an unexpected increase in cost from the vendor ("Clean Harbors") that has been used for the They will be increasing the cost from approximately \$105,000 to last several vears. \$170,000. The city has been evaluating the possibility of providing an "on demand" curbside program to assist residents in disposing of hazardous waste disposal. Disposal of tires, electronics, and shredding has traditionally been a part of the city's annual collection event; however, these particular collection services may not be able to be offered curbside if in fact the city moves to curbside. Mrs. Smith shared that the city budgeted \$120,000 in the current fiscal year budget for the annual event. She went on to explain that the event has been very popular among our residents, with lines being consistently long all day long and cars not being able to make it through the line for at least an hour after the event was supposed to have ended. Mrs. Smith indicated that this topic may be further discussed by Council at a later date; however, she wanted the council members to be aware and to be thinking about it.

Council took no action as a result of this discussion item.

2. Hold a work session with the city's utility rate consultant to discuss utility rates.

Dan Jackson of Willdan, the city's utility rate consultant, came forth and made a presentation concerning a recent water and wastewater rate study and associated financial forecast. The goal, overall, is to minimize the impact on users while also ensuring that the city achieves the revenue it needs to fund the system, including future capital improvement projects (which are costly). He went on to share details pertaining to different rate structure options the city may wish to consider when setting water/wastewater rates moving forward.

He spoke at length about ways the city may be able to minimize the impact on users, especially those who are on fixed incomes and/or do not utilize as much water.

Following the consultant's presentation, Council held brief discussion, generally indicating a preference for Scenario 2 that the consultant outlined.

Mayor Pruitt then read the below listed discussion items into the public record before recessing the meeting to go into Executive Session at 4:35 p.m.

III. EXECUTIVE SESSION.

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

- 1. Discussion regarding possible purchase, sale or lease of real property/land in the vicinity of SH 205 and Washington pursuant to Section §551.072 (Real Property).
- Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)
- IV. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 4:45 p.m.

V. RECONVENE PUBLIC MEETING

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

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Council took no action as a result of Executive Session.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRUITT

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

- VIII. PROCLAMATIONS / AWARDS
  - 1. Presentation of Award by TX Turfgrass Association

Two representatives from the Texas Turfgrass Association came forth and presented an award to Parks Director, Andy Hesser and his staff in recognition of Tuttle ball fields.

Following this brief presentation, Mayor Pruitt called forth Assistant City Manager Brad Griggs. He then spoke favorably about Brad's past work history, mainly related to Parks & Recreation, and thanked him for his years of service to the city. He announced that Mr. Griggs is retiring and moving to Boerne, TX. So this is the last Rockwall city council meeting he will be attending.

Councilmember Daniels commented that the city council's "naming" subcommittee will be recommending at the first meeting in January that the Council consider approving the naming of the amphitheater/stage at the Harbor the "Brad Griggs Amphitheater and Stage at the Harbor."

#### IX. OPEN FORUM

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

#### X. CONSENT AGENDA

- 1. Consider approval of the minutes from the December 03, 2018 regular city council meeting, and take any action necessary
- 2. Consider approval of agreements related to the provision of Rockwall Municipal Court Judge and Associate Judge services, and take any action necessary.
- **3.** Consider approval of Engineering Service Agreement with Pipeline Analysis, LLC, to provide engineering services for Sanitary Sewer Condition Assessments and authorize the City Manager to execute a contract for \$134,797.80, to be funded by the Sewer Operations Budget, and take any action necessary.
- 4. Consider approval of an interlocal agreement for municipal judge services between Rockwall County and the City of Rockwall pertaining to "No Refusal Weekends," and take any action necessary.
- 5. Consider approval of an Engineering Services Agreement with Binkley & Barfield, Inc. to provide general engineering services for the preparation and review of all Traffic Impact Analysis (TIAs) submitted to the City of Rockwall to be funded by the 2018-2019 Engineering Consulting budget with developer reimbursements, and take any action necessary.
- 6. Consider awarding a bid to Interstate Trailers Inc. and authorizing the City Manager to execute a Purchase Order for a new heavy equipment trailer in the amount of \$26,105 to be funded out of the General Fund Streets and Drainage Operating budget, and take any action necessary.
- 7. Consider awarding a bid to Maverick Harley Davidson and authorizing the City Manager to execute a Purchase Order for a new 2019 Police Pursuit Motorcycle in the amount of \$34,979.84 to be funded out of the General Fund Police Patrol budget, and take any action necessary.
- 8. Consider awarding contracts and authorizing the City Manager to execute said contracts for the purchase and install of new Ticket Writer Hardware in the amount of \$72,039 to be funded out of the Public Safety Fund, and take any action necessary.
- 9. P2018-035 Consider a request by Bart A. Tinsley of the Alders at Rockwall Property, LLC for the approval of a final plat for Lot 1, Block A, Alders at Rockwall Addition, being a 10.310-acre parcel of land identified as Lot 2, Block A, Rockwall Seniors Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 86 (PD-86) for Multi-Family 14 Monday, December 17, 2018 City Council Minutes

(MF-14) District land uses, situated within the SH-205 Overlay (SH-205 OV) District, generally located south of the intersection of T. L. Townsend Drive and Justin Road, and take any action necessary.

- 10. P2018-041 Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH Balance III, LLC. for the approval of a preliminary plat for the Breezy Hill, Phase XI containing 78 single-family lots on a 23.849-acre tract of land identified as a portion of Tract 7 and all of Tract 7-06 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single-Family 10 (SF-10) District land uses, generally located adjacent to Breezy Hill Road north of the intersection of Breezy Hill Road and FM-552, and take any action necessary.
- 11. P2018-042 Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH Phase 8, LLC for the approval of a final plat for Breezy Hill, Phase VIII containing 61 single-family residential lots on 27.822-acres of land identified as a portion of Tract 7 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, located along the eastern side of Breezy Hill Lane, and take any action necessary.
- 12. P2018-043 Consider a request by Matt Atkins of Engineering Concepts on behalf of Scott Lewis of RRDC, LTD. for the approval of a final plat for the Whisper Rock Subdivision containing 28 single-family lots on a 9.477-acre tract of land identified as Tract 104 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 47 (PD-47) for Single-Family 10 (SF-10) District land uses, situated within the Scenic Overlay (SOV) District, addressed as 3231 Ridge Road, and take any action necessary.
- **13.** Consider Park Board recommendation to authorize the City Manager to negotiate a contract with PROS Consulting to perform an athletic facility feasibility study in an amount not to exceed \$70,000 to be funded in the Recreation Development budget, and take any action necessary.

Councilmember Trowbridge moved to approve all of the Consent Agenda items (#s 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13). Following brief comments, Councilmember Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

#### XI. APPOINTMENTS

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

Chairman of the P&Z, Johnny Lyons, 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. Lyons' briefing.

2. Appointment with William Spencer of MHS Planning and Design to view a presentation regarding recommendation for the Harbor Urban Beach neighborhood park concept plan, and take any action necessary.

Mr. Spencer from MHS Planning & Design came forth and made a presentation to Council regarding a proposed Harbor Urban Beach neighborhood park along the Lake Ray Hubbard shoreline (behind what is currently the "Eclipse Fitness" and adjacent offices). The proposed park is being planned to serve the approximately 1,200 residential units that are being developed in the PD-32 area. It is anticipated that the primary residents of this area will be young professionals and "empty nesters". This implies that the percentage of school aged children may be minimal as compared to typical single family home developments. With this unique situation in mind, the park development plan attempts to design for these nearby residents in mind as well as a potential destination area for other local residents and potential visitors to The Harbor area. The approved budget for phase 1 development costs is \$484,000 to be paid from Developer Fee contributions in accordance with the Mandatory Park Land Dedication Ordinance. At the December 4th Park Board meeting, a public hearing was held to review and hear input regarding the concept plan. A summary of the input was provided to the Council in its meeting packet. Indication was given that the city's Park Board voted unanimously to recommend that Council approve the concept plan as submitted, with particular attention to addressing concerns raised by adjacent business owners regarding restrooms, parking and fencing to separate the park from the buildings. Following a set of questions and answers among the council members, Mr. Spencer, and city Parks Director Andy Hesser, the Council took no formal action concerning this agenda item. It will be brought back to the Council at a later date for further consideration, as some concerns expressed by the Council will need to first be addressed.

**3.** Appointment with resident Jillian Gaines to hear concerns related to water around her home and neighborhood (address: 1305 Clear Meadow Court), and take any action necessary.

Ms. Gaines came forth and generally explained that there are water-related leaks that are adversely impacting her home, the adjacent retaining wall and her neighbors' homes. She would like the city's help in stopping the water that is leaking. Ms. Williams, City Engineer, commented that city crews have gone out to this location three times and have used specialized equipment to test for leaks. No leaks have been detected. Also, the HOA's irrigation meter was deactivated / turned off towards the end of October. Since that time, it was turned on one time (towards the end of November). Ms. Gaines shared that there is proof of leaking water because her front yard and the portion of her back yard that abuts to Dalton Road is consistently saturated.

Councilmember Fowler asked how Ms. Gaines has ruled out that the water is not naturally occurring "ground water." Ms. Gaines and her neighbor offered a brief explanation. Brief discussion took place related to the possibility of putting a lock on the city's supply line (re: the HOA water supply).

The mayor conveyed to Ms. Gaines that the city has cut off the water. So, he does not believe there is much more that the city can do at this point. Ms. Williams shared that the city Building Official, Jeffrey Widmer, indicated to staff on Friday that the HOA is aware of the concerns, and they are working to address the issue of possible leaks within its irrigation system. When asked by Ms. Gaines if the city will put a lock on the supply line (water meter box), the mayor indicated that it is a possibility; however, he pointed out that it cannot be locked during the time when the HOA is working to address any leak(s).

Monday, December 17, 2018 City Council Minutes Page 5

#### Following the discussion, Council took no formal action related to this appointment item.

#### XII. PUBLIC HEARING ITEMS

1. **Z2018-046** - Hold a public hearing to discuss and consider a request by Brad Helmer on behalf of Heritage Christian Academy (HCA) for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing existing temporary educational buildings in conjunction with a private school to remain on a 6.64-acre parcel of land identified as Lot 1, Block A, Heritage Christian Academy Addition, City of Rockwall, Rockwall County, Texas, zoned Multi-Family 14 (MF-14) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1408 S. Goliad Street [SH-205], and take any action necessary (1st Reading).

On November 19, 2018, the City Council continued the public hearing for Case No. Z2018-046 for the purpose of allowing the applicant time to provide a plan concerning the temporary education buildings on the subject property. On December 11, 2018, Brad Helmer of Heritage Christian Academy (HCA) submitted a plan to staff laying out a timeline for the construction of a new building and the removal of the temporary educational buildings. In Mr. Helmer's plan, he has laid out several items that need to be accomplished in the next 180-days, which will be followed by a presentation to the City Council concerning the course of action HCA will take moving forward. In response to this proposal, staff has adjusted the SUP Ordinance to expire in six months, in June of 2019 (i.e. 180 days). Based on the ordinance and HCA's presentation, the City Council will have the discretion to extend the ordinance for a two (2) year period, which should be a sufficient amount of time for the applicant to complete construction of the proposed educational building and remove the temporary education buildings.

Mayor Pruitt opened the public hearing, calling the applicant forth to speak at this time.

Mr. Brad Helmer 2917 Chuckwagon Drive Rockwall, TX

Mr. Helmer came forth and provided explanatory comments to the Council related to the school's plan to phase out the temporary, portable classroom buildings. He expressed that getting a new building funded and built by 2021 is a hefty goal; however, they will be working on it. He offered to provide quarterly updates to the city council between Sept. 2019 and December of 2022.

Following the public hearing, Councilmember Fowler moved to approve Z2018-046. Councilmember Daniels seconded the motion. Following additional dialogue, the ordinance was read as follows:

> CITY OF ROCKWALL ORDINANCE NO. <u>19-</u> SPECIFIC USE PERMIT NO. <u>S-</u>

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW THREE (3)

TEMPORARY EDUCATIONAL BUILDINGS ON A 6.64-ACRE PARCEL OF LAND ZONED MULTI-FAMILY 14 (MF-14) DISTRICT AND IDENTIFIED AS LOT 1, BLOCK A, HERITAGE CHRISTIAN ACADEMY ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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

2. Z2018-043 - Hold a public hearing to discuss and consider a request by Michael Worrell of Rockwall Honda for the approval of an ordinance amending SUP No. S-76 (Ordinance No. 10-26) to allow changes to be made to an existing Motorcycle Dealership with Accessory Boat and Trailer Sales being a 1.152-acre parcel of land identified as Lot 6, Block A, Newman Center #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, and take any action necessary (1st Reading).

Planning Director, Ryan Miller, provided background information pertaining to this agenda item. He explained that the proposed shade structures will be located on the east side of the property and will be utilized provide shade for the display of vehicles. The applicant is also requesting to provide decomposed granite with a hard edge in order to contain the material -- along IH-30 -- for the display areas, which are located on the east and south sides of the property (see Exhibit 'C' of the draft ordinance). These areas are currently grass surfaces and once constructed using the decomposed granite, will provide stability for the displayed vehicles. Additionally, the applicant is requesting to allow for the display area to be expanded within the ten (10) foot landscape buffer along East IH-30. It should be known that staff has met with the applicant regarding the landscaping of this display area and Mr. Worrell has agreed to provide potted trees and plantings within the display area along IH-30. The purpose of this type of landscape scheme is due to a 16-inch water main that runs parallel within an existing 20-ft water easement located at the property line. This solution is to mimic the use of trees and other landscaping that would normally appear within the ten (10) foot landscape buffer, and has been included as a condition of approval.

Seventeen public notices were sent out to adjacent property owners; however, no responses have been received back by city staff at this time. The Planning & Zoning Commission has recommended approval of this request.

The applicant, Mr. Worrell, came forth and provided brief comments to Council concerning his request. Councilmember Macalik then moved to approve Z2018-043. Councilmember Trowbridge seconded the motion. Mayor Pruitt opened the public hearing, asking if anyone would like to speak. There being no one wishing to come forth and speak, Mayor Pruitt then closed the public hearing.

The ordinance was read as follows:

#### CITY OF ROCKWALL ORDINANCE NO. 19-\_\_\_ SPECIFIC USE PERMIT NO. S-\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO AMEND

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

#### The motion was approved by a vote of 7 ayes to 0 nays.

3. **Z2018-048** - Hold a public hearing to discuss and consider a request by Amanda Henry for the approval of an **ordinance** for a Specific Use Permit (SUP) for an accessory building that does not meet the requirements stipulated by the Unified Development Code (UDC) on a 0.253-acre tract of land identified as part of Lot 47B of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 205 S. Clark Street, and take any action necessary (1st Reading).

Planning Director Ryan Miller provided information concerning this agenda item. The applicant is requesting the approval of a Specific Use Permit (SUP) to allow for the construction of a metal accessory building that does not meet the requirements stipulated by Article IV, Permissible Uses, of the Unified Development Code (UDC) on a 0.253-acre tract of land. Currently, there is an existing metal accessory building in disrepair that is approximately the same size as the proposed accessory building and will be demolished in order to construct the new structure. According to the submitted site plan, the accessory building will be ~910 SF, 15-feet in height, and be situated to the rear of the primary structure roughly in the same location as the existing accessory building. The accessory building will be at least 20-feet from the side property lines and more than 60-feet from the front and rear property lines. According to the applicant, the current accessory building will be utilized as storage and will not be used for commercial land uses. According to Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, of the Unified Development Code (UDC), no more than two (2) accessory buildings no larger than 225 SF each are permitted in a Single-Family 7 (SF-7) District, provided the exterior cladding contains materials found on the main structure. In this case, since the applicant is proposing to utilize metal and exceeds the maximum allowable size for accessory buildings in a Single-Family 7 (SF-7) District, a Specific Use Permit (SUP) is required. Staff should note the property located to the north of the subject property is located within the Historic District and approval of this request is a discretionary decision for the Planning and Zoning Commission and the City Council. Sixty-nine notices were sent out to adjacent property owners. One notice was received back in favor. The Planning & Zoning Commission has recommended approval of this request. Should the City Council choose the applicant's request, staff offered the following conditions of approval for the council to consider:

- 1) The accessory building shall be subject to the following operational conditions, which are contained in the SUP ordinance:
  - a) The accessory building shall generally conform to the building elevations and site plan depicted in *Exhibits 'B'* & 'C' of the attached ordinance.
  - b) The accessory building shall not exceed a maximum size of 910 SF;
  - c) The existing accessory building situated toward the rear of the property shall be removed prior to the construction of the new accessory building;
  - d) The subject property shall not have more than two (2) accessory buildings;

Monday, December 17, 2018 City Council Minutes Page 8

- e) The accessory building shall not exceed a maximum overall height of 15-feet;
- f) The accessory building shall not be operated as a commercial land use; and,
- g) The accessory building is subject to administrative review in the event that the *Subject Property* is sold, conveyed or altered in any manner.
- 2) Any construction or building necessary to complete this request must conform to the requirements set forth by the UDC, the International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Following brief comments by Councilman Trowbridge, Mayor Pruitt 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 Trowbridge moved to approve Z2018-048 with staff recommendations. Mayor Pro Tem Fowler seconded the motion. Following brief clarification, the ordinance was read as follows:

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

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

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

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

Planning Director Ryan Miller provided background information pertaining to this agenda item.

Mike Peoples 1700 E. SH-66 Rockwall, TX Mr. Peoples came forth and shared that the current structure was placed there after a previously existing structure (at the same location) sustained wind damage. Following Mr. Peoples' brief comments, Mayor Pruitt 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.

Mayor Pruitt moved to approve the SUP for Z2018-049. Councilmember Macalik seconded the motion. Councilmember Daniels expressed concern related to this request and its outright approval at this time. Mr. Peoples shared that he is waiting on a surveyor to come out to his property to provide him with some of the information that the city has requested.

Mayor Pruitt withdrew his initial motion and offered a new, replacement motion – that the public hearing be "continued" to allow the applicant time to get information submitted to the city that the city has previously requested. The motion passed by a vote of 7 ayes to 0 nays.

Council addressed Public Hearing item #7 next.

5. **Z2018-050** - Hold a public hearing to discuss and consider a request by David Rains for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing a covered patio that exceeds the maximum requirements for property located within the Lake Ray Hubbard Takeline leased area that is adjacent to a parcel of land identified as Lot 12, Block A, Chandlers Landing, Phase 18, Section 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development 8 (PD-8) District for single family land uses, addressed as 5808 Constellation Circle, and take any action necessary (1st Reading).

Mayor Pro Tem Fowler called the public meeting back to order at 7:55 p.m. He noted that Mayor Pruitt has recused himself from this agenda item. Mr. Miller, Planning Director, explained that the applicant is requesting the approval of a Specific Use Permit (SUP) to allow a covered patio that exceeds the maximum requirements for properties in the Lake Ray Hubbard Takeline leased area.

Sixty notices were sent out to adjacent property owners. Overall, staff received four notices back in opposition. One person indicated support, and one notice expressed neutrality concerning approval of this request.

Mayor Pro Tem Fowler opened the public hearing, asking if anyone would like to come forth and speak.

Vincent Walters 608 Severige Court

Mr. Walters came forth and indicated that he has lived at this property since 2017. He showed two photographs and expressed that if this request is approved, he will lose part of his lake view, which will ultimately result in loss of his property's value. (He generally expressed opposition to approval of this request.)

Carol Inman 5806 Constellation Rockwall, TX Ms. Inman came forth and shared a photograph of the view she sees of the lake outside of her back window. She generally expressed opposition to approval of this request, as it will be in direct view of her view of the lake. If it is approved, she prefers that it be situated in a different location. She encouraged Council to keep within the guidelines of the takeline.

Mr. Rains, the applicant, came forth to address Council at this time. He explained that this proposed structure is 11' tall. He shared what appeared to be an architectural rendering of the structure he is proposing. He pointed out that he could place another type of structure (gazebo / pergola) in this area without having to receive approval from the city. He went on to request that the Council consider 'continuing' the public hearing at this time.

There being no one else wishing to come forth and speak, Fowler then closed the public hearing.

Councilmember Johannesen moved to table (continue) the public hearing for Z2018-050 to the January 21 city council meeting. Councilmember Trowbridge seconded the motion. Councilmember Daniels engaged in brief, clarifying dialogue with resident Carol Inman.

Mayor Pro Tem Fowler strongly encouraged Mr. Rains and his neighbors to try their best to come to some sort of mutually agreeable proposal concerning building of a structure within the takeline. Following Fowler's brief comments, the motion to continue the public hearing passed by a vote of 6 in favor with 1 abstention (Pruitt).

6. **Z2018-052** - Hold a public hearing to discuss and consider a request by Russell Phillips on behalf of Rockwall Retail Investors, LLC for the approval of an **ordinance** for a Specific Use Permit (SUP) for a mini-warehouse facility on a 7.489-acre tract of land identified as Lot 23, Rainbow Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, generally situated north of Horizon Road and east of Ranch Trail Road, and take any action necessary **(1st Reading).** 

Indication was given that Mayor Pro Tem Fowler will be excusing himself from this discussion and associated action. Planning Director Ryan Miller then provided background information pertaining to this agenda item. On October 16, 2017, the City Council approved a Specific Use Permit (SUP) for a mini-warehouse on the subject property. Since that approval, the applicant has not made any subsequent submittals, and the Specific Use Permit (SUP) expired on November 6, 2018. In response to this expiration, the applicant has resubmitted a request for a Specific Use Permit (SUP) to allow a 575unit mini-warehouse facility. According to the concept plan, the subject property will be developed in two (2) phases. Phase 1 will have seven (7) buildings totaling 293 units ranging from 16 units to 121 units per building. Phase 2 will have 12 buildings totaling 282 units ranging from ten (10) units to 32 units per building. The proposed mini-warehouse will have perimeter building that utilizes masonry on all exterior facades visible from the street. The interior buildings will utilize metal and will not be visible from the street. Staff should note that most of the surrounding buildings are constructed of metal. Building One will include the leasing office and climate-controlled units that are accessible internally in the building. The remaining buildings will have drive-up units with roll-up doors, which will be oriented so the roll-up doors will not face Ranch Trail or Horizon Road. The applicant is proposing to utilize landscape screening for the mini-warehouse facility to limit the visibility of the facility from Ranch Trail and Horizon Road. Additionally, the northeast portion of the subject property is wooded and will be preserved to provide landscape screening for adjacent properties. On November 30, 2018, staff sent 29 notices to property owners and residents within 500-feet of the subject property. Two notices in favor

and one notice in opposition were received back by staff. In addition, the Planning & Zoning Commission has recommended approval of this item.

Should the City Council choose to approve the applicant's request for a Specific Use Permit (SUP), Mr. Miller suggested that following conditions of approval be adopted with this case:

- 1)The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and summarized as follows:
- a) The development shall generally conform to the Concept Plan depicted in Exhibit 'B' of the attached Specific Use Permit (SUP).
- b) The building elevations shall generally conform to the Concept Building Elevations depicted in Exhibit 'D' of the attached ordinance.
- c) The maximum number of storage units provided shall not exceed 575 units for the facility.
- d) The residential unit/caretaker's quarters shall not exceed 1,600 square feet.
- e) The residential unit/caretaker's quarters shall not be greater than 36 feet in height.
- f) No outside storage of any kind shall be allowed (including, but not limited to the outside storage of boats, recreational vehicles, and motor or self-propelled vehicles).
- g) Businesses shall not be allowed to operate within individual storage units.
- h) The commercial operation of rental trucks and trailers shall be prohibited
- 2) Any construction or building necessary to complete this request must conform to the requirements set forth by the UDC, the International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Mayor Pruitt 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 and called the applicant forward.

Russell Phillips 521 Moraine Way Heath, TX

Mr. Phillips came forth and addressed the Council, providing additional explanation concerning his request. He provided a diagram of a plan reflecting what he is proposing to build as far as the mini warehouse facility and associated office are concerned.

Mayor Pruitt moved to approve Z2018-052. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:

#### CITY OF ROCKWALL ORDINANCE NO. <u>19-</u> SPECIFIC USE PERMIT NO. <u>S-</u>

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

#### The motion passed by a vote of 6 in favor with 1 abstention (Fowler).

7. Z2018-053 - Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of an ordinance for a Specific Use Permit (SUP) for a detached garage that does not meet the requirements stipulated by the Unified Development Code (UDC) on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary (1st Reading).

The applicant, Mike Peoples is requesting the approval of a Specific Use Permit (SUP) to allow for a detached garage that does not meet the requirements stipulated by Article VI, Permissible Uses, of the Unified Development Code (UDC). The ~2,500 SF [i.e. 50-ft x 50-ft] structure stands approximately 16-feet in height and is situated southwest of the primary structure, adjacent to the City of Rockwall Municipal Airport. The detached garage was built without a permit in 2013, and has increase in size by two (2) times structures according to aerial images (see Exhibit 'B' of the draft ordinance). These additions appear to have taken place in the years 2015 & 2017. This has created one (1) large structure, of which the exact measurements are not known. With this being said, there are a total of three (3) structures that have been built concurrently with this request [i.e. Z2018-049]. The other structure lies within the designated 100-year flood plain. This structure is required to be demolished and has been added as a condition of approval of the SUP for the third structure (i.e. the detached garage).

Although Section 2, of Article V, Agricultural (AG) District of the Unified Development Code (UDC), allows for an accessory use (i.e. detached garage) to be a permitted with a main use (i.e. single-family home) on more than ten (10)-acres within an Agricultural (AG) District, Section 2.1.2, of Article IV, Permissible Uses, of the UDC, allows for one (1) detached garage that does not exceed 900 SF in area or 15 feet in height provided the exterior cladding contains the same materials as is found on the main structure. In this case, the detached garage appears to be a metal structure (see attached photos). Accessory buildings (i.e. detached garage) not meeting these standards shall require approval of an SUP. The existing detached garage does not meet the material or size requirements as stipulated by the UDC. Approval of a SUP is discretionary for the City Council. On November 30, 2018 staff mailed 33 notices to property owners and residents within 500-feet of the subject property. Staff also notified the Rolling Meadows Homeowner's Association (HOA), which is the only HOA's/Neighborhood Organization that is within 1,500-feet of the subject property

participating in the Neighborhood Notification Program. Staff has received three noticed back in favor and one in opposition of the request.

Mayor Pruitt called the applicant forth and 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.

Following additional dialogue, Mayor Pro Tem Fowler moved to approve Z2018-053. Councilmember Daniels seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL ORDINANCE NO.

SPECIFIC USE PERMIT NO.

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

The motion (to approve) failed by a vote of 2 in favor (Macalik and Fowler) with 5 against (Trowbridge, Hohenshelt, Pruitt, Daniels and Johannesen).

Mayor Pruitt called for a break and recessed the meeting at 7:41 p.m.

