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P2016-001 - Consider a request by Lori Stevens of Patriot PAWS Service Dogs for the approval of a replat for Lot 1, Block A, Patriot Paws Addition being a replat of a 3.466-acre tract of land currently identified as Lots 3 & 4, Block A, Maverick Ranch Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, and addressed as 254 Ranch Trail, and take any action necessary.

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Consider authorizing the City Manager to execute an agreement with WME for Founder's Day headliner entertainment, and take any action necessary.

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Z2015-036 - Hold a public hearing to discuss and consider a request by Harry Chapman of Noble RE, LLC on behalf of the owners Robert & Patrick Hughes and Sandra Ferguson for the approval of an ordinance for a zoning amendment to Planned Development District 32 (PD-32) [Ordinance No. 10-21] for the purpose of allowing a Financial Institution with a Drive-Through within the Ridge Road Retail Subdistrict, being a 1.1755-acre portion of a larger ~78.89-acre area of land identified as the Harbor District, being zoned Planned Development District 32 (PD-32), situated within the Scenic Overlay (SOV) District, located at the northwest corner of Cemetery Road and Ridge Road [FM-740], with the greater Harbor District being generally located south of IH-30 and west of Horizon Road [FM-3097], and take any action necessary [1st Reading].	
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Z2015-039 - Hold a public hearing to discuss and consider a request by Dayne Ram of ADR Designs, LLC on behalf of the owner Majestic Cast, Inc. for the approval of an ordinance for a Specific Use Permit (SUP) for a Residence Hotel on a 2.003-acre parcel of land identified as Lot 4, Block A, Wal-Mart Super Center Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (OV) District, located on the east side of White Hills Drive south of Ridge Road [FM-740], and take any action necessary [1st Reading].	
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Discuss and consider adoption of an ordinance authorizing the issuance of City of Rockwall, Texas, Combination Tax and Surplus Revenue Certificates of Obligation, Series 2016; establishing procedures and delegating authority for the sale and delivery of the certificates; providing an effective date; and enacting other provisions relating to the subject. (2nd Reading).	
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Discuss and consider the City's ordinance provisions related to the Structure Tax Preservation Incentive, and take any action necessary.	
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Discuss and consider a request by Jay & Alison Odom for the approval of a structure preservation tax exemption application seeking to have the assessed value for ad valorem taxation fixed for a period of seven (7) years on the subject property at 503 N. Fannin Street, further identified as Block 122, Lot A, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, located within the Old Town Rockwall (OTR) Historic District, and take any action necessary.	
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Discuss and consider a request by Worth Williams on behalf of Arkoma Development, LLC regarding the use parkland adjacent to N. Lakeshore Drive for the purpose of floodplain mitigation and take any action necessary.	
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Discuss and consider inclement weather and lightning safety policy for Rockwall Baseball Softball League and other City outdoor programs, events and activities and take any action necessary.	
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AGENDA
ROCKWALL CITY COUNCIL
Tuesday, January 19, 2016
4:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. WORK SESSION

- p.10** 1. Hold work session with Dan Allgeier of NuRock Development to discuss and consider an application for allocation of housing tax credits for a proposed multi-family development, and take any action necessary.
- p.16** 2. Hold work session to hear presentation from Tom Kula, Executive Director of the North TX Municipal District (NTMWD), and take any action necessary.
- p.18** 3. Hold work session to hear staff briefing regarding recent support provided to the cities of Rowlett and Garland associated with the December 26, 2015 tornado, and take any action necessary.

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 land acquisition for South Community Park pursuant to Section § 551.072 (Real Property).
- 2. Discussion regarding appointment of city council subcommittees and board liaisons - Fire Dept. Pension Board - pursuant to Section, §551.074 (Personnel Matters).
- 3. Discussion regarding process associated with City Manager performance evaluation pursuant to Section 551.074 (personnel matters)

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Tuesday, January 19, 2016
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

- V. RECONVENE PUBLIC MEETING
- VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION
- VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER MILDER
- VIII. OPEN FORUM
- IX. CONSENT AGENDA
 - p.34** 1. Consider approval of the minutes from the January 4, 2016 regular city council meeting, and take any action necessary.
 - p.46** 2. Consider approval of an **ordinance** amending the Code of Ordinances in Chapter 8. Aviation by adding a new article, Article III, establishing an Airport Advisory Board at the Ralph M. Hall / Rockwall Municipal Airport to be appointed and removed by the city council, and take any action necessary. **(2nd reading)**
 - p.49** 3. Consider awarding a bid to Barco Pump and authorizing the City Manager to execute a Purchase Order for a new Bypass Pump totaling \$38,306 to be funded out of the Water and Sewer Fund, Sewer Operations Budget, and take any action necessary.
 - p.52** 4. Consider awarding a bid to Hall-Mark Fire Apparatus Texas LLC and authorizing the City Manager to execute a Purchase Order for a new Pumper totaling \$582,817 to be funded by Contractual Obligations, and take any action necessary.
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 - p.65** 6. **P2016-001** - Consider a request by Lori Stevens of Patriot PAWS Service Dogs for the approval of a replat for Lot 1, Block A, Patriot Paws Addition being a replat of a 3.466-acre tract of land currently identified as Lots 3 & 4, Block A, Maverick Ranch Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, and addressed as 254 Ranch Trail, and take any action necessary.

- p.72** 7. Consider authorizing the City Manager to execute an agreement with WME for Founder's Day headliner entertainment, and take any action necessary.

X. APPOINTMENTS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.
- p.74** 2. Appointment with Kevin Lefere to discuss and consider an encroachment on city property, and take any action necessary.
- p.82** 3. Appointment with representatives of the Rockwall Community Emergency Response Team (CERT) to hear presentation regarding the program, including report on past events in which CERT has been involved, and take any action necessary.

XI. PUBLIC HEARING ITEMS

- p.100** 1. **Z2015-028** - Hold a public hearing to discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of JBR-2, LLC for the approval of an **ordinance** for a Specific Use Permit (SUP) for Commercial Amusement/Recreation (Outside) to allow two (2) private baseball fields to be established on a 2.49-acre portion of a larger 7.32-acre tract of land identified as Tract 17-12 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated west of the intersection of SH-205 and FM-549, and take any action necessary **[1st Reading]**.
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XII. ACTION ITEMS

- p.218 1.** Discuss and consider adoption of an **ordinance** authorizing the issuance of City of Rockwall, Texas, General Obligation Refunding and Improvement Bonds, Series 2016; establishing procedures and delegating authority for the sale and delivery of the bonds; providing an effective date; enacting other provisions relating to the subject. **(2nd reading)**
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- p.322 6.** Discuss and consider inclement weather and lightning safety policy for Rockwall Baseball Softball League and other City outdoor programs, events and activities and take any action necessary.

XIII. EXECUTIVE SESSION

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- 1. Discussion regarding land acquisition for South Community Park pursuant to Section § 551.072 (Real Property).
- 2. Discussion regarding appointment of city council subcommittees and board liaisons - Fire Dept. Pension Board - pursuant to Section, §551.074 (Personnel Matters).
- 3. Discussion regarding process associated with City Manager performance evaluation pursuant to Section 551.074 (personnel matters)

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 § 551.086 (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 15th day of January, 2016 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
 Jacky Casey, Assistant Secretary

 Date Removed



CITY OF ROCKWALL, TEXAS
MEMORANDUM

TO: Mayor and City Council

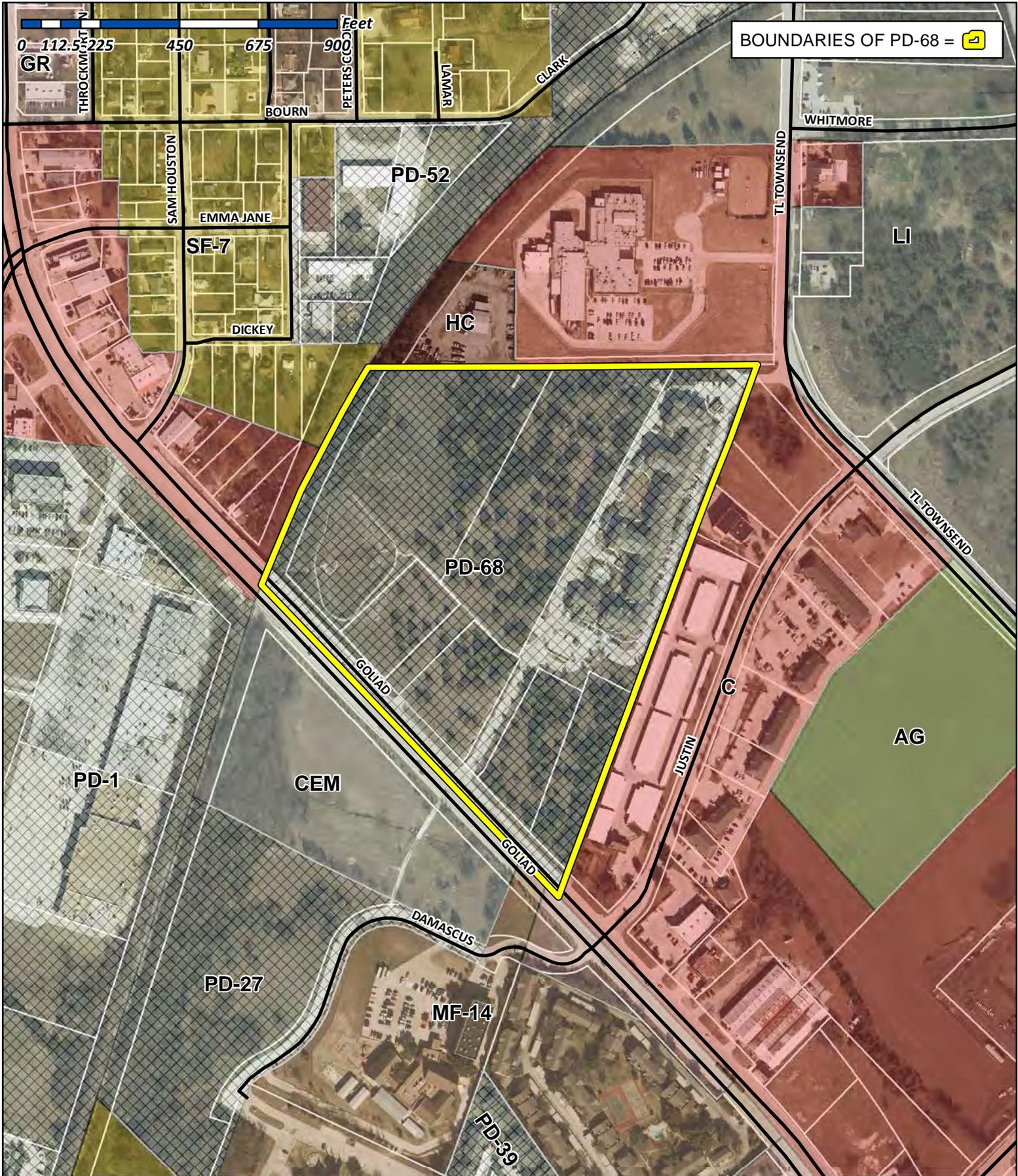
CC: Rick Crowley, *City Manager*
Brad Griggs, *Assistant City Manager*

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

DATE: January 19, 2016

SUBJECT: Appointment with Dan Allgeier of NuRock Companies

Dan Allgeier, *Senior Vice President* with NuRock Companies has scheduled an appointment with the City Council at the work session on January 19, 2016 to discuss a potential multi-family development. The subject property is generally located on the northeast side of SH-205, north of Justin Road, within the Planned Development District 68 (PD-68) zoning district. Attached to this memorandum is a copy of the concept plan approved for PD-68, a location map, a proposal sheet for the *Residences at Rockwall*, and a letter of intent sent to Mayor Pruitt.



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.





NuRock Companies
4925 Greenville Avenue, Suite 1305
Dallas, Texas 75206
Phone 972-573-3400

January 5, 2016

Mayor Jim Pruitt
Rockwall City Hall
385 South Goliad
Rockwall, TX 75087
Fax number –
Email – JimPruitt@rockwall.com

Dear Mayor Pruitt:

Rockwall Housing Partners, Ltd. is making an application for Housing Tax Credits with the Texas Department of Housing and Community Affairs for Residences at Rockwall, located at approximately 1225 S Goliad St, Rockwall, Rockwall County, Texas. This New Construction is an apartment community, and comprised of approximately 136 units of which 115 will be for low-income tenants.

There will be a public hearing to receive public comment on the proposed development. Information regarding the date, time, and location of that hearing will be disseminated at least 30 days prior to the hearing date on the Department's website (<http://www.tdhca.state.tx.us/multifamily/communities.htm>) for competitive HTC applications and Tax-Exempt Bond applications where the Department is the issuer. For Tax-Exempt Bond applications that utilize a local issuer interested individuals are encouraged to contact the local issuer for information regarding the public hearing.

Sincerely,

Daniel Allgeier
Representative of Rockwall Housing Partners, Ltd.
Vice President
dallgeier@nurock.com

RESIDENCES AT ROCKWALL

The RESIDENCES AT ROCKWALL is a proposed 136 unit rental apartment property in Wylie.

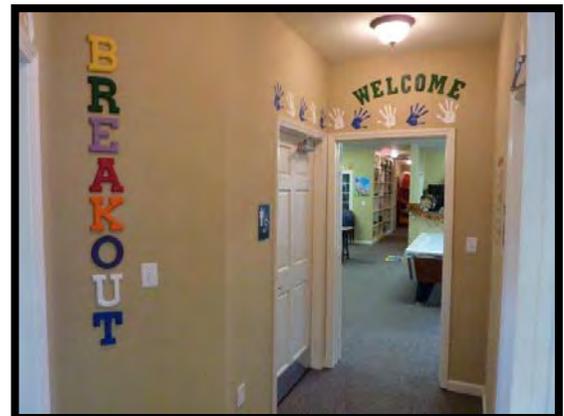
Project Description:

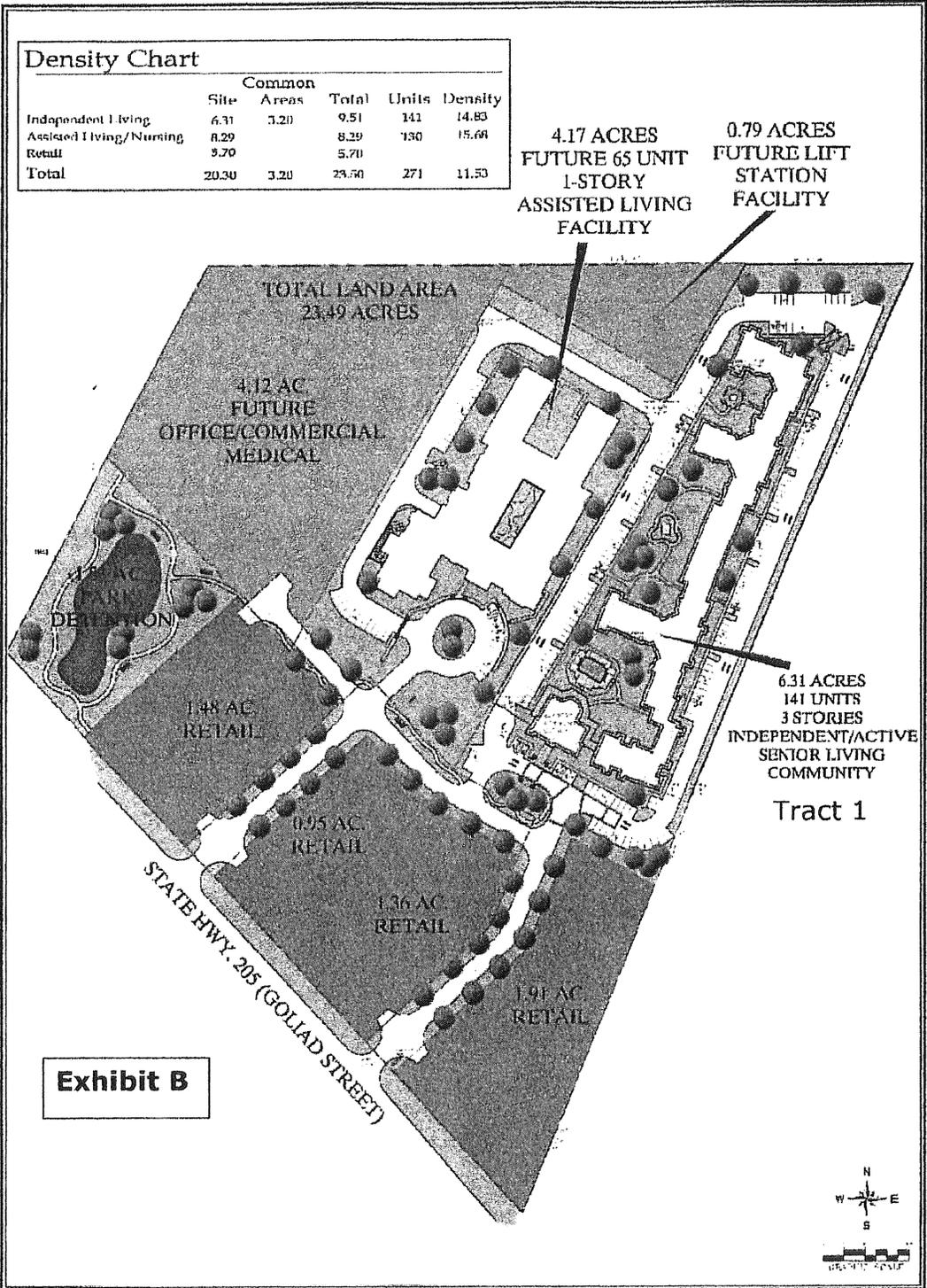
Buildings will be 3-story with surface parking and some covered parking.

28 one bedroom - 1 bath units @ 722 square feet rents from \$274 to \$850
68 two bedroom - 2 bath units @ 948 square feet rents from \$316 - \$1,050
40 three bedroom - 2 bath units @ 1,100 square feet rents from \$354 - \$1,200

Rents for units will be based on residents' income; however, 21 units will be unrestricted.

- Clubhouse with offices, maintenance facilities, support services area, health club, and Breakout™ facility.
- Swimming pool & playground





Evergreen at Rockwall

August 2, 2006



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City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and City Council
FROM: Rick Crowley, City Manager
DATE: January 14, 2016
SUBJECT: North Texas Municipal Water District (NTMWD) Update

Tom Kula (Executive Director – North Texas Municipal Water District) has requested to provide a presentation to the Council in a work session setting on Tuesday. Mr. Kula’s plans are to provide information about NTMWD, including, projects, costs, planning, budgeting, and other information. He will also be available to answer questions that the Council may have upon conclusion of his presentation. Bill Lofland and Larry Parks, the City of Rockwall appointees to the NTMWD Board of Directors, have also been invited to attend the work session.

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AFTER ACTION REPORT

Tornado Response

To Assist City of Rowlett

12/26/2015 – 12/27/2015

December 26, 2015

On Scene Equipment:

Engine 1	Type I	19:45-0300
Ladder 1	Type I Aerial	19:45-0300
Command Vehicle 810	Type	19:45-0300

On Scene Personnel:

Chief	M. Poindexter	19:45-03:00	810
Captain	G. Givens	19:45-03:00	E-1
Driver	R. Caudle	19:45-03:00	E-1
Part-Time Driver	C. Pace	19:45-03:00	E-1
Volunteer Firefighter	M. Murphey	19:45-0300	E-1
Captain	L. Johnson	19:45-0300	L-1
Part-Time Driver	J. Tanner	19:45-03:00	L-1
Volunteer Firefighter	B. Adams	19:45-0300	L-1
Volunteer Firefighter	K. Krawietz	19:45-0300	L-1
Volunteer Firefighter	K. Wells	19:45-0300	L-1
Volunteer Firefighter	B. Rusmanica	19:45-0300	L-1
Fire Investigator/Firefighter	P. Ayers	19:45-01:30	842

Equipment Used to Close West Bound IH 30:

Engine 5	Type I	19:45-23:00
Brush 2	Type VI	19:45-23:00

Personnel Used to Close IH 30:

Driver	T. Raymond	19:45-23:00	B-2
Part-Time Driver	K. Conner	19:45-23:00	E-5

Backfill Personnel:

Battalion Chief	B. Merritt	19:45-03:00
Fire Investigator/Firefighter	K. Clark	19:45-22:30
Fire Investigator/Firefighter	B. Patrick	19:45-22:30
Driver	T. Raymond	20:00-23:00
Driver	M. Caffey	19:30-22:30
Driver	M. Burden	19:45-0300

CERT Members Activity:

See attached CERT After Action Report.

CERT Members:

Rockwall Fire Department had one Fire Marshal staff member, Paul Ayers (team Leader), along with 10 Rockwall CERT assisting Rowlett. See attached CERT After Action Report for details.

Fire Operation Summary:

Rockwall Fire received a call from Rowlett asking for assistance at approximately 19:35. Chief Poindexter was sitting at SH 66 and Lake Ray Hubbard watching the tornado going through Rowlett. Chief Merritt, with Rockwall Fire, began calling in personnel to staff up our stations, and dispatched a four man Engine Company and a six man Quint Company to fulfill the request from Rowlett. Chief Poindexter started responding to Rowlett after he watched the funnel cloud lift and continue to the north east at approximately 19:40. Chief Poindexter's phone did not ring, but he did receive a voice mail from Chief Fay at 19:43 stating he needed Engine Company at SH 66 / Dalrock to meet with Battalion 1 on an unknown call type with person's trapped and second call on IH 30, no known location or block number, with persons trapped. Chief Poindexter attempted several times to return the phone call but was unsuccessful in reaching Chief Fay because the calls would not go through. Chief Merritt advised me that Rowlett had requested Rockwall to shut down west bound IH 30 and SH 66. Rockwall Engine #5 and Rockwall Brush # 2 were dispatched to IH30 and shut down west bound traffic. Chief Poindexter arrived in Rowlett at approximately 19:43. Upon arrival, Chief Poindexter was unable to go past SH66 at the Rowlett Health & Rehabilitation Center in the 9300 block of Lakeview Parkway because of power lines down and some of them going across the east and west bound lanes of Lakeview Parkway. Chief Poindexter could observe heavy damage from Scenic Drive to about Walmart Neighborhood Market located in the 8800 block of Lakeview Parkway. Chief Poindexter was unable to get to Dalrock Road to make contact with Rowlett Battalion 1. Chief Poindexter could not see any red emergency lights at SH66 and Dalrock Road or anywhere in the general area. Chief Poindexter attempted to contact Rowlett Dispatch Center using 8CALL and several of the 8TAC talk groups, but did not get any response. Chief Poindexter assumed that the Rowlett EOC was not activated yet because Rockwall was not being contacted on the Rockwall EDACS radio that was installed in Rowlett EOC. Chief Poindexter observed heavy damage to the Health and Rehabilitation Center, to the neighborhood south of Lakeview, to the neighborhood north of Lakeview, several vehicles strewn along the side of the roadway and into the vacant field north of the roadway. Chief Poindexter observed cars in the field to the north of SH 66 and one car destroyed on SH 66 with air bags deployed. Chief Poindexter had citizens screaming for help and citizens walking all around the down power lines. Chief Poindexter detected a very strong odor of natural gas in the area as well. Due to the fact that there was so much destruction and the power lines blocking the roadway, Chief Poindexter set up an onsite Rockwall Command in the middle of Lakeview Parkway. This helped stop traffic from traveling

across the power lines on the west bound lane. A citizen with a large dual cab truck blocked off the east bound lane so people would quit driving over the power lines. Chief Poindexter advised the two responding Rockwall units to meet at that location. Chief Poindexter had two Rockwall County Ambulances at that location. Chief Poindexter told Rockwall County EMS that we would be working on Rockwall Fire Ground 2. Upon arrival of Rockwall Engine 1, they were instructed to block off the west bound traffic. Engine 1 was also assigned to check the Health and Rehabilitation Center for injuries or missing. Chief Poindexter drove through the field to the north of Lakeview Parkway to get around the down power lines. Chief Poindexter went to the intersection of Dalrock and SH 66 and could not find Fire or Police units anywhere in the area. Chief Poindexter then went to the entrance of Neighborhood Market and shut down the east bound traffic. An Atmos reprehensive pulled up and he was asked to try and find the source of the heavy gas leak. Upon arrival of Rockwall Ladder 1, Chief Poindexter assigned him to start checking the neighborhood south of Lakeview Parkway from Scenic Drive to Dalrock Road for injuries and trapped victims. Chief Poindexter called Chief Howard's phone and made contact with him. Chief Howard stated he was out of the City but headed back. Chief Poindexter told Chief Howard where Rockwall was located, gave a brief situation report and reported that he did not have any communication with Chief Fay. Chief Poindexter received a message that Fate Fire and Royse City Fire both had one Engine Company enroute. After Rockwall Engine 1 reported that all of the occupants of the Rowlett Health and Rehabilitation Center were accounted for and ok, Engine 1 also advised they had limited generator power at the facility. Engine 1 reported they found a large gas leak at the Rehabilitation Center and shut it down and it might affect the emergency power. Engine 1 stated the facility was instructed to shelter in place until they could make arrangements to get patients moved to other facilities. Fate and Royse City arrived with (2) four man Engine crews. Fate and Royse City were assigned to search for victims on the North side of Lakeview Parkway from Scenic Drive to Dalrock Road. Chief Poindexter's cell phone service was in and out. Chief Poindexter attempted to call Chief Fay several times but was not able to reach him. After a period of time, an Oncor reprehensive showed up. The Oncor rep was asked to verify if the down lines were hot or dead. After a period of time, a large arc occurred in the area where the Oncor rep was working at ground level. After the arc, we had a small fire at that location. I contacted Chief Howard and gave him another size up and advised that our units were still working the area east of Dalrock to Scenic Drive and both north and south of Lakeview Parkway. Chief Poindexter was finally able to get through to Chief Fay's phone and gave a situation report to his assistant. After Rockwall Engine 1 and Quint 1 completed a primary search of their assigned area, Chief Poindexter assigned the Rockwall units to start a secondary search of the same area. Rockwall had an outside duel go flat so a tire repair company was called to fix it. They kept working their assignment until he arrived. The tire was damaged beyond repair so they changed it out. When Royse City and Fate finished their primary search Chief Poindexter assigned them to start a secondary search. Oncor advised that he thought he had all of the down lines dead but could not be for sure until other units arrived. After a period of time, some police units arrived at Dalrock and SH 66 and shut down the east bound traffic to my

location. At 22:52 Rockwall Fire units were relieved by TxDot on the west Bound IH 30 closure. Chief Poindexter was able to get through to Chief Fay's cell phone for the second time and gave another situation report. At approximately 23:45 Chief Merritt made contact with Chief Parker from Wylie and asked him to come to Chief Poindexter's location because Wylie had communication with Rowlett. Upon Chief Parker's arrival, the decision was made to join forces and that the Rockwall, Fate and Royse City units would work through Wylie so that we could get direction as to what assignments needed to be completed. We decided that Chief Parker would check with the Rowlett Health and Rehabilitation Center to see if they needed ambulances to assist on evacuation of the building. Chief Blyth arrived at Chief Poindexter's location and a decision was made to move the area command to the Tom Thumb parking lot. Chief Blyth advised the EOC Command that we would be working through him for communication. After the secondary search was completed of all of the damaged area east of Dalrock to Scenic Drive on both the north and south sides of Lakeview Parkway, we had all units stage at Tom Thumb. Chief Poindexter advised Chief Blyth that he was going to see if he could make his way to find the Rowlett staging area so it could be determined if Command wanted all of the Rockwall/Fate/Royse City/ Wylie units to report to staging or hold at our location. Chief Poindexter was surprised to find several units staged at the Minyard's parking lot. Chief Poindexter turned in and found out that this area was Staging #2. Chief Poindexter checked in and was advised to move the Rockwall, Fate, Royse City and Wylie units to that location. We sat in staging until we were released at 03:00 on 12-27-2015.

December 27, 2015

CERT Members Activity:

See attached CERT After Action Report.

CERT Members:

Rockwall Fire Department had one Fire Marshal staff member, Paul Ayers (team Leader), along with 12 Rockwall CERT assisting Rowlett. See attached CERT After Action Report for details.

Tornado Response
Assisting City of Rowlett
12/26/2015 – 12/27/2015

AFTER ACTION REPORT

12/29/2015



HANDLING INSTRUCTIONS

1. The title of this document is Tornado Response (Assisting City of Rowlett).
2. The information gathered in this AAR/IP is classified as For Official Use Only and should be handled as sensitive information not to be disclosed. This document should be safeguarded, handled, transmitted, and stored in accordance with appropriate security directives. Reproduction of this document, in whole or in part, without prior approval from Rockwall Fire Department is prohibited.
3. At a minimum, the attached materials will be disseminated only on a need-to-know basis and when unattended, will be stored in a locked container or area offering sufficient protection against theft, compromise, inadvertent access, and unauthorized disclosure.

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INCIDENT SUMMARY

On the night of Saturday, December 26, 2015, an EF-3 Tornado impacted the City of Rowlett and caused major damage to several subdivisions and businesses within its path. The City of Rowlett was quickly overwhelmed by the amount of damage and emergency resources that were required to respond to this incident.

Rockwall CERT recognized the magnitude of the tornado damage and responded to Rockwall Fire Station #2 to stand-by for deployment. Rockwall CERT was contacted by Rowlett CERT approximately 1 hour after impact to provide assistance to their agency. Rockwall CERT immediately responded to Rowlett and began to assist Rowlett CERT as requested.

Assignments included searching for persons trapped inside damaged and collapsed homes, providing medical care alongside EMT's, Paramedics, and Nurses, shutting off gas valves to control natural gas leaks, and clearing debris from the roadways to allow clearance for emergency vehicles.

Rockwall CERT also recognized the need for a Volunteer Reception Center (VRC) due to the large volume of people wanting to assist with disaster response and recover. Four members of Rockwall CERT set up a temporary VRC at The Center.

On Sunday, December 27, 2015, Rockwall CERT was deployed to assist the City of Rowlett with damage assessment. Members of Rockwall CERT went house by house through several subdivisions to assess the severity of damage and report this information back to the EOC.