8. **Z2018-054** - Hold a public hearing to discuss and consider a request by Andrew Bennett of BOKA Powell, LLC on behalf of the owner Vinod Miranda for the approval of an **ordinance** for a Specific Use Permit (SUP) for an office building that will exceed 36-feet in height within the Scenic Overlay (SOV) District on a 9.7-acre tract of land identified at Tract 15 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the southwest corner of Ridge Road [FM-740] and Turtle Cove Boulevard, and take any action necessary **(1st Reading).** 

Planning Director Ryan Miller explained that the subject property is located at the southwest corner of Ridge Road [FM-740] and Turtle Cove Boulevard and is zoned Commercial (C) District. The proposed 80,000 SF office building will be comprised of three (3) stories of office space and a single-story of parking that will be located below grade. The office building will reach an overall height of 60-feet; however, the building will be located approximately 156-feet from the right-of-way of Ridge Road and due to the slope of the property the finished floor of the building will be set approximately five (5) to seven (7) feet below the surface of Ridge Road. This means that the first floor of the office building may not be visible from Ridge Road. According to the Special Use Standards located in Section 6.8, Scenic Overlay (SOV) District, of Article V, of the Unified Development Code (UDC), any

Monday, December 17, 2018 City Council Minutes Page 14

structure over 36-feet in height requires a Specific Use Permit (SUP). Should the applicants request be approved, staff has included a condition of approval allowing the structure to have an overall height of four (4) stories, not to exceed 60-feet. Approval of the SUP remains a discretionary act of the City Council. If approved, the applicant will be required to submit a site plan. On November 30, 2018, staff mailed 107 notices to property owners and residents within 500-feet of the subject property. Staff also emailed a notice to the Turtle Cove and Lakeside Village Homeowner's Associations (HOA's), which are the only HOAs within 500-feet of the subject property participating in the notification program. Staff received two notices back in favor and one in opposition. The Planning & Zoning Commission has recommended approval of this request.

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

Andrew Bennett 1400 Highline Dallas, TX

Mr. Bennett came forth (on behalf of the applicant) and shared that his company was hired to assist with attempts to obtain this SUP. He went on to provide additional explanation concerning this request for an SUP.

There being no one else wishing to come forth and speak, Councilmember Hohenshelt moved to approve Z2018-054. The motion was seconded by Mayor Pro Tem Fowler. The ordinance was read as follows:

#### CITY OF ROCKWALL ORDINANCE NO. <u>19-XX</u> SPECIFIC USE PERMIT NO. S-1XX

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

The motion passed by a vote of 4 in favor with 3 against (Macalik, Pruitt and Daniels).

#### XIII. ACTION ITEMS

1. **SP2018-039** - Discuss and consider a request by Matt Moore of Claymoore Engineering on behalf of Phil Wagner of Rockwall Economic Development Corporation (REDC) for the approval of variances and an exception in conjunction with an approved site plan for an industrial building on a 3.634-

acre parcel of land identified as Lot 1, Block E, Rockwall Technology Park Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the FM-549 Overlay (FM-549 OV) District, located at the northwest corner of the intersection of Technology Way and Observation Trail, and take any action necessary.

Planning Director Ryan Miller came forth and provided brief background information about this item. On Dec. 11, the Planning & Zoning Commission did approve the placement of a 35, 500 square feet office building at this location. The applicant is asking for variances / exceptions that would allow the applicant to use tilt wall and less than 20% natural stone. The Architectural review s Board and the Planning & Zoning Commission have reviewed these requests and have recommended approval of these requested variances.

Brian Berry 2 Essux Court

Mr. Berry came forth and provided brief comments, generally asking that Council consider approving these variances. Councilmember Hohenshelt moved to approve SP2018-039. Mayor Pro Tem Fowler seconded the motion, which passed by a vote of 7 ayes to 0 nays.

2. SP2018-037 - Discuss and consider a request by Russell Phillips of Sterling One for the approval of waivers and variances in conjunction with an approved site plan for a 265 unit, condo development situated on a 7.58acre tract of land identified as Lots 6A, 7A & 8A, Isaac Brown Addition, and a portion of Lots 3 & 4, Block 16 and Lot 4, Block 18, Moton Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the Interior Subdistrict of PD-32, located south of the intersection of Summer Lee Drive and Glen Hill Way, and take any action necessary.

Planning Director Ryan Miller provided background information pertaining to this agenda item. On March 10, 2015, the Planning and Zoning Commission approved a site plan for a 265-unit condominium building [Case No. SP2015-004] on a 7.58-acre tract of land. Subsequently, the City Council approved waivers to the building height requirements and variances to the material requirements on March 16, 2015. Following these approvals, the applicant submitted civil engineering plans to the Engineering Department on June 23, 2016. Staff reviewed this submittal and returned the plans to the applicant on July 11, 2016. The applicant made subsequent submittals on September 20, 2016 and January 30, 2017, with staff returning those submittals with comments on October 5, 2016 and Februarv 14. 2017. The last action taken on this case is considered to be February 14, 2017. Based on the inactivity on the civil plans for a period of one (1) year the engineering submittal automatically expired on February 14, 2018. Due to the expiration of the civil engineering plans, the Planning and Zoning Department expired the site plan based on the requirements of Section 2.5.A, Site Plan Expiration, of Article IX, Zoning Related Applications, of the Unified Development Code (UDC). In response to the expiration of the original site plan, the applicant resubmitted the site plan on November 16, 2018 with minor changes.

Requirements of the Unified Development Code (UDC):

1) Building Material Variances.

a) Stone Requirements. According to Section 6.8, Scenic Overlay (SOV) District, of theUDC each exterior wall should incorporate a minimum of 20% natural or quarried stone. In this case, the applicant's building elevations indicate the use of Eldorado Stone Veneer, which is a simulated manufactured stone product replicating natural ledge stone. The use of this simulated stone product was approved by the Planning and Zoning Commission on December 11, 2018. Staff should also point out that the north, east and south building elevations fail to provide 20% stone. These elevations incorporate the following percentages of stone: (1) north building elevation contains 19.44%, (2) the east building elevation contains 17.63%, and (3) the south building elevation only contains 17.63%. This variance will require a <sup>3</sup>/<sub>4</sub>-majority vote of all City Council members present.

b) Masonry Material Requirements. According to Section 6.8, Scenic Overlay (SOV) District, of the UDC exterior walls should be constructed utilizing a minimum of 90% masonry materials with a maximum of 50% of the building's exterior façade being permitted to be a cementitous material (e.g. Hardy Plank, stucco, or similar material). In this case, the applicant is proposing to use between 72.86% and 82.37% stucco (i.e. the west elevation at 72.86%, the north elevation at 80.56%, the east elevation at 82.37%, and the south elevation at 80.51%). This variance will require a <sup>3</sup>/<sub>4</sub>-majority vote of all City Council members present. According to the Unified Development Code (UDC), the approval of any variances is discretionary to the City Council pending a recommendation from the Planning and Zoning Commission. Staff should point out that the variances relating to materials have been granted to other buildings within the Harbor District; however, variances are to be considered on a case-by-case basis by the City Council.

In addition, staff identified the following waivers to the requirements of Ordinance No. 17-22:

- 1) Building Form and Placement Requirements.
  - 1) Building Form. According to the Interior Subdistrict all buildings must have a minimum of 30% of the length of its façade fronting on Summer Lee Drive located on the 20-foot building setback line. Staff requested the applicant show conformance to this information on the site plan; however, this information was not submitted with the revisions. Based on staff's estimates the building is not in conformance with this requirement and will require a waiver.
  - 2) Build-To-Lines and Building Setbacks. According to the Interior Subdistrict all buildings should be setback a minimum of five (5) feet from the Summer Lee Drive right-of-way line, but have an average setback of 20-feet. In this case, the proposed condominium building does meet the minimum setback, but is exceeding the average setback by more than 22-feet. The applicant is requesting a waiver to this requirement.
  - 3) 1<sup>st</sup> Floor Height. According to the Interior Subdistrict all buildings should incorporate a first floor that is built to a commercial height with a minimum height of 15-feet. The proposed building incorporates a ~10'-6" first floor height. The applicant is requesting a waiver to this requirement.
  - 4) Building Height. According to the Interior Subdistrict all buildings are permitted to be a maximum height of five (5) stories or 75-feet. Based on the building elevations submitted by the applicant staff estimates the building to have a total building height 81'-8". The applicant is requesting a wavier to this requirement. 81'-8". The applicant is requesting a wavier to this requirement.

Monday, December 17, 2018 City Council Minutes Page 17

#### 2) Parking Requirements.

i. Surface Parking Setback. According to the Interior Subdistrict all surface parking should be setback a minimum of ten (10) feet from the right-of-way line. The site plan shows that the parking is setback an estimated 3'-2" from the right-of-way line. The applicant is requesting a waiver to this requirement.

#### 3) Streetscape Plan

i. Streetscape Plan. According to Planned Development District 32 (PD-32) a streetscape plan showing elements contained in Exhibit 'C-4' of Ordinance No. 17-22 shall be provided with the site plan. In this case, the applicant has not submitted a streetscape plan showing the provision of any street furnishings or enhanced paving. The landscape plan submitted by the applicant does show a tree-planting plan for Glen Hill Way, but fails to show a detail for street furniture or tree leave-outs. In addition, the lighting plan does not show the pedestrian scale street standards or the locations where these standards will be provided. Staff included this as a condition of approval for the site plan case.

With regard to granting waivers, Ordinance No. 17-22 states that "... (w)aivers may only be approved by the City Council following a recommendation by the Planning and Zoning Commission ... [and] In order to approve a waiver, the City Council must find that the waiver:

- 1) Meets the general intent of the PD District or Subdistrict in which the property is located; and,
- 2) Will result in an improved project which will be an attractive contribution to the PD District or Subdistrict; and,
- 3) Will not prevent the implementation of the intent of this PD District."

In this case, the proposed project does appear to meet the general intent of the Interior Subdistrict; however, granting any waivers to the requirements of Ordinance No. 17-22 is a discretionary decision for the City Council. Also, the applicant is requesting a waiver in order to be excused from having to provide a "traffic impact analysis" (TIA) to the city associated with this request.

On November 27, 2018, the Architectural Review Board (ARB) reviewed the proposed site plan and building elevations. The ARB did not state any specific issues with the building elevations; however, the board did request that the applicant submit a color rendering and materials sample board for their review. On December 11, 2018, the ARB reviewed the revised building elevations, material samples, and color rendering and approved a motion to recommend approval of the case pending [1] the building elevations are amended to match the color scheme in the color rendering, and [2] the arched windows on the third floor are removed. The motion was approved by a vote of 4-0.

In addition, on December 11, 2018, the Planning and Zoning Commission made a motion to approve the site plan with all staff and ARB recommendations and recommend approval of all variances and waivers requested by the applicant to the City Council. The motion was approved by a vote of 6-0, with Commissioner Moeller absent.

Extensive dialogue and clarifying comments took place between Mayor Pruitt and the applicant. Mayor Pruitt shared that a business partner of Mr. Phillips previously came before Council and made it very clear that these are "apartments" and not condominiums.

Furthermore, the mayor indicated, there is someone out there who is marketing them as "apartments." The mayor explained that this has caused the Council to receive a lot of inquiries and opposition from the public, many of whom have insinuated that the Council has misled the public (or has outright accused the Council of such).

Following extensive back-and-forth dialogue, Mayor Pro Tem Fowler made a motion to approve waiver 1, 2, 3 and 4 (building form, building height, the first floor minimum height and surface parking setbacks). Councilmember Johannesen seconded the motion, which passed by a vote of 5 ayes, 1 nay (Pruitt) and 1 abstention (Hohenshelt).

Mayor Pro Tem Fowler moved to approve variances 1 and 2, which are related to the minimum masonry percentage and the stone requirements. Councilmember Trowbridge seconded the motion, which passed by a vote of 5 ayes, 1 nay (Pruitt) and 1 abstention (Hohenshelt).

**3.** Discuss and consider a request by Kent Donahue of Donahue Development Corporation for direction concerning the creation of a Public Improvement District (PID), and take any action necessary.

Mr. Miller, Planning Director, indicated that on October 1, 2018, the City Council held a work session with Kent Donahue of Donahue Development Corporation to discuss the potential of establishing a Public Improvement District (PID) in conjunction with a proposed residential subdivision. The proposed PID and residential subdivision would be on a 264.61acre tract of land (i.e. Tracts 17-13 [50.00-acres], 17-14 [26.452-acres], 17-15 [134.33-acres], 17-16 [43.3-acres], and 40-8 [8.79-acres] of the W. W. Ford Survey, Abstract No. 80), which is currently zoned Agricultural (AG) District and located at the northwest corner of the intersection of Wylie Lane and S. Goliad Street [SH-205] (see attached location map). Based on the work session, the applicant has submitted a petition for the creation of a PID, a legal description of the property, and a Resolution that would set a public hearing to consider the petition on Monday, January 21, 2019. Staff should note that the City Council is not approving the applicant's Resolution and that an additional Resolution may need to be considered by the City Council, depending on the review by staff and the City Attorney. Staff should also point out that regardless of the City Council's direction to the applicant, a zoning case would need to be filed for the subdivision, and that the City Council's direction at the meeting on December 17, 2018 does not constitute approval of any zoning request/application (i.e. the City Council would retain discretion with regard to the proposed zoning case regardless of the direction concerning the PID).

Mr. Donahue came forth and provided a presentation to Council, reminding them of his project proposal and that which was discussed with Council at the October 1<sup>st</sup> work session that was held. He went on to provide an explanation of what a PID is and how this development would be financed via the establishment of a PID (at Council's approval).

Extensive discussion ensued pertaining to the developer's offer to establish a large (100 acre) regional park. City staff and council acknowledged that the city has \$1.3 million dollars in bond dollars for use related to the establishment of a south city park.

Mr. Crowley clarified that the Council is being asked tonight to vote on the creation of the PID. The applicant would then work with a third party to issue debt related to the PID (for a period of thirty (30) years). Dialogue then took place pertaining to annual property assessments of properties located within the PID. Mr. Crowley, City Manager, asked if this

will be a gated community. Mr. Donahue indicated that no, it will not be gated. Councilmember Johannesen asked if the city will or will not own the park. Clarification was given that yes, the city would own the park. Mr. Donahue shared that the price point of the homes in this development will characterize it as a pretty affluent community.

Dialogue took place between the mayor and Mr. Donahue pertaining to some mishaps that have recently occurred with a PID over in McLendon Chisholm.

Mr. Crowley shared that no PIDs currently exist within the city.

Mr. Donahue clarified that this request for a PID mainly focuses on "amenities" rather than "infrastructure." However, he acknowledged that part of it is in fact related to infrastructure. He shared that if the PID is not approved, the zoning application that would be submitted would be characterized by no regional park (only a residential park) and an increase in proposed density.

Councilmember Trowbridge sought direction on what type of motion would be appropriate at this point related to instructing the applicant to move forward with the PID.

Councilmember Hohenshelt made a motion to allow the applicant to apply for his zoning change with the inclusion of creating a PID. Councilmember Trowbridge seconded the motion. Following extensive, additional discussion, the motion passed by a vote of 5 ayes with 2 against (Pruitt and Macalik).

**4.** Discuss and consider a request by The Standard MCP, LTD. for the approval of a waiver to a facilities agreement with Rockwall Senior Community, L.P., and take any action necessary.

City Engineer Amy Williams provided brief comments pertaining to this waiver request. Mayor Pruitt moved to approve a waiver to a facilities agreement with Rockwall Senior Community, L.P. Councilmember Johannesen seconded the motion, which passed unanimously of those present (7 ayes to 0 nays).

**5.** Discuss and consider adoption of a resolution setting solid waste collection rates, and take any action necessary

Councilmember Macalik moved to approve the resolution. Councilmember Hohenshelt seconded the motion, which, after brief clarifications, passed by a vote of 7 ayes to 0 nays.

**6.** Discuss and consider adoption of a resolution fixing the water and wastewater rates of the city, and take any action necessary.

Indication was given that a work session was previously held this afternoon concerning this topic. The city's utility rate consultant, Dan Jackson of Willdan, again came forth and provided extensive clarification regarding the impacts associated with each of the scenarios that reflect changes to the city's current rate structure. He explained that this will be a three year plan, with the first year's rates going into effect in January of 2019.

Councilmember Hohenshelt moved to adopt the resolution to reflect the 2019 rate as "scenario 2." Councilmember Trowbridge seconded the motion, which passed by a vote of 7 ayes with 0 nays.

7. Discuss and consider the City's selection of nominees to the Texas Coalition for Affordable Power (TCAP) Board of Directors for the 2019-2020 term of office, and take any action necessary.

Mayor Pruitt moved to instruct staff member Joey Boyd to select the city's nominees. Councilmember Trowbridge seconded the motion, which passed by a vote of 7 ayes with 0 nays.

#### XIV. EXECUTIVE SESSION

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

- 1. Discussion regarding possible purchase, sale or lease of real property/land in the vicinity of SH 205 and Washington pursuant to Section §551.072 (Real Property).
- 2. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

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

XVI. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 10:19 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS  $7^{th}$  DAY OF JANUARY, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

## THIS PAGE INTENTIONALLY LEFT BLANK

#### CITY OF ROCKWALL

#### ORDINANCE NO. 19-01

#### SPECIFIC USE PERMIT NO. S-199

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

WHEREAS, a request has been made by Michael Worrell of Rockwall Honda for the purpose of amending Specific Use Permit (SUP) No. S-76 [*Ordinance No. 10-26*], which allows for a *Motorcycle Dealership with Accessory Boat and Trailer Sales* on a 1.152-acre parcel of land identified as Lot 6, Block A, Newman Center #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, located within the IH-30 Overlay (IH-30 OV) District, and more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that Specific Use Permit (SUP) No. S-131 [Ordinance No. 15-05] and the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall should be amended as follows:

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

**SECTION 1.** That the enactment of this Specific Use Permit (SUP) ordinance shall supersede all requirements stipulated in *Ordinance No. 10-26*;

**SECTION 2.** That Specific Use Permit (SUP) No. S-76 [Ordinance No. 10-26] and the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant an amendment to Specific Use Permit (SUP) No. S-76 [Ordinance No. 10-26] allowing for a Motorcycle Dealership with Accessory Boat and Trailer Sales within a Commercial (C) District as stipulated by Article IV, Permissible Uses, of the Unified Development Code [Ordinance No. 04-38] on the Subject Property;

**SECTION 3.** That the *Subject Property* shall be developed and/or used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as stipulated by Section 2.1.8, *Auto and Marine-Related Use Conditions,* of Article IV, *Permissible Uses;* Section 4.1, *General Commercial District Standards;* Section 4.5, *Commercial (C) District,* of Article V, *District Development Standards;* Section 6.6, *IH-30 Overlay (IH-30 OV) District* of the Unified Development Code [*Ordinance No. 04-38*] as

heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following operational conditions and compliance standards:

#### 3.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of an existing *Motorcycle Dealership with Accessory Boat* and *Trailer Sales* on the *subject property* and conformance to these operation conditions are required for continued operations:

- 1) The outside display of motorcycles and boats shall be limited to the areas depicted in *Exhibit* 'C' of this ordinance. The display areas may be constructed of decomposed granite and shall not be used for public parking spaces.
- 2) The sale of used boats and trailers is prohibited.
- 3) The subject property shall maintain a minimum of 15% landscaped area including ten (10) foot landscape buffer along the front of the subject property adjacent to IH-30. In addition, the outside display areas may be counted against the 15% if they are constructed with decomposed granite of a similar hardscape material and incorporate trees and shrubs to soften the impact of the areas.
- 4) The outside storage of equipment, parts and/or inventory is prohibited, except inventory as depicted in *Exhibit* 'C' of this ordinance.
- 5) All work shall be performed within an enclosed building.
- 6) The installation of canopy/shade structures for this site shall be allowed only in the areas depicted in *Exhibit 'C' & Exhibit 'D'* of this ordinance. All canopy/shade structures shall be comparable in materials, color, and size.
- 7) The operation of this site shall conform to all federal, state and local standards and comply with the requirements of Section 3.2, *Compliance Standards*, of this ordinance.

#### 3.2 COMPLIANCE

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

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

**SECTION 4.** That the official zoning map of the City of Rockwall be corrected to reflect the changes described herein.

**SECTION 5.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**SECTION 6.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed

the sum of *TWO THOUSAND DOLLARS* (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 7.** If any section of provision of this ordinance or the application of that section or provision to any person, firm, cooperation, 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 to adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

**SECTION 8.** That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7<sup>TH</sup> DAY OF JANUARY, 2019.

ATTEST:

Jim Pruitt, Mayor

Kristy Cole, City Secretary

**APPROVED AS TO FORM:** 

Frank J. Garza, City Attorney

1<sup>st</sup> Reading: <u>December 17, 2018</u>

2<sup>nd</sup> Reading: January 7, 2019

Exhibit 'A': Boundary Description



Z2018-043 Amending SUP for a Motor Cycle Dealership Ordinance No. 19-01 SUP # S-199

Page | 4





Z2018-043 Amending SUP for a Motor Cycle Dealership Ordinance No. 19-01 SUP # S-199

Page | 6
Exhibit 'D': Canopy Shade Plan



Z2018-043 Amending SUP for a Motor Cycle Dealership Pa Ordinance No. 19-01 SUP # S-199 City of Rockwall, Texas

# THIS PAGE INTENTIONALLY LEFT BLANK

### CITY OF ROCKWALL

### **ORDINANCE NO.** <u>19-02</u>

### SPECIFIC USE PERMIT NO. S-200

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW THREE (3) TEMPORARY EDUCATIONAL BUILDINGS ON A 6.64-ACRE PARCEL OF LAND ZONED MULTI-FAMILY 14 (MF-14) DISTRICT AND IDENTIFIED AS LOT 1. BLOCK A. HERITAGE CHRISTIAN ACADEMY ADDITION. CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS EACH PROVIDING FOR (\$2.000.00) FOR OFFENSE: Α SEVERABILITY CLAUSE: PROVIDING FOR A REPEALER CLAUSE: **PROVIDING FOR AN EFFECTIVE DATE.** 

**WHEREAS**, a request has been made by Brad Helmer on behalf of Heritage Christian Academy (HCA) for the approval of a Specific Use Permit (SUP) allowing existing temporary educational buildings, situated on a 6.64-acre tract of land, zoned Multi-Family 14 (MF-14) District, and being identified as Lot 1, Block A, Heritage Christian Academy Addition, City of Rockwall, Rockwall County, Texas, addressed 1408 S. Goliad Street [SH-205], and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [Ordinance No. 04-38] and Specific Use Permit (SUP) No. S-114 [Ordinance No. 13-44] 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 approval of this ordinance shall supersede all requirements stipulated in Ordinance No. 13-44; and

**SECTION 2.** That the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing existing temporary educational buildings in a Multi-Family 14 (MF-14) District as stipulated by Article IV, *Permissible Uses,* and Article V, *District Development Standards,* of the Unified Development Code (UDC) [*Ordinance No. 04-38*] on the *Subject Property*, and

**SECTION 3.** That the *Subject Property* shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in Section 3.9, *Multi-Family 14 (MF-14) District,* of Article V, *District Development Standards,* of the Unified

Development Code (UDC) [Ordinance No. 04-38] of the City of Rockwall as heretofore amended, as amended herein by the granting of this zoning change, and as my be amended in the future, and shall be subject to the additional following conditions:

### 3.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a temporary educational building on the *Subject Property* and conformance to these requirements is necessary for continued operations:

- 1) The temporary educational buildings shall generally conform to the building elevations and site plan depicted in *Exhibit 'B'* of this ordinance.
- 2) The subject property shall not have more than three (3) temporary educational buildings;
- 3) The Specific Use Permit (SUP) shall be valid for a period of six (6) months from the date of approval. At which time the City Council shall review the Specific Use Permit to determine if a two (2) year extension is warranted in accordance with *Exhibits 'C' and 'D'* of this ordinance.
- 4) The temporary educational buildings are subject to administrative review in the event that the *Subject Property* is sold, conveyed or altered in any manner.

### 3.2 COMPLIANCE

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

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

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

**SECTION 5.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**SECTION 6.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS* (*\$2,000.00*) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 7.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

**SECTION 8.** That this ordinance shall take effect immediately from and after its passage.

# PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE $7^{TH}$ DAY OF JANUARY, 2019.

### ATTEST:

Jim Pruitt, Mayor

Kristy Cole, City Secretary

### **APPROVED AS TO FORM:**

Frank J. Garza, City Attorney

1<sup>st</sup> Reading: <u>December 17, 2018</u>

2<sup>nd</sup> Reading: January 7, 2018



Z2018-046: SUP for Heritage Christian Academy Ordinance No. 19-02; SUP # S-200 Page | 4

City of Rockwall, Texas

Exhibit 'B': Site Plan



Z2018-046: SUP for Heritage Christian Academy Ordinance No. 19-02; SUP # S-200 Page | 5

City of Rockwall, Texas

### Exhibit 'C': Applicant's Letter

December 11, 2018 To: Rockwall City Council By: Brad Helmer, Heritage Christian Academy Re: Temporary Classroom Buildings Phase Out Schedule Narrative

Please accept the following narrative in conjunction with the provided timeline (schedule) as Heritage Christian Academy's board-approved plan to phase out the 3 temporary classroom buildings located on our property at 1408 S. Goliad. We appreciate the Council's willingness to work with us as we commit to this plan. Additionally, as a 501(c)(3) nonprofit corporation, we must fundraise to support any and all initiatives. As tuition covers typically 80-85% of our operations budget, charitable giving is requisite and vital to our mission. Given this, undertaking a monumental task such as these infrastructure improvements, requires an immense amount of work and faith. We acknowledge and embrace this for our students' sake.

For the past 2 years, we have been in the process of developing and undertaking a capital campaign to build a gymnasium on our property. As the leadership of HCA, we feel that having this building will serve to increase enrollment and allow us to continue becoming even more excellent in fulfilling our mission. We retained the services of Mission Advancement (MAP), a capital campaign consultant company, to guide us through this process. The following timeline was developed in partnership with MAP to guide our efforts.

#### February, 2017 - December, 2017:

- Campaign Organization
- Leadership Enlistment
- Case Development
- Resource Mapping
- Logic Narrative
- Site maps, renderings and other marketing artifacts finalized

#### January, 2018 - December, 2018

- Large Donor Relationship Meetings (Top 10% discovered during Resource Mapping)
- Board Commitments
- Large Donor Request for Donation Meeting (Top 10%)

#### January, 2019 - December, 2019

- Continue Work with Top 10%
- Begin Next 20% Donor Meetings with Requests for Donation
- Possible Public Appeal (After 80% of goal reached)

#### After January, 2020

- Continue Working Donor Base
- Begin Construction

In early October, 2018, it was brought to our attention that the plan and priority we are currently invested in was not in line with the priority expectation of the City regarding the Temporary Classroom Buildings on our property. We immediately met to begin discussions of how to continue working toward our vision of a

ΔΔ

### Exhibit 'C': Applicant's Letter

gymnasium and also satisfy a commitment that was made to the City Council by former administration. As evidenced in the provided schedule, the Board has developed a plan that will accomplish both.

We have begun reengaging our architect and general contractor to reevaluate the property to determine the most cost-efficient, and best use of space for adding classrooms into the plan along with a slightly modified gymnasium. As you might expect, while we are not starting completely over, we must duplicate some work that has already been done and paid for to date. Our general contractor feels that we will be able to complete the following items in no more than 180 days, with the goal of presenting to the City Council no later than June, 2019.

The following will need to be accomplished during the 180 days:

- · Meetings with architect, engineers, contractors, etc. to share our needs and desires
- Architect finalizes preliminary site plan, floor plan and elevations
- Discussions with City of Rockwall for feasibility of plan
- GC to send out preliminary RFPs to determine new cost of construction
- Garner Board support and approval of new plan
- Prepare for presentation of new plan and more specific timeline to City Council

I, and the HCA Board, commit to offering quarterly updates to the City Council according to the dates on the attached schedule. God willing, donors will share our vision and support this process financially. Thank you in advance for understanding the challenges associated with having to fundraise for initiatives such as this.

The leadership of HCA still remains committed to building a gynnasium on our property. We are also committed, however, to honesty and transparency. Our commitment to the City Council of making classrooms the priority of our plan, and still staying true to our vision of having our own gymnasium will be a testament to this.

Sincerely,

Brad Helmer, Ed.D. Head of School

### Exhibit 'D': Phase-Out Schedule

	Temporary Classroom Buildings Phase-Out Schedule	_	HEA
Date Proposed	Activity	Date Complete	Outcome
11/27/18	HCA Board Meeting to discuss plan for plasse-out of temporary classroom buildings.	11727/2018	Preliminary information presented to Board regarding planning and roning committee concerns and city council concerns. Bagan disc issions about slightly aircring dimension of capital campaign to include classrooms source.
11/79/18	HCA building as substates meeting with architect and builder	1/79/2018	Degan discussions a data adding classrooms sparer into the plan we have already watted, bubsequent marchings were discussed and the first will be set for 2nd week in January.
12/04/18	Board work session to narrow down phase-out plan	12/4/2019	Invited our General Contractor to have conversation with the Board regarding some options to maintain our focus on a gymnasium, but odd ing classrooms sooner. Consensus a to have architect and 600 not at using the current plan's frotprin Conditions rooms.
12/10/18	Hoard meeting to finalize phase out plan for presentation to Backwall City Council on 12/17/18	12/10/2018	A brief history of HCVs capital in the lives was discussed and agreement was reached on a plan that is unan mously backed by the Draid. <b>(See attached narrative)</b>
12/11/18	Submit plan to Korey Brocks, 5). Planner, for subsequent presentation of plan to the Rockwall Cry Louncil prior to the $12/1\%$ S 12. We share	12/11/2018	Documents submitted to Mr. Brooks for Counditions deration
12/11/18	With HCA Board approval, togic to speak with contently commuted donors to oppose their on the revised plan and give opportunity to withdraw the indonation, ong volge mission to use their donation toward the revised plan.		Conversations to take place this week 12/11-12/14.
12/17/18	Present phase-out schedule to Rookzall City Council	12/1//2018	
ил/холя	2nd meeting with GC and architect to begin the teacibility study, rednaw site alan, floor plans a wielevation renderings. Maet with donors who have expressed interest in the hid donations such as rooting tanscapings etc., as part of determining a new dollar amount for the capital campal., it. KA anticipates no more than 180 days to final sefer presentation to the Gby Council.	्राच छ/मस	
6/3/2019	Update to City Council		
06/1019	Begin meeting with donors to show alans and accept commitments. Begin construction as soon as capital camparies commitments allow and with Hoard and Oby of Rockwall permit approval.		
9/2/3019	Quarterly Update to City Council		
12/2/2019	Quarterly Update to City Council		
3/2/2020	Quarterly Update to City Council		
6/8/2020	Quarterly Update to Lity Council		
9/7/2020	Suarterly Update to City Council		
· 2/7/2020	Quarterily Update to City Council		
3/8/2021	Quarterly Update to City Council Council Industry to City Council		
6/7/2021 #/6/16/17	Suarter MUpdate to City Council Description to Update to Late Council		
9/6/2021 12/6/2021	Quarterly Update to Lity Council Quarterly Update to City Council		
3/7/2022	Suarterly Opdate to City Council		
6/6/2022 6/6/2022	Quarterly Update to City Council		
0/5/2022	OuarterN Update to City Council		
	Ouarterly Update to City Council		
12/5/20121			
12/5/2022	mmodiate removal of temperary classrooms targeted for occupancy		

# THIS PAGE INTENTIONALLY LEFT BLANK

### CITY OF ROCKWALL CITY COUNCIL MEMO

**AGENDA DATE:** 01/07/2019

**APPLICANT:** Dub Douphrate of *Douphrate and Associates* 

AGENDA ITEM: P2018-044; Lot 1, Block A, Hacienda Car Wash Addition

### SUMMARY:

Consider a request by Dub Douphrate of Douphrate and Associates on behalf of Russell Frank for the approval of a final plat for Lot 1, Block A, Hacienda Car Wash Addition being a 2.008-acre tract of land identified as portions of Lots 1 & 2, Block A, the Woods at Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 2215 Ridge Road [*FM-740*], and take any action necessary.

### PLAT INFORMATION:

- ☑ The objective of this request is to final plat Lot 1, Block A, Hacienda Carwash Addition for the purpose of constructing an approximate 4,396 SF carwash [*i.e. Hacienda Carwash*], and to add the necessary fire lane, public access, and utility easements for the development of this site. The subject property is a 2.008-acre tract identified as portions of Lots 1 & 2, Block A, the Woods at Rockwall Addition. The site is addressed as 2215 Ridge Road [*FM-740*], situated within the Scenic Overlay (SOV) District, and zoned Commercial (C) District.
- ☑ There are two (2) 20-foot drainage easements located off-site and adjacent to the property north of this site [*i.e. Lots 1 & 2, Block A, of the Woods at Rockwall Addition*]. These easements must be recorded and filed (*i.e. by plat*), with the filed instrument number indicated on this plat, for both easements prior to the filing of this plat and the release of a building permit for this site. This has been included as a condition of approval.
- ☑ A Specific Use Permit (*SUP No. S-162*) allowing the carwash within the *Scenic Overlay* (*SOV*) *District* was approved on February 6, 2017.
- ☑ A Site Plan [*i.e.* SP2017-039] for the carwash [*i.e.* Hacienda Car Wash] was approved on December 18, 2017. The Planning and Zoning Commission approved a treescape plan showing a mitigation balance of 1,196 inches. This is required to be satisfied at the time the final plat is submitted for filing.
- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for final plats as stated in the *Subdivision Ordinance* in the *Municipal Code of Ordinances*, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- ☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

☑ With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the *Municipal Code of Ordinances*.

### **RECOMMENDATIONS:**

If the Planning and Zoning Commission and City Council choose to approve the final plat for *Lot 1, Block A, Hacienda Carwash Addition*, staff would recommend the following conditions:

- 1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat.
- 2) The required off-site easements [*i.e. 20-foot drainage easements*], located on the adjacent lot, must be recorded and filed prior to the filing of this plat and the release of a building permit for this site.
- 3) A tree mitigation balance of 1,196 caliper inches must be satisfied at the time the final plat is submitted for filing.
- 4) Any construction resulting from the approval of this *final plat* shall conform to the requirements set forth by the Unified Development Code, the International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

### PLANNING AND ZONING COMMISSION RECOMMENDATION:

On January 2, 2019, the Planning and Zoning Commission's motion to recommend approval of the final plat with staff conditions passed by a vote of 5 to 0 with Commissioners Lyons and Fishman absent.





### City of Rockwall Planning & Zoning Department 385 S. Goliad Street

Planning & Zoning Departm 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.





#### OWNERS DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS COUNTY OF ROCKWALL}

I the undersigned owner of the land shown on this plat, and designated herein as HACIENDA CAR WASH ADDITION to the City of Rockwall. Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets. alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I 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. Drainane/Detention Easements/Facilities shall be owned operated, maintained and repaired by property owner.

7. 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

Frank Russell

STATE OF TEXAS} COUNTY OF ROCKWALL}

Before me, the undersigned authority, on this day personally appeared Frank Russell, 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

. 2018.

Notary Public in and for the State of Texas

My Commission Expires:

#### OWNERS CERTIFICATE

STATE OF TEXAS

COUNTY OF ROCKWALL

Being a tract of land situated in the E.P. Gaines Survey, Abstract No. 64, and being a portion of Lot 1, Block A and Lot 2, Block A of The Woods At Rockwall Addition, an addition to the City of Rockwall, Texas according to the plat recorded in Cabinet E, Slide 343 of the Plat Records of Rockwall County, Texas, same being all of a tract of land to Frank Russell as recorded in Instrument Number 20170000002484 of the Official Public Records of Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found lying on the southeast line of F.M. 740 a variable width right-of-way at the northwest corner of said Woods At Rockwall Addition, same being the northwest corner of said Russell tract ;

THENCE North 45 degrees 47 minutes 27 seconds East along the southeast line of said F.M. 740 and the northwest line of said Lot 1, Block A, a distance of 166.98 feet to a 1/2 inch iron rod with cap stamped "TXHS" found for the northwest corner of a tract of land described by deed to Mountainprize, Inc, recorded in Instrument No. 2014/000002884 of the Official Public Records of Rockwall County Texas:

THENCE South 44 degrees 11 minutes 03 seconds East, along the westerly said Mountanprize tract, a distance of 128.95 feet to a 1/2 inch iron rod with cap stamped "TXHS" found at an angle point in same:

THENCE North 80 degrees 45 minutes 15 seconds East, along the southerly line of said Mountainprize tract, a distance of 137.61 feet to a 1/2 inch iron rod with cap stamped "TXHS" found for the beginning of a non-tangent curve to the right having a radius of 536.81 feet, a central angle of 30 degrees 19 minutes 15 seconds, and a chord which bears North 72 degrees 10 minutes 42 seconds East, 280.77 feet;

THENCE continuing along the southerly line of said Mountainprize tract and said non-tangent curve to the right, an arc distance of 284.08 feet to a 1/2 inch iron rod found for the beginning of a reverse curve to the left having a radius of 772.78 feet, a central angle of 00 degree 07 minutes 47 seconds, and a chord which bears North 87 degrees 16 minutes 31 seconds East, 1.75 feet;

THENCE along said reverse curve to the left, an arc distance of 1.75 feet to a 1/2 inch iron rod with cap stamped "TXHS" found for the northeast corner of said Russell tract, and the northwest corner of Wal-Mart Supercenter Addition, an addition to the City of Rockwall. Rockwall County. Texas according to the Plat recorded in Cabinet E. Slide 333 of the Plat Records of Rockwall County. Texas:

THENCE South 29 degrees 20 minutes 09 seconds West, along the northwest line of said Wal-Mart Supercenter Addition, a distance of 237.93 feet to a 5/8 inch iron rod with cap stamped R.P.L.S. 5430 found for corner lying on the northerly line of same:

THENCE along the northerly line of said Wal-Mart Super Center Addition the following courses and distances:

North 78 degrees 10 minutes 56 seconds West, a distance of 154.03 feet to a 1/2 inch iron rod found for corner;

South 81 degrees 08 minutes 41 seconds West, a distance of 87.98 feet to a 1/2 inch iron rod found for corner;

North 46 degrees 24 minutes 06 seconds West, a distance of 9.80 feet to a 1/2 inch iron rod with cap stamped "TXHS" found for corner:

South 43 degrees 35 minutes 54 seconds West, a distance of 239.43 feet to a 3/8 inch iron rod found for the northwest corner of said Wal-Mart Supercenter Addition and the south corner of said Lot 1, Block A, also lying on the northeast line of Lot 1, Block A of Lakewood Park, an addition to the City of Rockwall according to the plat recorded in Cabinet B, Slide 10 of the Plat Records of Rockwall County Texas:

THENCE North 45 degrees 58 minutes 49 seconds West along the common line of said Lot 1, Block A, Woods At Rockwall Addition and said Lot 1. Block A, Lakewood Park Addition, a distance of 98,44 feet to a 1/2 inch iron rod found for the south corner of a tract of land described by deed to Layan Investments, Inc., recorded in Volume 7066, Page 140 of the Official Public Records of Rockwall County, Texas;

THENCE North 43 degrees 44 minutes 13 seconds East along the southeast line of said Lavan Investments tract, a distance of 99.83 feet to a 1/2 inch iron rod found for the east corner of same, also for an ell corner of said Lot 1, Block A, Woods At Rockwall Addition

THENCE North 45 degrees 56 minutes 00 seconds West along the common line of said Lot 1, Block A, Woods At Rockwall Addition and said Layan Investments tract, a distance of 119.96 feet to the PLACE OF BEGINNING, and containing 87,469 square feet or 2 008 acres of land

#### SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_ DAY OF \_\_\_\_\_ . 2018

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

APPROVED:		
I hereby certify that the above and City Council of the City of Rockwal	foregoing plat of an addition to the City o I on the day of, 20	
This approval shall be invalid unles	s the approved Plat for such Addition is a	ecorded in the office of the County Clerk
	e hundred eighty (180) days from said da	te of final approval.

FINAL PLAT HACIENDA CAR WASH ADDITION LOT 1, BLOCK A

87,469 SQUARE FEET 2.008 ACRES

SITUATED IN THE E.P. GAINS SURVEY, ABSTRACT NO. 64 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

BEING A PORTION OF LOT 1, BLOCK A AND LOT 2, BLOCK A OF THE WOODS AT ROCKWALL ADDITION, AN ADDITION TO THE CITY OF ROCKWALL, TEXAS ACCORDING TO THE PLAT RECORDED IN CABINET E, SLIDE 343 OF THE PLAT RECORDS OF ROCKWALL COUNTY, TEXAS

#### PROJECT INFORMATION Project No .: DPH 18326

Date:

Drawn By: GS9 Scale: 1"=60'

SHEET 2 of 2

FRANK RUSSELL 15 Pringle Lane Rockwall. Texas 75087

OWNER

November 30, 2018

SURVEYOR TEAGUE NALL AND PERKINS, INC. 825 Watters Creek Boulevard, Suite M300 Allen, Texas 75013 214 461 9867 ph 214 461 9864 fx 5. Registration No. 10194381 www.tnpinc.com

Owner:

Given upon my hand and seal of office this \_\_\_\_\_day of \_\_\_\_\_

# THIS PAGE INTENTIONALLY LEFT BLANK

### CITY OF ROCKWALL CITY COUNICL MEMO

AGENDA DATE: 01/07/2019

**APPLICANT:** Jennifer Haynes of *Urban Structure* 

AGENDA ITEM: P2018-045; Lots 4 & 5, Block A, the Woods at Rockwall Addition

### SUMMARY:

Consider a request by Jennifer Haynes of Urban Structure on behalf of Andrew Malzer pf RaceTrac Petroleum, Inc. the approval of a replat for Lots 4 & 5, Block A, the Woods at Rockwall Addition being a 4.47-acre tract of land identified as Lots 1 & 2, Block A, the Woods at Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 2215 & 2205 Ridge Road [*FM-740*], and take any action necessary.

### PLAT INFORMATION:

- ☑ The objective of this request is to replat a 4.47-acre tract of land [*i.e. Lots 1 & 2, Block A, the Woods at Rockwall Addition*] to create Lots 4 & 5, Block A, the Woods at Rockwall Addition for the purpose of abandoning certain easements and establishing firelane, public access, and utility easements. Additionally, the replat will establish lot lines for two (2) developments consisting of a 5,411 SF convenience store with gasoline sales [*i.e. RaceTrac*] on Lot 4 and a 4,396 SF carwash facility [*i.e. Hacienda Carwash*] on Lot 5. The subject property is a 4.47-acre tract identified as Lots 1 & 2, Block A, of the Woods at Rockwall Addition. The site is addressed as 2205 & 2215 Ridge Road [*FM-740*], situated within the Scenic Overlay (SOV) District, and zoned Commercial (C) District.
- ☑ There are two (2) 20-foot drainage easements located on the proposed Lot 4 [*i.e. RaceTrac*] that are needed for the development of the proposed Lot 5 [*i.e. Hacienda Carwash*]. These easements are to be recorded by this plat prior to the development of Lot 5. A final plat application [*i.e. P2018-044*] for Lot 5 has been requested concurrently with this request. Approval of this plat with these two (2) drainage easements has been included as a condition of approval for the proposed Lot 5. Additionally, it shall be required that the replat of Lots 4 & 5, Block A, the Woods at Rockwall Addition be filed prior to the filing of the final plat being considered by Case No. P2018-044.
- ☑ A Specific Use Permit (*SUP No. S-104*) allowing a convenience store with gasoline sales within the *Scenic Overlay (SOV) District* was approved on April 15, 2013.
- ☑ An amended Site Plan [*i.e.* SP2018-019] for a convenience store with gasoline sales [*i.e.* RaceTrac] was approved on September 25, 2018. In addition, the City Council approved an alternative tree mitigation settlement agreement in the amount of \$225,000 on May 6, 2013 that will be due at the time this plat is submitted for filing. This has been included as a condition of approval.

- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for a *replat* as stated in the *Subdivision Ordinance* in the *Municipal Code of Ordinances*, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- ☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.
- ☑ With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the *Municipal Code of Ordinances*.

### **RECOMMENDATIONS:**

If the Planning and Zoning Commission and City Council choose to approve the *replat* for *Lots 4 & 5, Block A, of the Woods at Rockwall Addition*, staff would recommend the following conditions:

- 1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat.
- 2) A balance of \$225,000 for the tree mitigation settlement agreement approved by the City Council shall be due at the time the replat is submitted for filing.
- 3) Any construction resulting from the approval of this *replat* shall conform to the requirements set forth by the Unified Development Code, the International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

### PLANNING AND ZONING COMMISSION RECOMMENDATION:

On January 2, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat with staff conditions passed by a vote of 5 to 0 with Commissioners Lyons and Fishman absent.





# 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.



/				05.0				
		RIABLE WID TION EASEN					BLIC ACCESS &	60 40 20 0 20 40 60 SCALE - 1" = 40' N 59 40 41 NORTHING: 701796 EASTING: 2593561
CURVE #			DELTA	CHORD	LINE #	LENGTH	DIRECTION	
C1	11.41'	10.00'	65°21'38"	N78° 48' 15"E 10.80'	L10	102.35'	S89°50'05"W	SCALE - 1" = 40'
C2	38.19'	29.93'	73°06'10"	S48° 11' 11"E 35.65'	L11	299.92'	S45°47'26"W	
C3	11.00'	34.00'	18°32'11"	S2° 03' 17"W 10.95'	L12	1.25'	N44°12'35"W	
C4	3.23'	5.00'	36°57'21"	S29° 48' 03"W 3.17'	L13	49.75'	S45°47'26"W	EASTING: 2593561.
								1/2" IRF "TXHS" ⊗
C5	22.55'	65.42'	19°45'16"	S58° 09' 22"W 22.44'	L14	33.75'	N44°12'34"W	
C6	22.33'	19.26'	66°26'04"	N76° 04' 52"W 21.10'	L15	4.22'	N45°47'26"E	7.5' UTILITY EAS CABINET C, SLIDI
C7	13.02'	9.00'	82°52'40"	N2° 25' 37"W 11.91'	L16	7.00'	S44°12'34"E	
					L17	299.92'	N45°47'26"E	CABINET C, SLIDI
		RE LANE, P						
					L18	47.25'	N89°50'05"E	P.R.C.I (ABANDONED E S S S S S S S S S S S S S
CURVE #	LENGTH	H RADIUS	DELTA	CHORD	L19	10.80'	N1°11'13"E	W = S = S = S = S = S = S = S = S = S =
C8	15.37'	20.00'	44°02'40"	S67° 48' 46"W 15.00'				
C9	68.87'	44.00'	89°40'22"	N89° 22' 21"W 62.05'	20° D	LINE TA	EASEMENT BLF	S S S S S S S S S S S S S S S S S S S
C10	31.42'	20.00'	90°00'00"	N89° 12' 34"W 28.28'	LINE #	LENGTH	DIRECTION	V/ -v a c f f f f f
	-							
C11	29.06'	18.50'	90°00'00"	N89° 12' 34"W 26.16'	L20	33.40'	S12°13'50"E	
C12	22.48'	20.00'	64°23'49"	S78° 22' 27"E 21.31'	L21	20.45'	S89°50'05"W	MONUMENT LOT 3, BLOCK A
C13	22.69'	55.00'	23°38'13"	N57° 36' 32"E 22.53'	L22	35.34'	N12°13'50"W	REPLAT WOODS A
C14	69.12'	44.00'	90°00'00"	S89° 12' 34"E 62.23'	L23	11.09'	S11°46'53"E	
								107,210 SQ.FT.
C15	31.42'	20.00'	90°00'00"	S89° 12' 34"E 28.28'	L24	5.99'	N81°20'23"W	2.46 ACRES
C16	33.82'	44.00'	44°02'39"	N67° 48' 45"E 33.00'	L25	5.29'	N11°46'53"W	07,210 SQ.11. 2.46 ACRES
C17	30.94'	20.00'	88°38'52"	N45° 30' 39"E 27.95'	L26	20.42'	N89°50'05"E	
	1				L27	18.63'	S63°55'52"E	A SE ME 32
20	)' DRAINA	AGE EASEN	IENT CUF		L28	20.52'	S39°00'43"W	RHP RUCH CHUNN CALL NASS AND RECT
		H RADIUS		CHOPP			339 00 43 10	K ACTIN A SOUTH A SOUT
CURVE #				CHORD	L29	21.20'	N63°55'52"W	No the set of the set
C18	20.94'	845.00'	1°25'12"	S84° 59' 06"E 20.94'	L30	21.25'	N45°47'26"E	Λ <sup>α</sup> <sup>μ</sup> <sup>2</sup> <sup>β</sup> <sup>αμ</sup> 2 <sup>5</sup> (///)
C19	5.26'	10.00'	30°08'16"	N83° 35' 04"W 5.20'				15' DRAINAGE EASEMENT
	•							Volume 3042, PAGE 48
		DRAINAGE &	_					JARIAN 340.31 A D.R.R.C.T. (THIS PORTION TO BE ABANDONED)
		NT LINE TABL	_					ABANDONED)
LINE #	LENGTH	DIRECTION	_					$\begin{array}{c c} & & & & \\ & & & & \\ & & & & \\ & & & & $
L1	11.30'	S68°30'56"E						
L2	17.74'	S81°20'23"E						×° Å ° ° ° ° ° ° ° ° ° ° ° ° ° ° ° ° ° °
L3	30.12'	S87°05'02"E	-				4	$\begin{array}{c} \mathbf{x}^{\mathbf{y}} \\ \mathbf{x}^{y$
			_		/		/	
L4	24.91'	S7°12'49"E	_		*		30,00	
L5	36.21'	S11°19'23"W	/	CENTER D	2		K'5"	
L6	39.76'	N45°06'45"W	/	/ OFINI				
L7	62.74'	N43°51'53"W	/	/				$\langle \mathcal{X}^{\otimes} \rangle \langle \mathcal{X} \rangle$
	23.29'	N39°00'43"E	_			100.90 100.90		
L8			_			×60.	$\langle \wedge \rangle$	
L9	10.68'	N46°07'26"E		50.0,	MASATZE	L		
				0,	128	\$ /		EMENT WOODS AT ROCKWALL ADDITION   14, PAGE 444 CABINET E, SLIDE 343   P.R.R.C.T. 1/2" IRF   1/2" IRF 15" DRAINAGE EASEMENT   1/2" IRF 15" DRAINAGE EASEMENT
					13AV	11	D.R.I	P.R.R.C.T. P.R.R.C.T. P.R.R.C.T. P.R.R.C.T. P.R.R.C.T. TXHS" VOLUME 3042, PAGE 48
				/	A Contraction of the second se	//		D.R.R.C.T. (THIS PORTION TO REMAIN)
				1/2" IRF	/ /	'/		
				/X				
					$\sim$	, ,		
					15°200			
					Jon Sol	、 、		
					00	7.		
					•	h		1/2" IRF "TXHS"
								1/2" IRF S 81°08'40" W 87.98'
				LOT 3, BI		7	6	1/2" RFS 81°08'40 WAL-
				ROCKWA SCHOOL A		,	9 9 0 6 7 5/8" IF	
				CABINET C,	SLIDE 147			P.R.I
				P.R.R	C.T.		SP.C.	9.80'
				LAYAN INVEST DOCUMENT NC	MENTS, INC.		<i>₽</i> .,	
				DOCUMENT NC D.R.R	C.T.	1.	-5/	20
						44124		
						NNV		BUSINESS TRUST
					~	Ar/		WAL-MART REAL ESTATE LINE   BUSINESS TRUST LINE   VOLUME 1653, PAGE 144 L41   D.R.R.C.T. L41
				940	, À <sup>2</sup>	/		
					$\nabla$			
					<b>9</b> #8			
				1.	1/2" IRF 94			EMENT C A3 15' UTILITY EASEMENT L45
					1	a	10' UTILITY EASE CABINET E, SLID	EMENT 15' UTILITY EASEMENT L45
					Tr.	*	P.R.R.C.T.	LINE TABLE L46
				LOT 2, BLOCH	KA Č	240 50,50,1040 50,50,1	</td <td>15' X 44' UTILITY</td>	15' X 44' UTILITY
				LAKEWOOD PARK A	ADDITION	-50,	940	EASEMENT LINE TABLE L35 79.74' N84°21'05"E
						4	$X'' \setminus X'$	LINE # LENGTH DIRECTION L36 60.56' S44°12'34"E
				P.R.R.C.T.		•		
LEGEND					RA PARTNEF			
LEGEND				DOCUM	D.R.R.C.		·	L32 44.00' S45°47'26"W L38 53.34' N44°12'34"W L48
⊗ IRF							3/8" IRF 🔪	L33 15.00' N44°12'34"W L39 81.04' S84°21'05"W L49
P.R.R.C.T.		LAT RECORD DUNTY, TEXA		LL				%     L34     44.00'     N45°47'26"E     L40     17.26'     N23°58'59"E     L50
D.R.R.C.T.	DE	ED RECORD	S,	2				
	RC	CKWALL CO	υνιγ, ΤΕΧΑ	10				



### OWNER'S CERTIFICATE:

STATE OF TEXAS COUNTY OF ROCKWALL CITY OF ROCKWALL

WHEREAS, Mountainprize, Inc. and Russell Frank are the sole owners of a tract of land situated in the E.P. Gaines Survey, Abstract No. 64 in the City of Rockwall, Rockwall County, Texas, being all of Lots 1 and 2, Block A of THE WOODS AT ROCKWALL ADDITION, an Addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Cabinet E, Slide 343, Plat Records, Rockwall County, Texas and being more particularly described by metes and bounds as follows:

Beginning at an "X" found in the South right-of-way line of Yellowjacket Lane (90 foot public right-of-way), said point being the Northwest corner of Lot 3R, Block B of REPLAT WOODS AT ROCKWALL ADDITION NO. 1, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet E, Slide 389 of the Plat Records of Rockwall County, Texas, same being the Northeast corner of said Lot 2, same being the Northeast corner of herein described tract:

Thence South 11 Degrees 24 Minutes 23 Seconds East, along the West line of said Lot 3R, a distance of 221.40 feet to a 1/2 inch iron rod found for corner with a yellow cap stamped "TXHS", said point being the Southwest corner of said Lot 3R, same being the Northwest corner of Wal-Mart Supercenter Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet E, Slide 333 of the Plat Records of Rockwall County, Texas;

Thence South 29 Degrees 20 Minutes 09 Seconds West, along the Northwest line of said Wal-Mart Supercenter Addition, passing the East corner of said Lot 1, same being the South corner of said Lot 2, at a distance of 176.14 feet and continuing for a total distance of 237.94 feet to a 5/8 inch iron rod found for corner with a cap stamped "5430", said point being the South corner of herein described tract;

Thence North 78 Degrees 10 Minutes 57 Seconds West, continuing along the North line of said Wal-Mart Supercenter Addition, a distance of 154.03 feet to a 5/8 inch iron rod found for corner with a cap stamped "5430";

Thence South 81 Degrees 08 Minutes 40 Seconds West, continuing along the North line of said Wal-Mart Supercenter Addition, a distance of 87.98 feet to a 1/2 inch iron rod found for corner with a yellow cap stamped "TXHS";

Thence North 45 Degrees 17 Minutes 12 Seconds West, continuing along the North line of said Wal-Mart Supercenter Addition, a distance of 9.80 feet to a 1/2 inch iron rod found for corner with a yellow cap stamped "TXHS";

Thence South 43 Degrees 35 Minutes 53 Seconds West, continuing along the North line of said Wal-Mart Supercenter Addition, a distance of 239.43 feet to a 3/8 inch iron rod found for corner in the Northeast line of Lot 2. Block A of Lakewood Park Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Cabinet B, Page 10 of the Plat Records of Rockwall County, Texas, said point being the West corner of said Wal-Mart Supercenter Addition, same being the South corner of said Lot 1, same being the South corner of herein described tract;

Thence North 45 Degrees 58 Minutes 50 Seconds West, along the Northeast line of said Lakewood Park Addition, a distance of 98.44 feet to a 1/2 inch iron rod found for corner, said point being the South corner of Lot 3, Block B of Rockwall High School Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet C, Slide 147 of the Plat Records of Rockwall County, Texas, same being the most southerly West corner of said Lot 1 and being the most southerly West corner of herein described tract;

Thence North 43 Degrees 44 Minutes 12 Seconds East, along the Southeast line of said Lot 3, a distance of 99.83 feet to a 5/8 inch iron rod found for corner, said point being the East corner of said Lot 3, same being an interior ell corner of said Lot 1 and of herein described tract;

Thence North 45 Degrees 56 Minutes 01 Seconds West, along the Northeast line of said Lot 3, a distance of 119.96 feet to a 1/2 inch iron rod found for corner in the Southeast right-of-way line of F.M. 740 (Ridge Road) (variable width public right-of-way), said point being the North corner of said Lot 3, same being the most northerly West corner of said Lot 1 and being the most northerly West corner of herein described tract;

Thence North 45 Degrees 47 Minutes 26 Seconds East, along the Southeast right-of-way line of said F.M. 740, a distance of 346.99 feet to a TXDOT Monument found for corner, said point being the North corner of said Lot 1, same being the West corner of said Lot 2;

Thence North 23 Degrees 58 Minutes 59 Seconds East, continuing along the Southeast right-of-way line of said F.M. 740, a distance of 117.39 feet to a 1/2 inch iron rod found for corner with a yellow cap stamped "TXHS" at the intersection of the Southeast right-of-way line of said F.M. 740 and the South right-of-way line of said Yellowjacket Lane, said point being the Northwest corner of said Lot 2, and being the Northwest corner of herein described tract;

Thence North 59 Degrees 19 Minutes 53 Seconds East, along the South right-of-way line of said Yellowjacket Lane, a distance of 40.41 feet to a 1/2 inch iron rod found for corner with a yellow cap stamped "TXHS";

Thence South 83 Degrees 38 Minutes 25 Seconds East, continuing along the South right-of-way line of said Yellowjacket Lane, a distance of 140.14 feet to a 1/2 inch iron rod found for corner with a yellow cap stamped "TXHS", said point being the beginning of a curve to the left;

Thence, continuing along the South right-of-way line of said Yellowjacket Lane, and along said curve to the left, through a central angle of 6°48'23", a radius of 845.00 feet, a chord bearing and distance of South 87°02'38" East, 100.32 feet and an arc length of 100.38 feet to the POINT OF BEGINNING and containing 194,683 square feet or 4.47 acres of land.