INCIDENT DETAILS

Incident Name

Tornado Response (Assist City of Rowlett)

Type of Incident

Tornado

Incident Start Date/Time

December 26, 2015 @ 19:35

Incident End Date/Time

Ongoing

Duration

Undetermined

Location

City of Rowlett

Requesting Agency

Rowlett CERT

Authorization

Mutual Aid Agreements

Mission

Search for trapped people in damaged or destroyed homes

Shut off gas leaks

Provide medical care

Clear debris from roadways

Manage influx of spontaneous volunteers

Provide damage assessment information to Rowlett EOC

PERSONNEL INVOLVED

Paul Ayres	CERT Program Manager	-----	
Dennis Dayman	CERT Operations Officer	16.5	hours
Kim Williams	CERT Logistics Officer	16.5	hours
Michael Tonick	Basic CERT Responder	6	hours
Lonnie Mask	Basic CERT Responder	16.5	hours
James Pulatie	Basic CERT Responder	6	hours
George Dieterich	Basic CERT Responder	16.5	hours
Mary Kay Starnes	Basic CERT Responder	11	hours
Ken Foley	Basic CERT Responder	16.5	hours
Michael Hale	Basic CERT Responder	11	hours
Jared Bowker	Basic CERT Responder	10.5	hours
Robin Shaddix	Basic CERT Responder	10.5	hours
Francisco Alvarez	Basic CERT Responder	10.5	hours
Total Personnel:	13		
Total Volunteer Hours:	148		
Total Volunteer Value:	\$3,414.36		

Officer P. Sturgeon	09:30	15:00	9
Evening Shift 12/27/2015			
Officer M. Otto	14:00	22:00	8
Sgt D. Garcia	11:30.	22:00	10.5
Officer T. Avery	15:00.	22:00	7
Officer S. Nagy	14:00	22:00	8
Officer D. Andrews	17:00	23:00	6
Officer C. Cleveland	16:00.	22:00	6
Sgt A. McGrew	17:00.	21:00	4
		Total hours	142.50
Total Cost			\$7255.60

Equipment Repair Costs

Vehicle / Equipment Expenses		
Vehicle	Repair Description	Cost
14-7	Replace 2 and repair flat tires	\$243.00
966 Unit	Replace one / fixed three tires	\$107.31
Total		= \$350.31

Kirk Aldridge
Printed Name

Signature and Date



MEMORANDUM

TO: Timothy M. Tumulty, P.E., Director of Public Works/City Engineer
FROM: Billy Chaffin, Streets and Drainage Superintendent
DATE: January 15, 2016
SUBJECT: Rowlett Tornado – Debris Removal and Clean Up

In conjunction with other local municipalities, employees from our Public Works Department (Streets and Utilities) assisted the City of Rowlett with the overwhelming task of removing debris resulting from the devastating tornado which occurred in Rowlett on Saturday, December 26, 2015. The Public Works staff worked tirelessly, from dawn to dusk, day in and day out, working through the New Years Day Holiday the following Saturday to provide much needed assistance to the City of Rowlett and its residents. The scope of work for our crews consisted of storm debris pick up, removal and transport. We allocated staff and resources for a total of 10 days resulting in approximately 644 man-hours. Although there is still much more work to be done, the scope of work has gradually transitioned from the emergency assistance phase, to a long term debris management program to be executed by the City of Rowlett. Our last day of assistance to the City of Rowlett was Friday January 8, 2016. Our normal departmental operations resumed on the following Monday (January 11, 2016).

The following staff participated in the clean up efforts:

Rick Sherer	Billy Chaffin	James Stubblefield	Shane Boyd
Ricky Castillo	Mario Aguilar	Tony Brannon	Elgin Braggs
Marty Daugherty	Jesse Melendez	Howard Goodman	Travis Rose
Jonathan Ellis	Joe Jackson	Meliton Pena	

Equipment Used:

2 – 6 Yard Dump Trucks	1 – C-40F2 Caterpillar Backhoe
1 – Brush truck	1 – John Deere Rubber Tire Loader
1 – Service Utility Truck	1 – 30 Ton Transport Trailer
1 – Transport Truck	



City of Rockwall
The New Horizon

MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Kristy Cole, City Secretary / Assistant to the City Manager / EMC

DATE: January 13, 2016

SUBJECT: Support provided re: 12/26/15 tornado

Following the 12/26/15 tornado that, in part, affected the cities of Rowlett and Garland, an e-mail was sent out to a 'regional emergency managers' group asking for volunteers to work in the various Emergency Operations Centers (EOCs) that were activated in response to the disaster. After I received approval from city management, I submitted my information, indicating my schedule and availability to assist where needed. The day after my submission I was contacted and deployed to assist in the Rowlett EOC.

On Thursday, December 31, I arrived in the Rowlett EOC at 8:30 a.m. and worked until approximately 5:30 p.m. My task for the day consisted of data entry related to the handwritten damage assessment forms that the various teams of building officials had completed on the residential structures that sustained damage. One of my former Youth Advisory Council (YAC) students, Jennifer Stubbs, who was home from college for Christmas break, also came to the EOC that afternoon and assisted me with this task for approximately 3.5 hours. Her assistance was certainly much appreciated by both the Rowlett Emergency Management Coordinator (EMC) and me.

The next week, I was contacted by the Garland Office of Emergency Management requesting that I assist in their EOC on Friday, January 8. I arrived at the Garland EOC at 9:00 a.m. and worked until approximately 5:30 p.m. My tasks that day consisted of gathering information from the various divisions both within the EOC and at the Granger Recreation Center (where their disaster resource center had been established) and assimilating those various updates into one document for their records. In addition, I took notes during the twice daily briefings that took place at 11 AM and 4 PM. I also assisted with preparing an end-of-day "Incident Action Plan" to be utilized by personnel scheduled to work the event the next day. Finally, I briefly assisted the EMC with researching FEMA-related information concerning "presidential disaster declarations."

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MINUTES
ROCKWALL CITY COUNCIL
Monday, January 04, 2016
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the public meeting to order at 4:00 p.m. Mayor Jim Pruitt, Mayor Pro Tem Dennis Lewis and Council Members David White, Mike Townsend, John Hohenshelt, Scott Milder and Kevin Fowler were present. Also present were City Manager Rick Crowley, Assistant City Managers Brad Griggs and Mary Smith and City Attorney Frank Garza.

II. EXECUTIVE SESSION

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

1. Discussion regarding land acquisition for South Community Park pursuant to Section § 551.072 (Real Property).
2. Discussion regarding purchase or lease of real property / land acquisition in the vicinity of the downtown area pursuant to Section § 551.072 (Real Property).
3. Discussion regarding process associated with City Manager performance evaluation pursuant to Section 551.074 (personnel matters)

III. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 4:56 p.m.

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

Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all seven council members present.

V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

It was announced that no action was needed as a result of Executive Session.

VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER HOHENSHELT

Councilmember Hohenshelt delivered the invocation and led the Pledge of Allegiance.

49 VII. OPEN FORUM

50

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

54

55 VIII. CONSENT AGENDA

56

57 1. Consider approval of the minutes from the December 21, 2015 regular
58 city council meeting, and take any action necessary.

59 2. **Z2015-030** - Consider approval of an **ordinance** for a City initiated
60 request for a zoning amendment to Planned Development District 75 (PD-
61 75) being Ordinance No. 09-37, containing 329.53-acres of land,
62 identified as the Lake Rockwall Estates Subdivision, City of Rockwall,
63 Rockwall County, Texas, zoned Planned Development District 75 (PD-75)
64 for Single Family 7 (SF-7) District land uses, being situated east of Tubbs
65 Road and north of County Line Road, and take any action necessary.
66 **(2nd reading)**

67 3. **Z2015-032** - Consider a request by Lloyd Waldrop of Rockwall Gold &
68 Silver on behalf of the owner Donna Pritchard for the approval for renewal
69 of Specific Use Permit (SUP) No. S-115 (**Ordinance** No. 13-46) allowing
70 a pawn shop on a portion of a 0.423-acre parcel of land identified as Lot
71 1, Block 1 of the Garland Federal Savings & Loan Addition, City of
72 Rockwall, Rockwall County, Texas, zoned Commercial (C) District,
73 situated within the SH-205 Overlay (SH-205 OV) District, address as
74 Suite 1 of 1901 S. Goliad Street, and take any action necessary. **(2nd**
75 **reading)**

76 4. **Z2015-033** - Consider a request by Stephen B. North for the approval of
77 an **ordinance** for a Specific Use Permit (SUP) for an accessory building
78 not meeting the standards stipulated by the Unified Development Code
79 on a 0.23-acre parcel of land identified as Lot 14, Block F, Harlan Park
80 Addition, Phase 1, City of Rockwall, Rockwall County, Texas, zoned
81 Single Family 10 (SF-10) District, situated within the North SH-205
82 Overlay (N. SH-205 OV) District, addressed as 513 Windsor Way, and
83 take any action necessary. **(2nd reading)**

84 5. **Z2015-034** - Consider a request by Pat Atkins of Saddle Star Land
85 Development Inc. on behalf of the owner Randa Hance of R&R Hance
86 Investment LP for the approval of an **ordinance** for a zoning change from
87 an Agricultural (AG) District to a Planned Development District for Single
88 Family 8.4 (SF-8.4) District land uses for a 45.318-acre tract of land
89 identified as Tract 2-03 of the P. B. Harrison Survey, Abstract No. 97, City
90 of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District,
91 situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District,
92 located on the north side of John King Boulevard south of FM-552, and
93 take any action necessary. **(2nd reading)**

94 6. **Z2015-035** - Consider a request by Pat Atkins of Saddle Star Land
95 Development Inc. on behalf of the owner Larry Hance for the approval of
96 an **ordinance** for a zoning change from an Agricultural (AG) District to a

97 Planned Development District for Single Family 8.4 (SF-8.4) District land
98 uses for a 44.56-acre tract of land identified as Tract 3 of the T. R. Bailey
99 Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas,
100 zoned Agricultural (AG) District, situated within the SH-205 By-Pass
101 Overlay (SH-205 BY-OV) District, located at the northwest corner of FM-
102 552 and John King Boulevard, and take any action necessary. (2nd
103 reading)

104 **Councilmember Milder made a motion to approve the entire Consent Agenda (#s 1, 2, 3,**
105 **4, 5, and 6). Mayor Pro Tem Lewis seconded the motion. The ordinance captions were**
106 **read into the record as follows:**

107 CITY OF ROCKWALL
108 ORDINANCE NO. 16-01

109
110 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,
111 TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 75
112 [ORDINANCE NO. 09-37] AND THE UNIFIED DEVELOPMENT CODE
113 [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE
114 AMENDED, BY AMENDING EXHIBIT 'B' AND EXHIBIT 'C' OF ORDINANCE
115 NO. 09-37, BEING A 329.53.00-ACRE TRACT OF LAND IDENTIFIED AS
116 THE LAKE ROCKWALL ESTATES SUBDIVISION, CITY OF ROCKWALL,
117 ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN
118 BY EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING
119 FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO
120 THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING
121 FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;
122 PROVIDING FOR AN EFFECTIVE DATE.

123
124 CITY OF ROCKWALL, TEXAS
125 ORDINANCE NO. 16-05
126 SPECIFIC USE PERMIT NO. S-142

127
128 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,
129 TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF
130 ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS GRANT A
131 SPECIFIC USE PERMIT TO ALLOW FOR A "PAWNSHOP" ON A PORTION
132 OF A 0.423-ACRE PARCEL OF LAND, AND MORE SPECIFICALLY
133 IDENTIFIED AS "SUITE 1" AS DEPICTED IN EXHIBIT "A" ATTACHED
134 HERETO, AND LOCATED AT 1901 S. GOLIAD STREET, AND ZONED
135 COMMERCIAL (C) DISTRICT, AND DESCRIBED AS LOT 1, BLOCK 1 OF
136 THE GARLAND FEDERAL SAVINGS & LOAN ADDITION, CITY OF
137 ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL
138 CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED
139 THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH
140 OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR
141 A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

142
143 CITY OF ROCKWALL, TEXAS
144 ORDINANCE NO. 16-06
145 SPECIFIC USE PERMIT NO. 143

146
147 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,
148 TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF
149 ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A
150 SPECIFIC USE PERMIT WITHIN THE SINGLE-FAMILY RESIDENTIAL (SF-

151 10) DISTRICT ALLOWING FOR AN ACCESSORY BUILDING NOT MEETING
152 THE STANDARDS STIPULATED BY THE UNIFIED DEVELOPMENT CODE,
153 ON THE PROPERTY ADDRESSED AS 513 WINDSOR WAY, BEING A 0.23-
154 ACRE PARCEL OF LAND IDENTIFIED AS LOT 14, BLOCK F, HARLAN
155 PARK ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS;
156 PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY
157 OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS
158 (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY
159 CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN
160 EFFECTIVE DATE.

161 CITY OF ROCKWALL
162 ORDINANCE NO. 16-07

163
164 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,
165 TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE*
166 *NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED,
167 SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG)
168 DISTRICT TO PLANNED DEVELOPMENT DISTRICT 79 (PD-79) FOR
169 SINGLE FAMILY 8.4 (SF-8.4) DISTRICT LAND USES ON THE SUBJECT
170 PROPERTY, BEING A 45.318-ACRE TRACT OF LAND IDENTIFIED AS
171 TRACT 2-03 OF THE P. B. HARRISON SURVEY, ABSTRACT NO. 97, CITY
172 OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY
173 DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL
174 CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED
175 THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH
176 OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR
177 A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

178
179 CITY OF ROCKWALL
180 ORDINANCE NO. 16-08

181
182 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,
183 TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE*
184 *NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED,
185 SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG)
186 DISTRICT TO PLANNED DEVELOPMENT DISTRICT 80 (PD-80) FOR
187 SINGLE FAMILY 8.4 (SF-8.4) DISTRICT LAND USES ON THE SUBJECT
188 PROPERTY, BEING A 44.56-ACRE TRACT OF LAND IDENTIFIED AS
189 TRACT 3 OF THE T. R. BAILEY SURVEY, ABSTRACT NO. 30, CITY
190 OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY
191 DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL
192 CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED
193 THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH
194 OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR
195 A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

196
197 **The motion to approve the full Consent Agenda passed by a vote of 7 ayes to 0 nays.**

198
199 **IX. APPOINTMENTS**

- 200
201 1. Appointment with the Planning and Zoning Chairman to discuss and
202 answer any questions regarding cases on the agenda and related issues
203 and take any action necessary.

204 **Mayor Pruitt indicated that it is not necessary to address this item this evening.**

205 2. Appointment with Steven Nosworthy to hear presentation regarding his
206 completed Eagle Scout project, and take any action necessary.

207 **Steven Nosworthy came forth and made a short presentation to the City Council**
208 **regarding his completed Eagle Scout project. He explained that for his project he located**
209 **gravestones belonging to war veterans in local cemeteries and collected associated data**
210 **to provide to the City for its own use / information. The City Council thanked Mr.**
211 **Nosworthy for the work he and his fellow scouts performed on this project. No action**
212 **was taken following the presentation.**

213
214 **X. ACTION ITEMS**

215
216 1. Discuss and consider adoption of a resolution regarding cost of treated
217 water from the North Texas municipal water District, and take any action
218 necessary.

219 **Mayor Pruitt stated that Councilmember Milder requested this agenda item. Mayor Pruitt**
220 **made a motion to table this item until which time as the City Council has an opportunity**
221 **to discuss the proposed resolution with its two appointed representatives who serve on**
222 **the NTMWD board. Mayor Pro Tem Lewis seconded the motion, which passed by a vote**
223 **of 7 ayes to 0 nays.**

224 2. **Z2015-031** - Discuss and consider a request by John and Lenny James
225 on behalf of the owner Rockway Partners for the approval of an
226 **ordinance** for a Specific Use Permit (SUP) for a carwash on a 0.688-acre
227 parcel of land identified as Lot 1, Block D, La Jolla Pointe Addition, Phase
228 2, City of Rockwall, Rockwall County, Texas, zoned Commercial (C)
229 District, situated within the Scenic Overlay (SOV) District, located at the
230 northwest corner of La Jolla Pointe Drive and Ridge Road [FM-740], and
231 take any action necessary. **(2nd reading)**

232 **Councilmember White made a motion to approve Z2015-031. Mayor Pro Tem Lewis**
233 **seconded the motion. The ordinance was read as follows:**

234 **CITY OF ROCKWALL, TEXAS**
235 **ORDINANCE NO. 16-02**
236 **SPECIFIC USE PERMIT NO. S-141**
237

238 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,**
239 **TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO.***
240 ***04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED,**
241 **SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A CAR WASH**
242 **WITHIN THE SCENIC OVERLAY (SOV) DISTRICT, FOR A 0.688-ACRE**
243 **PARCEL OF LAND IDENTIFIED AS LOT 1, BLOCK D, LA JOLLA POINTE**
244 **ADDITION, PHASE 2, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS;**
245 **PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR**
246 **FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00)**
247 **FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE;**
248 **PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE**
249 **DATE.**

250
251 **The motion passed by a vote of 6 in favor with 1 against (Pruitt).**
252

253 3. Discuss and consider approval of an **ordinance** modifying Chapter 38.
254 Subdivisions, Article 1. In General, Section 38-19. Street Improvements
255 and Oversizing, of the Municipal Code of Ordinances to require a 41-foot
256 street adjacent to schools and parks, and take any action necessary.
257 **(2nd reading)**

258 **Mayor Pruitt made a motion to approve the ordinance. Mayor Pro Tem Lewis seconded**
259 **the motion. The ordinance was read as follows:**

260 **CITY OF ROCKWALL, TEXAS**
261 **ORDINANCE NO. 16-03**

262
263 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,**
264 **TEXAS, AMENDING SECTION 38-19, *STREET IMPROVEMENTS AND***
265 ***OVERSIZING*, OF CHAPTER 38, SUBDIVISIONS OF THE CODE OF**
266 **ORDINANCES AS SET FORTH HEREIN; PROVIDING FOR REPEALING,**
267 **SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN**
268 **EFFECTIVE DATE.**
269

270 **The motion passed by a vote of 5 ayes to 2 nays (Milder and White).**

271 4. Discuss and consider possible amendment to second reading of the
272 ordinance for MIS2015-003 to collect data on alternative solutions for the
273 roadway designation of Goliad from downtown to East Fork, to include but
274 not be limited to considering the possibility of two through lanes, one
275 north and one south, divided by a dedicated turn lane, and take any
276 action necessary.

277 **City Manager Rick Crowley indicated that Councilmember Milder requested this agenda**
278 **item be placed on the agenda for discussion. He then provided some additional**
279 **background information concerning the development of the now proposed changes to**
280 **the city's Master Thoroughfare Plan. He suggested that an additional traffic study may**
281 **be needed in order to consider reducing the portion of North Goliad (north of downtown)**
282 **additionally (down to 2 lanes from the proposed reduction down to 4 lanes).**

283 **Councilmember Hohenshelt asked if it would be wise for the city to conduct this study**
284 **regardless of whether or not the State decides to designate John King Boulevard as the**
285 **state's alternate route for SH-205. Mr. Crowley generally indicated that, yes, this study**
286 **would likely result in beneficial information for the city regardless. Hohenshelt asked if**
287 **the city has any idea how long the state will take to make its decision regarding**
288 **designating the alternate SH-205 route. Mr. Crowley indicated that the timeframe is not**
289 **currently known.**

290 **Councilmember Milder offered general comments in favor of conducting a traffic study to**
291 **better determine the number of lanes needed on this portion of the roadway. He believes**
292 **the city owes it to the citizens, but, more specifically, to the property owners who would**
293 **be affected.**

294 **Mr. Crowley indicated that if the Council wants staff to move forward, then bids would**
295 **need to be gathered to determine costs associated with said study, and bring an item**
296 **back to the council for consideration at a future date.**

297 **Councilmember White asked for clarification on studies related to this topic that have**
298 **already been done. Councilmember Townsend clarified that two studies have been done**
299 **already (one many years ago showing this stretch of roadway needed to be designated**

300 as six lanes, and one study being done by NCTCOG about eight months ago that showed
301 it needed to be four lanes). Mr. Crowley offered clarification, indicating that neither of the
302 studies really, truly evaluated the possibility of having this stretch of roadway potentially
303 be a two lane roadway.

304 Councilmember White clarified that at four lanes, there would be no structures removed /
305 lost and that only right-of-way “frontage” would be lost for property owners along this
306 stretch of road.

307 Councilmember Milder expressed that he is a property owner along this stretch of
308 roadway. He generally expressed strong support for conducting this study because he
309 really wonders if things could function well with two lanes versus four lanes.

310 City Engineer Tim Tumulty explained different types of possible configurations for the
311 lanes and turn lanes. Mr. Crowley asked Mr. Tumulty if there is a possibility that traffic
312 study data already exists that could help better evaluate the ‘two lanes versus four lanes’
313 possibilities without hiring a consultant to conduct an actual traffic study. It was
314 generally indicated that, yes, it may be possible that data exists, and staff is willing to
315 look into this.

316 Mr. Tumulty explained that the NCTCOG study that determined that four lanes is
317 sufficient was looking at the year 2035. He expressed that the city establishing the four
318 lanes in its thoroughfare plan at this time is necessary so that the city is able to have
319 something that we know will work to convey to future developers (i.e. Kroger) regarding
320 how much right-of-way is needed prior to development taking place.

321 Mr. Crowley indicated that staff will bring back information regarding this topic for the
322 council to further consider at a later date.

323 5. MIS2015-003 - Discuss and consider approval of an ordinance for a City
324 initiated request to amend the Comprehensive Plan by approving
325 changes to the Master Thoroughfare Plan Map contained within the
326 Transportation section, add a street cross section for a M4U-M (minor
327 arterial, four [4] lane, undivided roadway, modified) and modify existing
328 street cross sections in Appendix ‘D’, Thoroughfare Cross Sections, and
329 take any action necessary. (2nd reading)

330 Planning Director Ryan Miller indicated that this is second reading of an ordinance that
331 did not pass unanimously at the last city council meeting. Councilmember White made a
332 motion to approve MIS2015-003. Councilmember Hohenshelt seconded the motion. The
333 ordinance was read as follows:

334 CITY OF ROCKWALL, TEXAS
335 ORDINANCE NO. 16-04
336

337 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,
338 TEXAS, ADOPTING REVISIONS TO THE MASTER THOROUGHFARE PLAN
339 CONTAINED WITHIN THE TRANSPORTATION SECTION, ADD A STREET
340 CROSS SECTION FOR A M4U-M (MINOR ARTERIAL, FOUR [4] LANE,
341 UNDIVIDED ROADWAY, MODIFIED), AND MODIFY EXISTING STREET
342 CROSS SECTIONS IN APPENDIX ‘D’, THOROUGHFARE CROSS
343 SECTIONS, OF THE COMPREHENSIVE PLAN IN ACCORDANCE WITH THE
344 CITY’S HOME RULE CHARTER.
345

346 The motion passed by a vote of 7 in favor with 0 against.

347 6. Discuss and consider a request by Price Pointer for the approval of a
348 structure preservation tax exemption application seeking to have the
349 assessed value for ad valorem taxation fixed for a period of five (5) years
350 on the subject property at 602 Williams Street, further identified as the
351 east ½ of Lot 121, Block A of the B. F. Boydston Addition, City of
352 Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District,
353 located within the Old Town Rockwall (OTR) Historic District, and take
354 any action necessary.

355 **Mr. Miller provided background information concerning this agenda item, explaining that**
356 **Ordinance No. 03-28 was drafted in 2003 with the intent of providing an incentive**
357 **program for redevelopment within the “Old Town” Rockwall (OTR) Historic District,**
358 **Southside Residential Neighborhood Overlay (SRO) District and designated Landmark**
359 **properties. In accordance with this ordinance the applicant, Price Pointer, is requesting**
360 **to have the assessed value for ad valorem taxation “frozen” for a period of five (5) years**
361 **on the subject property at 602 Williams Street for the purpose of upgrading the electrical**
362 **system in the existing single-family home. Specifically, the applicant has submitted a**
363 **quote indicating that an investment of \$5,700.00 will be made for the purpose of installing**
364 **a new electrical panel and making various wiring improvements to the existing electrical**
365 **system. The applicant has also provided staff with a copy of the home inspection report**
366 **that was performed at the time the property was purchased. A copy of the quote and**
367 **inspection report has been provided in the attached packet. According to Ordinance No.**
368 **03-28 a tax abatement of five (5) years can be approved, “...if the amount of the**
369 **increment project is \$5,000.00 or greater.” In this case, the current taxable value of the**
370 **subject property is \$578,870.00. If the City Council chooses to approve the applicants’**
371 **request then the effective tax rate for the subject property would be fixed at this amount**
372 **for a period of five (5) years. The applicant has provided all required supporting**
373 **information stipulated by the ordinance including a legal description, proof of title, an**
374 **owner’s affidavit, and a tax certificate verifying that all current taxes have been paid.**
375 **Should the request be approved the applicant would be required to submit a sworn**
376 **statement of completion, at the conclusion of the proposed work, acknowledging that the**
377 **electrical system has been upgraded in compliance with the quote submitted to staff.**
378 **Additionally, the applicant shall be required to provide staff with documentation verifying**
379 **the total cost of all electrical improvements. All information will be verified prior to staff**
380 **notifying the Rockwall County Central Appraisal District’s (RCAD’s) Chief Appraiser of**
381 **the applicable ad valorem tax exemption.**

382
383 **Councilmember White made a motion to approve the request. Councilmember**
384 **Hohenshelt seconded the motion.**

385
386 **Councilmember Fowler asked what the intent was when this ordinance was adopted. Mr.**
387 **Miller clarified that this ordinance was meant to encourage redevelopment in the area**
388 **and to encourage ‘fixing up’ homes that may need repairs / improvements. Mr. Fowler**
389 **generally indicated that he has some reservations about granting this tax exemption**
390 **simply because of where the structure is located.**

391
392 **Councilmember Milder expressed that he initially had reservations similar to those of**
393 **Fowler; however, he feels this property owner is taking advantage of an ordinance that**
394 **the city already has in place, so he sees no problem with approving the request.**

395
396 **The motion to approve passed by a vote of 7 ayes to 0 nays.**

397 7. Discuss and consider extending the Facilities Agreement for Damascus
398 Road with Our Lady of the Lake Catholic Church for an additional 90
399 calendar days, and take any action necessary.

400 **Councilmember Milder made a motion to extend the facilities agreement for an additional**
401 **90 days. Mayor Pro Tem Lewis seconded the motion, which passed by a vote of 7 ayes**
402 **to 0 nays.**

403 8. Discuss and consider approval of a joint contract between the City of
404 Rockwall, the Rockwall Independent School District (RISD) and the
405 Elections Administrator of Rockwall County for administration of the May
406 7, 2016 General (Municipal) Election, and take any action necessary.

407 **Councilmember Townsend made a motion to approve the contract. Councilmember**
408 **Hohenshelt seconded the motion. The motion passed by a vote of 7 ayes to 0 nays.**

409 9. Discuss and consider adoption of an **ordinance** authorizing the issuance
410 of City of Rockwall, Texas, General Obligation Refunding and
411 Improvement Bonds, Series 2016; establishing procedures and
412 delegating authority for the sale and delivery of the bonds; providing an
413 effective date; enacting other provisions relating to the subject. **(1st**
414 **Reading - No Action Will Be Taken)**

415 **Assistant City Manager Mary Smith provided brief**
416 **background information, explaining that the City Secretary**
417 **needs to read the ordinances for this as well a the following**
418 **agenda item this evening. She explained that the City**
419 **Council does not actually need to take any action at this**
420 **point.**

421 **The ordinance caption was read into the record as follows:**

422 CITY OF ROCKWALL
423 ORDINANCE NO. _____
424

425 **ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF**
426 **ROCKWALL, TEXAS, GENERAL OBLIGATION REFUNDING AND**
427 **IMPROVEMENT BONDS, SERIES 2016; ESTABLISHING**
428 **PROCEDURES AND DELEGATING AUTHORITY FOR THE SALE AND**
429 **DELIVERY OF THE BONDS; PROVIDING AN EFFECTIVE DATE; AND**
430 **ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT**
431

432 **No action was taken by the Council.**

433 10. Discuss and consider adoption of an **ordinance** authorizing the issuance
434 of City of Rockwall, Texas, Combination Tax and Surplus Revenue
435 Certificates of Obligation, Series 2016; establishing procedures and
436 delegating authority for the sale and delivery of the certificates; providing
437 an effective date; and enacting other provisions relating to the subject.
438 **(1st Reading - No Action Will Be Taken)**

439 **The ordinance caption was read into the record as follows:**

440 CITY OF ROCKWALL
441 ORDINANCE NO. _____
442

442 **ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF**
443 **ROCKWALL, TEXAS, COMBINATION TAX AND SURPLUS REVENUE**

444 CERTIFICATES OF OBLIGATION, SERIES 2016; ESTABLISHING
445 PROCEDURES AND DELEGATING AUTHORITY FOR THE SALE
446 AND DELIVERY OF THE CERTIFICATES; PROVIDING AN
447 EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS
448 RELATING TO THE SUBJECT
449

450 **No action was taken by the Council.**

451 11. Discuss and consider approval of an **ordinance** amending the Code of
452 Ordinances in Chapter 8. Aviation by adding a new article, Article III,
453 establishing an Airport Advisory Board at the Ralph M. Hall / Rockwall
454 Municipal Airport to be appointed and removed by the city council, and
455 take any action necessary. **(1st reading)**

456 **Joey Boyd, Director of Internal Operations, indicated that this ordinance is coming**
457 **before the Council for consideration based on instructions given to staff to do so at the**
458 **last council meeting.**

460 **Councilmember White made a motion to approve the ordinance. Councilmember**
461 **Townsend seconded the motion.**

462
463 **The ordinance was read as follows:**

464
465 **CITY OF ROCKWALL, TEXAS**
466 **ORDINANCE NO. 16-___**
467

468 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF**
469 **ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN**
470 **CHAPTER 8. AVIATION BY ADDING A NEW ARTICLE, ARTICLE III,**
471 **ESTABLISHING AN AIRPORT ADVISORY BOARD TO BE**
472 **APPOINTED AND REMOVED BY THE CITY COUNCIL;**
473 **PRESCRIBING TERMS FOR INITIAL BOARD MEMBERS;**
474 **ESTABLISHING THE PURPOSE & RESPONSIBILITIES OF THE**
475 **BOARD; AND PROVIDING FOR AN EFFECTIVE DATE.**
476

477 **The motion passed by a vote of 7 ayes to 0 nays.**
478

479 **XI. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS,**
480 **FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.**

481
482 1. Departmental Reports
483 Building Inspections Monthly Report - November 2015
484 Fire Department Monthly Reports - November 2015
485 GIS Department Monthly Report - November 2015
486 Harbor PD Monthly Report - November 2015
487 Internal Operations Department Monthly Report - November 2015.
488 Police Department Monthly Report - November 2015
489 Recreation Monthly Report - November 2015
490 Rockwall Animal Adoption Center Monthly Report - November 2015

491 2. City Manager's Report
492

493 Mayor Pruitt welcomed Police Chief Kirk Riggs back from medical leave. He then asked
494 the City Manager to provide a brief update regarding what actions the City of Rockwall
495 has taken to assist and / or offer assistance to the cities recently affected by the
496 12/26/2015 tornado that went through Sunnyvale, Garland and Rowlett. Mr. Crowley
497 indicated that the city's Fire and Police Department both provided assistance to the City
498 of Rowlett, and the city's Citizen Emergency Response Team (CERT) did initially respond
499 as well. In addition, the city's Building Inspections Department has assisted with
500 damage assessments, and the city's streets department has assisted with some heavy
501 equipment (i.e. front end loader). Kristy Cole, Rockwall's Emergency Management
502 Coordinator, also assisted for one full work day in the Rowlett Emergency Operations
503 Center (EOC). He explained he has been in contact with the Rowlett City Manager and
504 has offered to provide any sort of assistance that may be requested / needed. This
505 assistance has also been offered to the City of Garland.

507 Mr. Crowley indicated that the Council funded a new public information officer in the
508 budget. After reviewing a number of very qualified candidates, new hire Lauri Dodd will
509 begin serving in this role beginning January 11. She will be present at the next city
510 council meeting for introductions.

511
512 **XII. EXECUTIVE SESSION**

513
514 **THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS**
515 **THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT**
516 **CODE:**

- 517
518 1. Discussion regarding purchase or lease of real property / land acquisition in the
519 vicinity of the downtown area pursuant to Section § 551.072 (Real Property).
520 2. Discussion regarding land acquisition for South Community Park pursuant to
521 Section § 551.072 (Real Property).
522 3. Discussion regarding process associated with City Manager performance
523 evaluation pursuant to Section 551.074 (personnel matters)

524
525 **XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

526
527 **XIV. ADJOURNMENT**

528
529 The meeting was adjourned at 7:13 p.m.

530
531 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**
532 **THIS 19th day of January, 2016.**

533
534
535
536 **ATTEST:**

Jim Pruitt, Mayor

537
538
539 _____
Kristy Cole, City Secretary

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CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 16-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 8. AVIATION BY ADDING A NEW ARTICLE, ARTICLE III, ESTABLISHING AN AIRPORT ADVISORY BOARD TO BE APPOINTED AND REMOVED BY THE CITY COUNCIL; PRESCRIBING TERMS FOR INITIAL BOARD MEMBERS; ESTABLISHING THE PURPOSE & RESPONSIBILITIES OF THE BOARD; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall, Texas finds that the establishment of an Airport Advisory Board is in the best interest of the City of Rockwall;

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

Section 1. The Code of Ordinances is hereby amended in Chapter 8. Aviation, by adding a new article, Article III, which shall henceforth read as follows:

ARTICLE III. Airport Advisory Board

Sec. 8-23. *Establishment; composition; appointment of members and terms; officers; compensation.*

City Council of the City of Rockwall hereby establishes an Airport Advisory Board for the Ralph M. Hall / Rockwall Municipal Airport. The board will consist of 7 members, all of whom shall be resident citizens and qualified voters of the City of Rockwall. Board members should be representative of the community, including citizens interested in airport-related business and/or aviation. A staff liaison will be appointed by the city manager. Appointment and removal of board members shall be by majority vote of the Rockwall City Council. Terms shall be for a period of two (2) years with initial board members drawing lots to establish four (4) initial two-year terms and three (3) initial one-year terms. From its membership, the Airport Advisory Board shall annually select the following officers: Chairperson and Vice-Chairperson, each of whom will serve for a period of one year in this capacity. All board members shall serve without compensation.

Sec. 8-24. Meetings, purpose and responsibilities.

Meetings shall be held at least on a quarterly or on an 'as needed basis' as determined by the Chair, the staff liaison, or by direction from the City Council. The purpose of the Airport Advisory Board is to provide recommendations to the City Council.

The responsibilities and duties of the Airport Advisory Board shall include, but not limited the following:

- Make recommendations on both short-term and long-term strategic planning;
- Make recommendations how to use the airport for local and regional economic development opportunities;
- Advise the City Council on how to market the airport to new customers;
- Make recommendations as to how to build a partnership with all stakeholders for a successful airport;
- Undertake direction from the City Council on any other related matters.

Section 2. That this ordinance shall become effective immediately upon passage and approval and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 19th day of January, 2016.

Dennis Lewis, Mayor Pro Tem

ATTEST:

Kristy Cole, City Secretary

1st Reading: 01-04-16

2nd Reading: 01-19-16

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CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Richard Crowley, City Manager
FROM: Lea Ann Ewing, Purchasing Agent
DATE: January 12, 2016
SUBJECT: Purchase of New Bypass Pump

A trailer mounted Centrifugal Bypass Pump is approved in the Water Sewer fund, Sewer Operating budget. The budget is \$38,000. This equipment is specifically designed and built for the City. Picture of a similar design pump is attached. The pump will be used for emergency bypassing of sewage at lift stations and other locations when fixed pumps or sewer lines fail.

Sealed bids were solicited and two (2) bids were received. Barco Pump was the apparent low bidder at \$38,306.

For Council consideration is the purchase of this trailer mounted Bypass Pump from Barco Pump and authorize the City Manager to execute a purchase order for this new pump.



🔍 Products

📄 Resources

PA Series® (Prime Aire) (/product/pump/PA-Series-Prime-Aire)

Priming assisted, centrifugal, solids-handling pumps, venturi and compressor priming system for medium to high head contractor and bypass applications

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Richard Crowley, City Manager
CC: Mark Poindexter, Fire Chief

FROM: Lea Ann Ewing, Purchasing Agent

DATE: January 12, 2016

SUBJECT: Purchase of New Fire Apparatus

Approved in the current budget is \$588,850 for a new Pumper and \$100,000 for Pumper loose equipment to be funded through Contractual Obligations. Build time is concurrent and will take approximately 330 days or one year from now. CO's would be issued when the truck is delivered and accepted by the City.

This apparatus has been competitively bid and available for purchase through the Houston-Galveston Area Council of Governments (H-GAC) Cooperative Purchasing Program. The City, as a member and participant in this cooperative program, has met all formal bidding requirements pertaining to the purchase of this new pumper. Cost of the new pumper is \$582,817.

Staff will purchase apparatus loose equipment and if necessary may solicit competitive sealed bids for this equipment closer to the acceptance and delivery date of the new pumper.

For Council consideration is the purchase of this new Pumper from Hall-Mark Fire Apparatus – Texas LLC and authorize the City Manager to execute a purchase order for this new apparatus.

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CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 01/19/2016

APPLICANT: Greg Helsel of Spiars Engineering

AGENDA ITEM: P2015-042 (Preserve Addition Phase 1 – Final Plat)

SUMMARY:

Discuss and consider a request by Greg Helsel of Spiars Engineering on behalf of the owner Will Shaddock of Master Developers-SNB, LLC for the approval of a final plat for Phase 1 of the Preserve Subdivision, containing 132 single-family residential lots on a 52.545-acre tract of land identified as Phase 3 of the North Shore Addition and Tract 26-1 of the J. H. B. Jones Survey, Abstract No. 124, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 41 (PD-41) for Single Family 10 (SF-10) District land uses, located at the southeast corner of the intersection of Highland Drive and East Fork Drive, and take any action necessary.

COMMENTS:

- The objective of this request is to Final Plat and establish 132 single-family residential lots for the Preserve, Phase 1 Subdivision. The proposed subdivision will incorporate and combine Phase 3 of the North Shore Addition and Tract 26-1 of the J.H.B. Jones Survey, Abstract No. 124 creating a 52.545-acre subdivision. The property is zoned Planned Development District 41 (PD-41), has an underlying zoning of Single Family 10 (SF-10) District for residential land uses, and is located at the southeast corner of the intersection of Highland Drive and East Fork Drive.
- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions listed in the Recommendations 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 & Zoning Commission and City Council choose to approve the request for final plat, staff would recommend the following conditions of approval:

- 1) All the technical comments from the Engineering and Fire Departments shall be addressed prior to the filing of this plat, including the following Planning Comments;
 - A. Adherence to Engineering and Fire Department standards.
 - B. Address all staff comments as listed in the Project Plan Review (see attached).
- 2) Adherence to Parks Board and Parks Department requirements as follows:
 - A. Payment of pro-rata equipment fees is due at final plat approval in the amount of \$405.00 per lot (or \$53,460.00).

- 3) Any construction resulting from the approval of this final plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Planning and Zoning Recommendation:

On January 12, 2016, the Planning and Zoning Commission made a motion to approve the final plat, which passed by a vote of 5 to 0 [Jusko and Lyons – absent].

City of Rockwall
Project Plan Review History



Project Number	P2015-042	Owner	MASTER, DEVELOPERS SNB LLC	Applied	12/3/2015	LM
Project Name	Preserve Phase I	Applicant	SPIARS ENGINEERING	Approved		
Type	PLAT			Closed		
Subtype	FINAL			Expired		
Status	P&Z HEARING			Status	1/6/2016	DG

Site Address	City, State Zip	Zoning			
EAST FORK DR	,				
Subdivision	Tract	Block	Lot No	Parcel No	General Plan
NORTHSHORE PH 1	26-1		26-1	0124-0000-0026-01-OR	

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	John Shannon	12/3/2015	12/10/2015	12/23/2015	20	APPROVED	
ENGINEERING (12/22/2015 3:16 PM AW) Need more dimensions and labels...see markup	Amy Williams	12/3/2015	12/10/2015	12/22/2015	19	COMMENTS	See Comment/Markups
ENGINEERING	Amy Williams	1/6/2016	1/13/2016	1/6/2016		APPROVED	
FIRE	Ariana Hargrove	12/3/2015	12/10/2015	12/23/2015	20	APPROVED	
GIS	Lance Singleton	12/3/2015	12/10/2015				
PLANNING	David Gonzales	12/3/2015	12/10/2015	12/22/2015	19	COMMENTS	See comments

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed Status	Remarks
------------------------	---------	------	-----	----------	----------------	---------

Discuss and consider a request by Greg Helsel of Spiars Engineering on behalf of the owner Will Shaddock of Master Developers-SNB, LLC for the approval of a final plat for Phase 1 of the Preserve Subdivision, containing 132 single-family residential lots on a 52.545-acre tract of land identified as Phase 3 of the North Shore Addition and Tract 26-1 of the J. H. B. Jones Survey, Abstract No. 124, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 41 (PD-41) for Single Family 10 (SF-10) District land uses, located at the southeast corner of the intersection of Highland Drive and East Fork Drive, and take any action necessary.

The following staff comments are to be addressed and resubmitted no later than Tuesday, January 5, 2016. Please provide three large copies [18" X 24" FOLDED] and one PDF version for a subsequent review by staff:

1. Adherence to all Engineering and Fire Department standards shall be required.
2. Provide a label indicating "Case No. P2015-042" on the lower right corner on all pages of the revised plat.
3. Change title block to read similarly as follows by moving "Being a replat of" under "Final Plat, The Preserve Phase 1, being a replat of 12.45 acres... and totaling 52.545-acres - 132 Lots..."
4. Tie at least 2 corners to city monumentation and label as such.
5. Provide a vicinity map of the overall phase 1
6. Change scale to 1 inch = 100 ft (subdivision ordinance standard).
7. Provide plan for hiking path along creek - minimum 6-ft wide
8. All the following lots are identified as not meeting the minimum 80-ft frontage. Indicate where 80-ft front building line is for each of the following lots or adjust lot accordingly: Lot 2 of Blk C, Lot 20 of Blk E, Lots 7, 8, 12, & 13 of Blk F.
9. Remove items that are not applicable to plat from the Legend.
10. Surveyor's Certificate - Notary not necessary when stamped by surveyor.

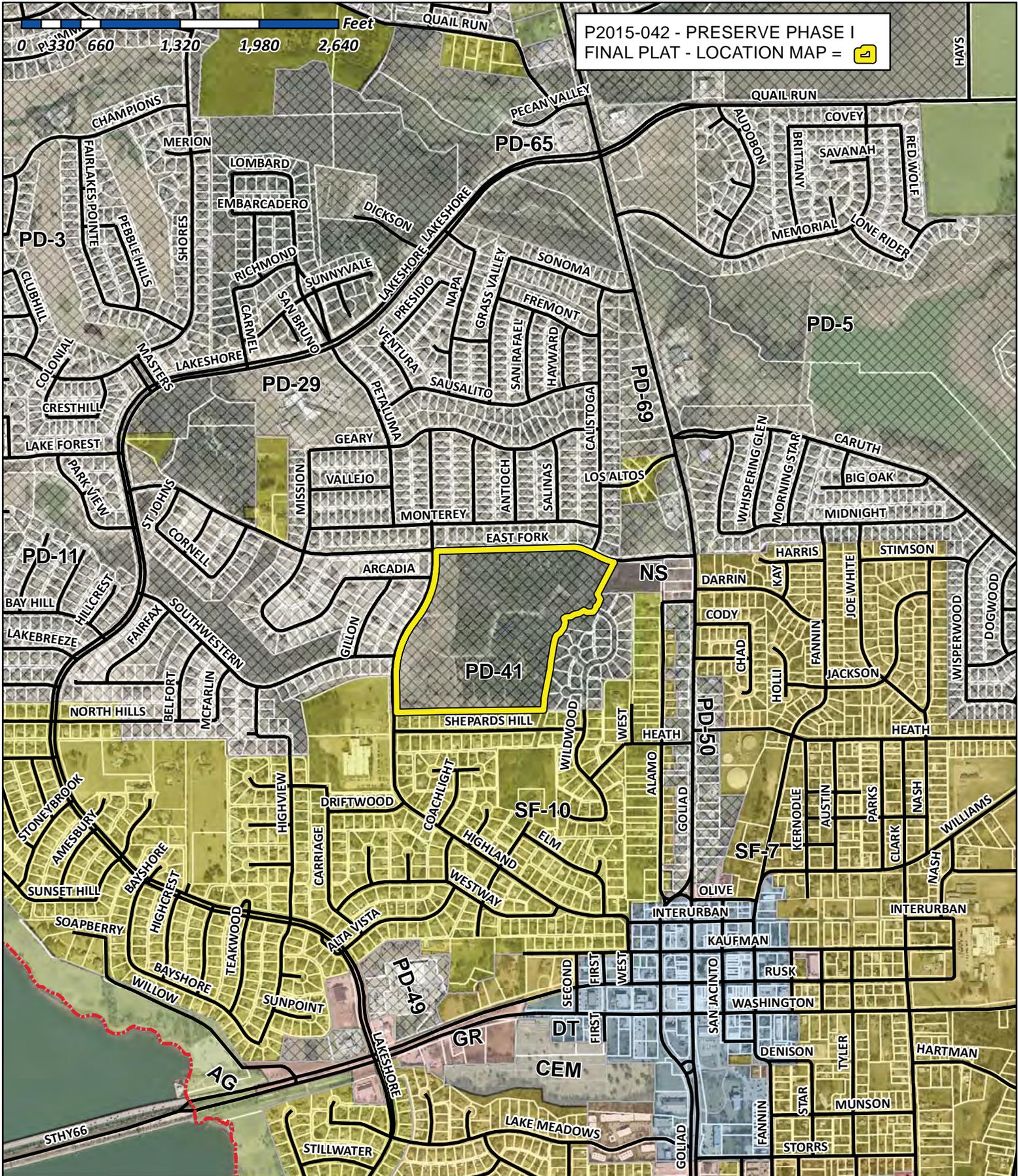
** As a note and once the plat has been approved by the Planning Commission and City Council, all staff comments are to be addressed and all revisions resubmitted and approved by staff prior to plat submission on mylar for filing purposes. **

Meeting Dates to Attend:

Planning - Discussion: December 29, 2015
 Planning - Action: January 12, 2016

City Council - Action: January 19, 2016

PLANNING	David Gonzales	1/6/2016	1/13/2016	1/6/2016	COMMENTS	See comments
<p>1. Adherence to Parks Board and Parks Department requirements as follows:</p> <p>A. Payment of pro-rata equipment fees is due at final plat approval in the amount of \$405.00 per lot (or \$53,460.00).</p> <p>** As a note and once the plat has been approved by the Planning Commission and City Council, all staff comments are to be addressed and all revisions resubmitted and approved by staff prior to plat submission on mylar for filing purposes. **</p> <p>Meeting Dates to Attend (Since this plat will be placed on the Consent Agenda for next two meetings, it is not necessary to attend; however, staff would recommend that someone be present for the meeting):</p> <p>Planning - Action: January 12, 2016</p> <p>City Council - Action: January 19, 2016</p>						

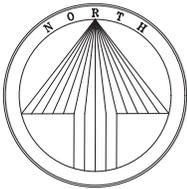


City of Rockwall

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.



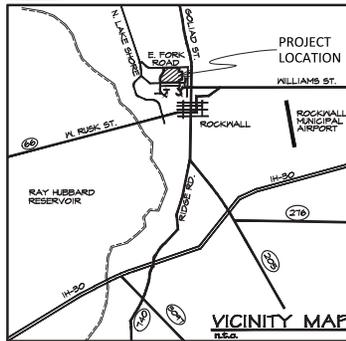
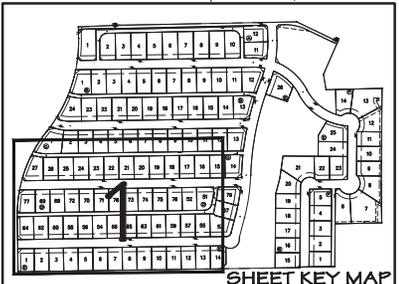


$R=720.00'$
 $D=89^{\circ}50'00''$
 $L=500.56'$
 $CB=N 18^{\circ}08'50'' E$
 $CD=490.54'$

LEGEND	
(Not all items may be applicable)	
○	1/2" IRON ROD WITH PLASTIC CAP STAMPED "SPARSENG" SET, UNLESS OTHERWISE NOTED
IRF	IRON ROD FOUND
CRF	CAPPED IRON ROD FOUND
CM	CONTROL MONUMENT
DE	DRAINAGE EASEMENT
DUE	DRAINAGE AND UTILITY EASEMENT
UE	UTILITY EASEMENT
WE	WATER EASEMENT
SSE	SANITARY SEWER EASEMENT
SE	SANITARY SEWER EASEMENT TO BE ABANDONED
GL	GAS LINE EASEMENT TO BE ABANDONED
R.O.W.	RIGHT-OF-WAY
Min. FF	MINIMUM FINISH FLOOR ELEVATION
BL	BUILDING LINE
◆	STREET NAME CHANGE
□	BLOCK DESIGNATION
PRRCT	PLAT RECORDS, ROCKWALL COUNTY, TEXAS
OPRRCT	OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
▨	RECLAIMED FLOODPLAIN

POINT OF BEGINNING

$N=7029986.80$
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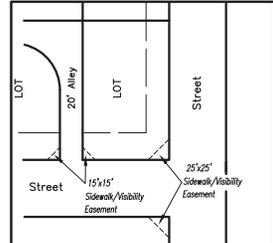


NORTHSHORE PHASE ONE

Cab. A, Sld. 181 PRRCT

NOTES:

1. Basis of bearing derived from the Texas WDS RTK Network-Texas State Plane Coordinate System, NAD83, North Central Zone (4202).
2. Selling a portion of this addition by metes and bounds is a violation of City ordinance and state law and is subject to fines and withholding of utilities and building permits.



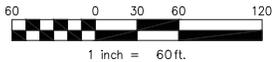
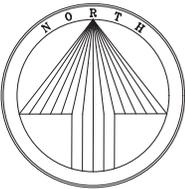
TYPICAL SIDEWALK/VISIBILITY EASEMENT DETAIL

CASE NO. P2015-042
FINAL PLAT
 Being a replat of
THE PRESERVE PHASE 1
 Being a replat of 12.45 acres and totaling 52.525 acres - 132 lots
 A. HANNA SURVEY, ABSTRACT NO. 98
 J.H.B. JONES SURVEY, ABSTRACT NO. 124
 IN THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
 Being a replat of 12.45 acres filed as North Shore Phase Three
 recorded in Cabinet A, Page 337

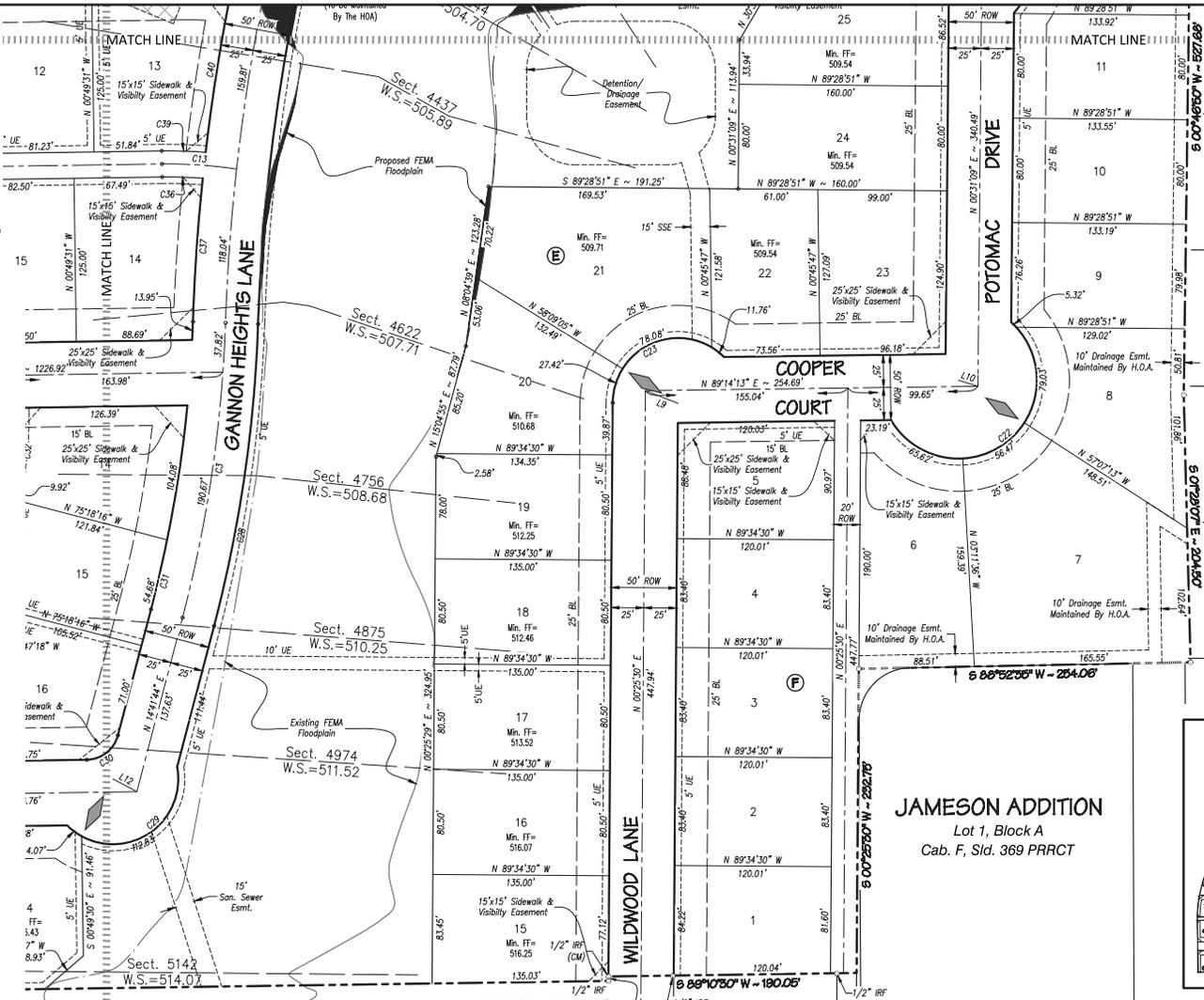
ENGINEER / SURVEYOR
 Spiars Engineering, Inc.
 765 Custer Road, Suite 100
 Plano, TX 75075
 Telephone: (972) 422-0077
 TBPE No. F-2121
 Contact: Greg Helsel

OWNER / APPLICANT
 MASTER DEVELOPERS-SNB, LLC
 2400 Dallas Parkway, Suite 560
 Plano, Texas 75093
 Telephone: (972) 985-5505
 Contact: Will Shaddock

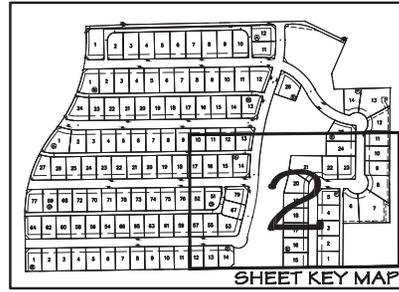
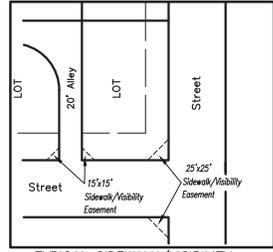
Scale: 1" = 60' June 5, 2015 SEI Job No. 13-141



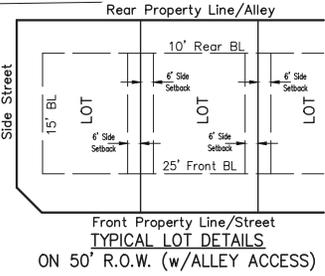
LEGEND	
(Not all items may be applicable)	
	1/2" IRON ROD WITH PLASTIC CAP
	STAMPED "SPARSING" SET, UNLESS OTHERWISE NOTED
	IRON ROD FOUND
	CAPPED IRON ROD FOUND
	CONTROL MONUMENT
	DRAINAGE EASEMENT
	DRAINAGE AND UTILITY EASEMENT
	UTILITY EASEMENT
	WATER EASEMENT
	SANITARY SEWER EASEMENT
	SANITARY SEWER EASEMENT TO BE ABANDONED
	GAS LINE EASEMENT TO BE ABANDONED
	RIGHT-OF-WAY
	MINIMUM FINISH FLOOR ELEVATION
	BUILDING LINE
	STREET NAME CHANGE
	BLOCK DESIGNATION
	PLAT RECORDS, ROCKWALL COUNTY, TEXAS
	OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
	RECLAIMED FLOODPLAIN



GARNER ADDITION
Unrecorded addition



JAMESON ADDITION
Lot 1, Block A
Cab. F, Sld. 369 PRRCT



NORTHSHORE PHASE ONE
Cab. A, Pg. 181 PRRCT

- NOTES:
1. Basis of bearing derived from the Texas WDS RTK Network-Texas State Plane Coordinate System, NAD83, North Central Zone (4202).
 2. Selling a portion of this addition by metes and bounds is a violation of City ordinance and state law and is subject to fines and withholding of utilities and building permits.