SURVEYORS CERTIFICATE:

THAT 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 at the under my personal supervision.

E OF F ISTER + MSU GARY E. JOHNSON Gary E. Johnson, R.P.L.S/ No. 5299 P 5299 7 4

STATE OF TEXAS

BEFORE ME, the undersigned authority, a Notary Public in and for the said County and State, on this day personally appeared Gary E. Johnson, 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 expressed and in the capacity therein stated and as the act and deed therein stated.

ESSIO

SURNE

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this day of , 2018.

My commission expires:

### Notary Signature

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

STATE OF TEXAS COUNTY OF ROCKWALL CITY OF ROCKWALL

That, Mountainprize, Inc. and Russell Frank, do hereby adopt this plat designating the hereinabove described property as REPLAT WOODS AT ROCKWALL ADDITION, LOT 3 AND LOT 4, BLOCK A, a subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown for the purposes and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the REPLAT WOODS AT ROCKWALL ADDITION, LOT 1R, BLOCK A, subdivision have been notified and sighed this plat.

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

- system without the necessity of, at any time, procuring the permission of anyone.
- 3. occasioned by the establishment of grade of streets in the subdivision. The developer and subdivision engineer shall bears total responsibility for storm drain improvements.
- 5. storm drainage from the development.
- Rockwall:
- and drainage system.

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 developer and/or owner as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence or 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; Our successors and assigns hereby waive any claim, damage, or cause of action the We may have as a result of the dedication of exactions made herein.

Mountainprize, Inc.

Brian Thornton, Vice President of Real Estate and Engineering

Russell Frank

STATE OF TEXAS

BEFORE ME, the undersigned authority, a Notary Public in and for the said County and State, on this day personally appeared Brian Thornton, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this dav of , 2018.

Notary Signature

LEGEND

🛇 IRF

P.R.R.C.T.

D.R.R.C.T.

IRON ROD FOUND PLAT RECORDS, ROCKWALL COUNTY, TEXAS DEED RECORDS, ROCKWALL COUNTY, TEXAS

1. No buildings shall be constructed 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 building, 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 to ingress or egress to, from and upon the said easement strips for the purpose of construction, reconstructing, inspecting, patrolling, maintaining, and either adding to or removing all or part of the respective The City of Rockwall will not be responsible for any claims of any nature resulting from or

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

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 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

7. The property owner is responsible for maintenance, repair, and replacement of all detention

My commission expires:

OWNER MOUNTAINPRIZE, INC. 3225 CUMBERLAND BOULEVARD, SUITE 100 ATLANTA, GA 30339 OWNER RUSSELL FRANK 15 PRINGLE LANE

ROCKWALL, TX 75087

SURVEYOR **TEXAS HERITAGE, LLC** 10610 METRIC DRIVE, SUITE 124 DALLAS, TEXAS 75243 P - (214)340-9700 F - (214)340-9710 txheritage com

### VICINITY MAP



NOT TO SCALE

### STATE OF TEXAS

BEFORE ME, the undersigned authority, a Notary Public in and for the said County and State, on this day personally appeared Russell Frank, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this day of \_\_\_\_ \_\_, 2018.

My commission expires:

RECOMMENDE	D FOR FINAL APPROV	<u>AL</u>
Planning and Zoning Commission	Date	
<u> </u>	APPROVED	
I hereby certify that that the foregoing plat approved by the City Council of the City o , 2018.		
WITNESS OUR HANDS, on this the	day of	, 2018.
Mayor, City of Rockwall		
City Secretary, City of Rockwall		

GENERAL NOTES:

1) Bearings are based upon the Texas State Plane Coordinate System, North Central Zone 4202, NorthAmerican Datum of 1983, (2011) on Grid Coordinate values, No Scale and No Projection.

2) The purpose of this plat is to reconfigure 2 lots.

3) This property is in Zone(s) X of the Flood Insurance Rate Map, Community Panel No. 48397C0040 L, which bears an effective date of September 28, 2008 and IS NOT in a Special Flood Hazard Area.

4) Benchmark is Monument No - R005-1, City of Rockwall Geodetic Monument located on concrete median at the intersection of Summit Ridge Drive and FM 740. (Elevation - 578.6314')

> REPLAT WOODS AT ROCKWALL ADDITION LOT 3 AND LOT 4. BLOCK A REPLAT OF LOTS 1 & 2, BLOCK A OF THE WOODS AT ROCKWALL ADDITION. E.P. GAINES SURVEY, ABSTRACT NO. 64 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS PAGE 2 OF 2 CASE NO: P2017-019 DATE: 04/10/2018 / JOB # 1202145-14 / SCALE= 1" = 40' / DRAWN BY: CN

# THIS PAGE INTENTIONALLY LEFT BLANK

### CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 01/07/2019

APPLICANT: David Ellis

AGENDA ITEM: P2018-046; Lots 5, 6, & 7, Block A, Ellis Centre, Phase 2 Addition

### SUMMARY:

Consider a request by David Ellis for the approval of a replat for Lots 5, 6 & 7, Block A, Ellis Centre, Phase 2 Addition being a 2.62-acre tract of land identified as Lots 1 & 3, Block A, Ellis Centre, Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1930 & 1950 Alpha Road, and take any action necessary.

### PLAT INFORMATION:

- ☑ The objective of this request is to replat a 2.62-acre tract of land [*i.e. Lots 1 & 3, Block A, of the Ellis Centre, Phase 2 Addition*] to create Lots 5, 6, & 7, Block A, Ellis Centre, Phase 2 Addition. The purpose of the replat is to establish cross access easements that will provide access through the lots. Additionally, this will allow Lot 6 to be developed. The subject property is identified as Lots 1 & 3, Block A, Ellis Centre, Phase 2 Addition, is addressed as 1930 & 1950 Alpha Road, and zoned Light Industrial (LI) District.
- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for a *replat* as stated in the *Subdivision Ordinance* in the *Municipal Code of Ordinances*, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- ☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.
- ☑ With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the *Municipal Code of Ordinances*.

### **RECOMMENDATIONS:**

If the Planning and Zoning Commission and City Council choose to approve the replat for *Lots 5, 6, & 7, Block A, Ellis Centre, Phase 2 Addition*, staff would recommend the following conditions:

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

### PLANNING AND ZONING COMMISSION RECOMMENDATION:

On January 2, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat with staff conditions passed by a vote of 5 to 0 with Commissioners Lyons and Fishman absent.





# 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. 62





63



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

OWNER:

SUITE 119

BASK INVESTMENTS, LLC

ROCKWALL, TEXAS 75087

1930 ALPHA DRIVE

OWNER:

SUITE 300

CITY CASE NO. P2018-

#### **OWNER'S CERTIFICATE** (Public Dedication)

#### STATE OF TEXAS COUNTY OF ROCKWALL

WHEREAS David M. Ellis, Charles M. Ellis, Jody M. Ellis and Richard M. Ellis III, The Five Nine Seven LP, and Bask Investments BEING THE OWNERS OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows

BEING a part of Lot 1, Block A, of ELLIS CENTRE, PHASE ONE & TWO, an Addition to the City of Rockwall, Rockwall County, Texas, and also being all of Lot 3, Block A of ELLIS CENTRE, PHASE TWO, an Addition to the Clat Records of the Clat and the Clat an

BEGINNING at a 1/2" iron rod found for corner in the Northwest right-of-way line of Alpha Drive, at the southwest corner of said Lot 1, Block A;

THENCE N. 01 deg. 34 min. 52 sec. E. along the west line of said Lot 1, Block A, a distance of 746.46 feet to a 1/2" iron rod found for corner at the northwest corner of said Lot 3, Block A;

THENCE S. 88 deg. 25 min. 08 sec. E. along the north line of Lots 3 & 4, Block A, a distance of 185.00 feet to a 1/2" iron rod found for corner at the southeast corner of Lot 4, Block A and at the northeast corner of Lot 3, 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 407.08 feet to an "X" found for corner;

THENCE in a southwesterly direction along a curve to the right having a central angle of 36°54'45", a radius of 270.00 feet, a tangent of 90.11 feet, a chord of S 20°02'17"W, 170.95 feet along said right-of-way line, an arc distance of 173.95 feet to a 1/2" iron rod found for corner;

THENCE S. 38 deg. 29 min. 40 sec. W. along said right-of-way line, a distance of 217.91 feet to the POINT OF BEGINNING and containing 113,912 square feet or 2.62 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 ELLIS CENTRE, PHASE TWO, LOTS 5, 6 & 7, BLOCK A, 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 the ELLIS CENTRE, PHASE TWO, LOTS 5, 6 & 7, BLOCK A, 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.

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, maint aining, 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.

The developer and subdivision engineer shall bear total responsibility for storm drain

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 Roc kwall 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, wate and sewer, drainage structures, sto rm 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 an d/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 p rogress 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 s a result of the dedication of exaction's made herein.

David	Μ.	EI	lis

improvements

Charles M. Ellis

Jody M. Ellis

Richard M. Ellis III

for The Five Nine Seven LP

for Bask Investments, LLC

STATE OF TEXAS COUNTY OF

Before me, the undersigned authority, on this day personally appeared David M. Ellis 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:

STATE OF TEXAS COUNTY OF \_\_\_\_\_

Before me, the undersigned authority, on this day personally appeared Charles M. Ellis, 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:

### STATE OF TEXAS COUNTY OF \_\_\_\_\_

Before me, the undersigned authority, on this day personally appeared Jody M. Ellis 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:

### STATE OF TEXAS COUNTY OF

Before me, the undersigned authority, on this day personally appeared Richard M. Ellis III 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:

### 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:
STATE OF TEXAS COUNTY OF	
Before me, the undersigned authority, on this day pe known to me to be the person whose name is subscr and acknowledged to me that he executed the same therein stated. Given upon my hand and seal of office this	rsonally appeared

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

64

\_\_\_\_, \_\_\_

	SUF	RVEYOR'S CERTIFICATE		
	NOW, THEREFORE KI	NOW ALL MEN BY THESE PRESEN		
	THAT I, Harold D. Fetty from an actual and accu were properly placed ur	, III, R.P.L.S. No. 5034, do hereby ce trate survey of the land, and that the nder my personal supervision.	ertify that I prepared this corner monuments sho	plat wn thereon
	Harold D. Fetty, III Registered Professiona	I Land Surveyor No. 5034		HAROLD D. FETTY III $\gamma_{RE}^{TE} OF TE_{RE}^{TE} \gamma_{0}$ HAROLD D. FETTY III $\gamma_{OFESS}^{SO34} \gamma_{0}$ $\gamma_{NO}^{FESS} \gamma_{0}^{OF}$
	RECOMMENDED FOR FI	NAL APPROVAL		
	Planning and Zoning Com	mission Date		
		APPROVED		
	I hereby certify that the ab BLOCK E, an addition to t approved by the City Cour	ove and foregoing plat of ELLIS CENTR ne City of Rockwall, Texas, an addition t ncil of the City of Rockwall on the da	E, PHASE THREE, LOTS to the City of Rockwall, Te y of	S 1, 2 & 3, xxas, was
	This approval shall be inva office of the County Clerk from said date of final app	alid unless the approved plat for such ad of Rockwall, County, Texas, within one h roval.	dition is recorded in the hundred eighty (180) days	
	Said addition shall be subj City of Rockwall.	ect to all the requirements of the Subdivi	ision Regulations of the	
_	WITNESS OUR HANDS, 1	his day of	,	
	Mayor, City of Rockwall	City Secretary	City of Rockwall	
	City Engineer	Date	-	
_				
		FINAL P	LAT	
		CENTRE, 5, 6 & 7,		
		A REPLAT OF L	·	
_		OF LOTS 3 & 4, ELLIS CEN ND PART OF LOT S CENTRE, PHAS	TRE 1, BLOCK	
		3 LOTS 2.62 ACRES OR 1		
		A. HANNA SURV OCKWALL, ROCKV	'EY, A-99	ITY, TEXAS
	OWNER: THE FIVE NINE SE	VEN		
_	LIMITED PARTNERS 14465 WEBB CHAP SUITE 119 FARMERS BRANCH	SHIP EL ROAD		SHEET 2 OF 2
	OWNER: BASK INVESTMENTS, LLC	OWNER:		© © <u>m</u> - Ø- TV GAS TEL FH PP CABLE RISER METER RISER HYDRANT POLE
	1930 ALPHA DRIVE SUITE 300 ROCKWALL, TEXAS 75087	David M. Ellis, Charles M. Jody M. Ellis and Richard 16361 LAWDER LANE DALLAS, TEXAS 75248		ELEC ELEC WHERE LIGHT CONNER OF DO POUND ELECTRIC BOX WHERE LIGHT CONNER OF DO POUND JUNCTION BOX - CONNER OF DOLE JUNCTION BOX - CONNER OF DOLE FENCE
	H.D. Fe	tty Land Surveyo	r, LLC	SURVEY DATE

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

CITY CASE NO. P2018-

# THIS PAGE INTENTIONALLY LEFT BLANK



### **MEMORANDUM**

TO: Mary Smith, Assistant City Manager

FROM: Cheryl Dunlop, Director of Administrative Services

DATE: January 4, 2019

### SUBJECT: Change to Trustee for employee 457(b) plan

The City recently received a recommendation from Fiduciary Consulting Group, Inc., our professional consultant for our employee deferred compensation plan, to discontinue services with Ascensus Trust as a passive trustee, and instead, move to Reliance Trust Company since they are the preferred provider of One America. Staff requests that Council consider approval of the attached resolution appointing Reliance Trust Company as Trustee to provide directed trust services, including an annual trust report on the Plan assets, in place of Ascensus Trust.

### **CITY OF ROCKWALL, TEXAS**

### **RESOLUTION NO.** <u>19-02</u>

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, TERMINATING ASCENSUS TRUST COMPANY AS PASSIVE TRUSTEE OF THE CITY OF ROCKWALL 457(b) PLAN; APPOINTING RELIANCE TRUST COMPANY AS PASSIVE TRUSTEE (IN PLACE OF ASCENSUS TRUST) WITH RESPECT TO THE CITY OF ROCKWALL 457(b) PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the CITY OF ROCKWALL (the "City") sponsors the City of Rockwall 457(b) Plan (the "Plan") for the benefit of its employees, which is intended to be qualified under Section 401(a), 403(b) or 457 of the Internal Revenue Code of 1986 (the "Code") and its related trust to be tax exempt under section 501(a) of the Code; and

WHEREAS, the City currently engages Fiduciary Consulting Group, Inc. as a professional independent fiduciary for the Plan to undertake fiduciary responsibility for the administration and management of the Plan; and

WHEREAS, the City recently received correspondence from Fiduciary Consulting Group, Inc. stating that the City's plan is moving away from Ascensus Trust as a passive trustee and will instead move to Reliance Trust as passive trustee since Reliance Trust is now the preferred provider of One America; and

WHEREAS, the City believes it is prudent to appoint Reliance Trust Company as "Trustee" to provide directed trust services, including an annual trust report on the Plan assets, in place of Ascensus Trust.

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

**Section 1.** Ascensus Trust is hereby terminated as "Trustee" of the City of Rockwall 457(b) plan; and

<u>Section 2.</u> Reliance Trust Company (1100 Abernathy Road, 500 Northpark Building, Suite 400, Atlanta, GA 30328) is hereby appointed "Trustee" with respect to the City of Rockwall 457(b) Plan; and

<u>Section 3.</u> This change in trustee designation is considered to have been in effect as of November 1, 2018, and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this <u>7<sup>th</sup></u> day of <u>JANUARY</u>, <u>2019</u>.

Jim Pruitt, Mayor

67

ATTEST:

Kristy Cole, City Secretary

# THIS PAGE INTENTIONALLY LEFT BLANK



### CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Mayor and City Council

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

FROM: Ryan Miller, Director of Planning and Zoning

DATE: January 7, 2019

### SUBJECT: Appointment with Dewayne Cain

Mr. Dewayne Cain is requesting that the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) be amended to allow an accessory structure on an Agricultural (AG) District zoned property. The subject property is a 10.61-acre tract of land located on Cornelius Road, zoned Agricultural (AG) District, and addressed as 777 and 839 Cornelius Road. The structure that Mr. Cain is proposing would be an ~4,950 SF, metal barn that would contain a storage area for eight (8) vehicles and a *guest quarters/secondary living facility (i.e. the facility includes all components of a residential living unit [e.g. kitchen, bathroom, etc.]*). Based on the floor plan provided by the applicant, staff would have to treat this request as a *guest quarters/secondary living facility*; however, a portion of this building would be considered an accessory building, which is not allowed in an Agricultural (AG) District. Based on Mr. Cain's request, staff has prepared possible changes or options for the City Council to consider in amending the code; however, staff should note that the City Council is not obligated to change the code or to choose one of the prepared options.

Currently, the UDC does allow *guest quarters/secondary living units* in an Agricultural (AG) District pending they are [1] accessory uses to the primary use (*i.e. single family home*), [2] not to exceed 30% of the area of the main structure, and [3] that they cannot be sold or conveyed separately without meeting the requirements of the zoning district and subdivision ordinance. In this case, the primary structure is 1,780 SF according to the Rockwall Central Appraisal District (RCAD). This means that the guest quarters/secondary living facility could not exceed a total size of 534 SF. In other residential zoning districts (*i.e. SF-8.4, SF-7, ZL-5 and 2F*) this use is only allowed through a Specific Use Permit (SUP), which gives the City Council the discretion to grant these even if they do not meet the requirements. One solution that the City Council could employ would be to change the code as follows (with the *highlighted, italics* areas indicating the changes):

Residential and Lodging

AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2F	MF-14	$ \leftarrow \text{Residential Zoning Districts} \\ \text{Commercial Zoning Districts} \rightarrow \\ \text{Land Use } \downarrow \\$	DT	RO	NS	GR	С	НС	LI	Ŧ
A	А	А	A	A	S	S	S	S	Ρ	Guest Quarters/Secondary Living Unit +								

A: Accessory; P: Permitted By-Right; S: Specific Use Permit

Guest quarters/secondary living unit.

- (1) Guest quarters or secondary living units may be allowed on a property in a residential or commercial zoning district provided that it is ancillary to a single family home the primary use and that only one such facility is provided.
- (2) The area of such quarters shall not exceed 30 percent of the area of the main structure.
- (3) No such use may be sold or conveyed separately without meeting the requirements of the zoning district and the subdivision ordinance.
- (4) Guest quarters or secondary living units not meeting the requirements stated above shall require a Specific Use Permit (SUP).

Another issue that would be required to be addressed with this request is that the current code does not allow accessory buildings in an Agricultural (AG) District. According to Article IV, *Permissible Uses*, of the UDC:

Residential and Lodging

AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2F	MF-14	← Residential Zoning Districts Commercial Zoning Districts → Land Use ↓	ЪТ	ВO	SN	GR	С	НС	LI	Ŧ
	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Accessory Building +		Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Р

A: Accessory; P: Permitted By-Right; S: Specific Use Permit

The purpose of this is to incentivize smaller properties (*i.e. properties less than ten* [10] acres in size and considered to be legally non-conforming) to zone in accordance with the Future Land Use Plan, bringing them into conformance with the UDC. Without this requirement, it would be difficult for the City to incentivize smaller properties to change their zoning, which could have the effect of leaving small spots of Agricultural (AG) District zoning on non-conforming lots throughout the City. To address this, the City Council could choose to establish a new land use (*e.g. barn/agricultural accessory building*), which would allow larger buildings in the Agricultural (AG) District. An example of the changes required to establish the new land use would be as follows (with the *highlighted, italics* areas indicating the changes):

Rural and Animal Related

AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	2-1Z	2F	MF-14	$ \leftarrow \text{Residential Zoning Districts} \\ \text{Commercial Zoning Districts} \rightarrow \\ \text{Land Use } \downarrow $	DT	RO	NS	GR	С	НС	ΓI	Ŧ
S										Barn or Agricultural Accessory Building+								

A: Accessory; P: Permitted By-Right; S: Specific Use Permit

Barn or Agricultural Accessory Building. A Barn or Agricultural Accessory Building is a building that is located on a property that is a minimum of ten (10) acres in size, zoned Agricultural (AG) District, and is intended to be used to store agricultural equipment used for animal production, crop production and/or other agricultural related uses.

- (1) A Barn or Agricultural Accessory Building is a minimum of 2,000 SF and a maximum of 4,999 SF in total size (*i.e. under roof*).
- (2) A Barn or Agricultural Accessory Building is exempt from the masonry requirements stipulated by Section 7.01, Residential District Development Standards.

Staff should note that the City Council could choose to establish accessory building standards for the Agricultural (AG) District and amend the *Permissible Use Charts* to allow accessory structures in these areas; however, as stated above this may cause issues with regard to bringing non-conforming properties into conformance with the Future Land Use Plan.

Should the City Council choose to direct staff to amend the code, staff would proceed based on the following schedule:

Planning and Zoning Work Session: January 29, 2019 Planning and Zoning Public Hearing: February 12, 2019 City Council Public Hearing/First Reading: February 18, 2019 City Council Second Reading: March 4, 2019

In the attached packet, Mr. Cain has included information for the City Council with regard to his request, and -- *if the code is amended* -- what he is proposing to build. Should the City Council have any questions concerning this request staff will be available at the meeting on <u>January 7</u>, <u>2019</u>.



FUNERAL HOMES CEMETERY CREMATORY FLORI

December 27, 2018

Rockwall City Council 385 S. Goliad Rockwall, TX 75087

Dear Sirs and Madam,

I hereby request placement on your agenda for the January 7, 2019, meeting of the Rockwall City Council.

I have agricultural zoned land within the Rockwall City limits and have secured plans, hired a contractor and made a deposit for a barn to be constructed on the property. The barn will be used to store our tractors and other cemetery equipment as well as two antique cars. When our contractor tried to apply for a building permit, he was told we would have to go through Planning and Zoning to acquire an SUP before we could build the barn; however, before we were able to obtain placement on the next agenda of P&Z, the council did away with SUPs. At the present time, there is no code of agricultural zoned property, which places me in a definite hardship. The purpose of requesting the meeting is to discuss possible alternatives with you.

Sincerely,

two

Dewayne Cain President and Founder

Rockwall Chapel 972-771-8641

Royse City Chapel 972-636-2422

Rowlett Chapel 972-412-5195


Morton Buildings, Inc. 3514 N Central Expy McKinney, TX 75071-2500 Telephone: (972) 562-3772

# RECEIPT

Dewayne Cain 2500 State Hwy 66 Rockwall, Texas 75087

Date: 8/15/2018 Project #/ Sales Order #: B087082326 Receipt #: 087723 Customer Account #: 00010507 Created By: Dionna Lommori Construction Center #: 87 Method of Payment: Check

Telephone: 214-533-8641 Amount Received For

Down Payment on Suburban Storage CK#20985

Customer paid \$49,155.00 on Down Payment - Total was to be \$49,190.00 - Customer will put the remainder \$35.00 with the Delivery Payment.

Dollar Amount

\$49,155.00

306 54'x13'x75' (#1) - Building Use: Suburban - Storage		
Pricing is based on cash terms according to the payment schedule shown. Non-cash payments are subject to Terms and Conditions,	Down Payment: Delivery Payment:	\$49,190.00 \$98.380.00
#2. All applicable taxes are included in the total price.	Final Payment:	\$16,396.00
Pricing is contingent upon delivery of material on or before November 12, 2018. (See Building Site Specifications, #2)	Total:	\$163,966.00
Approximate delivery after October 15, 2018.		
Down payment type: Check #		
COLUMN PLAN(S), BUILDING COLOR DEFINITION(S), SITE CO BUILDING SITE SPECIFICATIONS (06/10), TERMS AND CONDIT PLANNING WARNING (06/10), AND 613 FLUOROFLEX® LIMITI ATTACHED AND INCORPORATED HEREIN	IONS (10/16), CONSTR	RUCTION
By signature below, I certify that Dewayne Cain (Print Property Owner's Na	hold(s) title	to the
property upon which construction will be performed under this C construction.		ermission for
Durnen Cai	Ave	152018
Signature of Dewayne Cain	Signature	Dáte

Style	Width	Height	Length	Truss Spacing	Roof Pitch	Lower Chord	Peak Height	Soffit Height
306	54'	13'	75'	10'	6/12	2/12	28' 0.5"	14' 3.5"

87-17652-20180815-9113467-9ED1-11

74

74

R087082326 Job: Date: 8/15/2018 Page: 1 of 9

**Construction Proposal** 

# 252 W. Adams, P.O. Box 399 • Morton, Illinois 61550-0399

2

Deliver

Dewayne Cain

Home:

Work: Other:

2500 State Hwy 66

Cell: (214) 533-8641

Rockwall, Texas 75087

MORTON BUILDINGS, INC.