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Being a replat of 12.45 acres filed as North Shore Phase Three
recorded in Cabinet A, Page 337

ENGINEER / SURVEYOR
Spiars Engineering, Inc.
765 Custer Road, Suite 100
Plano, Texas 75075
Telephone: (972) 422-0077
TBPE No. F-2121
Contact: Greg Helsel

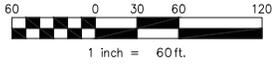
OWNER / APPLICANT
MASTER DEVELOPERS-SNB, LLC
2400 Dallas Parkway, Suite 560
Plano, Texas 75093
Telephone (972) 985-5505
Contact: Will Shaddock

Scale: 1" = 60' June 5, 2015 SEI Job No. 13-141

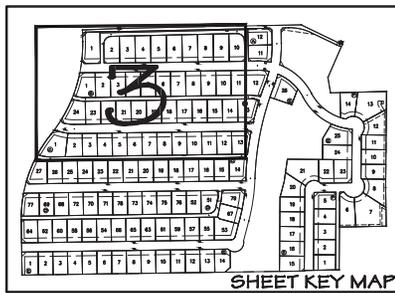
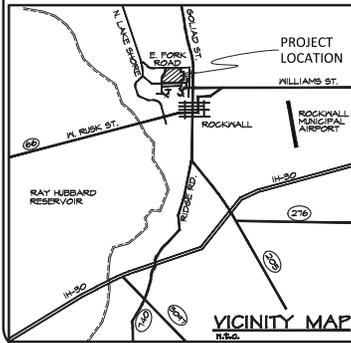
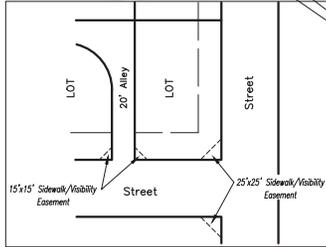


NOTES:

1. Basis of bearing derived from the Texas WDS RTK Network—Texas State Plane Coordinate System, NAD83, North Central Zone (4202).
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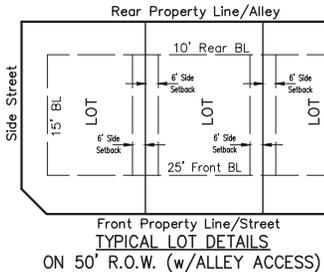


Line #	Bearing	Distance
L1	S 43°48'30" W	14.17'
L2	S 46°11'30" E	14.12"
L3	N 43°48'51" E	14.17'
L4	S 41°49'49" E	19.68'
L5	N 20°07'01" W	18.32"
L6	N 37°40'12" W	17.96'
L7	N 11°24'29" E	38.25'
L8	N 00°49'30" W	30.24'
L9	N 68°47'18" W	26.74'
L10	S 72°56'25" E	15.65'
L11	S 53°56'32" W	24.90'
L12	N 61°59'50" W	20.74'



LEGEND
(Not all items may be applicable)

- 1/2" IRON ROD WITH PLASTIC CAP STAMPED "SPARSENG" SET, UNLESS OTHERWISE NOTED
- IRRF IRON ROD FOUND
- CRRF CAPPED IRON ROD FOUND
- CM CONTROL MONUMENT
- DE DRAINAGE EASEMENT
- DUE DRAINAGE AND UTILITY EASEMENT
- UE UTILITY EASEMENT
- WE WATER EASEMENT
- SSE SANITARY SEWER EASEMENT
- ASSE SANITARY SEWER EASEMENT TO BE ABANDONED
- GLSE GAS LINE EASEMENT TO BE ABANDONED
- R.O.W. RIGHT-OF-WAY
- Min. FF MINIMUM FINISH FLOOR ELEVATION
- BL BUILDING LINE
- BL STREET NAME CHANGE
- ◇ BLOCK DESIGNATION
- PRRCT PLAT RECORDS, ROCKWALL COUNTY, TEXAS
- OPRCT OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
- RECLAIMED FLOODPLAIN

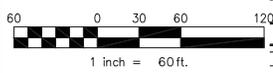


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IN THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
Being a replat of 12.45 acres filed as North Shore Phase Three
recorded in Cabinet A, Page 337

ENGINEER / SURVEYOR
Spiars Engineering, Inc.
765 Custer Road, Suite 100
Plano, Texas 75075
Telephone: (972) 422-0077
TBP# No. F-2121
Contact: Greg Helsel

OWNER / APPLICANT
MASTER DEVELOPERS-SNB, LLC
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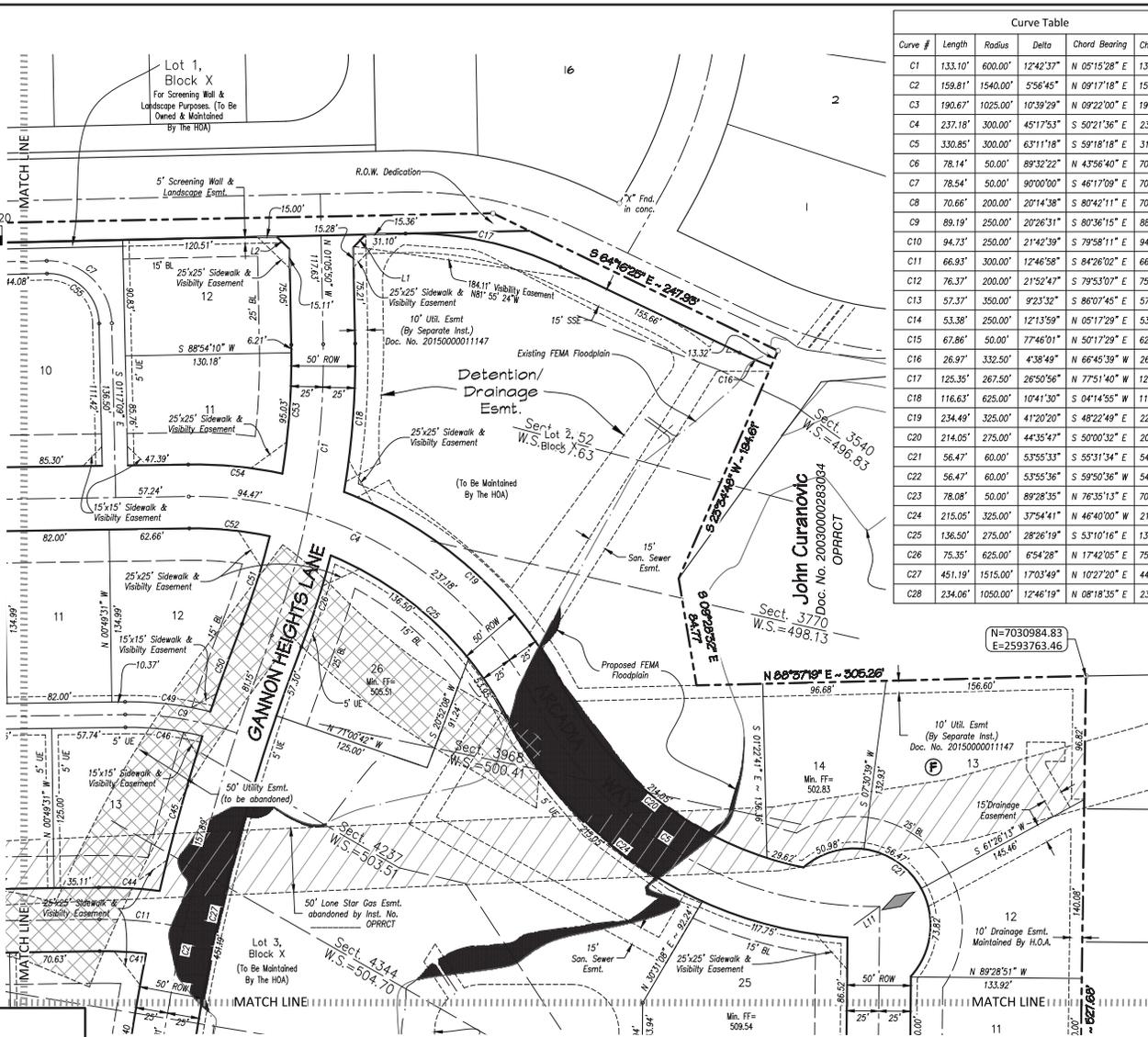
Scale: 1" = 60' June 5, 2015 SEI Job No. 13-141



LEGEND
(Not all items may be applicable)

○	1/2" IRON ROD WITH PLASTIC CAP STAMPED "SPIARSE" SET, UNLESS OTHERWISE NOTED
IRF	IRON ROD FOUND
CRF	CAPPED IRON ROD FOUND
CM	CONTROL MONUMENT
DE	DRAINAGE EASEMENT
DUE	DRAINAGE AND UTILITY EASEMENT
UE	UTILITY EASEMENT
WE	WATER EASEMENT
SSE	SANITARY SEWER EASEMENT
ASSE	SANITARY SEWER EASEMENT TO BE ABANDONED
GE	GAS LINE EASEMENT TO BE ABANDONED
R.O.W.	RIGHT-OF-WAY
Min. FF	MINIMUM FINISH FLOOR ELEVATION
BL	BUILDING LINE
▲	STREET NAME CHANGE
□	BLOCK DESIGNATION
PRRCT	PLAT RECORDS, ROCKWALL COUNTY, TEXAS
OPRCT	OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
▨	RECLAIMED FLOODPLAIN

- NOTES:**
- Basis of bearing derived from the Texas WDS RTK Network-Texas State Plane Coordinate System, NAD83, North Central Zone (4202).
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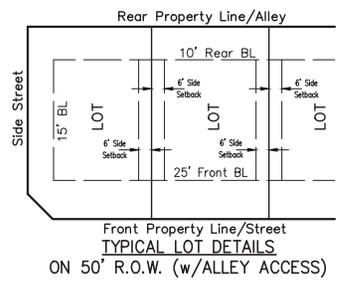
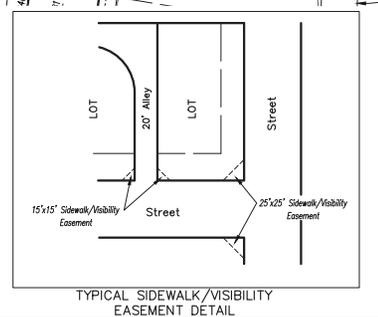
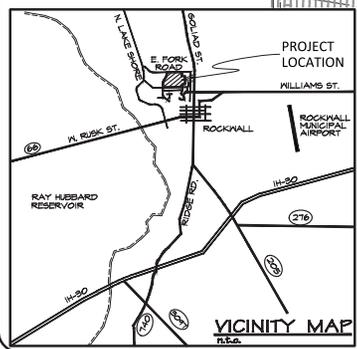
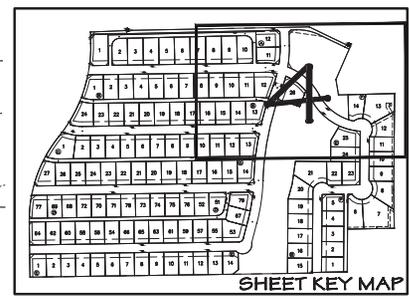


Curve Table

Curve #	Length	Radius	Delta	Chord Bearing	Chord Dist.
C1	133.10'	600.00'	1242.37"	N 05°15'28" E	132.83'
C2	159.81'	1540.00'	5°56'45"	N 09°17'18" E	159.74'
C3	190.67'	1025.00'	10°39'29"	N 08°22'00" E	190.39'
C4	237.18'	300.00'	45°17'53"	S 50°21'36" E	231.05'
C5	330.85'	300.00'	6°31'18"	S 59°18'18" E	314.34'
C6	78.14'	50.00'	89°32'22"	N 43°56'40" E	70.43'
C7	78.54'	50.00'	90°00'00"	S 46°17'09" E	70.71'
C8	70.66'	200.00'	20°14'38"	S 80°42'11" E	70.30'
C9	89.19'	250.00'	20°26'31"	S 80°36'15" E	88.72'
C10	94.73'	250.00'	21°42'39"	S 79°58'11" E	94.17'
C11	66.93'	300.00'	12°46'58"	S 84°26'02" E	66.79'
C12	76.37'	200.00'	21°52'47"	S 79°53'07" E	75.91'
C13	57.37'	350.00'	9°23'32"	S 86°07'45" E	57.31'
C14	53.38'	250.00'	12°13'59"	N 05°17'29" E	53.28'
C15	67.86'	50.00'	77°46'01"	N 50°17'29" E	62.77'
C16	26.97'	332.50'	4°38'49"	N 66°45'39" E	26.96'
C17	125.35'	267.50'	26°50'56"	N 77°51'40" W	124.21'
C18	116.63'	625.00'	10°41'30"	S 04°14'55" W	116.46'
C19	234.49'	325.00'	41°20'20"	S 48°22'49" E	229.43'
C20	214.05'	275.00'	44°35'47"	S 50°00'32" E	208.68'
C21	56.47'	60.00'	53°55'33"	S 55°31'34" E	54.41'
C22	56.47'	60.00'	53°55'36"	S 59°50'36" E	54.41'
C23	78.06'	50.00'	89°28'35"	N 76°35'13" E	70.39'
C24	215.05'	325.00'	37°54'41"	N 46°40'40" W	211.14'
C25	136.50'	275.00'	28°26'19"	S 53°10'16" E	135.10'
C26	75.35'	625.00'	6°54'28"	N 17°42'05" E	75.31'
C27	451.19'	1515.00'	17°03'49"	N 10°27'20" E	449.53'
C28	234.06'	1050.00'	12°46'19"	N 08°18'35" E	233.57'

Curve Table

Curve #	Length	Radius	Delta	Chord Bearing	Chord Dist.
C29	112.63'	50.00'	129°17'31"	N 53°59'00" E	90.37'
C30	32.50'	25.00'	74°28'45"	S 15°56'07" W	30.26'
C31	54.68'	1000.00'	3°07'59"	S 13°07'45" W	54.68'
C32	55.51'	260.00'	12°13'59"	S 05°17'29" W	55.41'
C33	54.29'	40.00'	77°46'01"	S 88°12'01" E	50.22'
C34	51.24'	240.00'	12°13'59"	N 05°17'29" E	51.14'
C35	64.38'	210.00'	17°33'54"	S 77°25'09" E	64.13'
C36	31.15'	340.00'	5°14'59"	S 88°12'01" E	31.14'
C37	110.04'	1565.00'	4°01'44"	S 03°56'17" W	110.02'
C38	71.34'	190.00'	21°30'45"	N 80°04'08" W	70.92'
C39	33.65'	360.00'	5°21'18"	N 88°08'51" W	33.63'
C40	126.05'	1565.00'	4°36'53"	S 08°59'33" W	126.01'
C41	36.40'	275.00'	7°35'02"	S 87°02'00" E	36.37'
C42	75.91'	275.00'	15°49'00"	S 75°39'20" E	75.67'
C43	64.53'	225.00'	16°25'59"	N 82°36'31" W	64.31'
C44	47.79'	325.00'	8°25'31"	N 86°36'45" W	47.75'
C45	125.89'	1565.00'	4°36'33"	S 15°26'34" W	125.86'
C46	60.90'	240.00'	14°32'21"	S 83°33'20" E	60.74'
C47	74.66'	210.00'	20°22'08"	S 80°38'26" E	74.26'
C48	66.80'	190.00'	20°08'41"	N 80°45'10" W	66.46'
C49	67.51'	260.00'	14°52'41"	N 83°23'10" W	67.33'
C50	73.04'	1565.00'	2°40'26"	S 19°49'06" W	73.03'
C51	72.07'	575.00'	7°10'52"	S 17°33'54" W	72.02'
C52	63.46'	275.00'	13°13'20"	S 84°27'01" E	63.32'
C53	95.03'	575.00'	9°28'10"	S 04°15'20" W	94.92'
C54	74.07'	325.00'	13°05'56"	N 84°29'35" W	74.14'
C55	62.83'	40.00'	90°00'00"	S 46°17'09" E	56.57'
C56	62.51'	40.00'	89°32'22"	N 43°56'40" E	56.34'



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Plano, Texas 75093
Telephone: (972) 985-5505
Contact: Will Shaddock

Scale: 1" = 60' June 5, 2015 SEI Job No. 13-141

STATE OF TEXAS §
COUNTY OF ROCKWALL §

OWNER'S CERTIFICATE

WHEREAS, MASTER DEVELOPERS SNB, LLC is the owner of a tract of land situated in the J. Jones Survey, Abstract No. 124, City of Rockwall, Rockwall County, Texas, the subject tract being a portion of a tract conveyed as "Tract III" to Master Developers-SNB, LLC, according to the deed recorded in Instrument No. 2011-00448460 of the Official Public Records, Rockwall County, Texas (OPRRCT), and also being all of Northshore Phase Three, an addition recorded in Cabinet A, Slide 337 of the Plat Records, Rockwall County, Texas (PRRCT), the subject tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "SPIARSENG" set at the intersection of the east line of Highland Drive, created by the final plat of The Preserve Phase III, an addition recorded in Cabinet G, Slide 193 PRRCT, with the south line of East Fork Drive, a variable width public right-of-way, from which an "X" found in concrete for the southeast corner of Lot 24, Block Q, The Preserve Phase III, bears S 19°52'51" W, 195.40 feet;

THENCE N 87°40'12" E, 225.21 feet along the south line of East Fork Drive to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set;

THENCE N 88°54'10" E, 965.12 feet continuing along the south line of East Fork Drive to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set;

THENCE S 64°16'25" E, 247.93 feet continuing along the south line of East Fork Drive to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set;

THENCE S 23°34'48" W, 194.61 feet departing the south line thereof to a point for corner, and being a westerly corner of a tract conveyed to John Curanovic, recorded in Instrument No. 20030000283034 OPRRCT;

THENCE S 09°28'32" E, 84.77 feet along the west line thereof to a point for corner;

THENCE N 88°37'19" E, 305.26 feet along the south line thereof to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for the northwest corner of the Garner Addition, an unrecorded addition to the City of Rockwall;

THENCE S 00°46'50" W, 527.68 feet along the west line thereof to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set;

THENCE S 01°28'07" E, 204.50 feet continuing along the west line thereof to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set;

THENCE S 88°52'35" W, passing along the north line of North West Street and Lot 1, Block A, Jameson Addition, an addition recorded in Cabinet F, Page 369 PRRCT, and along the north line of a right-of-way dedication created by said plat, total distance of 254.06 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set;

THENCE S 00°25'30" W, 232.75 feet along the west line of said right-of-way dedication and Lot 1, Block A, Jameson Addition, to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for the northeast corner of Northshore Phase One, an addition recorded in Cabinet A, Slide 181 PRRCT;

THENCE S 89°10'30" W, 190.05 feet along the north line thereof to a 1/2" iron rod found;

THENCE S 00°30'30" W, 3.38 feet continuing along the north line thereof to a 1/2" iron rod found;

THENCE S 89°10'30" W, 1535.69 feet continuing along the north line thereof to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set on the east line of Highland Drive;

THENCE along the east line of Highland Drive, the following:

N 00°49'30" W, 300.00 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set;

Around a tangent curve to the right having a central angle of 39°50'00", a radius of 720.00 feet a chord of N 19°05'30" E - 490.54 feet an arc length of 500.56 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set;

Around a non-tangent curve to the left having a central angle of 40°05'24", a radius of 780.00 feet, a chord of N 18°57'48" E - 534.70 feet, an arc length of 545.77 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set;

And N 01°05'10" W, 63.44 feet to the POINT OF BEGINNING with the subject tract containing 2,287,985 square feet or 52.525 acres of land.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That We, MASTER DEVELOPERS SNB, LLC, do hereby adopt this plat designating the hereinabove described property as THE PRESERVE PHASE I, an Addition to the City of Rockwall, and do hereby dedicate to the public use forever the streets and alleys shown thereon and do hereby reserve the easement strips shown on this plat for the mutual use and accommodation of garbage collection agencies and all public utilities desiring to use or using same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easement strips and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement strip for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Rockwall, Texas.

Witness our hands at _____ County, Texas, this _____ day of _____, 2016.

MASTER DEVELOPERS SNB, LLC

By: _____
William C. Shaddock, Manager

SURVEYOR'S CERTIFICATE

That I, Darren K. Brown, of Spiars Engineering, Inc., do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Rockwall, Texas.

Dated this the _____ day of _____, 2015.



DARREN K. BROWN, R.P.L.S. NO. 5252

STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared Darren K. Brown, known to me to be the person and officer 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 2016.

Notary Public, State of Texas

STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared William C. Shaddock, known to me to be the person and officer 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 2016.

Notary Public, State of Texas

CASE NO. P2015-042
FINAL PLAT

Being a replat of
THE PRESERVE PHASE I
Being a replat of 12.45 acres and totaling 52.525 acres - 132 lots
A. HANNA SURVEY, ABSTRACT NO. 98
J.H.B. JONES SURVEY, ABSTRACT NO. 124
IN THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
Being a replat of 12.45 acres filed as North Shore Phase Three
recorded in Cabinet A, Page 337

Note:
Property Owner/HOA Is Responsible For
Maintaining, Repairing And Replacing All
Detention Systems.

ENGINEER / SURVEYOR
Spiars Engineering, Inc.
765 Custer Road, Suite 100
Plano, TX 75075
Telephone: (972) 422-0077
TBPE No. F-2121
Contact: Greg Helsel

OWNER / APPLICANT
MASTER DEVELOPERS-SNB, LLC
2400 Dallas Parkway, Suite 560
Plano, Texas 75093
Telephone (972) 985-5505
Contact: Will Shaddock

PAGE 5 OF 5

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CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 01/19/2016

APPLICANT: Lori Stevens of Patriot PAWS Service Dogs

AGENDA ITEM: P2016-001 (Patriot Paws Addition – Replat)

SUMMARY:

Discuss and consider a request by Lori Stevens of Patriot PAWS Service Dogs for the approval of a replat for Lot 1, Block A, Patriot Paws Addition being a replat of a 3.466-acre tract of land currently identified as Lots 3 & 4, Block A, Maverick Ranch Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, and addressed as 254 Ranch Trail, and take any action necessary.

COMMENTS:

- The objective of the request is to replat Lots 3 and 4 creating one lot for the purpose of constructing a 4,000 sq. ft. addition to an existing facility, and establish the necessary easements for fire lane, public access and drainage/detention for the development. A site plan [SP2014-009] was approved in June 2014 for the addition.
- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions listed in the Recommendations 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 & Zoning Commission and City Council choose to approve the request for final plat, staff would recommend the following conditions of approval:

- 1) All the technical comments from the Planning, Engineering and Fire Departments shall be addressed prior to the filing of this plat, including the following comments;
 - A. Adherence to Engineering and Fire Department standards.
 - B. Address all staff comments as listed in the Project Plan Review (see attached).
- 2) Any construction resulting from the approval of this final plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Planning and Zoning Recommendation:

On January 12, 2016, the Planning and Zoning Commission made a motion to approve the replat, which passed by a vote of 5 to 0 [Jusko and Lyons – absent].

City of Rockwall
Project Plan Review History



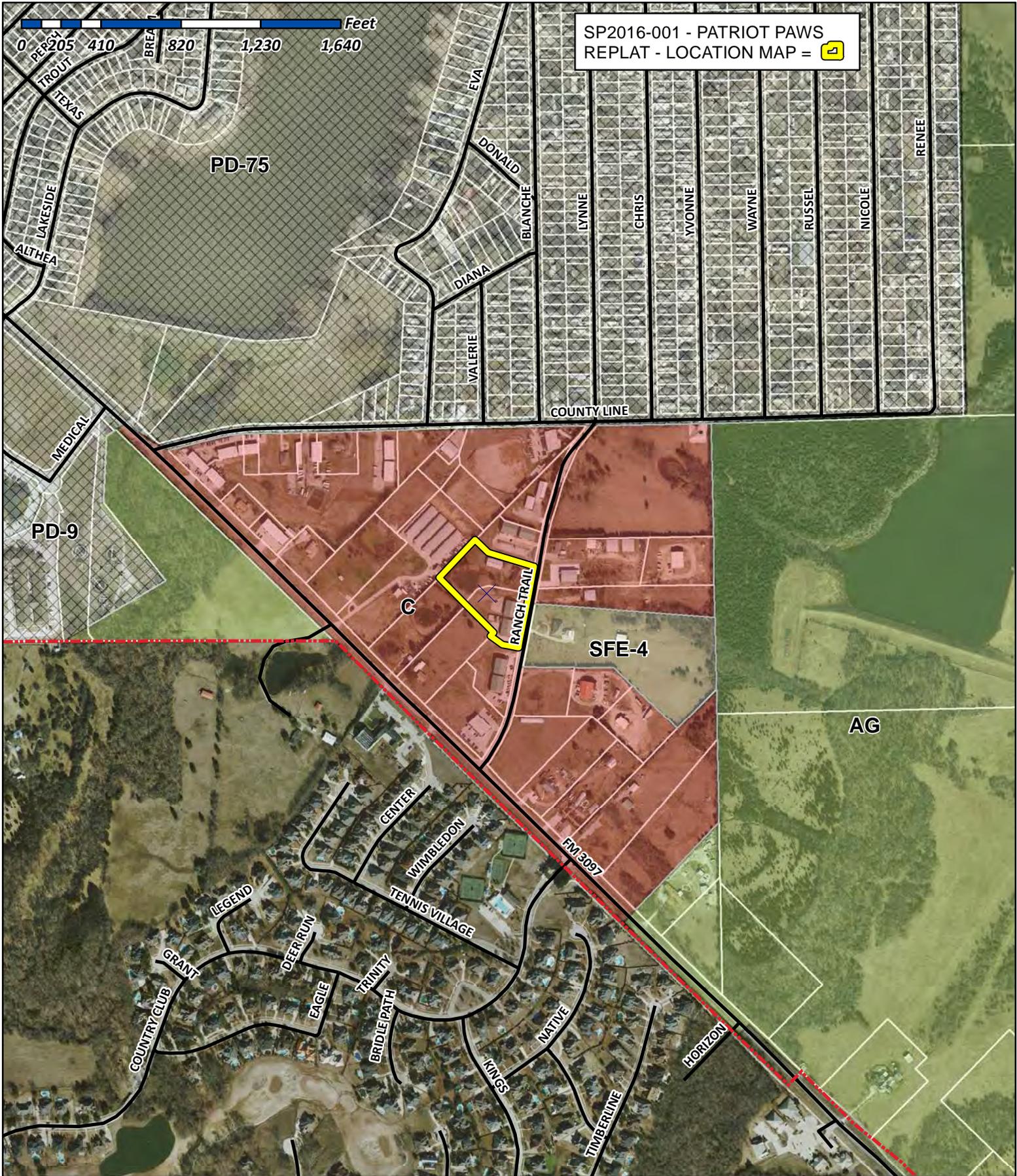
Project Number P2016-001	Owner PATRIOT PAWS SERVICE DOGS	Applied 1/4/2016 LM
Project Name Patriot Paws Addition	Applicant PATRIOT PAWS SERVICE DOGS	Approved
Type PLAT		Closed
Subtype REPLAT		Expired
Status P&Z HEARING		Status 1/6/2016 DG

Site Address 254 RANCH TRL	City, State Zip ROCKWALL, TX 75032	Zoning
--------------------------------------	--	---------------

Subdivision MAVERICK RANCH	Tract 26-1	Block NULL	Lot No 26-1	Parcel No 0080-0000-0026-01-OR	General Plan
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Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	John Shannon	1/4/2016	1/11/2016	1/4/2016		APPROVED	
ENGINEERING	Amy Williams	1/4/2016	1/11/2016	1/5/2016	1	APPROVED	
FIRE	Ariana Hargrove	1/4/2016	1/11/2016	1/5/2016	1	APPROVED	
GIS	Lance Singleton	1/4/2016	1/11/2016				
PLANNING	David Gonzales	1/4/2016	1/11/2016	1/5/2016	1	COMMENTS	See comments

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed Status	Remarks
<p>Discuss and consider a request by Lori Stevens of Patriot PAWS Service Dogs for the approval of a replat for a 3.466-acre tract of land, being identified as Lots 3 and 4, Block A, Maverick Ranch Addition, zoned Commercial (C) District, and located at 254 Ranch Trail, City of Rockwall, Rockwall County, Texas, and take any action necessary.</p> <p>The following staff comments are to be addressed and resubmitted no later than Friday, January 22, 2016. Please provide three large copies [18" X 24" FOLDED] and one PDF version for a subsequent review by staff:</p> <ol style="list-style-type: none"> 1. Adherence to all Engineering and Fire Department standards shall be required. 2. Provide a label indicating "Case No. P2016-001" on the lower right corner on all pages of the revised plat. 3. Change title block to read as follow: Final Plat Patriot Paws Addition Lot 1, Block A Being "a Replat of" all of Lots 3 and 4.....Maverick Ranch Addition... 4. Provide the standard City Signature Block for plat approval (i.e. City Secretary, Mayor, Engineering, and P&Z signature area). 4. Change all signature areas with dates to reflect new year – 2016. 5. Address all staff comments as listed in the Project Plan Review (see attached). <p>** As a note and once the plat has been approved by the Planning Commission and City Council, all staff comments are to be addressed and all revisions resubmitted and approved by staff prior to plat submitlon on mylar for filing purposes. If you have questions, please contact staff. **</p> <p>Meeting Dates to Attend (but not required):</p> <p>Planning - Action: January 12, 2016</p> <p>City Council - Action: January 19, 2016</p>						

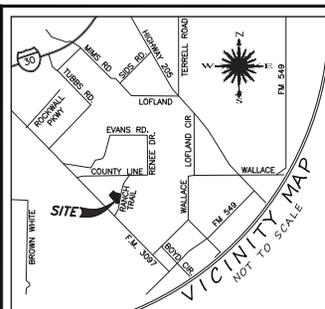


City of Rockwall

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

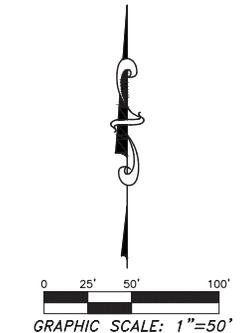
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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





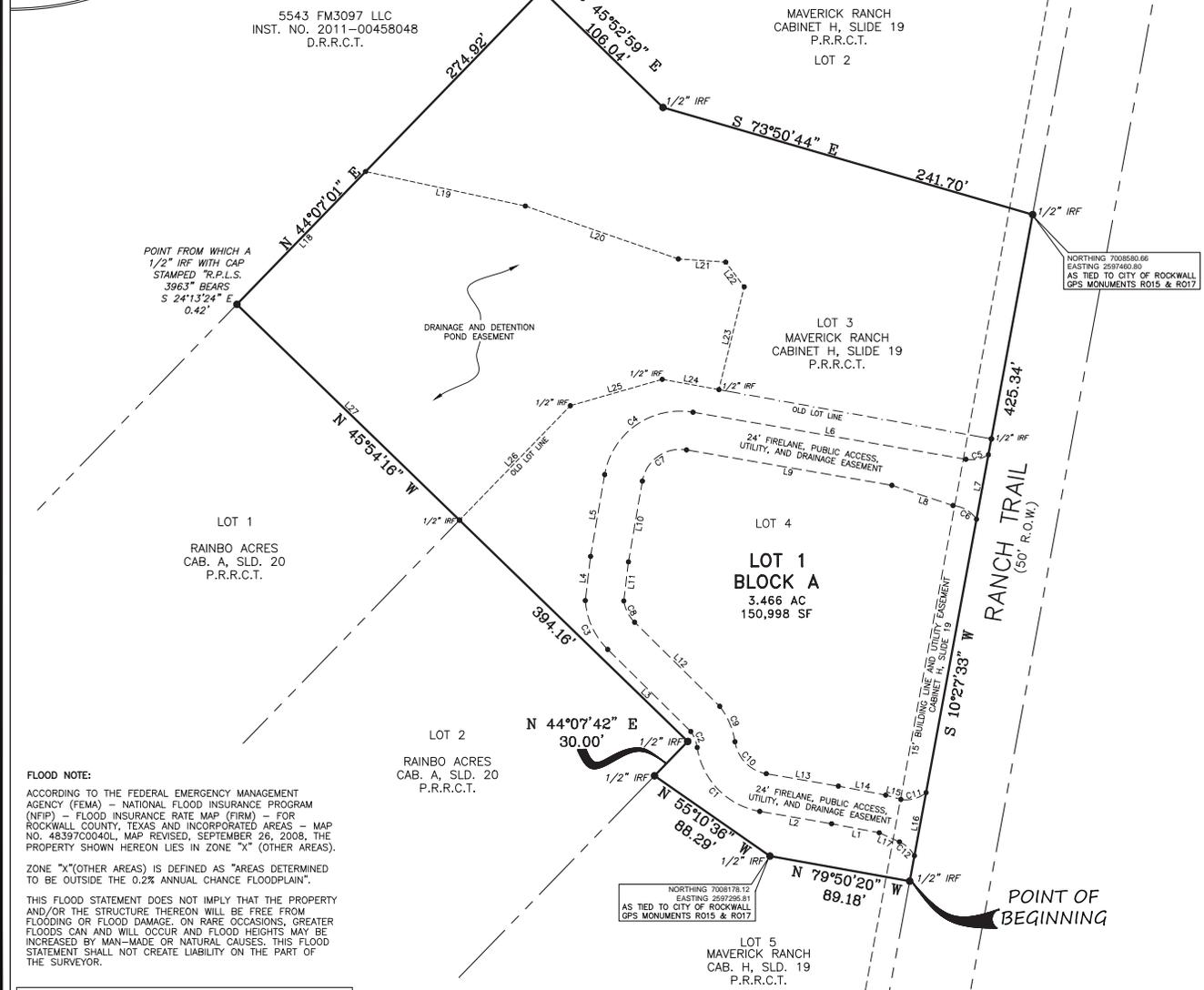
CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	48.00'	71°32'25"	59.93'	N 44°27'05" W	56.12'
C2	24.00'	26°05'13"	10.93'	N 21°43'29" W	10.83'
C3	47.60'	41°31'15"	34.49'	N 24°36'52" W	33.74'
C4	48.00'	90°00'00"	75.40'	N 54°46'43" E	67.88'
C5	20.00'	42°13'57"	14.74'	N 78°39'28" E	14.41'
C6	20.11'	50°13'36"	17.63'	N 59°47'43" W	17.07'
C7	24.00'	90°00'00"	37.70'	S 54°46'43" W	33.94'
C8	23.60'	37°01'47"	15.25'	S 26°51'36" E	14.99'
C9	48.00'	29°11'56"	24.46'	S 23°16'51" E	24.20'
C10	24.00'	71°32'25"	29.97'	S 44°27'05" E	28.06'
C11	20.00'	48°18'08"	18.86'	N 74°56'15" E	18.37'
C12	20.00'	37°17'27"	13.02'	N 47°11'02" W	12.79'

LINE	BEARING	DISTANCE
L1	N 79°16'31" W	30.49'
L2	N 80°13'17" W	45.74'
L3	N 45°22'30" W	73.29'
L4	N 08°46'47" E	27.92'
L5	N 09°46'43" E	52.07'
L6	S 80°13'17" E	173.88'
L7	S 10°27'33" W	41.15'
L8	N 71°40'58" W	40.41'
L9	N 80°13'17" W	130.87'
L10	S 09°46'43" W	51.44'
L11	S 08°46'47" W	24.67'
L12	S 45°22'30" E	75.14'
L13	S 80°13'17" E	45.93'
L14	S 79°16'31" E	30.27'
L15	S 74°07'47" E	9.90'
L16	S 10°27'33" W	40.28'
L17	N 65°46'29" W	13.92'
L18	N 44°07'01" E	116.03'
L19	S 77°50'44" E	102.62'
L20	S 70°55'56" E	101.64'
L21	S 86°12'19" E	29.82'
L22	S 36°52'08" E	19.39'
L23	S 13°50'26" W	66.93'
L24	N 79°45'54" W	36.19'
L25	S 74°00'15" W	60.00'
L26	S 44°05'44" W	100.00'
L27	N 45°54'16" W	194.61'



Legend of Symbols & Abbreviations
 IRF = IRON ROD FOUND
 R.O.W. = RIGHT-OF-WAY
 VOL. = VOLUME
 PG. = PAGE
 CAB. = CABINET
 SLD = SLIDE
 D.R.R.C.T. = DEED RECORDS ROCKWALL COUNTY, TEXAS
 P.R.R.C.T. = PLAT RECORDS ROCKWALL COUNTY, TEXAS

GENERAL NOTES:
 1. THE BASIS OF BEARINGS AND ELEVATION DATUM FOR THIS SURVEY IS THE TEXAS STATE PLANE, NORTH CENTRAL ZONE, GEODETIC BEARING ESTABLISHED BY GPS MEASUREMENTS TAKEN ON SITE AND TIED TO THE CITY OF ROCKWALL GPS MONUMENT NETWORK.
 2. THE DRAINAGE AND DETENTION POND EASEMENT SHOWN ON THE PLAT SHALL BE MAINTAINED BY THE OWNER. IT IS NOT THE RESPONSIBILITY OF THE CITY OF ROCKWALL TO MAINTAIN, REPAIR, OR SERVICE SAID EASEMENT.