Olamer

D B

Payment Terms

Castomer Signature

Home:

Work:

Other:

Dewayne Cain 2500 State Hwy 66

Rockwall, Texas 75087

Cell: (214) 533-8641



.

			CORNELIUS ROAD	_
LLED 5.00 ACRES BOBBY CLARK TO ILLY C. HAGEN L. 90. PG. 420 D.R.R.C.T.		N LOC	ITE	FM 3549
DAD			NITY MAP N.T.S.	
CALLED 7.768 ACRES DEBORAH & SCOTT HAMMONS SR. VOL. 627. PG. 38 R.P.R.R.C.T.				
		DESCRIPTION		
	All that certain lot, tract or parcel of lan City of Rockwall, Rockwall County, Tex a Warranty deed from T.D. Cain to E V Public Records of Rockwall County, Te Warranty deed from Chris Cain to Dew Records of Rockwall County, Texas, an	S R (D) LLC, as recorded in V xas, and also a part of a 4.70	places tract of land as described plume 3822, Page 110 of the Offic acres tract of land as described in a	in ial
	and a second of a	a send more particularly ocor	ribed as follows:	- uone
	BEGINNING at a point in the center of land and being the northwest corner of Hammons and Scott Hammons, Sr., as Rockwall County, Texas;	Cornelius Road, at the norther	ast corner of said 21.378 acres trac	tof
	BEGINNING at a point in the center of land and being the northwest corner of Hammons and Scott Hammons, Sr., as Rockwall County, Texas; THENCE S. 00 deg. 28 min. 39 sec. W along the east line of said 21.378 acres plastic cap stamped 'RPLS 5034" set for	Cornelius Road, at the norther a 7.768 acres tract of land as recorded in Volume 627, Pag , at 30.00 feet pass a 1/2" iron s tract for a total distance of 52 or corner;	ast corner of said 21.378 acres trac described in a Warranty deed to D e 38 of the Real Property Records rod found for witness and continu 0.62 feet to a 1/2" iron rod with yel	t of eborah of ing low
	BEGINNING at a point in the center of land and being the northwest corner of Hammons and Scott Hammons, Sr., as Rockwall County, Texas; THENCE S. 00 deg. 28 min. 39 sec. W along the east line of said 21.378 acres plastic cap stamped 'RPLS 5034" set for THENCE N. 89 deg. 45 min. 13 sec. W stamped 'RPLS 5034" set for corner in THENCE N. 00 deg. 48 min. 30 sec. E	Cornelius Road, at the norther a 7.768 acres tract of land as recorded in Volume 627, Pag ., at 30.00 feet pass a 1/2" iron stract for a total distance of 52 or corner; . a distance of 889.29 feet to a the west boundary line of said	ast corner of said 21.378 acres trac described in a Warranty deed to Di e 38 of the Real Property Records rod found for witness and continu 0.62 feet to a 1/2" iron rod with yel 1/2" iron rod with yellow plastic ca 21.378 acres tract of land;	eborah of ing low
	BEGINNING at a point in the center of land and being the northwest corner of Hammons and Scott Hammons, Sr., as Rockwall County, Texas; THENCE S. 00 deg. 28 min. 39 sec. W along the east line of said 21.378 acress plastic cap stamped 'RPLS 5034" set for THENCE N. 89 deg. 45 min. 13 sec. W stamped 'RPLS 5034" set for corner in THENCE N. 00 deg. 48 min. 30 sec. E. 'RPLS 5034" set for witness and contin Cornelius Road and being at the northw THENCE S. 89 deg. 45 min. 13 sec. F	Cornelius Road, at the norther a 7.768 acres tract of land as recorded in Volume 627, Pag ., at 30.00 feet pass a 1/2" iron s tract for a total distance of 52 or corner; . a distance of 889.29 feet to a the west boundary line of said , at 490.64 feet pass a 1/2" iron uing for a total distance of 520 vest corner of said 21.378 acres	ast corner of said 21.378 acres trac described in a Warranty deed to Di e 38 of the Real Property Records rod found for witness and continu 0.62 feet to a 1/2" iron rod with yel 1/2" iron rod with yellow plastic ca 21.378 acres tract of land; n rod with yellow plastic cap stamp .64 feet to a point in the center of s st ract;	eborah of ing low p ed said
	BEGINNING at a point in the center of land and being the northwest corner of Hammons and Scott Hammons, Sr., as Rockwall County, Texas; THENCE S. 00 deg. 28 min. 39 sec. W along the east line of said 21.378 acres plastic cap stamped 'RPLS 5034" set for THENCE N. 89 deg. 45 min. 13 sec. W stamped 'RPLS 5034" set for corner in THENCE N. 00 deg. 48 min. 30 sec. E	Cornelius Road, at the norther a 7.768 acres tract of land as recorded in Volume 627, Pag ., at 30.00 feet pass a 1/2" iron s tract for a total distance of 52 or corner; . a distance of 889.29 feet to a the west boundary line of said , at 490.64 feet pass a 1/2" iron uing for a total distance of 520 vest corner of said 21.378 acre along the center of said road, acres of land.	ast corner of said 21.378 acres trac described in a Warranty deed to Di e 38 of the Real Property Records rod found for witness and continu 0.62 feet to a 1/2" iron rod with yel 1/2" iron rod with yellow plastic ca 21.378 acres tract of land; n rod with yellow plastic cap stamp .64 feet to a point in the center of s st ract;	eborah of ing low p ed said
	<ul> <li>BEGINNING at a point in the center of land and being the northwest corner of Hammons and Scott Hammons, Sr., as Rockwall County, Texas;</li> <li>THENCE S. 00 deg. 28 min. 39 sec. W along the east line of said 21.378 acres plastic cap stamped 'RPLS 5034" set for THENCE N. 89 deg. 45 min. 13 sec. W stamped 'RPLS 5034" set for corner in THENCE N. 00 deg. 48 min. 30 sec. E. 'RPLS 5034" set for witness and contin Cornelius Road and being at the northw THENCE S. 89 deg. 45 min. 13 sec. E. OF BEGINNING and containing 10.61 at 1) According to F.E.M.A. Flood Insurance SEPT 26, 2008, this property lies in Zd flood plain.</li> </ul>	Cornelius Road, at the norther a 7.768 acres tract of land as recorded in Volume 627, Pag at 30.00 feet pass a 1/2" iron stract for a total distance of 52 or corner; a distance of 889.29 feet to a the west boundary line of said at 490.64 feet pass a 1/2" iron uing for a total distance of 520 vest corner of said 21.378 acres along the center of said road, acres of land. NOTES e Rate Map. Community Pane one X. This property does not	ast corner of said 21.378 acres trac described in a Warranty deed to Di e 38 of the Real Property Records rod found for witness and continu 0.62 feet to a 1/2" iron rod with yell 1/2" iron rod with yellow plastic ca 21.378 acres tract of land; n rod with yellow plastic cap stamp .64 feet to a point in the center of s tract; a distance of 886.28 feet to the PC	eborah of ing low p ed said
	BEGINNING at a point in the center of land and being the northwest corner of Hammons and Scott Hammons, Sr., as Rockwall County, Texas; THENCE S. 00 deg. 28 min. 39 sec. W along the east line of said 21.378 acree plastic cap stamped 'RPLS 5034" set for THENCE N. 89 deg. 45 min. 13 sec. W stamped 'RPLS 5034" set for corner in THENCE N. 00 deg. 48 min. 30 sec. E. 'RPLS 5034" set for witness and contin Cornelius Road and being at the northw THENCE S. 89 deg. 45 min. 13 sec. E. OF BEGINNING and containing 10.61 acreed 1) According to F.E.M.A. Flood Insurance SEPT 26, 2008, this property lies in Zer	Cornelius Road, at the norther a 7.768 acres tract of land as recorded in Volume 627, Pag at 30.00 feet pass a 1/2" iron stract for a total distance of 52 or corner; a distance of 889.29 feet to a the west boundary line of said , at 490.64 feet pass a 1/2" iron uing for a total distance of 520 vest corner of said 21.378 acres along the center of said road, acres of land. NOTES e Rate Map. Community Pane one X. This property does not CWALL CONTROL MONUMEN	ast corner of said 21.378 acres trac described in a Warranty deed to Di e 38 of the Real Property Records rod found for witness and continu 0.62 feet to a 1/2" iron rod with yel 1/2" iron rod with yellow plastic ca 21.378 acres tract of land; n rod with yellow plastic cap stamp .64 feet to a point in the center of s a distance of 886.28 feet to the PC No. 48397C0035L dated appear to lie within a 100-year NT SYSTEM.	eborah of ing low p ed said
	<ul> <li>BEGINNING at a point in the center of land and being the northwest corner of Hammons and Scott Hammons, Sr., as Rockwall County, Texas;</li> <li>THENCE S. 00 deg. 28 min. 39 sec. Walong the east line of said 21.378 acres plastic cap stamped 'RPLS 5034" set for THENCE N. 89 deg. 45 min. 13 sec. W stamped 'RPLS 5034" set for corner in THENCE N. 00 deg. 48 min. 30 sec. E. 'RPLS 5034" set for witness and contin Cornelius Road and being at the northw THENCE S. 89 deg. 45 min. 13 sec. E. OF BEGINNING and containing 10.61 at 1) According to F.E.M.A. Flood Insurance SEPT 26, 2008, this property lies in Zd flood plain.</li> <li>2) BEARING SOURCE: CITY OF ROCK</li> <li>3) ALL 1/2" IRS ARE CAPPED WITH YER.</li> </ul>	Cornelius Road, at the norther a 7.768 acres tract of land as recorded in Volume 627, Pag ., at 30.00 feet pass a 1/2" iron s tract for a total distance of 52 or corner; . a distance of 889.29 feet to a the west boundary line of said , at 490.64 feet pass a 1/2" iron uing for a total distance of 520 vest corner of said 21.378 acres along the center of said road, acres of land. NOTES e Rate Map. Community Pane one X. This property does not CWALL CONTROL MONUMEN ELLOW PLASTIC CAPS "RPL	ast corner of said 21.378 acres trac described in a Warranty deed to Di e 38 of the Real Property Records rod found for witness and continu 0.62 feet to a 1/2" iron rod with yell 1/2" iron rod with yellow plastic ca 21.378 acres tract of land; n rod with yellow plastic cap stamp .64 feet to a point in the center of s as tract; a distance of 886.28 feet to the PC No. 48397C0035L dated appear to lie within a 100-year NT SYSTEM. S 5034."	eborah of low p ed aid
	<ul> <li>BEGINNING at a point in the center of land and being the northwest corner of Hammons and Scott Hammons, Sr., as Rockwall County, Texas;</li> <li>THENCE S. 00 deg. 28 min. 39 sec. Walong the east line of said 21.378 acres plastic cap stamped 'RPLS 5034" set for THENCE N. 89 deg. 45 min. 13 sec. W stamped 'RPLS 5034" set for corner in THENCE N. 00 deg. 48 min. 30 sec. E. 'RPLS 5034" set for witness and contin Cornelius Road and being at the northw THENCE S. 89 deg. 45 min. 13 sec. E. OF BEGINNING and containing 10.61 at 1) According to F.E.M.A. Flood Insurance SEPT 26, 2008, this property lies in Zd flood plain.</li> <li>2) BEARING SOURCE: CITY OF ROCK 3) ALL 1/2" IRS ARE CAPPED WITH YM</li> </ul>	Cornelius Road, at the norther a 7.768 acres tract of land as recorded in Volume 627, Pag ., at 30.00 feet pass a 1/2" iron s tract for a total distance of 52 or corner; . a distance of 889.29 feet to a the west boundary line of said , at 490.64 feet pass a 1/2" iron uing for a total distance of 520 vest corner of said 21.378 acres along the center of said road, acres of land. NOTES e Rate Map. Community Pane one X. This property does not CWALL CONTROL MONUMEN ELLOW PLASTIC CAPS "RPL	Ast corner of said 21.378 acres trace described in a Warranty deed to Di- e 38 of the Real Property Records rod found for witness and continue 0.62 feet to a 1/2" iron rod with yell 1/2" iron rod with yellow plastic ca 21.378 acres tract of land; n rod with yellow plastic cap stamp .64 feet to a point in the center of s as tract; a distance of 886.28 feet to the PC No. 48397C0035L dated appear to lie within a 100-year NT SYSTEM. S 5034." A, do hereby certify that the above DAD, ROCKWALL, ROCKWALL available to me and my opinion is he requirements of the Minimum of Professional Land Surveying, was surveyed under my supervisio	t of eborah of low p ed aid DINT
	<ul> <li>BEGINNING at a point in the center of land and being the northwest corner of Hammons and Scott Hammons, Sr., as Rockwall County, Texas;</li> <li>THENCE S. 00 deg. 28 min. 39 sec. Walong the east line of said 21.378 acress plastic cap stamped 'RPLS 5034" set for the Net Stamped 'RPLS 5034" set for the Net Stamped 'RPLS 5034" set for corner in THENCE N. 00 deg. 48 min. 30 sec. E. 'RPLS 5034" set for witness and contin Cornelius Road and being at the northwork of BEGINNING and containing 10.61 at the Standards of Precision of the property surveyed for DEWAA County, Texas, is the result of a careful based on the facts as found at the time Standards of Practice as approved and effective September 1, 1992 and subset on the ground this the 5th day of December 1.</li> </ul>	Cornelius Road, at the northes a 7.768 acres tract of land as recorded in Volume 627, Pag at 30.00 feet pass a 1/2" iron bract for a total distance of 520 or corner; a distance of 889.29 feet to a the west boundary line of said , at 490.64 feet pass a 1/2" iron uing for a total distance of 520 vest corner of said 21.378 acres along the center of said road, acres of land. NOTES e Rate Map. Community Pane one X. This property does not WALL CONTROL MONUMEN ELLOW PLASTIC CAPS "RPI URVEYOR'S CERTIFICATE sional Land Surveyor No. 503 (NE CAIN at CORNELIUS RC collection of the best evidence of survey. This survey meets to published by the Texas Board quent revisions, and the same of survey. This survey meets to published by the Texas Board quent revisions, and the same of survey. This survey meets to published by the Texas Board quent revisions, and the same of survey. This survey meets to published by the Texas Board quent revisions, and the same of survey. This survey meets to published by the Texas Board quent revisions, and the same of survey. This survey meets to published by the Texas Board quent revisions, and the same of survey. This survey meets to published by the Texas Board quent revisions, and the same of survey. This survey meets to published by the Texas Board quent revisions, and the same of survey. This survey meets to published by the Texas Board quent revisions and the same of survey. This survey meets to published by the Texas Board quent revisions and the same of survey. This survey meets to published by the Texas Board quent revisions and the same of survey. This survey meets to published by the Texas Board quent revisions and the same of survey. This survey meets to published by the Texas Board quent revisions and the same of survey. This survey meets to published by the Texas Board quent revisions and the same	Ast corner of said 21.378 acres trace described in a Warranty deed to Di- e 38 of the Real Property Records rod found for witness and continu 0.62 feet to a 1/2" iron rod with yell 1/2" iron rod with yellow plastic ca 21.378 acres tract of land; n rod with yellow plastic cap stamp .64 feet to a point in the center of s es tract; a distance of 886.28 feet to the PC ANO. 48397C0035L dated appear to lie within a 100-year IT SYSTEM. S 5034." A, do hereby certify that the above DAD, ROCKWALL, ROCKWALL available to me and my opinion is he requirements of the Minimum of Professional Land Surveying, was surveyed under my supervisio	of eborah of low p ed aid DINT





÷



# THIS PAGE INTENTIONALLY LEFT BLANK



CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Mayor and City Council

**CC:** Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Ryan Miller, *Director of Planning and Zoning* 

**FROM:** David Gonzales, *Planning and Zoning Manager* 

DATE: January 7, 2019

SUBJECT: Z2018-049 SUP for an Animal Shelter at 1700 E. SH-66

On December 17, 2018, the City Council continued the public hearing for Case No. Z2018-049 by a vote of 7-0. This case involved a request for a Specific Use Permit (SUP) for an animal shelter. The purpose of the City Council's motion was to allow the applicant, Mike Peoples, additional time to prepare a schedule that outlined [1] the completion time for the animal shelter (which is currently partially constructed), and [2] the time needed to demolish the structure situated within the floodplain (which was constructed without a building permit). In response to the City Council's action, Mr. Peoples has provided staff with a letter indicating that, weather permitting, he intends to complete the construction of the animal shelter by April 2019 (see Exhibit 'A'); however, Mr. Peoples has not indicated a timeframe for the demolition of the structure within the floodplain (see Exhibit 'B'). It should also be noted that staff requested that Mr. Peoples provide a timeframe for the demolition of the detached garage that was denied by the City Council on December 17, 2018; however, the letter submitted by Mr. Peoples indicates that he does not have a timeframe for the removal of this building either. Due to the applicant's in ability to provide staff with a reasonable timeframe for the demolition of the two (2) unpermitted structures, staff has amended the draft ordinance for the animal shelter to require that both structures be removed from the property within six (6) months of the adoption date of the proposed Specific Use Permit (SUP) ordinance. Should the City Council have any questions, staff will be available at the January 7, 2019 City Council meeting.

#### Exhibit 'A': Timeline Schedule

Mile Peoples 1700 ESH66 Rodwall Tx 75087-Building Time Frame To whom it may concern: The completion of the Animal shelter is at my residence is directly related to weath All it would assume the ground is trenely to weather, met and saturated; However - all materia to complete the structure are onsite Once the needther cooperates, allows for work to continue it will proceed As you all know I am a republican Iterefore I work for a living and this the completion of this building will he mixed in with my current jobs All that being said, it should complete by April at the latest of course mother mature will have a thing to say about that Jovies Singery. Mike Peyron

Exhibit 'B': Demolition Schedule

Mhe Peoples-1700 E SATES Rochwald TX 75087. Building Destruction To whom it may convers. In regards to the regative vote on my detached garage and the requirement that it be term down, I have no time frame for that as well as the other structure in the flood plan. The plann was to tear the balding down in the Flood plan to searce the detected garage and animal shelter. Il am presently pursuing other options

# CITY OF ROCKWALL

## ORDINANCE NO. <u>19-XX</u>

#### SPECIFIC USE PERMIT NO. S-XXX

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

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

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

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

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

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

## 2.1 OPERATIONAL CONDITIONS

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

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

## 2.2 COMPLIANCE

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

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

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

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

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

**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged Z2018-049: SUP for an Animal Shelter Page | 2 *City of Rockwall, Texas* Ordinance No. 19-XX; SUP # S- XXX

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 22<sup>ND</sup> DAY OF JANUARY, 2019.

ATTEST:	Jim Pruitt, A	Mayor
Kristy Cole, City Secretary		
APPROVED AS TO FORM:		
Frank J. Garza, City Attorney		
1 <sup>st</sup> Reading: <u>January 7, 2019</u>		
2 <sup>nd</sup> Reading: January 22, 2019		
72019 040: SLID for an Animal Shaltor	Page 13	City of Rockwall Texas

Z2018-049: SUP for an Animal Shelter Ordinance No. 19-XX; SUP # S- XXX

agels

City of Rockwall, Texas

### Exhibit 'A': Legal Description and Property Location

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



Z2018-049: SUP for an Animal Shelter Ordinance No. 19-<mark>XX</mark>; SUP # S- <mark>XXX</mark> Page | 4

City of Rockwall, Texas

#### **Exhibit 'B':** Animal Shelter – Elevations



Z2018-049: SUP for an Animal Shelter Ordinance No. 19-XX; SUP # S- XXX Page | 5

City of Rockwall, Texas

Exhibit 'C': Site Plan



Z2018-049: SUP for an Animal Shelter Ordinance No. 19-XX; SUP # S- XXX

# Exhibit 'D';

Building Locations to be Removed

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



Z2018-049: SUP for an Animal Shelter Ordinance No. 19-<mark>XX</mark>; SUP # S- <mark>XXX</mark>

Page | 7

City of Rockwall, Texas



# CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 12/17/2018

APPLICANT: Mike Peoples

AGENDA ITEM: Z2018-049; SUP for an Animal Shelter at 1700 E. SH-66

### SUMMARY:

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

#### BACKGROUND:

On October 24, 2018, the building inspections department proactively recognized a structure (*i.e. animal shelter*) being constructed without a permit on the *subject property*. The building inspections department then proceeded to confer with planning staff regarding the requirements for building a structure on the subject property. During this meeting, additional structures were found to exist based on aerial images dating back to the year 2013. These images depict two (2) structures that have been built without a permit. The aerial image indicates that one (1) of these structures lies within the designated 100-year flood plain. The other structure is a detached garage that has been enlarged on at least two (2) separate occasions. City records indicate that no permits were requested for the construction of either of these structures. Subsequently, a Stop Work Order was issued on October 25, 2018 for the animal shelter for the purpose of obtaining a building permit. Staff contacted Mr. Peoples and advised him that a Specific Use Permit (SUP) is also required in order to complete construction of the animal shelter. On November 6, 2018, Mr. Peoples applied for a building permit, and subsequently submitted an application for the SUP for the animal shelter use on November 19, 2018. The photos included with this case were taken from SH-66 by the building inspections department. It should be know that staff has made several requests for the applicant to provide photos of these structures and a survey that would locate the structures on this site. As of the date of this report, staff has not received either of these items.

## PURPOSE AND CHARACTERISTICS OF THE REQUEST:

The applicant, Mike Peoples is requesting the approval of a Specific Use Permit (SUP) to allow for an *animal shelter* as stipulated by Article VI, *Permissible Uses*, of the Unified Development Code (UDC). The ~2,720 SF [*i.e. 40-ft x 68-ft*] metal structure stands approximately 15-feet in height and is situated north of the primary structure, adjacent to SH-66. The *animal shelter* is to be used for the purpose of providing shelter for the animals on the *subject property*. As was noted above, there are two (2) existing accessory buildings on the *subject property* that have been built without a permit and one (1) that lies within the designated 100-year flood plain. This structure is required to be demolished and has been added as a condition of approval of the SUP. The other structure is a detached garage that is being considered for a Specific Use Permit (SUP) concurrently with this request [*i.e. Case No. Z2018-053*].

According to Section 2, of Article V, Agricultural (AG) District of the Unified Development Code (UDC), farming and ranching-related activities and accessory uses on more than ten (10)-acres

are permitted uses within an Agricultural (AG) District; however, an animal shelter requires the approval of a Specific Use Permit (SUP). Approval of a SUP is discretionary for the City Council.

# ADJACENT LAND USES AND ACCESS:

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

- *North:* Directly north of the subject property is SH-66, which is a TXDOT 4D (*four [4] lane TXDOT Roadway*) on the City's Master Thoroughfare Plan. Beyond this are several tracts of land that are zone Agricultural (AG) District.
- South: Directly south of the subject property are two (2) tracts of land zoned Agricultural (AG) District, with the south and east tract owned by the City of Rockwall and is known as the Regional Firearms Training Center.
- *East:* Directly east of the subject property are several tracts of land that are zone Agricultural (AG) District and one property zoned Single-Family 1 (SF-1) District. The majority of these properties have single-family homes.
- *West:* Directly west of the subject property is the City of Rockwall Municipal Airports runway and is zoned Agricultural (AG) District.

#### NOTIFICATION:

On November 30, 2018 staff mailed 33 notices to property owners and residents within 500-feet of the subject property. Staff also notified the Rolling Meadows Homeowner's Association (HOA), which is the only HOA's/Neighborhood Organization that is within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property as required by the UDC. At the time this case memo was drafted staff had received three (3) notices in favor of and one (1) opposed to the applicant's request.

#### **RECOMMENDATIONS:**

Should the Planning and Zoning Commission choose to recommend approval of the applicant's request, staff would offer the following conditions of approval:

- 1) The animal shelter shall be subject to the following operational conditions, which are contained in the SUP ordinance:
  - a. The animal shelter structure shall generally conform to the elevations and site plan depicted in *Exhibits 'B'* & 'C' of the draft ordinance;
  - b. The animal shelter structure shall not exceed its current size of approximately 2,720 SF or an approximate height of 15-feet;
  - c. The existing accessory building located within the flood plain of this property, as depicted in *Exhibit 'D'* of the draft ordinance, shall be removed prior to the release of the building permit and/or construction of the animal shelter structure;
  - d. The animal shelter structure shall not be operated as a commercial land use;
  - e. A detention system is required for the addition of structures on the subject property per the Engineering Standards of Design; and,

- f. The animal shelter structure is subject to administrative review in the event that the *subject property* is sold, conveyed or altered in any manner.
- 2) Any construction or building necessary to complete this request must conform to the requirements set forth by the UDC, the International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

#### PLANNING AND ZONING COMMISSION RECOMMENDATION:

On December 11, 2018, the Planning and Zoning Commission's motion to recommend approval of the SUP to allow for an animal shelter on the subject property with staff conditions passed by a vote of 5 to 1 with Commissioner Chodun dissenting and Commissioner Moeller absent.





# 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. 93



# **City of Rockwall**

Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75087 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





Case Number:Z2018-049Case Name:SUP for an Animal ShelterCase Type:ZoningZoning:Agrictultural (AG) DistrictCase Address:1700 E. SH-66



Date Created: 11/14/2018 For Questions on this Case Call (972) 771-7745

## **Gonzales**, David

From:	Morales, Laura
Sent:	Friday, November 30, 2018 12:34 PM
То:	
Cc:	Miller, Ryan; Gonzales, David; Brooks, Korey; Madubuike, Daniella
Subject:	Neighborhood Noification Program: Notice of zoning request
Attachments:	HOA Notification Map (11.14.2018).pdf

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that was published in the Rockwall Herald Banner *November 30, 2018*. The Planning and Zoning Commission will hold a public hearing on *Tuesday 12/11/2018 at 6:00 p.m.*, and the City Council will hold a public hearing on *Monday, 12/17/2018 at 6:00 p.m.*. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at

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

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

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

Sincerely,

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

385 S. Goliad Street

(P): (972) 771-7745

Rockwall, Texas 75087

(W): www.rockwall.com



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





Case Number:Z2018-049Case Name:SUP for an Animal ShelterCase Type:ZoningZoning:Agricultural (AG) DistrictCase Address:1700 E. SH-66



Date Created: 11/14/2018 For Questions on this Case Call (972) 771-7745 PEOPLES MICHAEL L JR AND SHERYL NEWMAN PEOPLES 1700 STATE HIGHWAY 66 ROCKWALL, TX 75087

> ATHEY JACK R 1780 AIRPORT RD ROCKWALL, TX 75087

> CURRENT RESIDENT 1800 WILLIAMS ST ROCKWALL, TX 75087

> CURRENT RESIDENT 2026 HWY 66 ROCKWALL, TX 75087

CURRENT RESIDENT 2098 HWY66 ROCKWALL, TX 75087

ROCKWALL PROPERTY CORP ATTN:BILL BRICKER 305 PARK PLACE BLVD ROCKWALL, TX 75087

DAVIS WILLIAM PAUL JR 510 TURTLE COVE BLVD 0 ROCKWALL, TX 75087

RYAN GARY S AND CONSTANCE E 710 DAVIS DRIVE ROCKWALL, TX 75087

> DAILEY MARK L 730 DAVIS DR ROCKWALL, TX 75087

> CURRENT RESIDENT 745 DAVIS DR ROCKWALL, TX 75087

CURRENT RESIDENT 1765 AIRPORT RD ROCKWALL, TX 75087

COLLIER MICHAEL & THERESA ROBBINS & JUDY KAY COLLIER 1780 WILLIAMS ST ROCKWALL, TX 75087

> CURRENT RESIDENT 1815 AIRPORT RD ROCKWALL, TX 75087

EDWARDS VINCENT & RITA 2068 STATE HIGHWAY 66 ROCKWALL, TX 75087

BROWNING CAROLYN ESTATE RITA EDWARDS INDEPENDENT EXECUTOR 2098 S HWY 66 ROCKWALL, TX 75087

> CUMMINGS JOHN & LORI 308 STONEBRIDGE DR ROCKWALL, TX 75087

SELLERS DONYA BEATRICE 700 DAVIS DR ROCKWALL, TX 75087

MOCK BRUCE W & MARILYN J 720 DAVIS DR ROCKWALL, TX 75087

> BANUELOS SHERRI L 735 DAVIS DR ROCKWALL, TX 75087

CURRENT RESIDENT 760 DAVIS DR ROCKWALL, TX 75087 CURRENT RESIDENT 1770 E HWY66 ROCKWALL, TX 75087

CURRENT RESIDENT 1790 WILLIAMS ST ROCKWALL, TX 75087

CURRENT RESIDENT 1936 HWY 66 ROCKWALL, TX 75087

CURRENT RESIDENT 2075 WILLIAMS ROCKWALL, TX 75087

CLARK TROY AND JANICE 3025 N GOLIAD ST ROCKWALL, TX 75087

> RYAN WILLIAM K 330 VZ CR 2207 CANTON, TX 75103

TOMLIN MICHAEL E JR & DONYA B 700 DAVIS DR ROCKWALL, TX 75087

MA MICHAEL D AND CAROLINE J G MOORE 725 DAVIS DR ROCKWALL, TX 75087

RINKEVICH JOSEPH W & MARY ANN C TRUSTEES 740 DAVIS DR ROCKWALL, TX 75087

> CAIN FAMILY PARTNERSHIP LTD PO BOX 1119 ROCKWALL, TX 75087

> > 97

97

E W & MARILYN J

BANUELOS SHERRI L

PEOPLES BILLY W PO BOX 35 ROCKWALL, TX 75087 PEOPLES MIKE L PO BOX 41 ROCKWALL, TX 75087 RAINES SHERYL PO BOX 412 ROCKWALL, TX 75087 To Whom It May Concern:

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

#### Case No. Z2018-049: SUP for an Animal Shelter

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

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday**, **12/11/2018 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday**, **12/17/2018 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

#### David Gonzales Rockwall Planning and Zoning Dept. 385 S. Goliad Street Rockwall, TX 75087

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

Your comments must be received by 12/17/2018 to ensure they are included in the information provided to the City Council.

Sincerely,

#### Ryan Miller, AICP

Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

- · - · PLEASE RETURN THE BELOW FORM -

#### Case No. Z2018-049: SUP for an Animal Shelter

#### Please place a check mark on the appropriate line below:

I am in favor of the request for the reasons listed below.

I am opposed to the request for the reasons listed below.

Name:			
Address:			

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

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

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area. Case No. Z2018-049: SUP for an Animal Shelter Please place a check mark on the appropriate line below: I am opposed to the request for the reasons listed below I am in favor of the request for the reasons listed below. Address: Name: Notice of Public Hearing • City of Rockwall • 385 South Goliad Street • Rockwall, TX 75087 • [P] (972) 771-7745• [F] (972) 771-7748 PLEASE NETURIN THE BELOW FURINE - - -330 VI CN 2207 Bill K. KYAN PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE 42.66 TRACT OF LAND CANTON, TX 75/03 

+



NOTICE OF PUBLIC HEARING CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT PHONE: (972) 771-7745

To Whom It May Concern:

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

#### Case No. Z2018-049: SUP for an Animal Shelter

EMAIL: PLANNING@ROCKWALL.COM

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

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday**, **12/11/2018 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday**, **12/17/2018 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

David Gonzales Rockwall Planning and Zoning Dept. 385 S. Goliad Street Rockwall, TX 75087

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

Your comments must be received by 12/17/2018 to ensure they are included in the information provided to the City Council.

Sincerely,

#### Ryan Miller, AICP

Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

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

Case No. Z2018-049: SUP for an Animal Shelter

Please place a check mark on the appropriate line below:

I am in favor of the request for the reasons listed below.

I am opposed to the request for the reasons listed below.

MARK DAILEY Name: 730 DAVIS DR. KOCKWALL, TX 75087 Address:

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

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

Please place a check mark on the appropriate line below: Case No. Z2018-049: SUP for an Animal Shelter change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be  $\square$  I am opposed to the request for the reasons listed below. A m in favor of the request for the reasons listed below. written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the Tex. Loc. Gov. Code, Sec. 211.006 (d). If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area. Address: PLEASE METOKIN THE BELOW FORM Name: Notice of Public Hearing • City of Rockwall • 385 South Goliad Street • Rockwall, TX 75087 • [P] (972) 771-7745 • [F] (972) 771-7748 PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE : 11, TX 75007 1 1 ۱ i ۱ I ..... 1.1 -----.....

102

.



NOTICE OF PUBLIC HEARING CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT PHONE: (972) 771-7745

EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

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

#### Case No. Z2018-049: SUP for an Animal Shelter

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

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday**, **12/11/2018 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday**, **12/17/2018 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

David Gonzales Rockwall Planning and Zoning Dept. 385 S. Goliad Street Rockwall, TX 75087

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

Your comments must be received by 12/17/2018 to ensure they are included in the information provided to the City Council.

. . . . . . . . . .

Sincerely,

#### **Ryan Miller, AICP**

Director of Planning & Zoning

MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE: HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES

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

Case No. Z2018-049: SUP for an Animal Shelter

Please place a check mark on the appropriate line below:

I am in favor of the request for the reasons listed below.

I am opposed to the request for the reasons listed below.

me Name: Address:

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

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



Hury 66 side North Facing Elevation










Web Map

### CITY OF ROCKWALL

### ORDINANCE NO. <u>19-XX</u>

### SPECIFIC USE PERMIT NO. S-XXX

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

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

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

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

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

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

### 2.1 OPERATIONAL CONDITIONS

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

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

### 2.2 COMPLIANCE

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

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

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

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

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

**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this Z2018-049: SUP for an Animal Shelter Page | 2 *City of Rockwall, Texas* 

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  $7^{TH}$  DAY OF JANUARY, 2019.

ATTEST:	Jim Pruitt, Mayor
Kristy Cole, City Secretary	
APPROVED AS TO FORM:	
Frank J. Garza, <i>City Attorney</i>	
1 <sup>st</sup> Reading: <u>December 17, 2018</u>	
2 <sup>nd</sup> Reading: <u>January 7, 2019</u>	

Page | 3

City of Rockwall, Texas

### Exhibit 'A': Legal Description and Property Location

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



Z2018-049: SUP for an Animal Shelter Ordinance No. 19-<mark>XX</mark>; SUP # S- <mark>XXX</mark> Page | 4

### Exhibit 'B': Animal Shelter – Elevations



Z2018-049: SUP for an Animal Shelter Ordinance No. 19-XX; SUP # S- XXX Page | 5

114

Exhibit 'C': Site Plan



Z2018-049: SUP for an Animal Shelter Ordinance No. 19-XX; SUP # S- XXX Page | 6

#### Exhibit 'D': Accessory Building that will be Removed



Z2018-049: SUP for an Animal Shelter Ordinance No. 19-<mark>XX</mark>; SUP # S- <mark>XXX</mark> Page | 7

# THIS PAGE INTENTIONALLY LEFT BLANK



# CITY OF ROCKWALL, TEXAS *MEMORANDUM*

- TO: Mayor and City Council
- CC: Rick Crowley, City Manager Mary Smith, Assistant City Manager
- FROM: Ryan Miller, Director of Planning and Zoning
- DATE: January 7, 2019

SUBJECT: Z2018-052; SUP for a Mini-Warehouse

On December 17, 2018, the City Council voted to approve the applicant's request for a Specific Use Permit (SUP) for a mini-warehouse facility by a vote of 6-0, with Council Member Fowler recusing himself from the vote. This will be the second reading of the ordinance.

### **CITY OF ROCKWALL**

### **ORDINANCE NO.** <u>19-04</u>

### SPECIFIC USE PERMIT NO. S-202

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

**WHEREAS**, the City has received a request from Russell Phillips for the approval of a Specific Use Permit (SUP) to allow for a *Mini-Warehouse Facility* in a Commercial (C) District on a 7.489-acre parcel of land being described as Lot 23, Rainbo Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated reference herein; and

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

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

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

**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the conditions set forth in *Subsection 2.1.10, Wholesale, Distribution, and Storage,* of *Section 2, Use Standards,* of *Article IV, Permissible Uses, and Subsection 4.5, Commercial (C) District,* of *Section 4, Commercial District,* of *Article V, District Development Standards,* of the Unified Development Code [*Ordinance No. 04-38*], as heretofore amended and as may be amended in the future, and shall be subject to the following operational conditions:

### 2.1 OPERATIONAL CONDITIONS

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

- 1) The development shall generally conform to the Concept Plan depicted in *Exhibit 'B'* of this ordinance.
- 2) The building elevations shall generally conform to the Concept Building Elevations depicted in *Exhibit 'C'* of this ordinance.
- 3) The maximum number of storage units provided shall not exceed 293 units for the facility.
- 4) The residential unit as an accessory to the permitted use shall not exceed 1,600 square feet.
- 5) The residential unit may exceed one story, but shall not be greater than 36 feet in height.
- 6) No outside storage of any kind shall be allowed (including the outside storage of boats, recreational vehicles, trailers, and motor or self-propelled vehicles).
- 7) Businesses shall not be allowed to operate within individual storage units.
- 8) The commercial operation of rental trucks and trailers shall be prohibited.
- 9) The developer shall maintain the treeline at the south, east, and north property lines.

### 2.2 COMPLIANCE

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

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

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

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

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

**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the

ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

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

# PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE $7^{TH}$ DAY OF JANUARY, 2019.

ATTEST:

Jim Pruitt, Mayor

Kristy Cole, City Secretary

### **APPROVED AS TO FORM:**

Frank J. Garza, City Attorney

1<sup>st</sup> Reading: <u>December 17, 2018</u>

2<sup>nd</sup> Reading: January 7, 2019

Exhibit 'A': Survey



Z2018-052: SUP for Mini-Warehouse Ordinance No. 18-XX; SUP # S-XXX

Exhibit 'B': Concept Plan



Z2018-052: SUP for Mini-Warehouse Ordinance No. 18-XX; SUP # S-XXX

Page 5



### Exhibit 'C': Concept Building Elevations





Exhibit 'C': Concept Building Elevations



Z2018-052: SUP for Mini-Warehouse Ordinance No. 18-XX; SUP # S-XXX

Exhibit 'C': Concept Building Elevations



# THIS PAGE INTENTIONALLY LEFT BLANK



# CITY OF ROCKWALL, TEXAS *MEMORANDUM*

- TO: Mayor and City Council
- CC: Rick Crowley, City Manager Mary Smith, Assistant City Manager
- FROM: Ryan Miller, Director of Planning and Zoning
- DATE: January 7, 2019

SUBJECT: Z2018-048; SUP for an Accessory Building at 205 S. Clark Street

On December 17, 2018, the City Council voted to approve the applicant's request for a Specific Use Permit (SUP) for an accessory building by a vote of 5-2, with Council Members Hohenshelt and Daniels dissenting. This will be the second reading of the ordinance.

### CITY OF ROCKWALL

### ORDINANCE NO. <u>19-03</u>

### SPECIFIC USE PERMIT NO. <u>S-201</u>

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS. AS PREVIOUSLY AMENDED, SO AS TO GRANT Δ SPECIFIC USE PERMIT (SUP) TO ALLOW FOR AN ACCESSORY BUILDING THAT DOES NOT MEET THE REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE (UDC) ON A 0.253-ACRE PARCEL OF LAND ZONED SINGLE-FAMILY 7 (SF-7) DISTRICT AND IDENTIFIED AS LOT 47B, B. F. BOYDSTUN ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS OFFENSE: (\$2.000.00) FOR EACH PROVIDING FOR Α SEVERABILITY CLAUSE: PROVIDING FOR A REPEALER CLAUSE: **PROVIDING FOR AN EFFECTIVE DATE.** 

**WHEREAS**, a request has been made by Amanda Henry for the approval of a Specific Use Permit (SUP) for the purpose of constructing an accessory building that does not meet the masonry requirements and exceeds the maximum size requirements as stipulated by the Unified Development Code (UDC), situated on a 0.253-acre parcel of land, zoned Single-Family 7 (SF-7) District, and being identified as Lot 47B, B. F. Boydstun Addition, City of Rockwall, Rockwall County, Texas, addressed 205 S. Clark Street, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

**SECTION 1.** That the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the construction of a metal accessory building that does not conform to the minimum masonry requirements and exceeds the maximum size for accessory buildings in a Single-Family 7 (SF-7) District as stipulated by Article IV, *Permissible Uses,* and Article V, *District Development Standards,* of the Unified Development Code (UDC) [*Ordinance No. 04-38*] on the *Subject Property*; and

**SECTION 2.** That the *Subject Property* shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in Section

3.6, Single-Family 7 (SF-7) District, of Article V, District Development Standards, of the Unified Development Code (UDC) [Ordinance No. 04-38] of the City of Rockwall as heretofore amended, as amended herein by the granting of this zoning change, and as my be amended in the future, and shall be subject to the additional following conditions:

### 2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of an accessory building on the *Subject Property* and conformance to these requirements is necessary for continued operations:

- 1) The accessory building shall generally conform to the building elevations and site plan depicted in *Exhibits 'B'* & 'C' of this ordinance.
- 2) The accessory building shall not exceed a maximum size of 910 SF;
- 3) The existing accessory building toward the rear of the property shall be removed prior to the construction of the new accessory building;
- 4) The subject property shall not have more than one (1) accessory building;
- 5) The accessory building shall not exceed a maximum overall height of 15-feet;
- 6) The accessory building shall not be operated as a commercial land use; and,
- 7) The accessory building is subject to administrative review in the event that the *Subject Property* is sold, conveyed or altered in any manner.

### 2.2 COMPLIANCE

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

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

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

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

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

SECTION 6. If any section or provision of this ordinance or the application of that section or

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

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

### PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7<sup>TH</sup> DAY OF JANUARY, 2019.

ATTEST:

Jim Pruitt, Mayor

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1<sup>st</sup> Reading: <u>December 17, 2018</u>

2<sup>nd</sup> Reading: January 7, 2019

Exhibit 'A': Survey



### **Exhibit 'B':** Building Elevations



Exhibit 'C': Site Plan



# THIS PAGE INTENTIONALLY LEFT BLANK



CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Mayor and City Council

**CC:** Rick Crowley, *City Manager* Mary Smith, *Assistant City Manager* Ryan Miller, *Director of Planning and Zoning* 

**FROM:** David Gonzales, *Planning and Zoning Manager* 

DATE: January 7, 2019

**SUBJECT:** Z2018-054; SUP for Building Exceeding 36-feet in Height in SOV

On December 17, 2018, the City Council held a public hearing regarding a request for a Specific Use Permit (SUP) [*Case No. Z2018-054*] from Andrew Bennett of BOKA Powell for a proposed office building that would exceed 36-feet in height within the Scenic Overlay (SOV) District. Provided to the City Council were five (5) property owner notifications that had been received from property owners within 500-feet of the subject property that were opposed to this request (*i.e. Paul Davis [two (2) notices] and R.D. Vanderslice [one (1) notice], Sally Meek [one (1) notice], and Steve Mak [email]*). Of these property owners, Mr. Davis and Mr. Vanderslice, have since forwarded staff emails requesting to retract their opposition to this request, and have stated they are now in support of the Specific Use Permit (SUP). This would change the notifications received to four (4) notices in favor of the request, and one (1) notice and (1) email opposed to the request.

Attached to this memorandum are the emails from Mr. Davis and Mr. Vanderslice requesting to *retract* their opposition to this request (*see Exhibit 'A'*). At the last City Council meeting on December 17, 2018, the City Council approved the SUP request by a vote of 4-3 with Mayor Pruitt, and Council Members Macalik and Daniels dissenting. Should the City Council have any questions staff will be available at the *January 7, 2019* City Council meeting.

#### Gonzales, David

From:	Línda Anderson
Sent:	Wednesday, December 19, 2018 3:32 PM
To:	Gonzales, David
Cc:	Paul Davís
Subject:	RE: comments on Case No. Z2018-054 SUP for an Office Building Exceeding 36 ft. in
	Height
Attachments:	comments on Case No. Z2018-054 SUP for an Office Building Exceeding 36 ft. in
	Height
Follow Up Flag:	Follow up
Flag Status:	Flagged

David,

We are pulling our opposition. We will support Mark Andrews project. Thank you,



Linda Anderson CISR Executive Assistant for Paul Davis, Jr. President Texas Specialty Underwriters, Inc. 510 Turtle Cove Blvd., Suite 200 Rockwall, TX 75087 P (972)771-5653, ext. 103

From: Gonzales, David [mailto:DGonzales@rockwall.com]
Sent: Thursday, December 13, 2018 11:25 AM
To: Linda Anderson
Subject: RE: comments on Case No. Z2018-054 SUP for an Office Building Exceeding 36 ft. in Height

Ms. Anderson,

Thank you for your responses regarding the SUP case. These items will forwarded to the City Council for their consideration during the public hearing next week.

#### Regards,



DAVID GONZALES, AICP PLANNING & ZONING MANAGER PLANNING & ZONING DIVISION • CITY OF ROCKWALL 972.772,6488 OFFICE DGONZALES@ROCKWALLCOM

385 S. GOLIAD STREET . ROCKWALL, TX 75087

HELPFULLINKS | CITY OF ROCKWALL WEBSITE | PLANNING & ZONING DIVISION WEBSITE | MUNICIPAL CODE WEBSITE GIS DIVISION WEBSITE | CITY OF ROCKWALL INTERACTIVE MAPS | MAIN STREET DIVISION

#### Gonzales, David

From: Sent: To: Subject: rd Wednesday, December 19, 2018 2:59 PM Gonzales, David Case No. Z2018-054

Follow Up Flag: Flag Status: Follow up Flagged

#### Dear Mr. Gonzales.

I had previously sent in a form opposing this SUP. I have done more research on it and now would like to withdraw my opposition form. I do not oppose the SUP for an office building over 36 ft in height.

Sincerely,

R. D. Vanderslice Property owner - 2308 Ridge Rd. Rockwall, Texas 75087

Sent from Mail for Windows 10

### **CITY OF ROCKWALL**

### **ORDINANCE NO.** <u>19-05</u>

### **SPECIFIC USE PERMIT NO. S-203**

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

WHEREAS, the City has received a request from Andrew Bennitt of BODA Powell, LLC on behalf of the owner Vinod Miranda for the approval of a Specific Use Permit (SUP) to allow for a structure that exceeds 36-feet in height within the *Scenic Overlay (SOV) District* on an 9.70-acre tract of land, identified as Tract 15 of the E.P.G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas, zoned *Commercial (C) District*, situated within the *Scenic Overlay (SOV) District*, generally located at the southwestern corner of the intersection of Ridge Road [*FM*-740] and Turtle Cove Boulevard, and more specifically 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 [Ordinance No. 04-38] of the City of Rockwall should be amended as follows:

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

**Section 1.** That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing a structure that exceeds 36-feet in height within the Scenic Overlay (SOV) District as stipulated by Section 4.5, Commercial (C) District and Section 6.8, Scenic Overlay (SOV) District, of Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] on the Subject Property; and

**Section 2.** That the Specific Use Permit (SUP) shall be subject to the conditions set forth in Section 4.5, Commercial (C) District and Section 6.8, Scenic Overlay (SOV) District, of Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] as heretofore amended and as may be amended in the future, and shall be subject to the additional

Page 1

following additions:

### 2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of an office building that exceeds 36-feet in height on the *Subject Property*, and conformance to these operational conditions is required for continued operations:

- 1) The development of this property shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance; and,
- 2) The maximum overall height of the building shall not exceed four (4)-stories or 60-feet, as depicted in *Exhibit* 'C' of this ordinance.

### **2.2 COMPLIANCE**

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

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

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

**Section 5.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict

**Section 6.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**Section 7.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

Section 8. That this ordinance shall take effect immediately from and after its passage;

### PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7<sup>TH</sup> DAY OF JANUARY, 2019.

Jim Pruitt, Mayor

### ATTEST:

Kristy Cole, City Secretary

### APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1<sup>st</sup> Reading: <u>December 17, 2018</u>

2<sup>nd</sup> Reading: January 7, 2019

#### Exhibit 'A': Legal Description

All that certain lot, tract or parcel of land situated in the E.P.G. CHISUM SURVEY, ABSTRACT NO. 64, City of Rockwall, Rockwall County, Texas, and being all of a tract of land as described in a Warranty deed from James W. Reese to LGI Properties. LTD, dated July 1, 2003 and being recorded in Volume 3075, Page 146 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a TXDOT brass disk monument found for corner at the intersection of the southwest right-ofway line of Turtle Cove Drive, a 60 foot right-of-way, with the northwest right-of-way line of Ridge Road F.M. 740, a variable width right-of-way per Volume 1582, Page 317 of the Real Property Records of Rockwall County, Texas, and being at the east corner of the above cited tract of land;

THENCE in a southwesterly direction along the northwest right-of-way line of Ridge Road F.M. 740 as follows:

S. 45 deg. 59 min. 50 sec. W. a distance of 113.22 feet to a TXDOT brass disk monument found for corner; S. 57 deg. 34 min. 20 sec. W. a distance of 103.07 feet to a TXDOT brass disk monument found for corner; S. 35 deg. 01 min. 32 sec. W. a distance of 101.12 feet to a TXDOT brass disk monument found for corner; S. 33 deg. 32 min. 12 sec. W. a distance of 204.12 feet to a TXDOT brass disk monument found for corner; S. 40 deg. 08 min. 27 sec. W. a distance of 136.97 feet to a TXDOT brass disk monument found for corner at the south corner of said Reese to LGI Properties tract and being in the northeast boundary line of Lot 1, Block A,

LAKE POINT HEATH AND SCIENCE CENTER ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet C, Slide 216 of the Plat Records of Rockwall County, Texas;

THENCE N. 45 deg. 31 min. 12 sec. W. a distance of 711.59 feet to a 3/8" iron rod found for corner at the west corner of said Reese to LGI Properties tract and being in the southeast right-of-way line of the Union Pacific Railroad, a 100 foot right-of-way;

THENCE N. 49 deg. 42 min. 29 sec. E. along said railroad right-of-way, a distance of 658.84 feet to a 1/2" iron rod found for corner in the southwest right-of-way line of Turtle Cove Drive;

THENCE S. 44 deg. 58 min. 41 sec. E. along said right-of-way line, a distance of 612.21 feet to the POINT OF BEGINNING and containing 422,730 square feet or 9.70 acres of land.

### Exhibit 'B': Conceptual Site Plan





Exhibit 'C': Sightline View for Building



Z2018-054: SUP for Office Building >36-ft Ordinance No. 19-05; SUP # S-203

Page 6
# THIS PAGE INTENTIONALLY LEFT BLANK



TO: Mayor and City Council

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

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

DATE: January 7, 2019

**SUBJECT:** A2018-004; Branch Property Annexation

On January 7, 2019, the City Council will be considering the first reading of an annexation ordinance proposing the voluntary annexation 14.995-acres of land situated northeast of the intersection of Featherstone Drive and John King Boulevard. The subject property is located within the City's Extraterritorial Jurisdiction (ETJ). Pat Atkins, on behalf of C.D.T. Rockwall/2017 LLC, is requesting the annexation for the purpose of adding additional area to Planned Development District 79 (PD-79), which is also referred to as the Saddle Star Estates Subdivision.

The City Council conducted the required public hearings (*i.e. first and second*) on December 3, 2018, and City staff has followed the procedures for annexations as set forth in Chapter 43, *Municipal Annexations*, of the Texas Local Government Code relative to notifying affected property owners and publishing notices in the newspaper and on the City's website. Attached to this memorandum is a location map, service plan and draft ordinance for the proposed annexation. In addition, the service plan has been made available to the public at City Hall.

The first reading of the annexation ordinance is scheduled for January 7, 2019 and the second (*and final*) reading of the ordinance is scheduled for January 22, 2019.



City of Rockwall



0 100 200 300 400 Fee 1 inch = 333 feet CITY OF ROCKWALL GEOGRAPHIC INFORMATION SYSTEMS JOHN KING BLVD - 14.995-ACRES ANNEXATION A2014-004 EXHIBIT A

## SERVICE PLAN FOR ANNEXED AREA

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

#### Acreage Annexed: 14.995-acres

<u>Survey Abstract and County:</u> Tracts 1-03 of the P. B. Harrison Survey, Abstract No. 97, Rockwall County, Texas

#### Date of Adoption of Annexation Ordinance: January 21, 2019

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

- (A) Police Services
  - (1) Patrolling, responses to calls, and other routine police services, within the limits of existing personnel and equipment, will be provided within 60 days of the effective date of annexation.
  - (2) As development and construction commence within this area, sufficient police personnel and equipment will be provided to continue to furnish this area the level of police services consistent with police services available in other parts of the City with land uses and population densities similar to those projected in the annexed area.
- (B) Fire Services
  - (1) Fire protection by the present personnel and the present equipment of the fire Department, within the limitations of available water and distances from existing fire stations, will be provided to this area within 60 days of the effective date of annexation.
  - (2) As development and construction commences within this area, sufficient fire personnel and equipment will be provided to continue to furnish this area the level of fire services consistent with fire service available in other parts of the City with land uses and population densities similar to those projected in the annexed area.
- (C) Health and Code Compliance Services
  - (1) Enforcement of the City's health ordinances and regulations including, but not limited to, weed and brush ordinances, junked and abandoned vehicle ordinances, food handlers ordinances and animal control ordinances, shall be provided within this area on the effective date of the annexation ordinance. These ordinances and regulations will be enforced through the use of existing personnel. *Complaints of ordinance or regulation violations within this area will be responded and investigated by existing personnel beginning with the effective date of the annexation ordinance.*
  - (2) The City's building, plumbing, electrical, gas heating, air conditioning and all other construction codes will be enforced within this area beginning with the effective date of the annexation ordinance. Existing personnel will be used to provide these services.
  - (3) The City's zoning, subdivision, and other ordinances shall be enforced in this area beginning on the effective date of the annexation ordinance.