FLOOD NOTE:
 ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) - NATIONAL FLOOD INSURANCE PROGRAM (NFIP) - FLOOD INSURANCE RATE MAP (FIRM) - FOR ROCKWALL COUNTY, TEXAS AND INCORPORATED AREAS - MAP NO. 48397C0040L, MAP REVISED, SEPTEMBER 26, 2008, THE PROPERTY SHOWN HEREON LIES IN ZONE "X" (OTHER AREAS).
 ZONE "X"(OTHER AREAS) IS DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN".
 THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURE THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

THE PURPOSE OF THIS REPLAT IS TO COMBINE LOTS 3 AND 4, BLOCK A, MAVERICK RANCH ADDITION TO CREATE ONE DEVELOPABLE LOT.

REPLAT
PATRIOT PAWS ADDITION
LOT 1, BLOCK A
 BEING ALL OF
 LOTS 3 AND 4, BLOCK A, OF
 MAVERICK RANCH ADDITION,
 RECORDED IN CABINET H, SLIDE 19
 P.R.R.C.T.
 SITUATED IN THE
 WILLIAM M. FORD SURVEY, ABSTRACT NO. 80
 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

OWNER
 PATRIOT PAWS SERVICE DOGS
 254 Ranch Trail
 Rockwall, Texas 75032
 (972) 772-3282

SURVEYOR
 MADDOX SURVEYING & MAPPING INC P.O.
 BOX 2109
 FORNEY, TEXAS 75126
 (972) 564-4416
 Firm Reg No.-10013200

OWNERS DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: STATE OF TEXAS}

COUNTY OF ROCKWALL}

That we the undersigned owner's of the land shown on this plat, and designated herein as the PATRIOT PAWS ADDITION, LOT 1, BLOCK A to the City of Rockwall, Texas, and whose name's are 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 PATRIOT PAWS ADDITION, LOT 1, BLOCK A have been notified

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

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

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; We and 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.

FOR: PATRIOT PAWS SERVICE DOGS

BY: LORI STEVENS (OWNER)

STATE OF TEXAS
COUNTY OF ROCKWALL
Before me, the undersigned authority, on this day personally appeared LORI STEVENS, 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 ____, 2015.

Notary Public in and for the State of Texas

My Commission Expires:

APPROVED
I hereby certify that the above and foregoing plat of PATRIOT PAWS ADDITION, LOT 1, BLOCK A, to the City of Rockwall, Texas was approved by the City Council of the City of Rockwall on the ____ day of ____, 2015.
This approval shall be invalid unless the approved Plat for such Addition is recorded in the office of the County Clerk of Rockwall County, Texas, within one hundred eighty (180) days from said date of final approval. Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.
Director of Planning City Engineer

THE PURPOSE OF THIS REPLAT IS TO COMBINE LOTS 3 AND 4, BLOCK A, MAVERICK RANCH ADDITION TO CREATE ONE DEVELOPABLE LOT.

OWNERS CERTIFICATE

STATE OF TEXAS}
COUNTY OF ROCKWALL}

WHEREAS, PATRIOT PAWS SERVICE DOGS is the owner of a tract of land in the William M. Ford Survey, Abstract No. 80, situated in the City of Rockwall, in Rockwall County, Texas, being all of Lot 3 and Lot 4, Block A, of Maverick Ranch Addition, an addition to The City of Rockwall as recorded in Cabinet H, Slide 19, of the Plat Records of Rockwall County, Texas, and being more particularly described as follows:

- BEGINNING at a 1/2 inch iron rod found for the southeast corner of said Lot 4, said point also lying on the northwest right of way of Ranch Trail, (a called 50' Right of Way);
THENCE North 79 degrees 50 minutes 20 seconds West along the southerly line of said Lot 4, a distance of 89.18 feet to a 1/2 inch iron rod found for corner;
THENCE North 55 degrees 10 minutes 36 seconds West continuing along said southerly line a distance of 88.29 feet to a 1/2 inch iron rod found for corner lying on the southeast line of Lot 2 of Rainbo Acres, an addition to The City of Rockwall as recorded i Cabinet A, Slide 20 of the Plat Records of Rockwall County, Texas;
THENCE North 44 degrees 07 minutes 42 seconds East along the southeast line of said Lot 2 a distance of 30.00 feet to a 1/2 inch iron rod found for the east corner of said Lot 2, same being an inner ell corner of previously mentioned Lot 4;
THENCE North 45 degrees 54 minutes 16 seconds West along the northeast line of Lots 1 and 2 of said Rainbo Acres, same being the southwest line of Lots 3 and 4 of said Maverick Ranch Addition a distance of 394.16 feet to a point for the west corner of said Lot 3 from which a 1/2 inch iron rod with cap stamped "R.P.L.S. 3963" found bears South 24 degrees 13 minutes 24 seconds East a distance of 0.42 feet;
THENCE North 44 degrees 07 minutes 01 seconds East along the northwest line of said Lot 3 a distance of 274.92 feet to a 1/2 inch iron rod found for the north corner of said Lot 3;
THENCE South 45 degrees 52 minutes 59 seconds East along the northeast line of said Lot 3 a distance of 106.04 feet to a 1/2 inch iron rod found for corner;
THENCE South 73 degrees 50 minutes 44 seconds East continuing along the northeast line of said Lot 3 a distance of 241.70 feet to a 1/2 inch iron rod found for the east corner of said Lot 3 lying on the aforementioned northwest line of Ranch Trail;
THENCE South 10 degrees 27 minutes 33 seconds West along the northwest line of said Ranch Trail a distance of 425.34 feet to the POINT OF BEGINNING containing 150,998 square Feet, or 3.466 acres of land.

SURVEYORS CERTIFICATE

I, HEREBY CERTIFY, THAT I PREPARED THIS SURVEY PLAT SHOWN HEREON FROM AN ACTUAL SURVEY ON THE GROUND BY ME AND THAT ALL CORNERS ARE MARKED, AND THAT ALL DIMENSIONS SHOWN THEREON ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND FURTHERMORE THERE ARE NO ENCROACHMENTS, PROTRUSIONS, IMPROVEMENTS, EASEMENTS, RIGHT-OF- WAY, OR 100 YEAR FLOOD PLAIN AFFECTING THE PROPERTY EXCEPT AS SHOWN THEREON.

WITNESS UNDER MY HAND THIS THE ____ DAY OF ____, 2015.

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

REPLAT
PATRIOT PAWS ADDITION
LOT 1, BLOCK A
BEING ALL OF
LOTS 3 AND 4, BLOCK A, OF
MAVERICK RANCH ADDITION,
RECORDED IN CABINET H, SLIDE 19
P. R. R. C. T.
SITUATED IN THE
WILLIAM M. FORD SURVEY, ABSTRACT NO. 80
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

OWNER
PATRIOT PAWS SERVICE DOGS
254 Ranch Trail
Rockwall, Texas 75032
(972) 772-3282

SURVEYOR
MADDOX SURVEYING & MAPPING INC
P.O. BOX 2109
FORNEY, TEXAS 75126
(972) 564-4416
Firm Reg No. -10013200

1"=50'

12-17-2015

SHEET 2 OF 2

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley – City Manager
FROM: Brad Griggs – Assistant City Manager
DATE: January 12, 2016
SUBJECT: Founders Day Headline Entertainment

In preparation of the 2016 Founders Day celebration, staff is requesting that the City Council consider authorizing the City Manager to execute an agreement with William Morris Entertainment (WME) for the opening and headline acts for the festival. The total amount paid to WME will be \$45,000 and the source of the funding is the Hotel Motel Occupancy Tax and the amount is budgeted in the FY15-16 budget.

Trying to bring something new to the festival in 2016, we plan to have a national touring artist perform a support act beginning at 6:00pm and the headline act will take the stage at 8:00pm. We will operate a “regional” stage during the day similar to past years featuring entertainment from the DFW area. Entertainment will begin at 10:00am and conclude at 9:15 pm. Due to the contract requirements, we cannot begin advertising or make any announcements prior to February 27. I will be in attendance at the meeting to answer any questions.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley – City Manager
FROM: Brad Griggs – Assistant City Manager
DATE: January 13, 2016
SUBJECT: Encroachment on San Jacinto Plaza

Keven Lefere, owner and operator of Zanata has requested an appointment with the City Council to request a waiver to City and Federal requirements. Kevin has constructed a wooden box to house the restaurant garbage cart on the ramp leading from the restaurant to the San Jacinto Plaza. The box is located on City property. The box was built to address a change in State law that restricts restaurants from storing trash in an open container such as a wheeled cart without a top which is what Kevin had used in the past prior the law change. State law allows him to store the trash in the restaurant as long as the garbage is in a covered bin or an enclosed room.

When City staff noticed the garbage container, he was told that needed to move the box off of the ramp and it could not encroach on the San Jacinto Plaza. After consulting with Kevin, he stated that he built the box to hold his garbage so it would not be visible to the public. He stated that without the container, “that as long as everyone is ok with my trash can being outside again”, he would be fine. I told him that leaving his trash out there would not be permissible and that he would need to take his garbage to the dumpster each time or come up with another plan to keep his garbage inside until he has staff to take it to the dumpster.

I have attached memos from the Building Official and the Fire Marshall stating the violations to placing the container on the ramp. The violations include City ordinances, International Building Code and International Fire Code violations, the National Electric Code and the required exit is not in compliance with the federal Americans with Disabilities Act. Staff will be in attendance to answer any questions.



City of Rockwall
The New Horizon

MEMORANDUM

TO: Brad Griggs, Assistant City Manager
FROM: Jeffrey Widmer, Building Official
DATE: 1/13/16
SUBJECT: Zanata's waste container located on San Jacinto Plaza

Per your request, I would like to outline the building, electrical and accessibility code issues pertaining to the waste container that was recently constructed for Zanata's and is located within the City's plaza on San Jacinto.

The allowable occupant load for Zanata's requires the establishment to have two separate means of egress. Therefore the door which exits onto the plaza must meet the following standards. The exit path leading from that door, must provide a minimum unobstructed width of 44". With the waste receptacle sitting on the ramp, the current width is approximately 32".

This means of egress is also required to be an accessible exit from the building. The waste receptacle is currently encroaching into the required accessible path.

Lastly, the receptacle is encroaching into the required clear space around the electrical equipment that is affixed to the exterior wall. The National Electrical Code requires a minimum clear space of 36" in front and 30" to each side of the electrical equipment. At this point, the location of the receptacle is causing a safety hazard and a possible fire hazard.

In addition to the Building Code issues listed above, it appears that the accumulation of grease that has been deposited on the ramp and the plaza pavers is creating a nuisance. The City's Property Maintenance Code states the following: *Sanitation*. All exterior property areas shall be maintained in a clean, safe, and sanitary condition, free from accumulations of rubbish, garbage, junk, or waste, which constitute a public nuisance, contrary to the public health, safety, or welfare.



City of Rockwall
The New Horizon

CITY OF ROCKWALL, TEXAS MEMORANDUM



DATE: January 13, 2016
TO: Brad Griggs, Assistant City Manager
FROM: Ariana Hargrove, Fire Marshal
SUBJECT: Exit requirements for Zanata's (202 E Rusk)

This memo is in reference to the request to review the required egress requirements for the Zanata's Restaurant located at 202 E Rusk.

This memo will review 3 key points regarding the exits:

1. Required number of exits
2. Location of the exits
3. Exit Discharge requirements

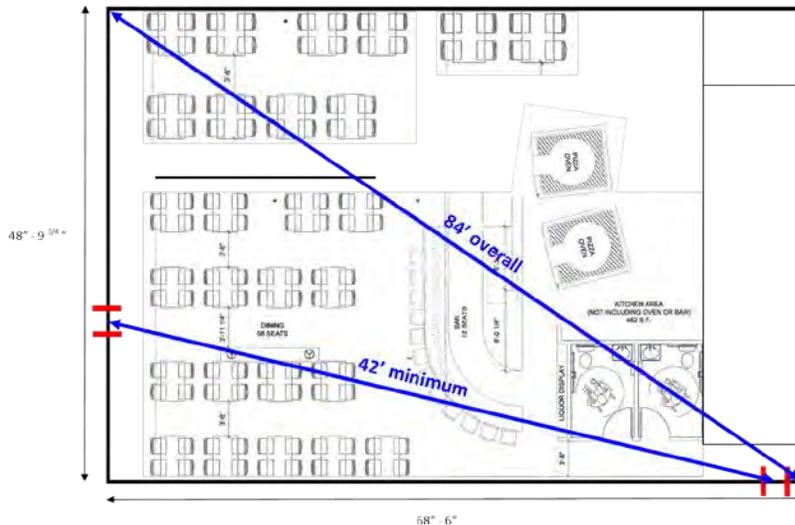
Required number of exits

IBC/IFC requires that all spaces within each story shall have access to the minimum number of approved independent exits as specified in the code based on the occupant load of the story. Zanata's occupant load is a maximum of 99 occupants and therefore requires two independent exits.

Location of the exits

Where two exits are required, the exit doors shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the building or area to be served measured in a straight line between exit doors.

Zanata's is approximately 48'-9 3/4" by 68'-6". The overall diagonal dimension of the space is approximately 84'. Therefore, the two required exits shall be at least 42' apart.



Exit Discharge Requirements

Exits shall discharge directly to the exterior of the building. The exit discharge shall be at grade or shall provide direct access to grade. Zanata's has a ramp to provide the access to grade. The minimum width of a means of egress ramp shall not be less than 44 inches minimum due to an occupant capacity of 50 or more. Means of egress ramps shall not reduce in width in the direction of egress travel. Projections into the required ramp and landing width are prohibited.

The recently constructed trash enclosure is violating the minimum width requirements for the egress ramp from the required second exit from the Zanata's Restaurant.







MORE SHOPS



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Cole, Kristy

From: Jeffus, Stanley <Stanley.Jeffus@xerox.com>
Sent: Tuesday, January 12, 2016 10:40 AM
To: Cole, Kristy
Cc: Ayres, Paul
Subject: CERT Presentation to City Council

Kristy,

The Rockwall CERT team would like to do a 10 minute or so presentation to the City Council about CERT's activities in 2015 and especially our role in the Tornado.

We would like to do the presentation at the next City Council meeting on January 19th.

If you have any questions, please let me know.

Thanks,
Stan Jeffus
Assistant Program Manager
Rockwall CERT

sieffus@airmail.net
214-802-3226 -cell

Rockwall City Council Meeting January 19, 2016.

CERT Presentation.

What is CERT?

In 2002 the Citizen Corps program was created to harness the power of every individual through education, training, and volunteer service.

Rockwall's CERT Program

In 2005, the Rockwall Fire Department developed a CERT program to promote a partnering effort between emergency services and the people they serve.

Rockwall CERT Mission Statement

CERT Response

The basic idea is to use CERT to perform the large number of tasks needed in emergencies. This frees highly trained professional responders for more technical tasks. Much of CERT training concerns the Incident Command System and organization, so CERT members fit easily into larger command structures.

CERT Training FEMA Courses

- Disaster Preparedness
- Fire
- Medical Operations
- Light Search and Rescue Operations
- HAZMAT
- Disaster Simulation

Rockwall CERT 2015 Activity Summary

- Search & Rescue
- Structure Fires Firemen Rehab
- Concert on the Lake
- Founders Day
- Rubber Duck Regatta
- Carry the load
- Tornado



Rockwall CERT - 2015



Rockwall City Council
Presentation
01-19-2016



What is CERT



TRAINING OUR CITIZENS IN EMERGENCY RESPONSE

*If a disaster were to strike Rockwall,
would you know what to do?*

Prepare... Respond... Recover...

CERT members are groups of active residents that have received special training for the purpose of enhancing their ability to recognize, respond to, and recover from a major emergency affecting the Rockwall community.



CERT

- In 2002 the Citizen Corps program was created to harness the power of every individual through education, training, and volunteer service.



FEMA



Rockwall CERT

- In 2005, the Rockwall Fire Department developed a CERT program to promote a partnering effort between emergency services and the people they serve.



FEMA



Emergency Response

- Emergency services are quickly overwhelmed
- Limited capabilities
- Families and neighborhoods to support and care for themselves



FEMA



CERT Goal

- Provide basic response training that individuals can use in their own home, neighborhood, and work place
- Perform the large number of tasks needed in emergencies
- Incident Command System and organization



FEMA



CERT - FEMA

- The Nationally Certified FEMA Course is used to teach Rockwall's CERT members how to perform essential life-saving functions while awaiting the arrival of professional emergency responders.
- The course is taught by a Certified CERT Instructor.



FEMA Courses

- Disaster Preparedness
- Fire Safety and Utility Controls
- Disaster Medical Operations
- Light Search and Rescue Operations
- Disaster Psychology
- Terrorism and CERT
- Animal Response



FEMA Courses

- Emergency Communications
- Traffic and Crowd Management
- Firefighter Rehab
- Hazardous Materials
- Flood, Earthquakes, Excessive Heat, Landslides, Severe Thunderstorms, Tornadoes, Winter Storms, Pandemic Influenza, Nuclear Power Plant Emergencies



FEMA



Rockwall CERT - 2015

- Search & Rescue
- Structure Fires - Firemen Rehab
- Concert on the Lake
- Founders Day
- Rubber Duck Regatta
- Carry the load
- Tornado



FEMA



Rockwall CERT – 2015 Training

- IS-015.b Special Events Contingency
- IS-201 ICS Forms
- Skywarn/Storm Spotter
- IS-102.b Deployment Basics
- IS-005.a Hazardous Materials Awareness
- IS-322 Flood Response
- IS-546.a/547.a Continuity of Operations



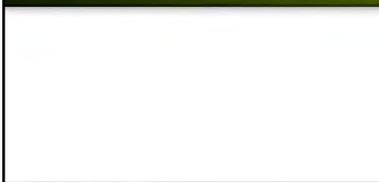
Point of Dispensing (POD) Training



Firemen Rehab



Firemen Rehab



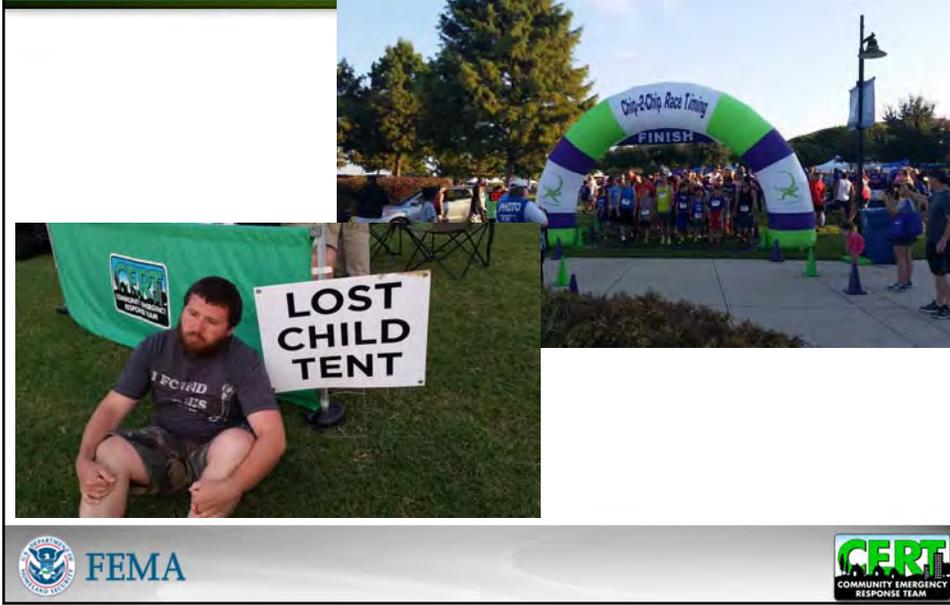
Carry the Load



Founder's Day – July 4th - Concerts



Founder's Day – July 4th - Concerts



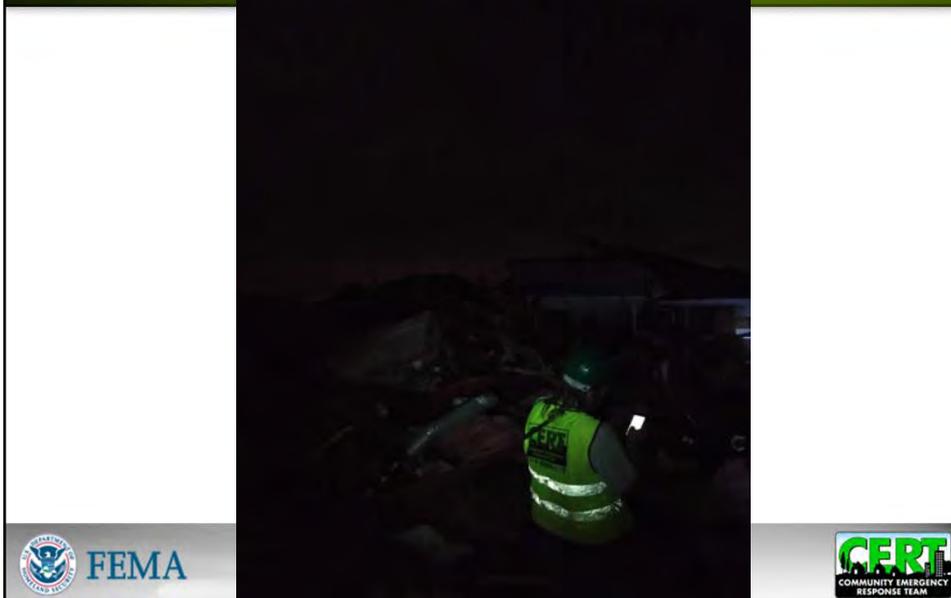
9-11 Memorial Run Trail Run



December Tornado



December Tornado





December Tornado







2015 End of Year Report

● Business Meetings:	8
● Training Meetings:	8
● Special Events:	22
● Drills/Exercises:	5
● Official Requests for Assistance:	15
● Total Events:	59
● Total Volunteer Hours	1125.5
● Monetary Value	\$25,965.29



FEMA



Rockwall CERT

- Register to Join Rockwall CERT

<http://www.rockwall.com/FireDepartment/cert.asp>

QUESTIONS ??



FEMA



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CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 01/19/2016

APPLICANT: Jimmy Strohmeyer of Strohmeyer Architects Inc.

AGENDA ITEM: **Z2015-028**; Private Baseball Fields – Recreation (Outdoor) - SUP

SUMMARY:

Hold a public hearing to discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of JBR-2, LLC for the approval of a Specific Use Permit (*SUP*) for *Commercial Amusement/Recreation (Outside)* to allow two (2) private baseball fields to be established on a 2.49-acre portion of a larger 7.32-acre tract of land identified as Tract 17-12 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned General Retail (*GR*) District, situated west of the intersection of SH-205 and FM-549, and take any action necessary.

BACKGROUND INFORMATION:

The applicant, Jimmy Strohmeyer of Strohmeyer Architects, Inc., is requesting a Specific Use Permit (*SUP*) to allow for a *Commercial Amusement/Recreation (Outdoor)* training facility for two (2) private baseball fields to be located on a 2.49-acre portion of a larger 7.32-acre tract of land. The property is zoned General Retail (*GR*) District and is located at 5133 FM 549 and situated at the southwest corner of FM-549 and SH-205.

The private baseball fields (*ball fields*) the applicant is requesting to build on this property are not regulation size and could not be used for normal game play or tournament play. The layouts of the *ball fields* are designed for infield practice and will be used only in that manner. The applicant has stated there will not be a need for exterior lighting as the *ball fields* will only be used during daylight hours. If approved, the *ball fields* will be available for rental and select team use for infield practice only.

Included in your packet are a survey of the property (*Exhibit 'A'*) and a conceptual site plan (*Exhibit 'B'*) indicating the location and orientation of the two (2) *ball fields* for your review. As a note, a request for an *SUP* is a discretionary act for the City Council.

REQUEST FOR WAIVER:

The applicant's request does not conform to the residential setback requirements for a commercial amusement/recreation (*outdoor*) facility. The Unified Development Code (*UDC*), under Article IV, Sec. 2.1.5, Recreation, entertainment and amusement conditions requires a minimum 300-ft setback from residentially zoned properties. The code reads as follows:

- ***Commercial amusement/recreation (outdoor).***
 2. *Outdoor commercial recreational and amusement uses shall be no closer than 300 feet to residentially zoned land unless such setback is reduced or waived by the planning and zoning commission and city council.*

There are two (2) Agricultural (AG) zoned properties adjacent to this site (*south & west*) with single-family homes on each lot; however, the AG district is recognized as a non-residentially zoned district and does not require a 300-ft setback from this use. With this being said, the Oaks of Buffalo Way residential subdivision has adjacency to FM-549 and at its nearest point is approximately 120-ft from the proposed site; therefore, does not meet the 300-ft setback and will require approval by the Planning and Zoning Commission and City Council in order to operate practice ball fields.

NOTIFICATION:

Staff mailed eleven (11) notices to property owners within 500 feet of the subject property. Staff also notified one (1) HOA/Neighborhood Organization (*Oaks of Buffalo Way*) that is within 1500 feet participating in the notification program. Additionally, staff posted a sign on the property as required by the Unified Development Code (*UDC*). At the time this report was drafted, staff has received two (2) notices “*opposed to*” the zoning change request [one – written & one – verbally stated at the P&Z public hearing]. The two (2) notices constitute a protest from over 20% of the property owners within 200-ft of the proposed property requesting the zoning change and will require a super-majority vote by the City Council for approval of the SUP.

It should be noted that after the initial mail out of property owner notices on October 30, 2015, a subsequent “*Corrected Notice*” had been mailed to property owners indicating newly published public hearing dates. This was due to an error on the zoning map that staff discovered [the error has existed since the map was updated in 2012]. The property was inadvertently indicated as a Commercial (C) District, when it was zoned as *General Retail (GR)* District in 2011 (See Case *Z2010-021*). The current zoning map has since been corrected to reflect General Retail designation for the property.

RECOMMENDATIONS:

Should the Specific Use Permit be approved, staff would offer the following conditions:

- 1) That adherence to Building Inspections, Engineering and Fire Department standards is required prior to issuance of a Certificate of Occupancy (CO); and,
- 2) That the operation of the two (2) private baseball fields be limited to the area designated on the survey as described on *Exhibit ‘A’* and as depicted on *Exhibit ‘B’*; and,
- 3) That the operation of the two (2) private baseball fields be limited to daylight hours with no exterior lighting being permitted for such use; and,
- 4) That approval of the residential setback requirements for the operation of a *commercial amusement/recreation (outdoor)* be reduced to approximately 120-ft.; and,
- 5) That the City Council reserves the right to review the Specific Use Permit (*SUP*) any time after the effective date of the passage of the ordinance regulating such use.

Planning and Zoning Recommendation:

On November 24, 2015, the Planning and Zoning Commission’s motion to grant a request to postpone the public hearing to January 12, 2016 was approved by a vote of 5 to 0 with Commissioners Renfro and Fishman absent.

On January 12, 2016, the Planning and Zoning Commission made a motion to approve the SUP request, which failed by a vote of 3 to 3, with Commissioners Trowbridge, Logan, and McCutcheon dissenting [Jusko - Absent].

The protest from property owners as stated in the memo requires a favorable three-fourths (3/4) vote from the City Council for approval. Article II, Section 8.4 "Protest of Proposed Change in Zoning" of the City of Rockwall Unified Development Code states:

"Whenever such written protest is signed by the owners of twenty (20) percent or more of the area of the lots or land included in such zoning change, or of the lots or land immediately adjoining the same and within the above mentioned two hundred (200) feet radius, or if such change is recommended for denial by the Planning and Zoning Commission, such change in zoning shall require a favorable vote of three-fourths (3/4) of all eligible members of the Council."