- (4) All inspection services furnished by the City of Rockwall, but not mentioned above, will be provided to this area beginning on the effective date of the annexation ordinance. Any property owner or his/her assigns who in good faith has a new building or structure, as defined in the Comprehensive Zoning Ordinance, under construction on the effective date of annexation shall be exempted from these inspections for that building or structure under construction for a period of one year from the effective date of annexation. For the purpose of this ordinance "under construction" shall mean any work that requires a building permit from the City of Rockwall.
- (5) As development and construction commence within this area, sufficient personnel will be provided to continue to furnish this area the same level of Health and Code compliance services as are furnished throughout the City.
- (D) Planning and Zoning Services
  - (1) The planning and zoning jurisdiction of the City will extend to this area on the effective date of the annexation ordinance. City planning will thereafter encompass this property, and it shall be entitled to consideration for zoning in accordance with the City's Comprehensive Plan, Zoning Ordinance, Landscape Ordinance and Code of Ordinances.
- (E) Recreation and Leisure Services
  - (1) Residents of this property may utilize all existing recreational and leisure services facilities and sites throughout the City beginning with the effective date of the annexation ordinance.
  - (2) Existing parks, playgrounds, swimming pools and other recreation and leisure facilities within this property shall, upon dedication to and acceptance by the City, be maintained and operated by the City of Rockwall.
- (F) Solid Waste Collection
  - (1) Solid waste collection shall be provided to the property owner in accordance with existing City policies as to frequency and charges, beginning on the effective date of annexation except for properties that are served by a privately owned solid waste management service provider. Such properties will be allowed to continue private service for a period of two years from the effective date of annexation at which time the property will be required to begin service with a franchised solid waste contractor within the City of Rockwall.
- (G) Streets
  - (1) The City of Rockwall's existing policies with regard to street maintenance, applicable throughout the entire City, shall apply to this property beginning immediately as of the effective date of the annexation ordinance.
  - (2) As development, improvements or construction of streets to the City standards commence within this property, the policies of the City of Rockwall with regard to impact fees and participation in the cost thereof, acceptance upon completion, and maintenance after completion, shall apply.
  - (3) The same level of maintenance shall be provided to streets within this property that have been accepted by the City of Rockwall as is provided to like City streets throughout the City.

- (H) Water Services
  - (1) Connection to existing City water mains for water services for domestic, commercial and industrial use within this property will be provided in accordance with existing City policies. Upon connection to existing mains, water will be provided at rates established by City ordinance for such services throughout the City.
  - (2) Water mains of the City will be extended in accordance with provisions of the Code of Ordinances and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise available in other parts of the City with topography, land uses, population densities similar to those reasonably contemplated or projected in the annexed area.
  - (3) Water mains which are within the annexed area and are owned and operated by the City shall be maintained beginning with the effective date of the annexation ordinance or upon acquisition by the City.
  - (4) Private water lines within this property shall be maintained by their owners, in accordance with existing policies applicable throughout the City.
- (I) Sanitary Sewer Services
  - (1) Connections to existing City sanitary sewer mains for sanitary sewage service in this area will be provided in accordance with the existing City policies. Upon connection, sanitary sewage service will be provided at rates established by City ordinances for such services throughout the City.
  - (2) Sanitary sewer mains and/or lift stations which are within the annexed area and are connected to City mains shall be maintained by the City of Rockwall beginning with the effective date of the annexation ordinance or upon acquisition by the City.
  - (3) Sanitary sewer mains of the City will be extended in accordance with the provisions of the Code of Ordinances and engineering standards and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise availably in other parts of the City with topography, land uses, and population densities similar to those reasonably contemplated or projected in the area.
  - (4) Previously granted exceptions to the requirements of connections to the city's sanitary sewer treatment system shall be continued until such alternate systems are determined to no longer function to meet the sanitary sewer needs of the subdivision granted the exception.
- (J) Public Utilities
  - (1) Other public utilities will be provided by the City's franchisee or a provider holding a certificate of convenience issued by the state to serve that area.
- (K) Miscellaneous
  - (1) General municipal administration services of the City shall be available to the annexed area beginning with the effective date of the annexation ordinance.

#### **CITY OF ROCKWALL**

#### ORDINANCE NO. 19-XX

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

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

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

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

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

WHEREAS, the territory above contains 14.995-acres;

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

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

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

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

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

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

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

## PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 22<sup>ND</sup>DAY OF JANUARY, 2019.

Jim Pruitt, Mayor
ATTEST:
Kristy Cole, City Secretary
APPROVED AS TO FORM:
Frank J. Garza, <i>City Attorney</i>
1 <sup>st</sup> Reading: <u>January 7, 2019</u>
2 <sup>nd</sup> Reading: <u>January 22, 2019</u>

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

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

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

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

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

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



## SERVICE PLAN FOR ANNEXED AREA

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

#### Acreage Annexed: 14.995-acres

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

#### Date of Adoption of Annexation Ordinance: January 21, 2019

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

- (A) Police Services
  - (1) Patrolling, responses to calls, and other routine police services, within the limits of existing personnel and equipment, will be provided within 60 days of the effective date of annexation.
  - (2) As development and construction commence within this area, sufficient police personnel and equipment will be provided to continue to furnish this area the level of police services consistent with police services available in other parts of the City with land uses and population densities similar to those projected in the annexed area.
- (B) Fire Services
  - (1) Fire protection by the present personnel and the present equipment of the fire Department, within the limitations of available water and distances from existing fire stations, will be provided to this area within 60 days of the effective date of annexation.
  - (2) As development and construction commences within this area, sufficient fire personnel and equipment will be provided to continue to furnish this area the level of fire services consistent with fire service available in other parts of the City with land uses and population densities similar to those projected in the annexed area.
- (C) Health and Code Compliance Services
  - (1) Enforcement of the City's health ordinances and regulations including, but not limited to, weed and brush ordinances, junked and abandoned vehicle ordinances, food handlers ordinances and animal control ordinances, shall be provided within this area on the effective date of the annexation ordinance. These ordinances and regulations will be enforced through the use of existing personnel. *Complaints of ordinance or regulation violations within this area will be responded and investigated by existing personnel beginning with the effective date of the annexation ordinance.*
  - (2) The City's building, plumbing, electrical, gas heating, air conditioning and all other construction codes will be enforced within this area beginning with the effective date of the annexation ordinance. Existing personnel will be used to provide these services.

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

#### (D) Planning and Zoning Services

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

#### (E) Recreation and Leisure Services

- (1) Residents of this property may utilize all existing recreational and leisure services facilities and sites throughout the City beginning with the effective date of the annexation ordinance.
- (2) Existing parks, playgrounds, swimming pools and other recreation and leisure facilities within this property shall, upon dedication to and acceptance by the City, be maintained and operated by the City of Rockwall.
- (F) Solid Waste Collection
  - (1) Solid waste collection shall be provided to the property owner in accordance with existing City policies as to frequency and charges, beginning on the effective date of annexation except for properties that are served by a privately owned solid waste management service provider. Such properties will be allowed to continue private service for a period of two years from the effective date of annexation at which time the property will be required to begin service with a franchised solid waste contractor within the City of Rockwall.

#### (G) Streets

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

- (2) As development, improvements or construction of streets to the City standards commence within this property, the policies of the City of Rockwall with regard to impact fees and participation in the cost thereof, acceptance upon completion, and maintenance after completion, shall apply.
- (3) The same level of maintenance shall be provided to streets within this property that have been accepted by the City of Rockwall as is provided to like City streets throughout the City.
- (H) Water Services
  - (1) Connection to existing City water mains for water services for domestic, commercial and industrial use within this property will be provided in accordance with existing City policies. Upon connection to existing mains, water will be provided at rates established by City ordinance for such services throughout the City.
  - (2) Water mains of the City will be extended in accordance with provisions of the Code of Ordinances and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise available in other parts of the City with topography, land uses, population densities similar to those reasonably contemplated or projected in the annexed area.
  - (3) Water mains which are within the annexed area and are owned and operated by the City shall be maintained beginning with the effective date of the annexation ordinance or upon acquisition by the City.
  - (4) Private water lines within this property shall be maintained by their owners, in accordance with existing policies applicable throughout the City.

#### (I) Sanitary Sewer Services

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

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

- (J) Public Utilities
  - (1) Other public utilities will be provided by the City's franchisee or a provider holding a certificate of convenience issued by the state to serve that area.
- (K) Miscellaneous
  - (1) General municipal administration services of the City shall be available to the annexed area beginning with the effective date of the annexation ordinance.

# THIS PAGE INTENTIONALLY LEFT BLANK



## CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Honorable Mayor and City Council

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

FROM: Andy Hesser, Director of Parks and Recreation

DATE: January 4, 2018

#### SUBJECT: HARBOR NEIGHBORHOOD PARK CONCEPT PLAN

At the December 17<sup>th</sup> Council meeting, William Spencer with MHS Planning and Design presented the concept plan for a neighborhood park located in The Harbor area along the lake that is planned to serve the approximately 1,200 residential units in the PD-32 area. This concept plan attempts to fulfill the goals and strategies within the City's adopted Hometown 2040 Comprehensive Plan as it relates to development of the Harbor District as well as park development along the shores of Lake Ray Hubbard.

As Council may recall, the urban beach concept for this park was discussed in the budget workshop meeting held on August 7<sup>th</sup>. The approved budget for phase 1 development costs is \$484,000 to be paid from Developer Fee contributions collected within park district 17 in accordance with the Mandatory Park Land Dedication Ordinance. Total project costs are estimated to be approximately \$825,000. Funding for future phases has not been identified at this time and may be discussed in future budget proposals.

At the December 4<sup>th</sup> Park Board meeting, a public hearing was held to review and hear input regarding the concept plan. Park Board voted unanimously to recommend that Council approve the concept plan as submitted, with particular attention to addressing concerns raised by adjacent business owners regarding restrooms, parking and fencing to separate the park from the buildings.

Attached is the revised concept plan highlighting the proposed phase 1 scope, which is outlined by a dashed red line. Amenities proposed include the sand beach area, volleyball, ornamental fence adjacent to commercial buildings, southern trail loop around the sand area, drinking fountain, security lighting and the associated grading and drainage for the southern area.

Staff requests that Council consider approving the concept plan and authorize MHS Planning and Design to proceed with phase I construction documents per their previously approved contract.





TRAIL CONNECTION TO PROPOSED TXDOT TRAIL

LANDSCAPE BUFFER

8' WIDE CONORDID TRAIL

RESTROOM LOCATION OPTION

> GRASSCRETE FOOD TRUCK PARKING AREA

SBATIONG NODES

BOLLARD LIGHTING

KAYAK LAUNCH

**DATE: 03 JANUARY 2019** CONCEPTUAL DRAWING NOT FOR CONSTRUCTION

# ROCKWALL URBAN BEACH PARK

NINJA\COURSE-

EXISTING BUILDINGS

> PROGRAM & OPEN PLAY SPACE

PLAY OUBDS

YARD GAMP LAWN ARDA

DXXISINING INRIMOS

BEACH AREA W/ VOLLEYBALL COURTS PHASEI

CONCRETE TRAIL PHASE I

LAKE RAY HUBBARD

GATHERING AREA PHASE I



# THIS PAGE INTENTIONALLY LEFT BLANK



MEMORANDUM
------------

TO:	City Council
FROM:	Joey Boyd, Assistant City Manager
DATE:	December 26, 2018
SUBJECT:	Naming Subcommittee recommendation to honor Brad Griggs

The City Council Naming Subcommittee (Councilmembers Hohenshelt, Macalik, and Daniels) recently discussed naming a venue in the City to honor Brad Griggs' 20 years of service to the City of Rockwall. Brad's retirement became official on January 4, 2019.

The Subcommittee recommends the City Council consider naming the amphitheater stage in honor of Brad and that it be referred to in the future as the: "Brad Griggs Amphitheater Stage at The Harbor".

The Subcommittee members and staff will be available to discuss this request at the meeting. A Resolution formally naming this venue at The Harbor is attached for your consideration.

#### CITY OF ROCKWALL, TEXAS

#### RESOLUTION NO. 19-01

#### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, NAMING A CERTAIN PARKS & RECREATION VENUE WITHIN THE CITY OF ROCKWALL, TEXAS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Brad Griggs served the City of Rockwall for 20 years as Director of Parks & Recreation and Assistant City Manager; and

WHEREAS, on January 4, 2019, he retired after a total of 34 years in public service; and

WHEREAS, Brad served as President of the Texas Recreation & Parks Society and the Texas Amateur Athletic Federation where he advocated for funding grant programs that were beneficial to Rockwall and other cities across the State; and

WHEREAS, during his time in Rockwall, Brad provided leadership in expanding the City's park system and further developing and enhancing the recreation opportunities for citizens of Rockwall; and

**WHEREAS,** Brad played a significant role in designing, construction, and programming public space for entertainment events at The Harbor; and

WHEREAS, the Rockwall City Council wishes to honor Brad Griggs by naming a specific venue in the City of Rockwall; and

WHEREAS, the Rockwall City Council believes the naming to be a fitting and honorary recognition of Brad Griggs for his service to citizens of Rockwall.

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

**Section 1.** That the entertainment stage at The Harbor shall hereafter be named the "Brad Griggs Amphitheater Stage at The Harbor;" and

**Section 2.** That this resolution shall take effect immediately from and after its adoption and it is so resolved.

PASSED AND APPROVED by the City Council of Rockwall, Texas, this <u>7<sup>th</sup></u> day of <u>JANUARY</u>, <u>2019</u>.

**APPROVED:** 

ATTEST:

Jim Pruitt, Mayor

Kristy Cole, City Secretary

# THIS PAGE INTENTIONALLY LEFT BLANK



## MEMORANDUM

TO: City Council

FROM: Joey Boyd, Assistant City Manager

DATE: January 2, 2019

SUBJECT: Texas Legislative Session

The 86<sup>th</sup> Session of the Texas State Legislature will convene on Tuesday, January 8, 2019. In previous years, the City has followed bills related to municipal authority, property taxes, and other bills that propose to directly or indirectly affect the City's ability to provide services. Individual staff members will monitor and be involved with their respective association's agendas, such as Texas Police Chiefs Association, Texas Fire Chiefs Association, and Texas Recreation and Parks Society. Below is a general list of topics for discussion at the City Council meeting.

#### Topics to Watch

- Transportation Infrastructure Funding
- Property Tax Reform
- Local Government Control
- Annexation, ETJ Regulations, Vesting Rights
- Telecommunications Small Cell Nodes
- MUDS / PIDS
- Texas Police Chiefs Association (mental health reform, lab fees, laws related to body cameras, drug legalization, as well as other items of concern within the Association)
- Texas Fire Chiefs Association (PTSD/Mental Health, Statewide fire response, Texas Intrastate Fire Mutual Aid System (TIFMAS) funding, legislation related to residential sprinkler systems, and other items of concern within the Association)
- Texas Recreation & Park Society (sporting goods tax to fund grants, other items of interest within TRAPS)

Staff will look for direction from the City Council related to these topics or any other issues you would like to follow throughout the legislative session.

# THIS PAGE INTENTIONALLY LEFT BLANK



## MEMORANDUM

TO:	Honorable Mayor and Council
FROM:	Kristy Cole, City Secretary/Assistant to the City Manager
DATE:	January 4, 2019
SUBJECT:	(Re)Appointments to Main St. Advisory Board

The following three (3) Main Street Advisory Board members have terms that expire in Jan. 2019:

- Sarah Freed is "termed out" (need NEW person appointed)
- Priscylla Bento would like to be reappointed
- Jeremy Standifer would like to be reappointed

Councilmember Trowbridge is the council liaison to said board. He will be putting forth a recommendation that Council consider reappointing Ms. Bento and Mr. Standifer and (newly) appointing Mrs. Eva Cannon to replace Mrs. Freed, whose final term is expiring this month. Mrs. Cannon's application is attached here for Council's review and consideration.

#### **Cole**, Kristy

#### Subject:

FW: Boards & Commissions Application

Sent: Friday, February 09, 2018 11:47 AM

#### NAME & ADDRESS

Eva Cannon 1280 Highland Dr Rockwall, TX 75087

#### **VOTER REGISTRATION**

Registered Voter: Yes 1074616203

#### **PHONE NUMBERS & EMAIL**

Phone:

Email:

#### PERSONAL DETAILS

I have been a Rockwall resident and business owner since 2005. Having recently sold our company, my husband and I are currently planning a new-build destination brewery and taproom in the downtown area of Rockwall. This will bring visitors, tax dollars and jobs to the local community. In my most recent role as Director of Marketing for wePresent, an AV Technology company, I managed all aspects of the global marketing, from product and brand development to social media and advertising campaigns, to trade show exhibitions and digital marketing. Prior to this, we owned an AV integration firm and managed installations for commercial clients across Texas, including the Dallas Zoo, Mellow Mushroom restaurants, Schindler Elevator Company, and many other customers.

#### **BOARDS & COMMISSIONS**

Architectural Review Board Yes		Board of Adjustments No
Building & Standards No		Parks Boards Yes
HPAB No		REDC Yes
P&Z No		Rockwall Housing No
Construction Advisory Yes	Airport Advisory Board No	
ART Commission - Yes Visual Arts Professional - No Environmental Design Field - No Rockwall Alliance for the Arts - N Interested Citizen - Yes	10	
Main Street Board - Yes Downtown Business Owner - Yes Downtown Property Owner- Yes Interested Citizen - Yes		

# THIS PAGE INTENTIONALLY LEFT BLANK



# Building Inspections Department <u>Monthly Report</u>

# November 2018

## **Permits**

Total Permits Issued: 273 Building Permits: 36

Contractor Permits: 237

**Total Permit Values: \$ 6,529,531.63** Building Permits: \$4,019,824.00 Contractor Permits: 2,509,707.63

Total Fees Collected: \$99,983.92

Building Permits: \$82,740.76 Contractor Permits: \$17,243.16

**Board of Adjustment** 

Board of Adjustment Cases 0

## City of Rockwall PERMITS ISSUED - Summary by Type and Subtype For the Period 11/1/2018 thru 11/30/2018

Type / SubType	# of Permits Issued	Valuation of Work	Fees Charged
BANNER	4	\$0.00	\$203.00
and the second	3	\$0.00	\$153.00
30 DAY BANNER	1	\$0.00	\$50.00
CHURCH	2	\$152,000.00	\$1,450.00
CONCRETE	1	\$12,000.00	\$220.75
REMODEL	1	\$140,000.00	\$1,229.25
CLEAN SHOW	1	\$0.00	\$76.50
1.0	1	\$0.00	\$76.50
со	6	\$0.00	\$456.00
BUSINESS	3	\$0.00	\$226.50
INTERIOR	3	\$0.00	\$229.50
СОММ	25	\$1,387,781.95	\$9,068.43
ADDITION	1	\$28,000.00	\$35.70
CONCRETE	1	\$4,500.00	\$125.21
CONST TRAILER	1	\$0.00	\$102.00
ELECTRICAL	5	\$115,000.00	\$2,238.18
INTERIOR COMP	1	\$145,000.00	\$1,257.25
MECHANICAL	Î	\$7,900.00	\$164.75
NEW	1	\$180,000.00	\$1,453.25
PLUMBING	5	\$23,500.00	\$556.88
REMODEL	3	\$267,200.00	\$2,289.66
REPAIR	1	\$25,000.00	\$402.75
ROOF	4	\$441,681.95	\$142.80
SWIM POOL	1	\$150,000.00	\$300.00
NONPROFIT SIGN	1	\$0.00	\$0.00
	1	\$0.00	\$0.00
SCHOOL	ĩ	\$28,000.00	\$433.05
ADDITION	1	\$28,000.00	\$433.05
SIGNAGE	6	\$12,445.00	\$532.50
DEVELOPMENT	1	\$350.00	
WALL	5	\$12,095.00	\$75.00 \$457.50
SINGLE FAMILY	209		\$457.50
ACC BLDG	4	\$4,949,304.68	\$87,200.24
ADDITION	4 2	\$10,525.00	\$368.98
ALTERATION	2	\$94,100.00	\$1,045.90
CONCRETE	ů	\$13,000.00	\$234.00
DECK	3	\$73,100.00 \$16,905,00	\$1,405.21
ELECTRICAL	5	\$16,905.00	\$388.87
FENCE	28	\$9,864.00 \$75,102.00	\$373.76
IRRIGATION	28 16	\$75,102.00	\$988.70
MECHANICAL	6	\$28,800.00 \$78,734.00	\$570.50
MISCELLANEOUS	2	\$78,724.00 \$11,200.00	\$1,453.15
NEW	13	\$11,200.00	\$70.70
PATIO COVER	4	\$3,064,499.00	\$73,450.90
PERGOLA		\$33,000.00	\$680.72
PLUMBING	2 33	\$5,300.00	\$191.40
ROOF	55 68	\$64,032.00	\$2,407.45
SWIM POOL	68 7	\$1,013,488.68	\$2,419.90
WINDOWS		\$327,000.00	\$1,008.00
SPECIAL EVENT	4	\$30,665.00	\$142.10
A BOIND BY EAVE	18	\$0.00	\$564.20

PERM195

172

V SHSTEMES

### City of Rockwall PERMITS ISSUED - Summary by Type and Subtype For the Period 11/1/2018 thru 11/30/2018

Type / SubType		# of Permits Issued	Valuation of Work	Fees Charged
		18	\$0.00	\$564.20
	Totals:	273	\$6,529,531.63	\$99,983.92









Fiscal Year

New Residential Value



Calendar Year









	2018-2019	e S	I											4
Year	2017-2018	0	2	0	0	3	0	1	0	3	3	2	2	16
		October	November	December	January	February	March	April	May	June	July	August	September	Totals





Fiscal Year

New Commercial Value

		Year		
		2017-2018		2018-2019
October		•	S	36,425,000.0
November	\$	30,390,000.00	\$	180,000.0
December				
January				
February	\$	3,221,771.00		
March		•		
April	\$	22,000,000.00		
May				
June	\$	10,602,430.88		
July	\$	11,712,500.00		
August	\$	1,111,950.00		
September	\$	1,930,813.00		
Totals	s.	80.969.464.88	4	36.605.000.0





Fiscal Year

**Commercial Remodel Permits** 

October November December January February March	2017-2018 4 1 3 3 4 4 4 5 3 3	xear   2017-2018 2018-2019   4 6   1 4   3 3   3 4   3 3   3 4
July August September <b>Totals</b>	4 1 2 38	10





**Total Fees Collected**
### City of Rockwall PERMITS ISSUED For the Period 11/1/2018 thru 11/30/2018

Permit Number Application Date Issue Date	Site Address		Valuation	Total Fees	Fees Paid
CO2018-0115         CO           0/04/2018         BUSINESS           1/01/2018         Active		930 W Ralph Hall Pkwy 102 4009-000A-0008-00-0R Fair Texas Title	0.00	75.00	75.00
Contact Type	Contact Name	Contact Address		Phone Number	
APPLICAN BUS OWNE BUSINESS OWNER	ER Britt Fair Fair Texas Title	<ul> <li>930 W Ralph Hall Pkwy. Ste 102, Rockwall, TX 7503.</li> <li>930 W Ralph Hall Pkwy Ste 102, Rockwall, TX 7503.</li> <li>930 W Ralph Hall Pkwy Ste 102, Rockwall, TX 7503.</li> <li>1 Ridge LP 2255 Ridge Rd. Suite 208, Rockwall, TX 75087</li> </ul>	2	(469) 802-0922 (469) 802-0922 (469) 802-0922 (214) 676-6424	
CO2018-0117 10/15/2018	CO INTERIOR	1209 Ridge Rd.	0.00	76.50	76.50
11/30/2018 Active Contact Type Contact Name		Pizza Cucina Contact Address		DL	
				Phone Nu	
APPLICANT Dera Yaghi BUS OWNER Dera Yaghi		1209 Ridge Rd., Rockwall, TX 75087 1209 Ridge Rd., Rockwall, TX 75087		(972) 722-69 (972) 722-69	
10/19/2018 11/05/2018 <u>Contact Type</u>	INTERIOR Active Contact Name	4502-000C-0001-00-0R Standard Supply & Dist. Co., Inc. Contact Address	0.00	Phone Nu	76.50 mber
Contact Type APPLICAN BUS OWNE OWNER	T William Shaw & S	pencer Sha 1431 Regal Row, Dallas, TX 75247 pencer Sha 1431 Regal Row, Dallas, TX 75247		Phone Nu (214) 630-78 (214) 630-78	:00
CO2018-0123 11/01/2018 11/28/2018	CO BUSINESS Active	2095 Summer Lee Dr 105 3809-000A-0002-00-0R Rodeo Goat	0.00	75.00	75.00
Contact Type	Contact Name	Contact Address		Phone Nu	mber
APPLICAN BUS OWNE OWNER		1722 S. Harwood, , 75615 2095 Summer Lee Dr. #105, Rockwall, TX 75087 LC 8222 Douglas Ave. #390, Dallas, TX 75225		(469) 769-46 (469) 769-46 (469) 232-34	28
CO2018-0125 1/07/2018 1/14/2018	CO BUSINESS Active	1400 IH 30 3130-0000-0003-B0-0R vinMighty Oak Brewing, Inc.	0.00	76.50	76.50
Contact Type	Contact Name	Contact Address		Phone Nu	nber
APPLICAN BUS OWNE OWNER		1009 Pecan Hill St., Stillwater, OK 74074 1400 IH 30, Rockwall, TX 75087 J , ROCKWALL, TX 75032		(817) 701-59 (817) 701-59	



### City of Rockwall PERMITS ISSUED For the Period 11/1/2018 thru 11/30/2018

Permit Number Application Date Issue Date	Permit Type Subtype Status of Permit	Site Address Parcel Number Permit Name	Valuation	Total Fees	Fees Paid
CO2018-0127 11/14/2018 11/21/2018 <u>Contact Type</u>	CO INTERIOR Active Contact Name	2014 Goliad St S 138 4834-000A-0002-00-0R Salon Effect LLC Contact Address	0.00	76.50 Phone Nu	76.50 mber
APPLICAN BUS OWNE OWNER	ER Kim Dennis	1507 Firenza Ct, Rockwall, TX 75032 2014 Golaid St. S # 138, Rockwall, TX 75087 RAL SF , ADDISON, TX 75001	(214) 796-7727 (214) 796-7727		

<b>Total Valuation:</b>	0.00
Total Fees:	456.00
<b>Total Fees Paid:</b>	456.00

PERM140





# Monthly Report November 2018

### Top 10 Calls November 2018

311 MEDICAL ASSIST, ASSIST EMS CREW 324 MOTOR VEHICLE ACCIDENT WITH NO INJURIES 322 MOTOR VEHICLE ACCIDENT WITH INJURIES 553 PUBLIC SERVICE 745 ALARM SYSTEM ACTIVATION, NO FIRE - UNINTENTIONAL 611 DISPATCHED & CANCELED EN ROUTE 622 NO INCIDENT FOUND ON ARRIVAL AT DISPATCH ADDRESS 743 SMOKE DETECTOR ACTIVATION, NO FIRE - UNINTENTIONAL 445 ARCING, SHORTED ELECTRICAL EQUIPMENT 551 ASSIST POLICE OR OTHER GOVERNMENTAL AGENCY