City of Rockwall

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

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

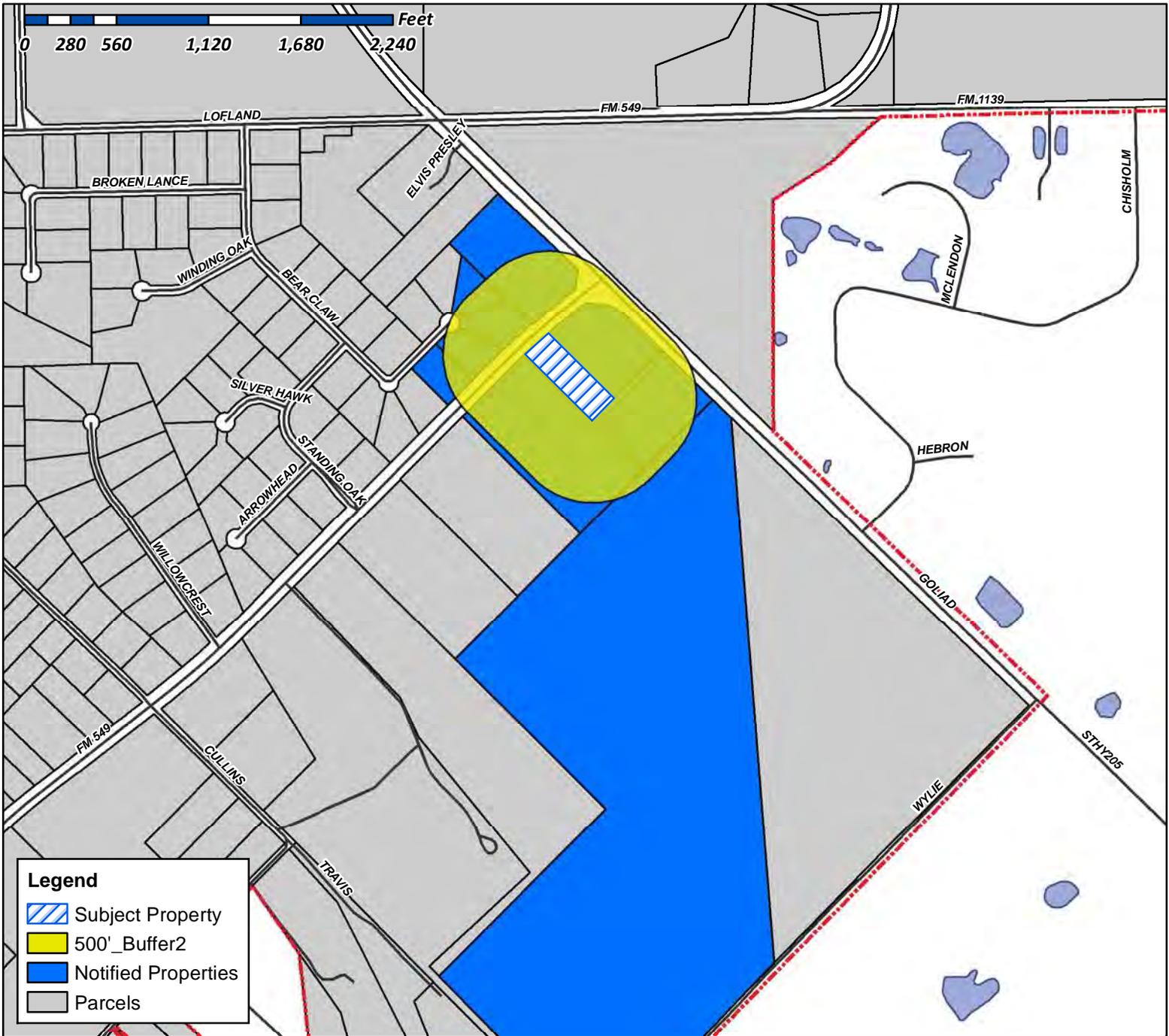




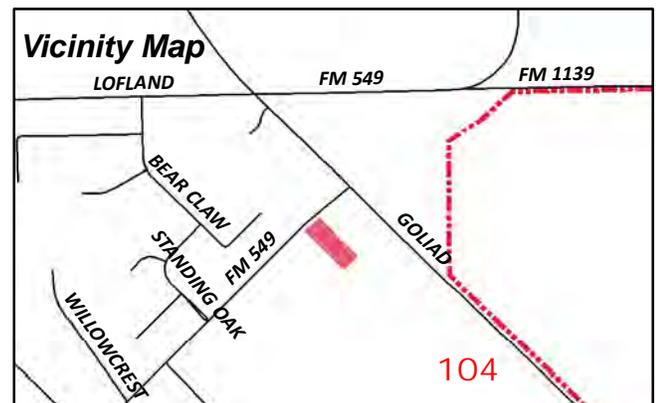
City of Rockwall

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Case Number: Z2015-028
Case Name: 5133 FM 5849
Case Type: Specific Use Permit
Zoning: Commercial
Case Address: 5133 FM 549



Date Created: 10/23/2015
 For Questions on this Case Call (972) 771-7745



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

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

Corrected Notice

To Whom It May Concern:

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

Case No. Z2015-028: Private Baseball Fields

Hold a public hearing to discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of JBR-2, LLC for the approval of a Specific Use Permit (SUP) for Commercial Amusement/Recreation (Outside) to allow two (2) private baseball fields to be established on a 2.49-acre portion of a larger 7.32-acre tract of land identified as Tract 17-12 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated west of the intersection of SH-205 and FM-549, 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, 11/24/2015 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 12/7/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

**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 **12/7/2015** 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: [HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP](http://www.rockwall.com/planning/planningdevcases.asp)

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

Case No. Z2015-028: Private Baseball Fields

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.

Four horizontal grey bars for providing reasons for support or opposition.

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

J BR2 LLC
2701 SUNSET RIDGE DR SUITE 610
ROCKWALL, TX 75032

HOME BOY ENTERPRISES INC
460 LAWRENCE DR
HEATH, TX 75032

ZEB MOHIUDIN DR &
NASREEN ZEB
5128 S STATE HIGHWAY 205
ROCKWALL, TX 75032

CURRENT RESIDENT
5133 S FM549
ROCKWALL, TX 75032

USMAN ASIM & HUMA RASHID
5140 BEAR CLAW LN
ROCKWALL, TX 75032

PHILIP LIVING TRUST
5160 BEAR CLAW LN
ROCKWALL, TX 75032

YOUNG BRIAN E & PATTI D
5165 BEAR CLAW LANE
ROCKWALL, TX 75032

CURRENT RESIDENT
5170 BEAR CLAW LN
ROCKWALL, TX 75032

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

THURMOND KATHRYN ESTATE
KENN KAPP INDEPENDENT EXECUTOR
5606 POLO RD
COLLEGE STATION, TX 77845

ROCKWALL HIGHGATE LTD
C/O SCOTT ASBURY
6210 PRESTON CREEK DR
DALLAS, TX 75240

Case No. Z2015-028: Private Baseball Fields

Please place a check mark on the appropriate line below:

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

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

We bought this property & built a residential home, understanding that we would be surrounded by the same. Baseball practice & other sports next door are not what we paid for. Lack of privacy; too much noise.

Name: Drs. Mohiudin & Nasreen Zeb

Address: 5128 - S. Hwy 205, Rockwall TX. 75032

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

Gonzales, David

From: Planning
Sent: Tuesday, January 12, 2016 10:46 AM
To: Gonzales, David
Subject: FW: Re Case No: Z-2015-028

Fyi.

From: mohiudin zeb [REDACTED]
Sent: Tuesday, January 12, 2016 10:04 AM
To: Planning
Subject: Re Case No: Z-2015-028

Dear Mr. David Gonzales,

My name is Dr. Mohiudin A. Zeb, I reside at 5128 S. Hwy 205, Rockwall, TX 75032, and I wanted to send my respond to the above referenced motion.

I object to the motion in front of the Rockwall City Council regarding the neighboring property being converted into a private baseball field. The reasons are obvious, as I am confident that no one would want a baseball field next door to their home.

I have lived at my residence for more than 20 years, a private sports facility next door will be sure to bring more traffic, more accidents, increase the likelihood of property damage to my home, increase the likelihood of trespass, and most certainly will be disruptive and noisy.

I have also spoken to several home owners in the surrounding area, and they all object to the motion as well- which I am confident the City Council is already aware of.

I hope the City Council respects the wishes of its constituents and votes against this motion.

Thank you for your help.

Best regards,

Dr. M.A. Zeb, M.D.

Gonzales, David

From: Miller, Ryan
Sent: Thursday, January 14, 2016 7:48 AM
To: Gonzales, David
Subject: FW: Case No. Z2015-028

For your records ...



RYAN C. MILLER, AICP

DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6441 OFFICE
RMILLER@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

From: Scott Blackwood [REDACTED]
Sent: Wednesday, January 13, 2016 10:56 PM
To: Planning
Cc: Miller, Ryan
Subject: Case No. Z2015-028

January 13, 2016

Case No. Z2015-028

Mr. Gonzales,

This is Scott Blackwood. My wife and I own, and live on, the property adjacent to Mr. Bobst's property at 5133 South FM 549, which is the subject of the SUP case referenced above. Our address is 5205 South FM 549.

During the public hearing last night, I stated my/our opposition to this request. This letter is intended to restate that opposition for the purpose of making it available to the city council prior to their next meeting and public hearing scheduled for January 19, 2016.

My opposition is based on the fact that I have lost at least two potential buyers of my property since October due to the creation of the baseball fields "next door" to my land and those buyers' concerns about noise, privacy, etc., not to mention the visual impact of the fields being right next to property on which a home can be built. The house and metal building next door have been there since we moved here in 2003, and their presence has not been an issue, whether used by the previous owner as his personal home or by Mr. Bobst and his uses for them up to this point.

Because of Mr. Bobst's General Retail zoning of his property, I made application to the city, nearly two years ago to rezone my property, as well, to provide complimentary and transitional residential/office zoning of my property, thus making it more attractive to potential buyers as well as being respectful toward our neighbors' desires and concerns. That application was denied, however, and my property has remained Agricultural/Residential to this day, thus not making it available for any type of commercial use.

Other valid concerns about the baseball fields were brought up by the commission, as well, but my primary opposition remains with the fact that the presence of the fields IS having a detrimental impact on the plans for our property, not to mention that they were constructed under the guise of grading the property for drainage improvements only, and without the proper permission for anything beyond that. In August of last year, Mr. Bobst, himself - as soon as loads of dirt began arriving on the property - emphatically stated to me in a phone conversation that the work being done was for drainage improvements only. The city confirmed that his permit was exclusively for that purpose and nothing else. Shortly thereafter, loads of red clay arrived, infields took shape, fencing and backstops were constructed, and now, it's evident that the outfields have had winter grass planted on them. All of this has been done without the SUP for which he is requesting.

I plan to be present at the city council meeting next week and present my opposition again at that time, if necessary.

Thank you.

Scott W. Blackwood

South FM 549

Rockwall, Texas 75032

972-768-4835

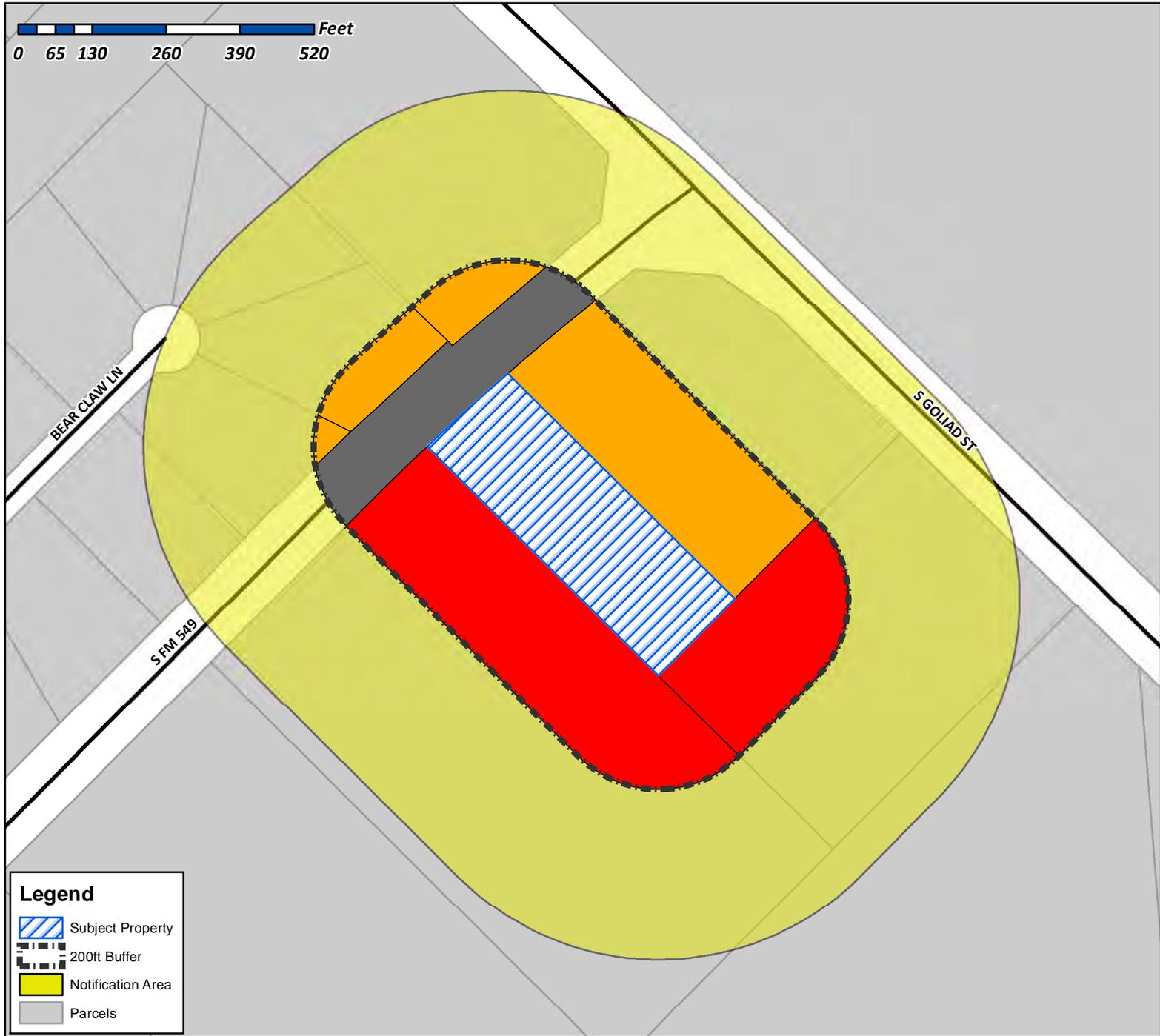
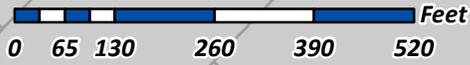
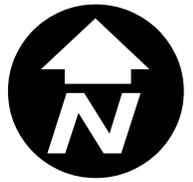




City of Rockwall

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Legend

- Subject Property
- 200ft Buffer
- Notification Area
- Parcels

Z2015-028 - 5133 FM 5849 (SUP)

- AGAINST 40.20%
- FOR 0.0%
- NO RESPONSE 48.40%
- ROW 11.40%

Date Created: 01/13/2016

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

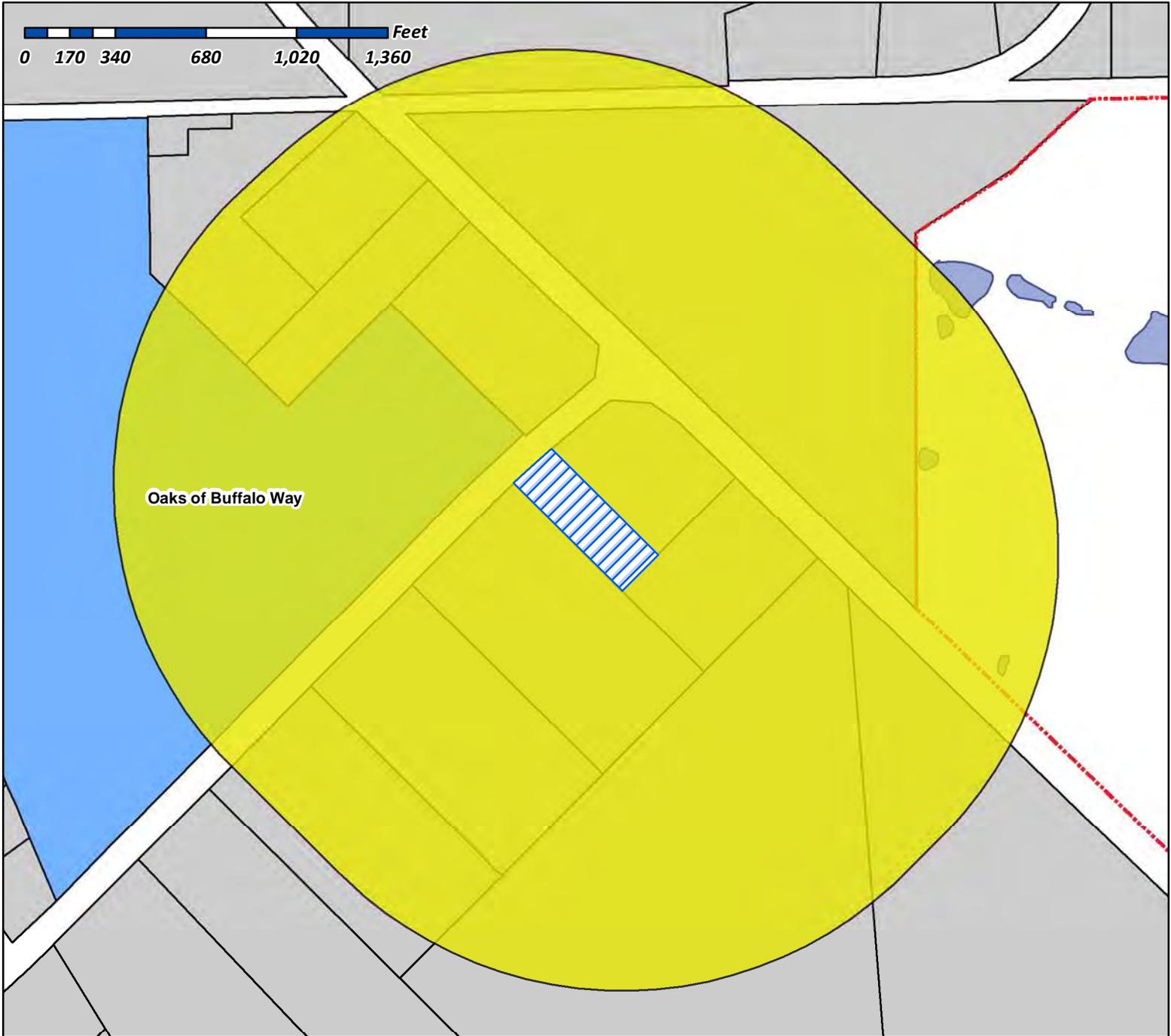




City of Rockwall

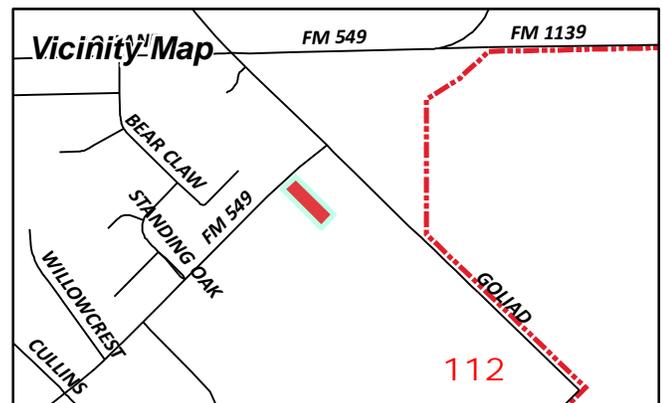
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Case Number: Z2015-028
Case Name: 5133 FM549
Case Type: Specific Use Permit
Zoning: Commercial
Case Address: 5133 FM549

Date Created: 10/23/2015
 For Questions on this Case Call (972) 771-7745



Gonzales, David

From: Morales, Laura
Sent: Friday, October 30, 2015 3:35 PM
To: 'oakofbwpres@gmail.com'
Cc: Miller, Ryan; Gonzales, David
Subject: Neighborhood Notification Program: Notice of Zoning Request
Attachments: Z2015-027 HOA Map.pdf; Z2015-028 HOA Map.pdf

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that will also be published in the Rockwall Herald Banner on May 29, 2015. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at <http://www.rockwall.com/planning/planningDevCases.asp>.

Z2015-027- AG to SFE-2.0 for 453 Cullins. Rd.

Hold a public hearing to discuss and consider a request by Bobby Dale and Bretta Price for the approval of a zoning change from an Agricultural (AG) District to a Single Family Estate 2.0 (SFE-2.0) District for a 5.5-acre tract of land identified as Tract 17-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 453 Cullins Road, and take any action necessary.

Z2015-028- SUP for Baseball Fields

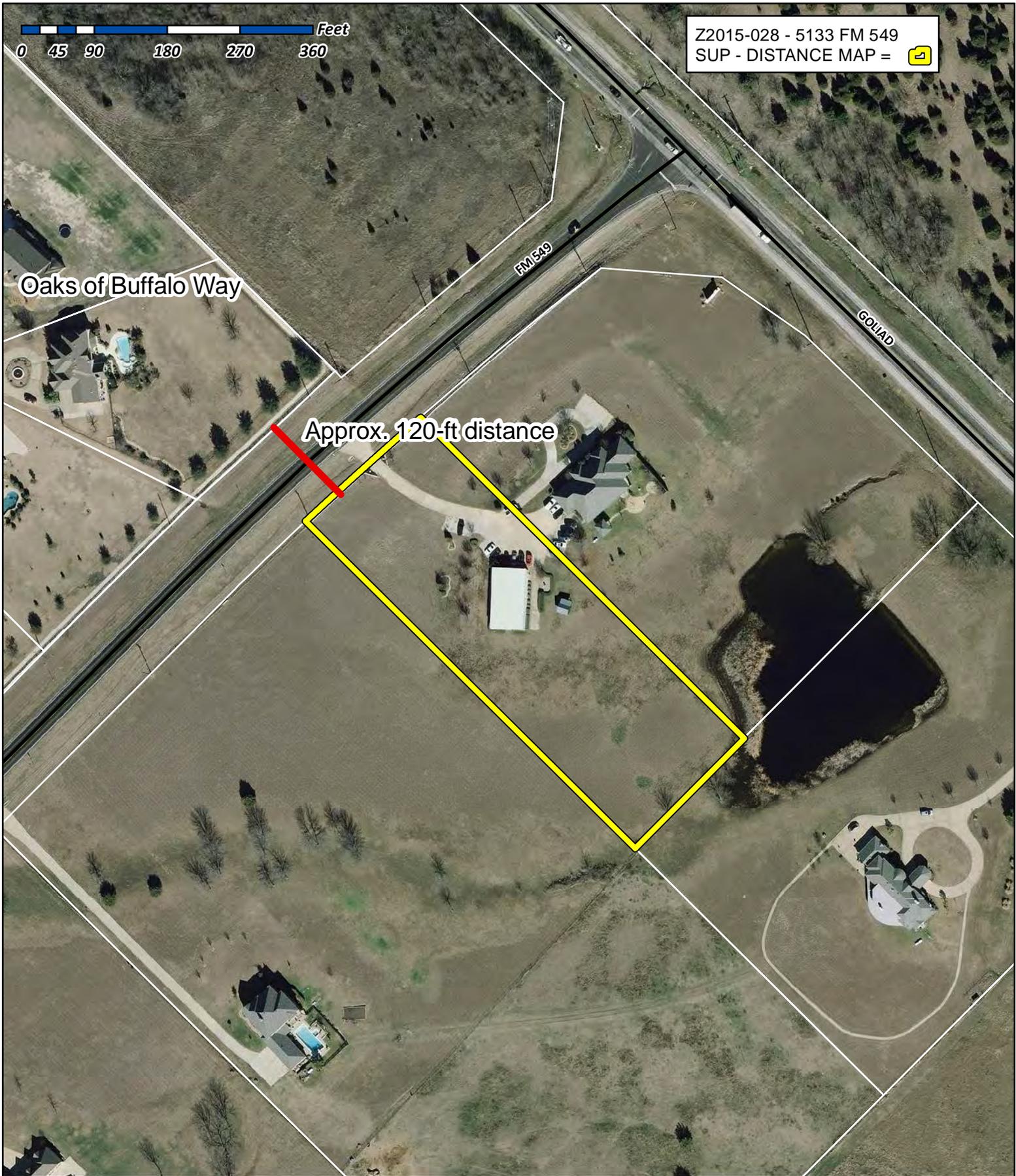
Hold a public hearing to discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of JBR-2, LLC for the approval of a Specific Use Permit (SUP) for Commercial Amusement/Recreation (Outside) to allow two (2) private baseball fields to be established on a 2.49-acre portion of a larger 7.32-acre tract of land identified as Tract 17-12 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated west of the intersection of SH-205 and FM-549, and take any action necessary.

Laura Morales

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



Z2015-028 - 5133 FM 549
SUP - DISTANCE MAP =



City of Rockwall

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

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CITY OF ROCKWALL

ORDINANCE NO. 16-_____

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) ALLOWING FOR A COMMERCIAL AMUSEMENT/RECREATION FACILITY (OUTDOOR) AND MORE SPECIFICALLY TWO (2) PRIVATE BASEBALL FIELDS, WITHIN A GENERAL RETAIL (GR) DISTRICT, BEING A 2.49-ACRE PORTION OF A LARGER 7.32-ACRE TRACT OF LAND IDENTIFIED AS TRACT 17-12 OF THE W. W. FORD SURVEY, ABSTRACT NO. 80, AND SITUATED WEST OF THE INTERSECTION OF SH-205 AND FM 549, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' AND AS DEPICTED IN EXHIBIT 'B'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of the owner JBR-2, LLC for the approval of a Specific Use Permit (SUP) allowing for a *Commercial Amusement/Recreation Facility (Outdoor)* and more specifically two (2) private baseball fields, within a General Retail (GR) District, being a 2.49-acre portion of a larger 7.32-acre tract of land identified as Tract 17-12 of the W. W. Ford Survey, Abstract No. 80, and situated west of the intersection of SH-205 and FM 549, City of Rockwall, Rockwall County, Texas, and more specifically described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

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

Section 1. That the Unified Development Code [Ordinance 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 a *Commercial Amusement/Recreation Facility (Outside)* and more specifically

two (2) private baseball fields within a General Retail (GR) District for the *Subject property*, and

Section 2. That the *Subject Property* shall be developed and used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance granted herein and shall be subject to the conditions set forth in *Article IV, Permissible Uses, Section 2.1.5 Recreation, Entertainment and Amusement Use Conditions*, and *Article V, District Development Standards, Section 4.4 General Retail (GR) District*, of the *City of Rockwall Unified Development Code [Ordinance No. 04-38]* as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions:

2.1 Operational Conditions

The following conditions pertain to the operation of the *Commercial Amusement/Recreation Facility (Outdoor)* on the *Subject Property* and conformance to these stipulations is required for continued operations:

- 1) That the operation of the two (2) private baseball fields be limited to the area designated on the survey as described on *Exhibit 'A'* and as depicted on *Exhibit 'B'*; and,
- 2) That the operation of the two (2) private baseball fields be limited to daylight hours with no exterior lighting being permitted for such use; and,
- 3) That approval of the residential setback requirements for the operation of a *commercial amusement/recreation (outdoor)* be reduced to approximately 120-ft.; and,
- 4) That the City Council reserves the right to review the Specific Use Permit (*SUP*) any time after the effective date of the passage of the ordinance regulating such use.

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

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

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

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

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

publication of the caption of said ordinance as the law in such cases provides.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE ____ DAY OF _____, 2016.**

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: _____

2nd Reading: _____

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CITY OF ROCKWALL, TEXAS

MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Brad Griggs, *Assistant City Manager*

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

DATE: January 19, 2016

SUBJECT: Z2015-036; *Amendment to PD-32*

On December 16, 2015, the applicant Harry Chapman of Noble RE, LLC submitted an application on behalf of the owners (*Robert & Patrick Hughes and Sandra Ferguson*) requesting that Planned Development District 32 (PD-32) be amended to allow a *Financial Institution with a Drive-Through* within the *Ridge Road Retail Subdistrict*. Currently, the only property within the *Ridge Road Retail Subdistrict* is the subject property, which is a 1.1755-acre parcel of land identified as Lot 26 of the Lakeridge Estates Addition and addressed as 2930 Ridge Road; however, in order to amend, add or remove any land use contained within Planned Development District 32 (PD-32) [*Ordinance No. 10-21*] the entire Planned Development District needs to be amended, which means that every property owner within the Planned Development District is required to be notified of the proposed change. As a result, staff mailed out 132 notices to all property owners and residents within Planned Development District 32 (PD-32). In addition, staff mailed out notifications to all property owners and residents within 500-feet of the district and to all Homeowner's Associations within 1,500-feet of the district (*i.e. Water's Edge, Signal Ridge, Chandler's Landing, Fox Chase and Lakeside Village Homeowner's Associations*) per the requirements of Section 6.1, *Notice of Public Hearing*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code. Of the 132 notices mailed, staff has received five (5) notices returned, three (3) in favor of the request and two (2) opposed to the request. *These notices have been included in the attached packet.*

The purpose of the applicant's request is to allow for a banking facility that will utilize Interactive Teller Machines (ITE) in lieu of the traditional drive-through teller model. With the request, the applicant has submitted a concept plan showing generally how the site will be laid out if approved; however, the applicant will also be required to go through a PD Site Plan process prior to submitting engineering plans. It should also be pointed out that with the development of this property the applicant will be required to construct a portion of the entry road for the *Harbor District* connecting off Ridge Road (*currently identified as Cemetery Road*). In addition, staff has included a copy of the draft ordinance, the *Subdistrict Map*, and the overall concept plan for the *Harbor District* in the attached packet. The only change being proposed with this request is adding a new land use to *Exhibit 'D', Subdistrict Land Use Chart*, of *Ordinance No. 10-21* for the purpose of allowing a *Financial Institution with a Drive-Through* within the *Ridge Road Retail Subdistrict*.

On January 12, 2016, the Planning and Zoning Commission approved a motion to recommend approval of the applicant's request by a vote of 6-0, with Commissioner Jusko absent. If the City Council has any questions, staff and the applicant will be available at the public hearing.