0 20 40 60 80 100 120

November 2018- All Calls				
Situation Type				
	Automatic	Automatic	Mutual aid	
	aid given	aid received	given	City
111 Building fire	1		1	1
311 Medical assist, assist EMS crew				105
322 Motor vehicle accident with injuries				10
412 Gas leak (natural gas or LPG)	· · · · · · · · · · · · · · · · · · ·		1	7
553 Public service			1	7
611 Dispatched & canceled en route				5
622 No incident found on arrival at dispatch address			1	4
733 Smoke detector activation due to malfunction				2
735 Alarm system sounded due to malfunction				3
743 Smoke detector activation, no fire - unintentional				3
745 Alarm system activation, no fire - unintentional				5
411 Gasoline or other flammable liquid spill				1
131 Passenger vehicle fire (cars, pickups, SUV's)				3
651 Smoke scare, odor of smoke	1			2
736 CO detector activation due to malfunction				2
323 Motor vehicle/pedestrian accident (MV Ped)		· · · · · · · · · · · · · · · · · · ·		2
324 Motor vehicle accident with no injuries.			1	11
251 Excessive heat, scorch burns with no ignition				1
442 Overheated motor				2
551 Assist police or other governmental agency				1
652 Steam, vapor, fog or dust thought to be smoke				1
653 Smoke from barbecue, tar kettle				1
671 HazMat release investigation w/no HazMat				5
740 Unintentional transmission of alarm, other				1
744 Detector activation, no fire - unintentional				2
143 Grass fire				1
160 Special outside fire, other	1	1		1
353 Removal of victim(s) from stalled elevator				3
424 Carbon monoxide incident				1
440 Electrical wiring/equipment problem, other				1
445 Arcing, shorted electrical equipment				1
500 Service Call, other				1
542 Animal rescue	· · · · · · · · · · · · · · · · · · ·			1
550 Smoke Detector Battery Change/Install				2
561 Unauthorized burning				2
631 Authorized controlled burning	· · · · · · · · · · · · · · · · · · ·			2
911 Citizen complaint				1
Totals	185 3	1	3	185204





Travel % 4 min or less	Time Analysis-	By Distri	<u>ct</u> (No Mutual Aid)	Total Number of Calls	Average Travel Time Minutes	Percent of Run per District
70 4 11111 01 1035	100s with Sta	tion 1				
82%	On Scene in	4.0	minutes or less	57	2.73	36.54%
	200s with Sta	tion 2				
91%	On Scene in	4.0	minutes or less	46	2.49	29.49%
	300s with Sta	tion 3				S. 80.20
77%	On Scene in	4.0	minutes or less	13	3.50	8.33%
	400s with Sta	tion 4				
67%	On Scene in	4.0	minutes or less	24	1.90	15.38%
	500s w/out Stat	ion				
20%	On Scene in	4.0	minutes or less	5	9.88	3.21%
	600s w/out Stat	ion				
0%	On Scene in	4.0	minutes or less	2	6.10	1.28%
	700s w/out Stat	ion				1
0%	On Scene in	4.0	minutes or less	6	5.98	3.85%
	800s w/out Stat	ion				
100%	On Scene in	4.0	minutes or less	3	2.76	1.92%
	900s w/out Stat	ion				
N/A	On Scene in	4.0	minutes or less			
	1000s w/out Sta	tion				
N/A	On Scene in	4.0	minutes or less			
			Total (	Calls 156		

## 90% Travel Times





Print Date/Time: 12/18/2018 16:24 Login ID: rck/sdean Layer: All Areas: All

# **Total Dollar Losses**

November 2018



Rockwall Fire Department

ORI Number: TX504 Incident Type: All Station: All

	Current Month	Last Month	Last Month Same Month Last Year	Year To Date	Year To Date Last Year To Date
Total Property Loss:	\$0.00	\$36,000.00	\$6,000.00	\$608,248.00	\$410,383.49
Total Content Loss:	\$0.00	\$0.00	\$0.00	\$170,216.80	\$217,605.51
Total Property Pre-Incident Value:	\$0.00	\$6,233,940.00	\$0.00	\$8,137,170.00	\$1,152,379.15
<b>Total Contents Pre-Incident Value</b>	\$0.00	\$1,000,000.00	\$0.00	\$1,696,573.00	\$646,811.49
Total Losses:	\$.00	\$36,000.00	\$6,000.00	\$778,464.80	\$.00
Total Value:	\$.00	\$7,233,940.00	\$.00	\$9,833,743.00	\$1,799,190.64



# **Fire Marshal Division**

Monthly Report - November 2018

Inspection Status Report			
Finaled Inspections	21		
Pending Inspections	15		
Total for the Month	36		

Plan Review Report		
Banner Non-Profit	1	
СО	6	
СОММ	29	
Engineering	4	
Plat	6	
Single Family	2	
Site Plan	7	
School	1	
Zoning	9	
Total for the Month	65	

<b>Fire Investigations Status Report</b>		
Active Investigations	0	
Closed Investigations	0	
Pending Investigations	0	
Total for the Month	0	

Fire Permit Report			
Bon Fire	1		
CO2	1		
Doors- Access Control	2		
Fire Alarm	3		
Fire Sprinkler	5		
Traffic Calming Device	1		
Total for the Month	13		

Public Education EventsTotal for the Month4





### Key Projects:

- (1) Asset Management System. Maintenance, Reports Permitting & Project Tracking System. Advertised RFP
- (2) Outside Agencies & Citizens Request. RCAD, AT&T Lakeshore Commons request, NTMWD - ETJ Data Request
- (3) Engineering/Public Works. Cityworks Admin Changes, Floodplain Meeting / Edits, Consultant GIS Data Request, Cityworks AMS Issues, Number of Res Units - Water 780 District, NEC Quail Run / Goliad Exhibit, Construction Noise Notification Map, S Lakeshore Mail-outs, County Line Rd CIP Map, Lakeshore/Summit Ridge CIP Map, CIP Project Mailers (6), Utility edits
- (4) Parks and Rec. Harbor Urban Beach Data, Santa Cop 5K Run Parking Map, Harbor Beach Locator Map, Christmas Tree Lighting Layout Map
- (5) Planning Department. Land Use Assumption Data, NEC FM548 / SH276 Map, Vol. Annexation SH276 Exhibit and Legal, Action & Implementation Schedule, Planning Case Maps, Comp Plan Meeting Boards, P&Z Public Notice QR Code, Comp Plan Prep
- (6) GIS. NCTCOG NG911 maintenance, Building Footprint (planimetrics) clean up, Trak-it issues, Cellular Node Antennas Data, Retail App Redo, Restaurant App Redo, Arc Collector, Market Tapestry, City Works, GIS Day Event Prep
- (7) Police. NWS Aerial Set Up, 3089 Wildflower Sex Offender Map, 315 Lakeside Dr Sex Offender Map, 367 Tubbs Rd Sex Offender Map
- (8) Main Street. Hometown Christmas Citizen Map, Hometown Christmas Layout Map
- (9) Admin / CMO / Internal Ops.- Waze App Set Up, Rockwall Safe Room Updates, TXDOT IH30 Renderings
- (10) Utility Billing. Recycle Coach Address List





### Monthly Project Request by Department:



Total	50
REDC	2
Police Department	4
Planning	8
Parks and Recreation	4
Outside Agencies	3
Main Street Program	2
Π	0
GIS (Citywide Projects)	11
Fire Department	0
Finance / Utility Billing	1
Engineering / Public Works	12
Neighborhood Improvement Services	0
City Manager's Office	1
City Council	0
Citizen Request	0
Building Inspections	0
Admin / HR / Internal Ops	2

### Rockwall Police Department Harbor District Call For Service November 2018

Incident Number	Date	Time	Common Name	Incident Type	Incident CFS Disposition
2018-00035062	11/04/2018	11:04:49	Sideways BBQ	Assault	No Report
2018-00035131	11/05/2018	08:31:56	Hilton Hotel	Assault	No Report
2018-00037024	11/23/2018	20:11:49	Glorias Restaurant	Disturbance	No Report
2018-00037352	11/26/2018	22:49:17	Hilton Hotel	Disturbance	Report
2018-00035429	11/07/2018	23:36:28	Cinemark Movies 12	Intoxicated	No Report
2018-00034935	11/02/2018	22:23:02	The Harbor	Investigation	No Report
2018-00035452	11/08/2018	08:52:54	The Harbor	Meet Complainant	Arrest
2018-00037257	11/25/2018	18:50:58	Cinemark Movies 12	Motor Vehicle Theft	Report
2018-00036647	11/20/2018	10:48:58	Cinemark Movies 12	Suspicious Activity	No Report
2018-00037407	11/27/2018	13:54:38	Hilton Hotel	Theft	No Report
2018-00036275	11/16/2018	22:24:27	Campisi's	Theft	Report
			<u>Common Name</u>		
			Campisi's	1	
			Cinemark Movies 12	3	
			Glorias Restaurant	1	
			Hilton Hotel	3	
			Sideways BBQ	1	
			The Harbor	2	
				11	
l	J	1		1	·

CITY OF ROCKWALL INTERNAL OPERATIONS DEPARTMENT FACILITY MAINTENANCE REQUESTS FOR SERVICE NOVEMBER 2018

DEPARTMENT	# FMR REQUESTS	# FMR REQUESTS RESPONDED TO W / IN 24 HOURS	# FMR REQUESTS NOT RESPONDED TO W / IN 24 HOURS	% ON TIME
ADMINISTRATION	7	7	0	100%
ADMINISTRATIVE SERVICES	5	5	0	100%
AIRPORT	4	4	0	100%
ANIMAL SERVICES	7	7	0	100%
BUILDING INSPECTIONS / NEIGHBORHOOD IMPROVEMENT	ſ	ę	0	100%
ENGINEERING	m	ę	0	100%
FINANCE	0	0	0	%0
FIRE DEPARTMENT	32	32	0	100%
INTERNAL OPERATIONS	126	126	0	100%
MUNICIPAL COURT	12	12	0	100%
PARKS & RECREATION	15	15	0	100%
PLANNING & ZONING	11	11	0	100%
POLICE DEPARTMENT	17	17	0	100%
PUBLIC WORKS	σ	б	0	100%
DTILITY BILLING	7	2	0	100%
TOTAL	253	253	0	100%

### F46 Ralph M Hall Rockwall Municipal Airport

### Operations Report NOVEMBER 2018

### **Fuel Sales**

	Gallons Sold	Gross Sales	
Jet - A Sales	352	\$1,408.00	
Av-Gas Sales	2757.6	\$11,857.68	
Total Fuel Sales	3109.6	\$13,265.68	

### Hangar Rental Revenue

Overnight Tiedown		
Covered Overnight Tiedown		
Open T Hangar	\$2,975.00	
Enclosed Hangar	\$120.00	
Community Hangar	\$290.00	
Total Hangar Rentals	\$3,385	

### Hangar Occupancy

	Total Hangars	Qty Rentable	Quantity Leased	Occupancy Rate
<b>Open T Hangars</b>	46	43	37	80%
Enclosed Hangars	2	1	1	50%
Community Hangar	1	1	1	100%
Total Hangar Occupancy				77%

City Revenue	Fee Rate	Hangar Rental	Fuel Flowage	Total Due
Fuel Sales (Gallons Sold)	\$0.10		3,109.60	\$310.96
Hangars	5.00%	\$3,385.00		\$169.25
Total Fees Due				\$480.21

# Rockwall Police Department Monthly Activity Report

November-2018

ACTIVITY	CURRENT MONTH	PREVIOUS MONTH	YTD	YTD	YTD %
	NOVEMBER	OCTOBER	2018	2017	CHANGE
		PART 1 OFF	ENSES		
Homicide / Manslaughter	0	0	1	0	100.00%
Sexual Assault	0	4	11	10	10.00%
Robbery	0	1	6	6	0.00%
Aggravated Assault	2	3	19	20	-5.00%
Burglary	2	2	31	68	-54.41%
Larceny	46	52	603	585	3.08%
Motor Vehicle Theft	6	1	45	41	9.76%
TOTAL PART I	56	63	716	730	-1.92%
TOTAL PART II	172	139	1648	1801	-8.50%
TOTAL OFFENSES	228	202	2364	2531	-6.60%
	A	ADDITIONAL ST	FATISTICS		
FAMILY VIOLENCE	16	18	186	203	-8.37%
D.W.I.	22	17	232	190	22.11%
		ARRES	TS		
FELONY	36	42	337	341	-1.17%
MISDEMEANOR	71	67	801	869	-7.83%
WARRANT ARREST	13	11	142	172	-17.44%
JUVENILE	5	9	56	72	-22.22%
TOTAL ARRESTS	125	129	1336	1454	-8.12%
		DISPAT	СН		
CALLS FOR SERVICE	1405	1444	15229	16370	-6.97%
		ACCIDE	NTS		
INJURY	2	4	110	184	-40.22%
NON-INJURY	63	82	625	591	5.75%
FATALITY	0	0	2	5	-60.00%
TOTAL	65	86	737	780	-5.51%

### **ROCKWALL NARCOTICS UNIT**

Number of Cases	7
Arrests	2
Arrest Warrants	2
Search Warrants	2
	Seized
Pistol	1
Cocaine	2.4 Ounces
Methamphetamine	17,007 Grams
Heroin	8 Grams
Marijuana	8 Ounces
Prescription Meds	Multiple Pills

# Rockwall Police Department Dispatch and Response Times

November 2018

	Police	Department	
	Average Response Time		
Priority 1		Number of Calls	88
Call to Dispatch	0:01:22		
Call to Arrival	0:06:23		
% over 7 minutes	28%		
	Average Response Time		
Priority 2		Number of Calls	288
Call to Dispatch	0:03:29		
Call to Arrival	0:10:03		
% over 7 minutes	56%		
	Average Response Time		
Priority 3		Number of Calls	63
Call to Dispatch	0:05:50		
Call to Arrival	0:12:41		
% over 7 minutes	63%		

### Average dispatch response time goals are as follows:

Priority 1: 1 Minute

Priority 2: 1 Minute, 30 Seconds

Priority 3: 3 Minutes



### **PARTICIPATION**



SNAP SUPPER SPECTACULAR: 61 PARTICIPANTS



FISHING DERBY: 61 PARTICPANTS



OUTDOOR FAMILY CAMPOUT: RAINED OUT

MONTHLY OVERVIEW	NOV '18
Part Time Labor Hours	62
Program Offerings	6
Program Participants	148
Resident Participants	72
Non-Resident Participants	76
Programs that Made	6
Cancelled Programs	0
% of Programs Cancelled	0%

**FEE BASED RESIDENT VS NON-RESIDENT** 6 programs





# **VOLUNTEER IN THE PARKS (V.I.P.)**





PAVILIONS		NOV '18
	Time Blocks Rented	11
	Monthly Revenue	\$440
<b>PAVILION REI</b> 11 Rentals	NTAL ACTIVITY BY TIME I	BLOCK
6 AM - 3 PM		3 - 11 PM

55%

**45**<sup>%</sup>

# PARKS



### FACILITY MANAGEMENT:

Athletic field renovations complete a Tuttle Yellow Jacket and Myers.

### FACILITY ACCOLADES:

Tuttle awarded 2018 Multi Use Facility Field of the Year Award by Texas Turfgrass Association

### FACILITY MAINTENANCE:

18,000 bulbs installed for spring flower program





# MARKETING





### PLAYROCKWALL.COM PERFORMANCE METRICS

# PAGEVIEWS Pageviews represent the total individual pages viewed by visitors to playrockwall.com within the month of November 2018.



Sessions represent an individual collection of a user's visit while viewing pages on playrockwall.com



5**,420** 

7,596

# **REVENUE**

### FEE BASED PROGRAM REVENUE BY MONTH

3 fiscal years



### **FACILITY REVENUE BY MONTH**

3 fiscal years



### **Rockwall Adoption Center**

### 2018 Animal Statistics

	ADOPTIONS	RESCUED	RETURN TO OWNER	EUTHANIZED	1045*	INTAKES	DISPOSITIONS	LIVE
	Total—Average	Total-Average	Total—Average	Total—Average	Total-Average			OUTCOME
Jan '18	75-78%	7-7%	11-12%	0-0%	0-0%	112	95	97%
Feb '18	90-69%	15-12%	23-18%	2-1%	0-0%	121	130	99%
March '18	63-56%	15-13%	28-25%	3-3%	3-3%	110	112	94%
April '18	52-60%	8-1%	22-25%	4-1%	0-0%	90	87	86%
May '18	80-63%	20-16%	19-15%	2-2%	6-5%	137	127	94%
June '18	75-58%	20-16%	21-16%	4-3%	9-7%	128	129	90%
July '18	83-65%	17-13%	27-21%	0-0%	1-1%	150	128	99%
August '18	90-63%	15-11%	28-20%	4-3%	5-4%	117	142	94%
September '18	66-58%	13-11%	29-25%	2-2%	4-4%	125	114	94%
October '18	66-69%	13-14%	14-15%	2-2%	0-0%	108	96	98%
November '18	76-63%	12-10%	30-25%	0-0%	2-2%	96	120	98%
December '18								

### Rockwall Animal Adoption Center

### PROFIT AND LOSS

November 2018

17.88
17 88
25.00
47.00
72.00
04.00
25.00
80.00
73.50
73.50
50.00
50.00
15.00
81.73
0.00
19.11
19.11
96.50
29.94
52.49
70.00
16.34
16.34 9.00
9.00
9.00 <b>74.27</b>
9.00 <b>74.27</b> 11.15
9.00 <b>74.27</b> 11.15 47.41
9.00 <b>74.27</b> 11.15 47.41
9.00 <b>74.27</b> 11.15 47.41 83.34
9.00 <b>74.27</b> 11.15 47.41 83.34 08.12
9.00 <b>74.27</b> 11.15 47.41 83.34 08.12 10.56
9.00 <b>74.27</b> 11.15 47.41 83.34 08.12 10.56 13.91
9.00 <b>74.27</b> 11.15 47.41 83.34 08.12 10.56 13.91 43.03
9.00 <b>74.27</b> 11.15 47.41 83.34 08.12 10.56 13.91 43.03 54.00
9.00 <b>74.27</b> 11.15 47.41 83.34 08.12 10.56 13.91 43.03 54.00 80.95
9.00 <b>74.27</b> 11.15 47.41 83.34 08.12 10.56 13.91 43.03 54.00 80.95 79.39

1/2

	TOTAL
65040 5001 - Supplies	578.49
65050 5060 -Telephone, Telecomm	240.00
Total 65000 5000 - Administative Expense	30,216.68
Total Expenses	\$57,532.85
NET OPERATING INCOME	\$72,386.26
NET INCOME	\$72,386.26

<sup>-</sup> Y2019 City of Rockwall In kind values /Meals1st Quarter	Meals on Wheels Senior Services	
FY2019 City of Ro	Meals on Wheels	

																		\$4.965.50	\$850.00	\$500.00	 \$440.00	in Program)					2,906	uarter FV10	7,233.04	
Days served 20	\$56.00	\$112.00	\$380.80	\$347.20	\$224.00 \$140.00	\$655.50	\$168.56	\$2,084.06	θ	\$278 AD	\$417.60	\$278.40	\$278.40	\$584.64	\$348 00	\$417.60	\$2,881.44	\$ Value in kind volunteer services		leal		alue (only for Nutrition Program)	\$6,755.50	ROCKWALL PROGRAM MEALS Home Delivered and Disabled	cied and Disabled Centers	s	so -	In-kind VAI UE Domated 1st Ouarter EV10	-	
Dec-18 ROUTES MILES	-			E2 K 400			R		HOURS	A 20				F&K 42 ц 20		۲ ۲	207	\$ Value in	Christmas Holiday Meal	∠anata New Years Eve Holidav Meal	Volunteer Hrs. & Miles	Total December In-kind value		2.152 Home Delivered and Disabled	394 Congregate Centers	360 Holiday Meals	2,506 Total Purchased Meals	Total meals	Program	7,946
Nov-18 Days served 21 ROUTES MILES \$	115	230	C 695 \$389.20	×	265	1240	RM&R 316 \$176.96	3911 \$2,176.66	HOURS \$	A 21 \$292.32	32	21	E 21	F&K 42 \$584.64 H 21 \$202.32	21	R 32	211 \$2,937.12	\$5,113.78 \$55,113.78				Total November In-kind value (only for Nutrition program)	\$5,113.78	CUCKWALL PROGRAM MEALS 2.067 Home Delivered and Disabled			Total purchased Meals 2,506			
Oct-18 Days served 23 ROUTES MILES \$	125	-	E & EC 635 \$3510.00	430	277	1235		3961 \$2,162.16	HOURS \$	A 23 \$320.16		23	23	-	28	RM & R 33 \$459.36	230 \$3,201.60	\$ Value in kind volunteer services \$5,363.76				Total October In-kind value(only for Nutrition program)	\$5,363.76	2,112 Home Delivered and Disabled			Total purchased Meals 2,534 T	THANK YOU FOR YOUR SUPPORT	Sincerelv. Mardie VerHaden F.D.	ncorety, mangic vernagen c.u.



PO Box 703 | Terrell | TX 75160

December 5, 2018

- To: City of Rockwall
- From: Ashley Ando, Grant Director

Re: November 2018 Demand and Response Ridership Report

### TRIP INFORMATION:

MONTH	NO. OF SERVICE DAYS	TRIPS
NOVEMBER	20	885

Non-Service Days: November 22<sup>nd</sup> and 23rd

NO. OF TRIPS	Purpose
0	Contract Service
36	Education
2	Government
88	Medicaid
226	Medical
13	Nutrition (Senior Center)
167	Other (adult-day care, beauty salon, friend's homes, etc.)
223	Shopping
130	Work

No	VEMBER UNDUPLICATED PASSENGERS
	94
YEAR	TO DATE UNDUPLICATED PASSENGERS
	144

Adjusted Trip Total	797
*Trip Totals without Contracts or Medicaid	
> = 60	393
DIS >60	137
	530
% E & D Trip Total	66%

FY 2019 TOTAL DEMAND AND RESPONSE TRIPS TO DATE: 3,523 (FY 2019-September 1, 2018 - August 31, 2019)

PRIOR YEAR: NOVEMBER 2017 TRIP TOTAL= 1,587 (79% DECREASE) DIRECTLY RELATED TO LAKEPOINTE CHURCH SERVICE CONTRACT



SUBS Can/NoShow	Percent Subs of Total Trips	Subscription Trips				NoShow/Cancel		SOQ		% of Adjusted Total	GENERAL PUBLIC	20 Augusted Hilb Iotal	% of Adjusted Trip Total	00 - 610	>=60			Adjusted Trib Total			Charters	Nursing Home Contracts	Lakepointe Church Contract	Medicald		IOIAL DR TRIPS	WORK	SHP	OTH	NUT	MED	GOV	EDU	CONTRACT	(UFT) Utilinked Passenger Trips	KUCKWALL CITY		WORK	SHP		NIT	MDE	GOV	EDU	CONTRACT
119	23%	323	Sen-18	Ī	82	527		Sep-18	2442	24%	Sep-18	10%	104	747	345	Sep-18		*Trin Total	Sep-18		0	0	709	62	Sep-18	S 1,413		171	130	10	62		0	709	1,413	Sep-18	3,523	464		54	632	219	ы	77	1Q 1,015
136	36%	440	0rt-18	411	. 88	474		0ct-18	6.4.7	24%	Oct-18	10%	700	16/	477	Oct-18	The locals without contracts of Medicald	850	Oct-18		0	0	306	69	Oct-18	1,225	175	139	247	11	69	2	41	306	1,225	Oct-18	•			, .	0	0	0	0	0 2Q
210	41%	OT-ADAI	Nov-10	1 144	94	476	5	Nov-18	0/1-0	2/02	Nov-18	66%	050	137	393	Nov-18	ITTACTS OF IVIE	797	Nov-18	8	0	0	0	88	Nov-18	885	130	223	167	11	88	2	36	0	588	Nov-18	•			0	0	0	0	0	o 30
	#DIV/01	or-Jan	-144					Dec-18	#UIV/01	#011/01	Dec-18	10/VIC#	0			Dec-18	dicaid	0	Dec-18	C		0		0	Dec-18	0										Dec-18	0	00			0	0	0	0	o 40
in farming	#DIV/01	AT-UPC	0					Jan-19	HOIVID#		Jan-19	#DIV/01	0			Jan-19		0	Jan-19	C		0		0	Jan-19	0										Jan-19	 2 2 2 2	533	544	34	632	219	σ	77	TOTALS
in land	#DIV/01	HeD-TA	0					Feb-19	HO/VIO#		Feb-19	#DIV/01	0			Feb-19		0	Feb-19	C	0	0		0	Feb-19	0										Feb-19									
to laton		Mar-19	0					Mar-19	10/VIC#	- C	Mar-19	#DIV/01	0			Mar-19		0	Mar-19	C	0	0		0	Mar-19	0										Mar-19									
In / AIM	#DIV/01	Apr-19						Apr-19	in/Aid#		Apr-19	#DIV/0I	0			Apr-19		0	Apr-19	0	0	0		C and a	Anr-19	0										Apr-19									
to /atow	#DIV/DI	May-19	0					May-19	10/VIG#	0	May-19	#DIV/0!	0			May-19		0	May-19	C	0	0		CT-ADIAL	May-19	0									-	May-19									
10/010#		Jun-19						Jun-19	#DIV/01	0	Jun-19	#DIV/0I	0			Jun-19		0	Jun-19	0	0	0		CT-IIII	110-19	0										Jun-19									
ID/AICH	-	Jul-19	0					Jul-19	#DIV/0!	0	Jul-19	#DIV/0!	0			Jul-19		0	Jul-19	0	0	0	4	CT-INC	hel_10	0										Jul-19									
10/410#	manufat	Aug-19	1					Aug-19	#DIV/01	0	Aug-19	#DIV/01	0			Aug-19		0	Aug-19	0	0	0	-	eT-Snw	Aun 10	0										Aug-19									
ACE	1,123	TOTALS	1	258	264	1,477	62	TOTALS		628			1,661	446	1,215	TOTALS		2,289	TOTALS	1,234		0	1.015	TOTALS	TOTALS	3,523	464	522	34	632	219	un :	LL CTN'T	1042	3,523	-									
1			1			_	L			52	-			149	-	-			Ava	103		0	825	AVg	Aux	294	155	1701	11	211	73	2	36	770	1,174	-									

Rockwall (City)

FY2019

### December 5, 2018

- TO: City of Rockwall
- FROM: Ashley Ando, Grant Director

Re: STAR Transit First Quarter FY 2018 Demand Response

### TOTAL TRIPS FOR 1ST QUARTER = 3,523

Days of Service: September 1, 2018 to November 30, 2018 62 Service Days

Holidays: 3 Days

September 4<sup>th</sup>, Labor Day November 23rd and 24th, Thanksgiving and the Day after

MONTH	NO. OF SERVICE DAYS	TRIPS
September	19	1,413
OCTOBER	23	1,225
NOVEMBER	20	885
	62	3,523

NO. OF TRIPS	PURPOSE
1,015	CONTRACT SERVICE
77	EDUCATION
5	GOVERNMENT
219	MEDICAID
632	MEDICAL
34	NUTRITION
544	OTHER
533	SHOPPING
464	WORK

ELDERLY	Y AND DISABLED RIDERSHIP
393	Disabled Trips
137	Elderly (&/or Dis) Trips

530 E &D Total Rides

E & D Percent of Public Transportation – 66%

FY 2019 Year to Date Total Rides – 3,523

Prior Year FY2018 1st Q Total Rides – 5,703 (38% Decrease) Directly Related to Lakepointe Church Service Contract