City of Rockwall

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

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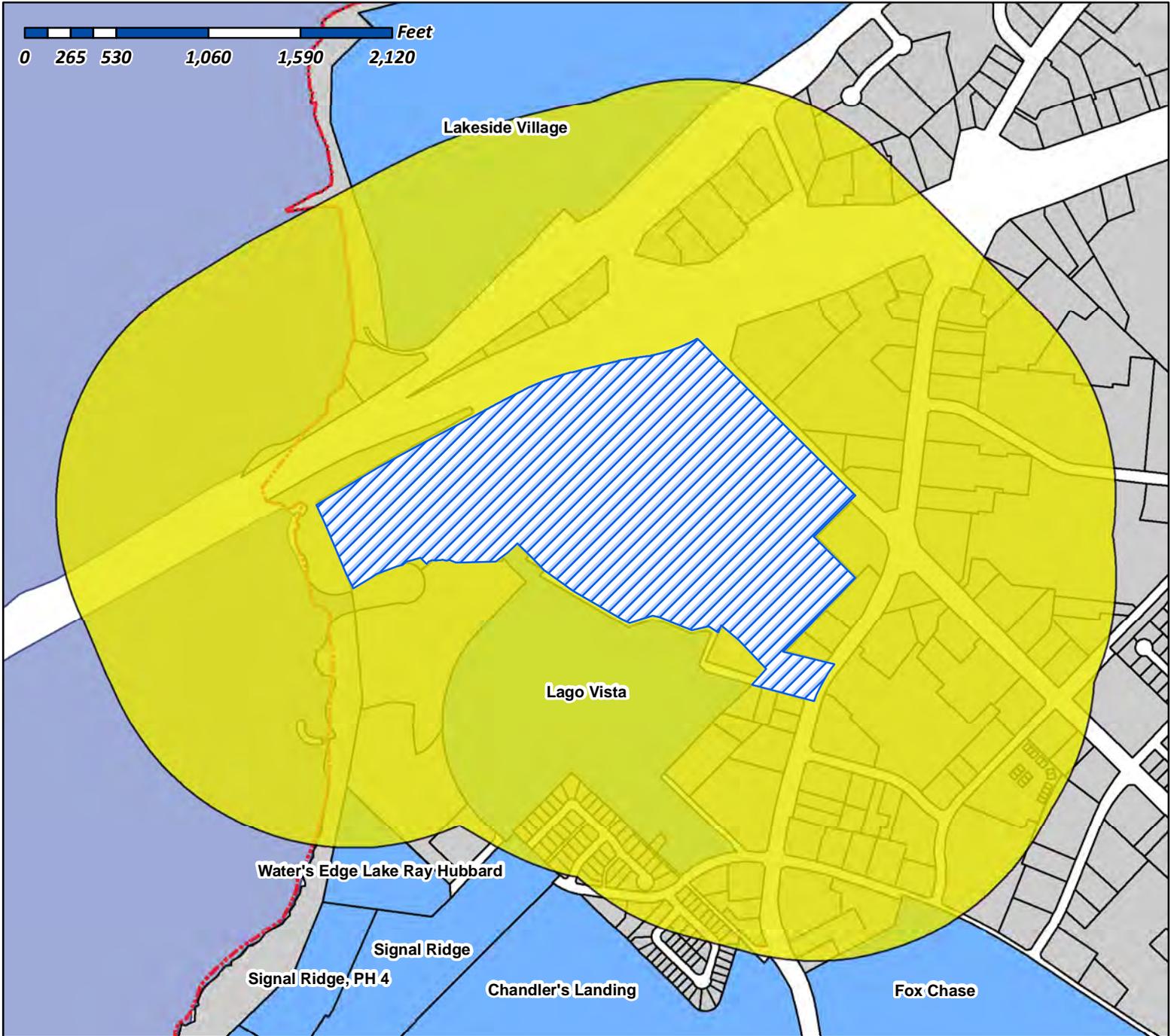
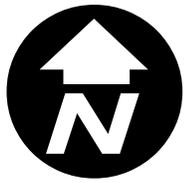




City of Rockwall

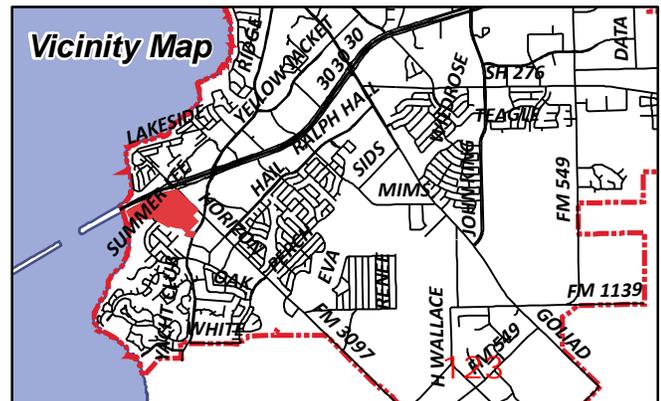
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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Case Number: Z2015-036
Case Name: Amendment to PD-32
Case Type: Zoning
Zoning: PD-32
Case Address: Harbor District

Date Created: 12/21/2015
 For Questions on this Case Call (972) 771-7745



From: [Morales, Laura](#)
To: [REDACTED]
Subject: Neighborhood Notification Program: Notice of Zoning Request
Date: Thursday, December 31, 2015 9:52:00 AM

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that will also be published in the Rockwall Herald Banner on December 30, 2015. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at <http://www.rockwall.com/planning/planningDevCases.asp>.

Z2015-036

Hold a public hearing to discuss and consider a request by Harry Chapman of Noble RE, LLC on behalf of the owners Robert & Patrick Hughes and Sandra Ferguson for the approval of a zoning amendment to Planned Development District 32 (PD-32) [*Ordinance No. 10-21*] for the purpose of allowing a *Financial Institution with a Drive-Through* within the *Ridge Road Retail Subdistrict*, being a 1.1755-acre portion of a larger ~78.89-acre area of land identified as the *Harbor District*, being zoned Planned Development District 32 (PD-32), situated within the Scenic Overlay (SOV) District, located at the northwest corner of Cemetery Road and Ridge Road [*FM-740*], with the greater *Harbor District* being generally located south of IH-30 and west of Horizon Road [*FM-3097*], and take any action necessary.

Laura Morales

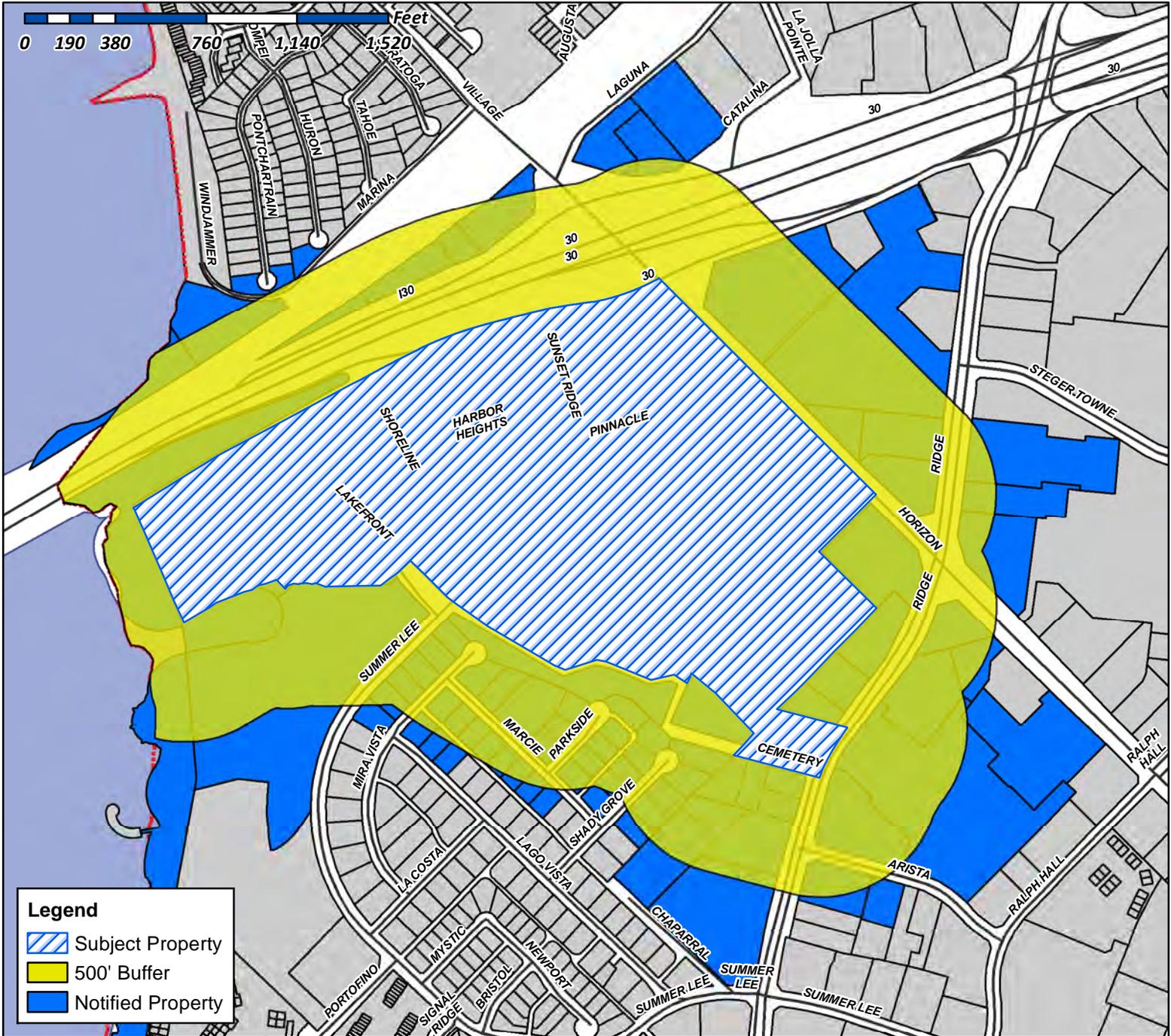
Planning & Zoning Coordinator
City of Rockwall Planning & Zoning Department
972-771-7745 | 972-772-6438
Lmorales@rockwall.com | <http://www.rockwall.com>



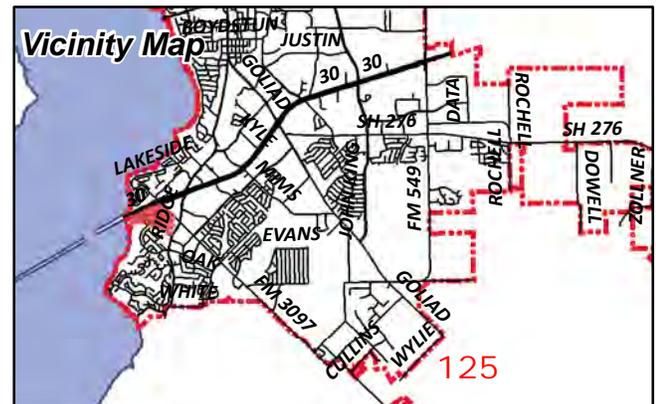
City of Rockwall

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

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Case Number: Z2015-036
Case Name: Amendment to PD-32
Case Type: Zoning
Zoning: PD-32
Case Address: Harbor District



12/21/2015 12/21/2015
 For Questions on this Case Call (972) 771-7745



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

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

To Whom It May Concern:

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

Case No. Z2015-036: Amendment to PD-32

Hold a public hearing to discuss and consider a request by Harry Chapman of Noble RE, LLC on behalf of the owners Robert & Patrick Hughes and Sandra Ferguson for the approval of a zoning amendment to Planned Development District 32 (PD-32) [Ordinance No. 10-21] for the purpose of allowing a Financial Institution with a Drive-Through within the Ridge Road Retail Subdistrict, being a 1.1755-acre portion of a larger ~78.89-acre area of land identified as the Harbor District, being zoned Planned Development District 32 (PD-32), situated within the Scenic Overlay (SOV) District, located at the northwest corner of Cemetery Road and Ridge Road [FM-740], with the greater Harbor District being generally located south of IH-30 and west of Horizon Road [FM-3097], and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 1/12/2016 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 1/19/2016 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by **1/19/2016** 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: [HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP](http://www.rockwall.com/planning/planningdevcases.asp)

PLEASE RETURN THE BELOW FORM

Case No. Z2015-036: Amendment to PD-32

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

KROGER TEXAS LP
1014 VINE STREET
CINCINNATI, OH 45202

SONG CORPORATION
1200 HORIZON RD
ROCKWALL, TX 75032

ANDERSON ALLEN D ETUX
1208 S LAKESHORE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
1220 HORIZON RD
ROCKWALL, TX 75032

CURRENT RESIDENT
1221 ARISTA RD
ROCKWALL, TX 75032

SUN T ENTERPRISES LLC
1221 ARISTA RD
ROCKWALL, TX 75032

HP ROCKWALL 740 LTD
C/O GARY P HAMMER
12720 HILLCREST RD STE 1080
DALLAS, TX 75230

KROGER TEXAS LP
1331 E AIRPORT FWY
IRVING, TX 75062

CAIN DOYLE
1375 COUNTY ROAD 2290
MINEOLA, TX 75773

LONG MINDI N & HAMILTON P
1489 SHADY GROVE CIRCLE
ROCKWALL, TX 75032

THOMPSON CHARLES C & SHARON K
1496 SHADY GROVE CIR
ROCKWALL, TX 75032

YAYINE BERRE Z
1501 SHADY GROVE CIRCLE
ROCKWALL, TX 75087

HURST LEIF AND TIFFANY
1508 SHADY GROVE E CIR
ROCKWALL, TX 75032

LANDRY'S RESTAURANTS INC
DBA SALTGRASS STEAKHOUSE
1510 WEST LOOP S
HOUSTON, TX 77027

CURRENT RESIDENT
1513 SHADY GROVE CIR
ROCKWALL, TX 75032

KUGLE MITCHELL H AND JANIS D
1516 SHADY GROVE CIR
ROCKWALL, TX 75032

HASSANIZADEH MAHMOUD & VASHTI
1523 PARKSIDE CIR
ROCKWALL, TX 75032

STURTZEL GILBERT J III & JEAN A
1523 SHADY GROVE CIRCLE
ROCKWALL, TX 75032

BURGUM JILL
1524 SHADY GROVE CIR
ROCKWALL, TX 75032

COLEMAN BRUCE R & TRUDY J
1531 PARKSIDE CIR
ROCKWALL, TX 75032

STUSSI RALPH S
LACENE STUSSI
1533 SHADY GROVE CIR
ROCKWALL, TX 75032

JORDAN JAY A & COURTNEY L
1534 PARKSIDE CIR
ROCKWALL, TX 75032

WIESENDANGER CHRISTIAN AND KORIN
GARNER-
1534 SHADY GROVE CIR
ROCKWALL, TX 75032

CLIFTON LINDA J
1539 PARKSIDE CIR
ROCKWALL, TX 75032

JEMISON ROBERT L & KAY F
1546 PARKSIDE CIR
ROCKWALL, TX 75032

GOUCHER STEVE AND LISA
1547 PARKSIDE CIR
ROCKWALL, TX 75032

DIETZ ROBERT E & NANCY M
1555 PARKSIDE CIR
ROCKWALL, TX 75032

RENFRO LAVONDA D & CRAIG R
1556 PARKSIDE CIR
ROCKWALL, TX 75032

BENT TREE REALTY CO
16475 DALLAS PKWY STE 880
ADDISON, TX 75001

CURRENT RESIDENT
1649 LAGUNA DR
ROCKWALL, TX 75032

CURRENT RESIDENT
1675 LAGUNA DR
ROCKWALL, TX 75032

CFT DEVELOPMENTS LLC
ATTN: DAVID LUO, DIRECTOR
1683 WALNUT GROVE AVE
ROSEMEAD, CA 91770

CURRENT RESIDENT
1699 LAGUNA DR
ROCKWALL, TX 75032

BRYANT JUDY GRACE & LINDA JEAN BRUNETTE
AND
DOUGLASS FREDERICK WYGAL
1714 MARCELLA LN
ROWLETT, TX 75089

WARMACK BOB & LINDA
1928 HURON DR
ROCKWALL, TX 75087

SER TEXAS LLC
DBA HYPERION HOMES TEXAS LLC
2 N RIVERSIDE PLAZA #1250
CHICAGO, IL 60606

CURRENT RESIDENT
201 E I30
ROCKWALL, TX 75032

BRITTANY PROPERTIES LLC
201 LAURENCE DR PMB 111
HEATH, TX 75032

ARKOMA REALTY LTD
A TEXAS LTD PARTNERSHIP
203 E INTERSTATE 30
ROCKWALL, TX 75087

NORTHSTAR REALTY LTD
203 E INTERSTATE 30
ROCKWALL, TX 75087

CURRENT RESIDENT
205 I30
ROCKWALL, TX 75032

CITY OF ROCKWALL
205 W RUSK ST
ROCKWALL, TX 75087

DUBE RACHEL & NKOSIYALINDA
2075 PONTCHARTRAIN DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
2076 PONTCHARTRAIN DR
ROCKWALL, TX 75032

WHITE MICHAEL AND
MARION E WILSON AND DIMENSIONS REAL
ESTATE SERVICES LLC
2304 W WHEATLAND RD
DALLAS, TX 75232

BRISCOE OIL INC
2323 STEVENS RD
ROCKWALL, TX 75032

BRISCOE TOM R/JENNIFER
2323 STEVENS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2400 HORIZON RD
ROCKWALL, TX 75032

SELMA HOSPITALITY INC
2560 ROYAL LN STE 210
DALLAS, TX 75229

SELMA HOSPITALITY INC
2560 ROYAL LN STE 210
DALLAS, TX 75229

CURRENT RESIDENT
2651 SUNSET RIDGE DR
ROCKWALL, TX 75032

JBR2 LLC
2701 SUNSET RIDGE DR SUITE 610
ROCKWALL, TX 75032

HARBOR HEIGHTS INVESTORS LP
2701 SUNSET RIDGE DR SUITE 610
ROCKWALL, TX 75032

AJ SQUARED LLC
271 RABBIT RIDGE
HEATH, TX 75087

THOMPSON GARY
2730 MIRA VISTA LN
ROCKWALL, TX 75032

MCKINNEY MARVIN
2738 MIRA VISTA LANE
ROCKWALL, TX 75032

ATKINS VIOLA M AND CHRISTOPHER A
2748 MIRA VISTAL LN
ROCKWALL, TX 75032

COOLIDGE JONATHAN S & CATHEY M
2756 MIRA VISTA LN
ROCKWALL, TX 75032

DOUGLAS JOETTA & ROY
2766 MIRA VISTA LN
ROCKWALL, TX 75032

BENDER BRIAN & TERRI
2774 MIRA VISTA LN
ROCKWALL, TX 75032

YU JOHNNY & HAE SUK
2804 MARCIE LN
ROCKWALL, TX 75032

MILLER DARYL & CAMILLE STEARNS
2805 LAGO VISTA LN
ROCKWALL, TX 75032

SAPP PATRICK & SUSIE P
2805 MARCIE LN
ROCKWALL, TX 75032

SON KWANG W & BONG N
2813 LAGO VISTA LN
ROCKWALL, TX 75032

PAULY DEVIN & JULIE L
2814 MARCIE LN
ROCKWALL, TX 75032

HEDGPETH JAMES L & JANIE M
2821 LAGO VISTA LN
ROCKWALL, TX 75032

FRY ROBIN K & JASON R
2822 MARCIE LANE
ROCKWALL, TX 75032

ROSS BRITT & PATRICIA E
2830 MARCIE LN
ROCKWALL, TX 75032

NOYORI MITSUE
2835 MARCIE LN
ROCKWALL, TX 75032

MANI KARTHICK
2838 MARCIE LN
ROCKWALL, TX 75032

JANOWSKI KEVIN C AND
ELIZABETH A CLINE
2846 MARCIE LANE
ROCKWALL, TX 75032

CURRENT RESIDENT
2850 RIDGE RD
ROCKWALL, TX 75032

LAKE FRONT TRAIL LP
2850 SHORELINE TR SUITE 200
ROCKWALL, TX 75032

SANFORD CLOVIS E & BARBARA
2854 MARCIE LN
ROCKWALL, TX 75032

CURRENT RESIDENT
2855 RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2860 RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2861 RIDGE RD
ROCKWALL, TX 75032

POTTER MICHELLE AND BRANDILYN STIGLER
2862 MARCIE LN
ROCKWALL, TX 75032

CURRENT RESIDENT
2865 RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2890 RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2901 VILLAGE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
2910 RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2910 RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2911 RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2930 SOUTH RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2931 RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
2935 RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
295 I30
ROCKWALL, TX 75032

CURRENT RESIDENT
2951 RIDGE RD
ROCKWALL, TX 75032

MINNETONKA CAPITAL INVESTMENTS V LP
%WALGREEN CO #5827
300 WILMOT RD
DEERFIELD, IL 60015

CURRENT RESIDENT
3001 RIDGE RD
ROCKWALL, TX 75032

BRITTANY PROPERTIES LLC (69%) &
MIKE SEALOCK (31%)
3010 RIDGE RD
ROCKWALL, TX 75032

SEALOCK MICHAEL C & SONIA KAY
3010 RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
3012 RIDGE RD RD
ROCKWALL, TX 75032

ATTAWAY LISA K
3014 RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
3018 RIDGE RD
ROCKWALL, TX 75032

CURRENT RESIDENT
3020 RIDGE RD
ROCKWALL, TX 75032

WANG LIN YU
3023 E I-30 #D500
ROCKWALL, TX 75087

CURRENT RESIDENT
303 E I30
ROCKWALL, TX 75032

CURRENT RESIDENT
309 E I30
ROCKWALL, TX 75032

CURRENT RESIDENT
311 E I30
ROCKWALL, TX 75032

DANG YION &
3110 KINGSBURY DR
RICHARDSON, TX 75082

EMERIROCK LLC
3131 ELLIOTT AVENUE SUITE 500
SEATTLE, WA 98121

FAULKNER INVESTMENT CO. LTD
3401 MAIN ST
ROWLETT, TX 75088

MOTON ALVIN D SR & ETHEL
3419 LILY LN
ROWLETT, TX 75089

COONES ROBERT G
3502 LAKESIDE DR
ROCKWALL, TX 75087

GLEN HILLS CEMETERY
C/O INEZ GIBSON
3830 FRANK ST
DALLAS, TX 75210

CURRENT RESIDENT
400 CHAPARRAL LN
ROCKWALL, TX 75032

CURRENT RESIDENT
405 I30
ROCKWALL, TX 75032

LAKESIDE VILLAGE HOMEOWNERS
4100 VILLAGE DR
ROCKWALL, TX 75087

DRZW HOLDINGS LTD
4515 DORSET RD
DALLAS, TX 75229

AREZZO HOME FAMILY HOLDINGS
5240 AREZZO DR
SAN JOSE, CA 95138

ATTICUS REAL ESTATE SERVICES INC
5339 ALPHA RD STE 300
DALLAS, TX 75240

STEGER TOWNE CROSSING II LP
580 DECKER DR STE 203
IRVING, TX 75062

JEY INVESTMENTS
602 FALVEY AVE
TEXARKANA, TX 75501

EAGLE SEIKI SALES LTD
C/O ELIZABETH BURKS
603 WOODED TRAIL
ROCKWALL, TX 75087

THE GAB FAMILY TRUST
C/O ELIZABETH BURKS
603 WOODED TRAIL
ROCKWALL, TX 75087

CLAYTON FAMILY TRUST
GARY R CLAYTON TRUSTEE
6915 WINTERWOOD
DALLAS, TX 75248

CARSON MARK R
701 N MUNSON RD
ROYSE CITY, TX 75189

TF HARBOR, LLC
C/O CREDIT UNION LIQUIDITY SERVICES LLC
777 E CAMPBELL RD STE 650
RICHARDSON, TX 75081

HUGHES ROBERT J & PATRICK HUGHES &
SANDRA FERGUSON
8030 SAN LEANDRO DR
DALLAS, TX 75218

BUILDERS ASSOCIATES #3
ATTN: ARNOLD SCHLESINGER
9595 WILSHIRE BLVD STE 710
BEVERLY HILLS, CA 90212

1220 HORIZON ROAD LLC
C/O CVS 7464-02
OCC EXP DEPT 1 CVS DRIVE
WOONSOCKET, RI 02895

KRUGER KARIN
P O BOX 1388
ROCKWALL, TX 75087

SPATEX GROUP PARTNERSHIP
C/O GARY SHULTZ
PO BOX 1068
HURST, TX 76053

EXODUS TRUST
PO BOX 12263
DALLAS, TX 75225

BRANCH BANKING AND TRUST COMPANY
ATTENTION TAX DEPT (FORSYTH COUNTY)
PO BOX 167
WINSTON SALEM, NC 27102

CLEMENTS BOB L
PO BOX 1850
MCKINNEY, TX 75070

AMERICAN NATIONAL BANK THE
PO BOX 40
TERRELL, TX 75160

LANDAU PROPERTIES LP
PO BOX 601679
DALLAS, TX 75360

W & R PROPERTIES INC
PO BOX 657
KAUFMAN, TX 75142

ROCKWALL RENTAL PROPERTIES LP
PO BOX 818
TERRELL, TX 75160

Case No. Z2015-036: Amendment to PD-32

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.

If you change it for one then everyone will come and want a change. It was put in place for the whole 78.89 ac area and it should stay for the whole area.

Name:

Dayle Cain

Address:

1375 CR 2290 Mineola, TX 75773

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

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

Case No. Z2015-036: Amendment to PD-32

Please place a check mark on the appropriate line below:

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

THIS COULD OPEN UP FOR OTHER DRIVE THROUGHS
SUCH AS FAST FOOD.

Name:

DAW BOBST

Address:

2701 SUNSET RIDGE DR

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

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

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133

Case No. Z2015-036: Amendment to PD-32

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.

In favor, as long as the cemetery is preserved.

Name: M. White
 Address: 2304 W Wheeland Rd, Dallas, TX 75232

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

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

Case No. Z2015-036: Amendment to PD-32

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.

Financial Institution would bring more ^{foot} traffic to the area.

Name: Arnold Schlesinger

Address: 9595 Wilshire Blvd., Suite 700, Beverly Hills, CA 90212

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

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135

From: [hughes Pat](#)
To: [Miller, Ryan](#)
Cc: [REDACTED]; [Mike Ferguson](#)
Subject: Notice of Public Hearing City of Rockwall, Planning & Zoning Department -Case Number Z2015-036: Amendment to PD-32
Date: Tuesday, January 12, 2016 10:45:09 AM

Dear Mr. Miller,

First I wish to thank you on behalf of my family for visiting with me telephonically this morning regarding subject case. It was very much appreciated.

As discussed, we have been marketing and trying to sell this family property for many years (more than 2 decades), however the right purchaser or end user never surfaced until we retained David English and he presented the Noble RE, LLC offer for our consideration.

As you are aware, our family has owned this property since the mid 1960's. The three of us are now in our seventies and it is therefore incumbent upon us sell the Rockwall property for estate planning purposes.

We are excited for both Noble RE and the City of Rockwall that this creditable local buyer and end user has finally surfaced and wants to be domiciled on this strategic and lynchpin property located within PD-32. To state that my brother Robert, sister Sandra and the undersign wholeheartedly support favorable consideration and approval of this case would be an understatement. We believe approval is justified and warranted for the many reasons we both discussed during our conversation this morning.

Please feel free to contact us should either you or the City Council require further amplification from the three of us regarding this case.

With best personal regards,

Patrick Hughes, Robert Hughes, Sandra Ferguson
832-955-8471

**Exhibit B-1
Planned Development Concept Plan**





Exhibit E-10 (Page 1 of 1) Ridge Road Retail Subdistrict

R I D G E R O A D R E T A I L S U B D I S T R I C T

The intent of the Ridge Road Retail subdistrict is to provide retail or restaurant use with Ridge Rd frontage. Key characteristics of this subdistrict include high visibility and frontage on Ridge Road. Existing slopes within this subdistrict are in the 3% - 16% range. This subdistrict contains massing of existing trees which should be preserved when possible.

Building Placement

Setback (Distance from R.O.W. line)

Street Type M	10'
Side	5'
Rear	25'
Ridge Road Frontage	15'

Building Form

Maximum Lot Coverage	40%
----------------------	-----

Notes

When an abutting property with an existing building has windows facing to the side, any new building shall provide at least 10 feet of separation.

Use

Ground Floor

Retail / Restaurant
Office

Height

	stories / height
Maximum Building Height *	1 / 35'
Minimum 1 story commercial Height	20'

Encroachments

Location

Street Type M	5'
Side	5'
Rear	5'
Ridge Road Frontage	5'

Notes

Canopies, awnings, balconies, and roof overhangs may encroach over the setback as shown in the table above.

Parking

Surface Parking Setback (Distance from R.O.W. line)

Street Type M	10'
Side	5'
Rear	10'
Ridge Road Frontage	10'

Surface Parking Lots

All parking for this subdistrict shall be surface parking.

Driveways (Maximum number per block face)

Street Type M	2
Side	1
Rear	0
Ridge Road Frontage	1



1 Story Commercial Building



City Of Rockwall
385 South Goliad Street
Rockwall, TX 75087

December 14, 2015

RE: Letter of Explanation
Amendment to PD
2930 Ridge Rd
Rockwall, TX

To Planning & Zoning et al:

The purpose of this Zoning Application is to amend the existing PD-032 for this property to allow Drive Thru banking service. The Credit Union use proposed meets all other qualifications of the PD-032.

Your consideration is appreciated.

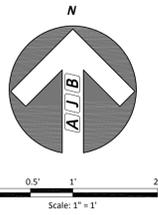
Sincerely,



Harry Chapman
on behalf of Noble RE LLC

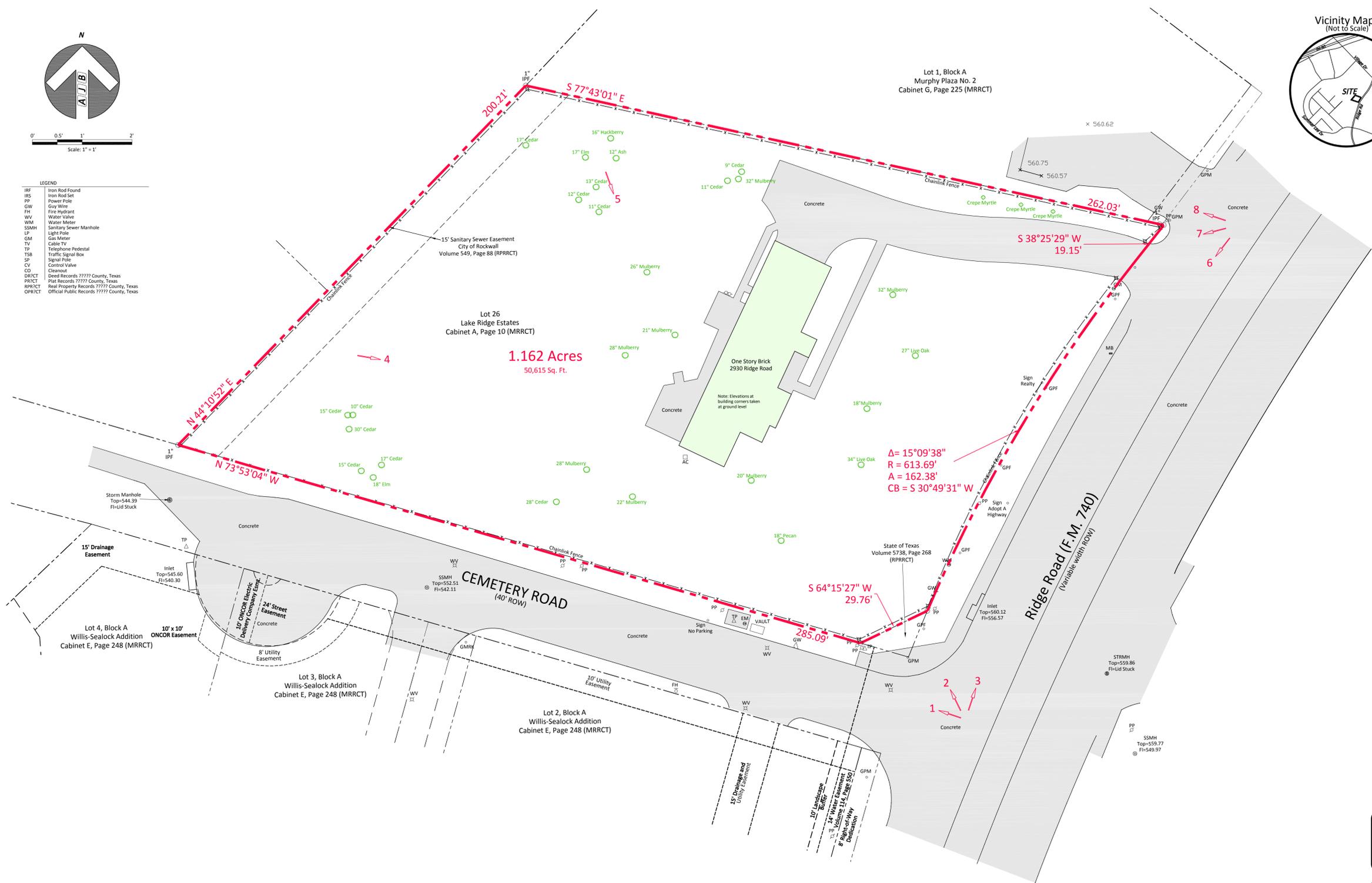
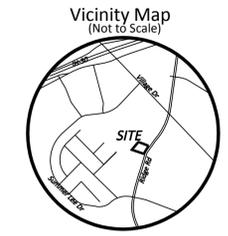
LEGAL DESCRIPTION OF LAND AT 2930 RIDGE ROAD

Lot 26 of LAKE RIDGE ESTATES, an Addition to the City of Rockwall, Rockwall County, Texas according to the Map or Plat recorded in Cabinet A, Page 10, Map Records of Rockwall County, Texas.



LEGEND

IRF	Iron Rod Found
IRS	Iron Rod Set
PP	Power Pole
GW	Guy Wire
PH	Fire Hydrant
WV	Water Valve
WM	Water Meter
SSMH	Sanitary Sewer Manhole
LP	Light Pole
GM	Gas Meter
TV	Cable TV
TP	Telephone Pedestal
TSB	Traffic Signal Box
SP	Signal Pole
CV	Control Valve
CO	Cleanout
DIRCT	Deed Records ????? County, Texas
PRCT	Plat Records ????? County, Texas
RPACT	Real Property Records ????? County, Texas
OPRCT	Official Public Records ????? County, Texas



BENCH MARK:
All elevations shown hereon are based on the City of Rockwall Control Monumental System.
Bench Mark: City of Rockwall Control Monumentation Monument Number Reset #1.
Posted Elevation = 567.704 (NAVB88)

GENERAL NOTES:
The use of the word "certify or certificate" used hereon constitutes an expression of professional opinion regarding those facts of findings which are the subject of the certification, and does not constitute a warranty or guarantee, either expressed or implied.
Basis of Bearings: Bearings are based on City of Rockwall Control Monumentation. Monument Number Reset #1 and Reset #6-1.
FLOOD STATEMENT: According to Community Panel No. 48397C0040L, dated September 26, 2008 of the Federal Emergency Management Agency, National Flood Insurance Program map this property is within Flood Zone "X", which is not a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This statement shall not create liability on the part of the Surveyor
UTILITY NOTE:
The location of utilities shown hereon are from observed evidence of above ground appurtenances only. The surveyor was not provided with underground plans or surface ground markings to determine the location of any subterranean uses.

Notes are per Title Commitment GF No. 15-229345-RW issued by First National Title Insurance Company, effective September 9, 2015, issued September 24, 2015.

10e. Site subject to: Easement created in instrument executed by J. R. Loftland to Texas Power & Light Company, recorded in Volume 32, Page 569, Real Property Records Rockwall County, Texas. Due to age and generality easement could not be plotted.

10f. Site subject to: Easement created in instrument executed by Lillian Loftland Duncan to Texas Power & Light Company, recorded in Volume 46, Page 613, Real Property Records Rockwall County, Texas. Due to age and generality easement could not be plotted.

10g. Site subject to: Easement created in instrument executed by Francis P. Hughes to City of Rockwall, recorded in Volume 549, Page 88, Real Property Records Rockwall County, Texas. Affects as shown on survey.

Property Description:
Being Lot 26 of Lake Ridge Estates an addition to the City of Rockwall according to the plat recorded in Cabinet A, Page 10 of the Map Records of Rockwall County, Texas.

This survey is made for the benefit of:
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys jointly established and adopted by ALTA and NSPS. The field work was completed on October 5, 2015.
Date of Plat or Map: October 6, 2015

Austin J. Bedford
Austin J. Bedford
Registered Professional Land Surveyor No. 4132
A.J. Bedford Group, Inc.
301 N. Alamo Road
Rockwall, Texas 75087

**ALTA/ACSM LAND TITLE SURVEY
LOT 26 OF LAKE RIDGE ESTATES**

EDWARD TEAL SURVEY, ABSTRACT NO. 207
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

Client: ClayMoore Engineering
1903 Central Drive, Suite 406
Bedford, Texas 76021

Scale: 1" = 20'	Checked By: A.J. Bedford
Date: October 6, 2015	P.C.: Cryer/Spradling
Technician: Spradling/Elam	File: ClayMoore Rockwall 10-2-15
Drawn By: Spradling/Elam	Job. No. 552-066
	GF No.

301 N. Alamo Rd. * Rockwall, Texas 75087
(972) 722-0225 - www.ajbedfordgroup.com - ajb@ajbedfordgroup.com

AJ Bedford Group, Inc.
Registered Professional Land Surveyors

TBPLS REG#10118200

Sheet: 1
Of: 1

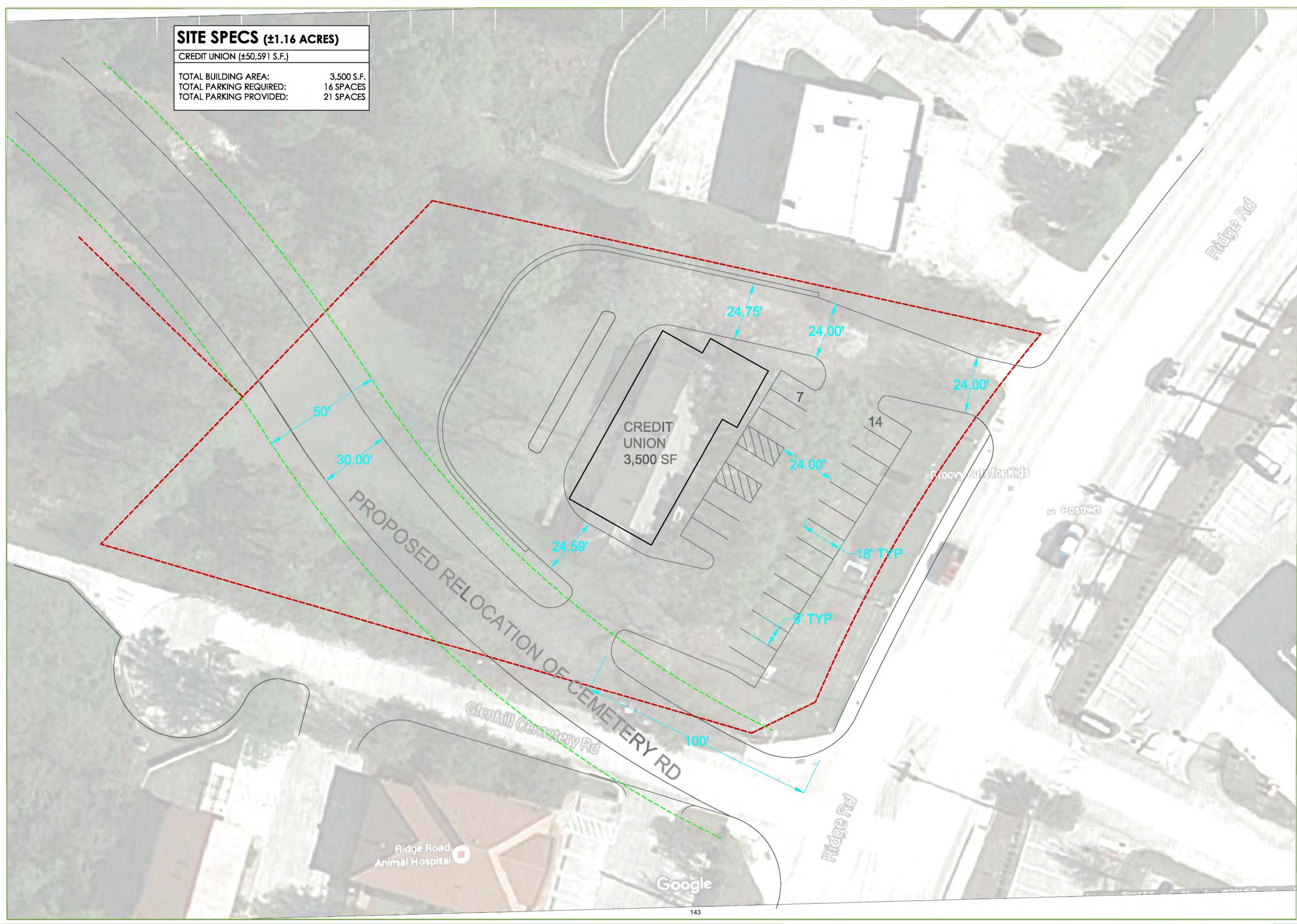
SITE SPECS (±1.16 ACRES)	
CREDIT UNION (±50,591 S.F.)	
TOTAL BUILDING AREA:	3,500 S.F.
TOTAL PARKING REQUIRED:	16 SPACES
TOTAL PARKING PROVIDED:	21 SPACES

6
 REVISION NO.:
 12/14/15
 DATE CREATED:
 GRAPHIC
 SCALE:

NOTE: LAND AREA CALCULATIONS AND DIMENSIONS ARE APPROXIMATE
PROPOSED CREDIT UNION W/DRIVE THRU ITM
 2930 RIDGE RD | ROCKWALL | TEXAS

3236 BRYN MAWR, DALLAS, TX 75225
NOBLE REAL ESTATE
 main phone: 214.213.0346 construction phone: 214.912.3285

NOBLE RE
 143



This site plan is preliminary in nature and subject to change. It is subject to governmental codes, tenant mix, and civil engineering requirements as will be dictated by the governing city or municipality.

CITY OF ROCKWALL

ORDINANCE NO. 16-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING PLANNED DEVELOPMENT DISTRICT 32 (PD-32) [ORDINANCE NO. 10-21] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF AMENDING EXHIBIT 'D', SUBDISTRICT LAND USE CHART, OF PLANNED DEVELOPMENT DISTRICT 32 (PD-50) TO ALLOW A FINANCIAL INSTITUTION WITH DRIVE-THROUGH AS A PERMITTED BY-RIGHT LAND USE WITHIN THE RIDGE ROAD RETAIL SUBDISTRICT BEING A ~1.162-ACRE PORTION OF A LARGER ~78.89-ACRE AREA OF LAND IDENTIFIED AS THE HARBOR DISTRICT, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Harry Chapman of Noble RE, LLC on behalf of the owners of 2930 Ridge Road (*i.e. Robert & Patrick Hughes and Sandra Ferguson*) requesting the approval of an amendment to Planned Development District 32 (PD-32) [Ordinance No. 10-21] and the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall for the purpose of amending the permitted land uses stipulated in Exhibit 'D' of Ordinance No. 10-21 to allow a *Financial Institution with a Drive-Through* as a permitted *by-right* land use in the *Ridge Road Retail Subdistrict*, being a ~1.162-acre portion of a larger ~78.89-acre area of land identified as the Harbor District, City of Rockwall, Rockwall County, Texas and more fully described in Exhibit 'A' and depicted in Exhibit 'B' of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 32 (PD-32) [Ordinance No. 10-21] and the Unified Development Code [Ordinance No. 04-38] should be amended as follows:

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

SECTION 1. That the approval of this ordinance shall supersede *Exhibit 'D', Subdistrict Land Use Chart*, of Ordinance No. 10-21;

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

SECTION 3. That the official zoning map of the City of Rockwall, Texas be corrected to reflect the change in zoning described here in.

SECTION 4. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 5. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code [Ordinance No. 04-38], and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 6. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code [Ordinance No. 04-38] of any provision of the *City Code*, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code [Ordinance No. 04-38] (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the *Exhibits* hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 1ST DAY OF FEBRUARY, 2016.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 19, 2016

2nd Reading: February 1, 2016

EXHIBIT 'A':
Legal Description

BEING approximately 78.89 acres of land located in the M.J. Barksdale (*Abstract 11*) and E. Teal (*Abstract 207*) Surveys of the City of Rockwall, Rockwall County, Texas to be known as the Amended PD-32 Zoning Boundary and being more particularly described as follows:

BEGINNING at a point in intersection of Horizon Rd and the south service road of Interstate Highway 30 (GPS Coordinates N2589965.033 E7014570.874);

THENCE S45-3-43E along the centerline of Horizon Rd for a distance of 359.75 feet to a point;

THENCE S45-9-15E continuing along said centerline for a distance of 922.798 feet to a point;

THENCE S45-7-2W along the western boundary of the Eckerd Addition for a distance of 338.85 feet to a point;

THENCE S45-31-32E along the southern boundary of the Eckerd Addition for a distance of 339.158 feet to a point;

THENCE S44-34-41W along the southeastern boundary of the Isaac Brown Addition for a distance of 594.34 feet to a point;

THENCE S75-48-35E along the northern boundary of Lakeridge Estates, Lot 26 for a distance of 304.035 feet to a point;

THENCE S34-45-14W for a distance of 85.563 feet to a point;

THENCE S28-45-41W for a distance of 78.959 feet to a point;

THENCE S23-0-35W for a distance of 78.959 feet to a point;

THENCE N75-6-11W along the north boundary of the Willis-Sealock Addition for a distance of 371.56 feet to a point;

THENCE N42-41-6E for a distance of 124.594 feet to a point;

THENCE N43-28-45W along the southwestern boundary of the Isaac Brown Addition for a distance of 228.343 feet to a point;

THENCE N50-43-21W for a distance of 132.929 feet to a point;

THENCE S23-32-21W for a distance of 65.722 feet to a point;

THENCE N64-32-23W for a distance of 69.271 feet to a point;

THENCE S78-40-26W following along the northern boundary of the Lago Vista Addition for a distance of for a distance of 90.8 feet to a point;

THENCE N66-47-33W continuing along said boundary for a distance of 159.22 feet to a point;

THENCE N75-45-16W for a distance of 80.21 feet to a point;

THENCE S72-39-11W for a distance of 143.44 feet to a point;

THENCE N59-46-23W for a distance of 557.634 feet to a point;

THENCE S45-59-1W for a distance of 77.538 feet to a point;

THENCE N44-47-20W for a distance of 138.413 feet to a point;

THENCE N42-57-48W for a distance of 38.504 feet to a point;

THENCE N39-43-7W for a distance of 38.504 feet to a point;

THENCE N36-28-26W for a distance of 38.504 feet to a point;

THENCE S53-20-53W following along the northern boundary of the Harbor-Rockwall Addition for a distance of 47.636 feet to a point;

THENCE N89-33-5W continuing along said boundary for a distance of 208.66 feet to a point;

THENCE S79-6-40W for a distance of 20.72 feet to a point;

EXHIBIT 'A':
Legal Description

THENCE N66-23-19W for a distance of 45 feet to a point;
THENCE S80-59-47W for a distance of 19.85 feet to a point;
THENCE N77-4-50W for a distance of 17.5 feet to a point;
THENCE S86-11-31W for a distance of 22.15 feet to a point;
THENCE S87-31-10W for a distance of 18.75 feet to a point;
THENCE N82-39-16W for a distance of 17.59 feet to a point;
THENCE S68-51-13W for a distance of 13.2 feet to a point;
THENCE S75-7-26W for a distance of 12.97 feet to a point;
THENCE S36-31-5W for a distance of 17.64 feet to a point;
THENCE S2-59-22W for a distance of 38.81 feet to a point;
THENCE S48-52-49E for a distance of 18.61 feet to a point;
THENCE S17-8-14W for a distance of 87.301 feet to a point;
THENCE S60-34-34W for a distance of 160.015 feet to a point;
THENCE S73-43-56W for a distance of 67.56 feet to a point;
THENCE S74-42-54W for a distance of 63.28 feet to a point;
THENCE S80-10-12W for a distance of 142.24 feet to a point;
THENCE S64-3-37W for a distance of 24.61 feet to a point;
THENCE N2-50-21E for a distance of 126.02 feet to a point;
THENCE N24-40-2W along the western boundary of the Rockwall Harbor Phase 1 Addition for a distance of 125.683 feet to a point;
THENCE N22-55-59W continuing along said boundary for a distance of 368.32 feet to a point;
THENCE N22-55-59W for a distance of 32.765 feet to a point;
THENCE N58-47-23E following along the centerline of the south service road of Interstate Highway 30 for a distance of 190.81 feet to a point;
THENCE N58-58-59E continuing along said centerline for a distance of 212.916 feet to a point;
THENCE N61-2-53E for a distance of 271.157 feet to a point;
THENCE N62-2-17E for a distance of 412.293 feet to a point;
THENCE N61-44-10E for a distance of 183.797 feet to a point;
THENCE N64-7-43E for a distance of 151.311 feet to a point;
THENCE N68-43-57E for a distance of 118.858 feet to a point;
THENCE N72-59-9E for a distance of 118.858 feet to a point;
THENCE N76-2-6E for a distance of 279.139 feet to a point;
THENCE N81-22-36E for a distance of 181.597 feet to a point;
THENCE N76-12-48E for a distance of 97.497 feet to a point;
THENCE N70-6-13E for a distance of 97.497 feet to a point;
THENCE N63-59-38E for a distance of 97.497 feet to the Point of Beginning, Containing approximately 78.89 acres (3,436,420.51186 square feet) of land, more or less.

EXHIBIT 'B':
Subdistrict Map/Location Map



EXHIBIT 'C':
Amended Land Use Chart

Residential Land Uses	Harbor Residential	Freeway Frontage	Harbor Link Mixed-Use	Hillside	Hillside Mixed-Use	Summit Office	Horizon/Summer Lee	Interior	Residential	Ridge Road Retail
Accessory Building ¹									P	
Home Occupation ¹	P	P	P	P	P	P	P	P	P	P
Hotel	S	S	S	S	S	S	S	S	S	S
Hotel (Full Service)	S	S	S	S	S	S	S	S	S	S
Hotel (Residence)	S	S	S	S	S	S	S	S	S	S
Motel	S	S	S	S	S	S	S	S	S	S
Single-Family, Zero-Lot-Line									P	
Townhouse	P	P	P	P	P	S	S	P	S	S
Urban Residential (Condominium Units Only) ¹	P	P	P	P	P	S	S	P	S	S

Office Land Uses	Harbor Residential	Freeway Frontage	Harbor Link Mixed-Use	Hillside	Hillside Mixed-Use	Summit Office	Horizon/Summer Lee	Interior	Residential	Ridge Road Retail
Animal Clinic for Small Animals (No Outdoor Pens) ¹	S	S	S	S	S	S	S	S	S	S
Church/House of Worship ¹	P	P	P	P	P	P	P	P	S	P
Day Care (7 or More Children) ¹	P	P	P	P	P	P	P	P	S	P
Financial Institution (Without Drive-Through)	P	P	P	P	P	P	P	P	S	P
Financial Institution (With Drive-Through)										P
Government Facility	P	P	P	P	P	P	P	P	S	P
Library, Art Gallery or Museum (Public)	P	P	P	P	P	P	P	P	S	P
Office (General)	P	P	P	P	P	P	P	P	S	P
Office Building (Less Than 5,000 SF)	P	P	P	P	P	P	P	P	S	P
Office Building (More Than 5,000 SF)	P	P	P	P	P	P	P	P	S	P
Post Office (Local Service)	P	P	P	P	P	P	P	P	S	P
Research/Technology/Light Assembly	S	S	S	S	S	S	S	S	S	S
Trade School	S	S	S	S	S	S	S	S	S	S

EXHIBIT 'C':
Amended Land Use Chart

Retail & Restaurant Land Uses	Harbor Residential	Freeway Frontage	Harbor Link Mixed-Use	Hillside	Hillside Mixed-Use	Summit Office	Horizon/Summer Lee	Interior	Residential	Ridge Road Retail
Antique/Collectable Sales	P	P	P	P	P	P	P	S	S	P
Automobile Rental	S	S	S	S	S	S	S	S	S	S
Banquet Facility	P	P	P	P	P	P	P	S	S	P
Business School	P	P	P	P	P	P	P	S	S	P
Catering Service	P	P	P	P	P	P	P	S	S	P
Commercial Amusement/Recreation (Indoor) ¹	S	S	S	S	S	S	S	S	S	S
Community or Recreation Club, Public or Private (Accessory)	P	P	P	P	P	P	P	S	S	P
Copy Center	P	P	P	P	P	P	P	S	S	P
Display (Incidental) ¹	P	P	P	P	P	P	P	S	S	P
Electrical, Watch, Clock, Jewelry and/or Similar Repair	P	P	P	P	P	P	P	S	S	P
Garden Supply/Plant Nursery	S	S	S	S	S	S	S	S	S	S
General Personal Service	P	P	P	P	P	P	P	S	S	P
Hair Salon/Manicurist	P	P	P	P	P	P	P	S	S	P
Health Club	P	P	P	P	P	P	P	S	S	P
Laundry (Drop-Off/Pickup)	P	P	P	P	P	P	P	S	S	P
Locksmith	P	P	P	P	P	P	P	S	S	P
Message Therapist	P	P	P	P	P	P	P	S	S	P
Museum or Art Gallery (Private)	P	P	P	P	P	P	P	S	S	P
Night Club, Discothèque or Dance Hall	S	S	S	S	S	S	S	S	S	S
Pet Shop	P	P	P	P	P	P	P	S	S	P
Private Club ¹	P	P	P	P	P	P	P	S	S	P
Private Club for a Lodge or Fraternal Organization	P	P	P	P	P	P	P	S	S	P
Restaurant (Less Than 2,000 SF, Without Drive-Through or Drive-In)	P	P	P	P	P	P	P	S	S	P
Restaurant (2,000 SF or More, Without Drive-Through or Drive-In)	P	P	P	P	P	P	P	S	S	P

EXHIBIT 'C':
Amended Land Use Chart

Retail & Restaurant Land Uses	Harbor Residential	Freeway Frontage	Harbor Link Mixed-Use	Hillside	Hillside Mixed-Use	Summit Office	Horizon/Summer Lee	Interior	Residential	Ridge Road Retail
Restaurant With Accessory Private Club or Brew Pub ¹	P	P	P	P	P	P	P	S	S	P
Retail Store With Gasoline Product Sales (Limited to Area 3 ONLY -- As Shown in Exhibit A)						P				
Shoe and Boot Repair and Sales	P	P	P	P	P	P	P	S	S	P
Studio: Art, Photography and/or Music	P	P	P	P	P	P	P	S	S	P
Tailor, Clothing or Apparel Shop	P	P	P	P	P	P	P	S	S	P
Theater	S	P	S	P	S	P	S	S	S	S
Wholesale Showroom Facility	S	S	S	S	S	S	S	S	S	S

P: Permitted By-Right; A: Accessory Use; S: Specific Use Permit (SUP); ¹: Permitted w/ Conditions (See Article IV, Permissible Uses, of the Unified Development Code, as amended, For Each Conditional Use)

Note: All listed uses above shall be further regulated and/or limited within the specific Subdistrict standards contained in Ordinance No. 10-21; Exhibits C-2 through C11, with the exception of the Other Uses category which shall be permitted by right or allowed with a Specific Use Permit (SUP) as outlined, regardless of Subdistrict.

Other Uses

The following Uses Shall be Permitted By-Right in all Subdistricts:

- Antenna (Accessory)
- Antenna (Amateur Radio)
- Antenna (Dish)
- Asphalt or Concrete Batch Plant (Temporary)
- Fund Raising Event by Non-Profit (Indoor/Outdoor -- Temporary)
- Garage (Accessory Use)
- Municipally Owned and/or Controlled Facilities (Utilities and Uses)
- Parking (Commercial)
- Parking Lot (Non-Commercial)
- Public Park or Playground
- Radio Broadcasting
- Real Estate Sales Office (On-Site -- Temporary)
- Recording Studio
- Satellite Dish
- Swimming Pool (Private -- Accessory Use)
- Temporary On-Site Construction Office

The Following Uses Shall be Permitted By SUP in all Subdistricts:

- Antenna (Commercial)
- Antenna (Commercial -- Free-Standing)
- Antenna (Commercial -- Mounted)
- Helipad
- Private Streets
- Tennis Courts (Not Accessory to a Public or Private Club)
- Transit Passenger Facility
- TV Broadcasting & Other Communication Service
- Utilities Holding a Franchise Agreement from the City of Rockwall
- Utility Installation (Other Than Listed)
- Utility/Transmission Lines
- Wireless Communication Tower

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CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 01/19/2016

APPLICANT: Arthur F. Beck of BSM Engineers, Inc.

AGENDA ITEM: Z2015-037; 1200 E Yellow Jacket Lane (Steeple – SUP)

SUMMARY:

Hold a public hearing to discuss and consider a request by Arthur F. Beck of BSM Engineers, Inc. on behalf of the First United Methodist Church for the approval of a Specific Use Permit (SUP) for a structure that exceeds the maximum height requirements for a 8.2983-acre parcel of land identified as Lot 7, Block 1, First United Methodist Church Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 1200 E. Yellow Jacket Lane, and take any action necessary.

BACKGROUND INFORMATION:

The applicant, Arthur F. Beck of BSM Engineers, Inc. and on behalf of the First United Methodist Church is requesting a Specific Use Permit (SUP) to allow for a structure to exceed the maximum height requirements for a Commercial (C) zoning district. The property is located at 1200 E. Yellow Jacket Lane at the intersection of Yellow Jacket Lane and TL Townsend.

Based on the conceptual site plan submitted, and if approved, the First United Methodist Church will construct a steeple that will have an overall height of 108-ft 6-inches. Under Article V, Section 4.1.B.2, the Unified Development Code (UDC) provides building height exceptions for commercial districts. The code reads as follows:

2. Building height and setback exceptions for commercial districts.

Exceptions. The following features may be constructed 12 feet higher than the maximum height requirement of the zoning district in which the structure is located:

- a. Chimneys, church spires, elevator shafts, and similar appendages not intended as places of occupancy or storage.

Under Article V, Section 4.5 *Commercial (C) District, C.12 Maximum Building Height* of the UDC, any structure over 60-ft in height, but not to exceed an overall height 240-ft, requires approval of a Specific Use Permit (SUP). In this case, a church steeple within a commercial zoning district may be constructed up to a maximum height of 72-ft without an SUP. The steeple for this location will exceed this by 36-ft 6-inches and therefore requires a SUP.

Included in your packet is the letter requesting the SUP and a conceptual site plan indicating the overall height of the steeple. As a note, a request for a SUP is a discretionary decision for the Planning and Zoning Commission and City Council.

NOTIFICATION:

On December 22, 2015, staff mailed eleven (11) notices to property owners within 500 feet of the subject property; however, there is no HOA/Neighborhood Organization within 1500 feet

participating in the notification program. Additionally, staff posted a sign on the property as required by the Unified Development Code (UDC). At the time this report was drafted, staff has not received any notices either “for” or “against” the zoning change request.

RECOMMENDATIONS:

Should the Specific Use Permit be approved, staff would offer the following conditions:

- 1) Adherence to Engineering and Fire Department standards.
- 2) That generally, the height of the steeple shall not exceed a maximum overall height of 108-ft 6-inches.
- 3) That the City Council reserves the right to review the Specific Use Permit (SUP) any time after the effective date of this ordinance.

PLANNING AND ZONING RECOMMENDATION:

On January 12, 2016, the Planning and Zoning Commission made a motion to approve the SUP request, which passed by a vote of 6 to 0 [Jusko – absent].



ARTHUR F. BECK, P.E., RPLS

Consulting Civil Engineers

ANDREW M. MARTIN JR., P.E.

December 16, 2015

Mr. David Gonzales, AICP
City of Rockwall
385 S. Goliad
Rockwall, TX 75087

RE: Special Use Permit for First United Methodist Church Steeple

Dear Mr. Gonzales:

This letter is a request for a Special Use Permit to construct a free standing steeple at the First United Methodist Church, 1200 E. Yellow Jacket Lane.

Attached hereto are the following:

1. Legal description. Metes and bounds description of Lot 7 where steeple will be constructed.
2. Sketch showing Lot 7 and adjacent streets.
3. Completed SUP Application form.
4. Check for Application fee in the amount of \$324.47.

Previously submitted on December 2, 2015 was a request for Administrative Site Plan with required Architectural drawings, Site Plan drawing, CD and PDF drawings, and Site Plan application fee.

The purpose of this SUP is to complete construction of a steeple at this site. The steeple will be 108.5 feet above finished floor and will exceed height permitted by city code. The proposed height is architecturally and proportionally appropriate to existing buildings on the church campus as well as existing nearby buildings, most notably the Rockwall County Courthouse directly across Yellow Jacket and Wilkerson-Sanders Memorial Stadium directly across Townsend Drive.

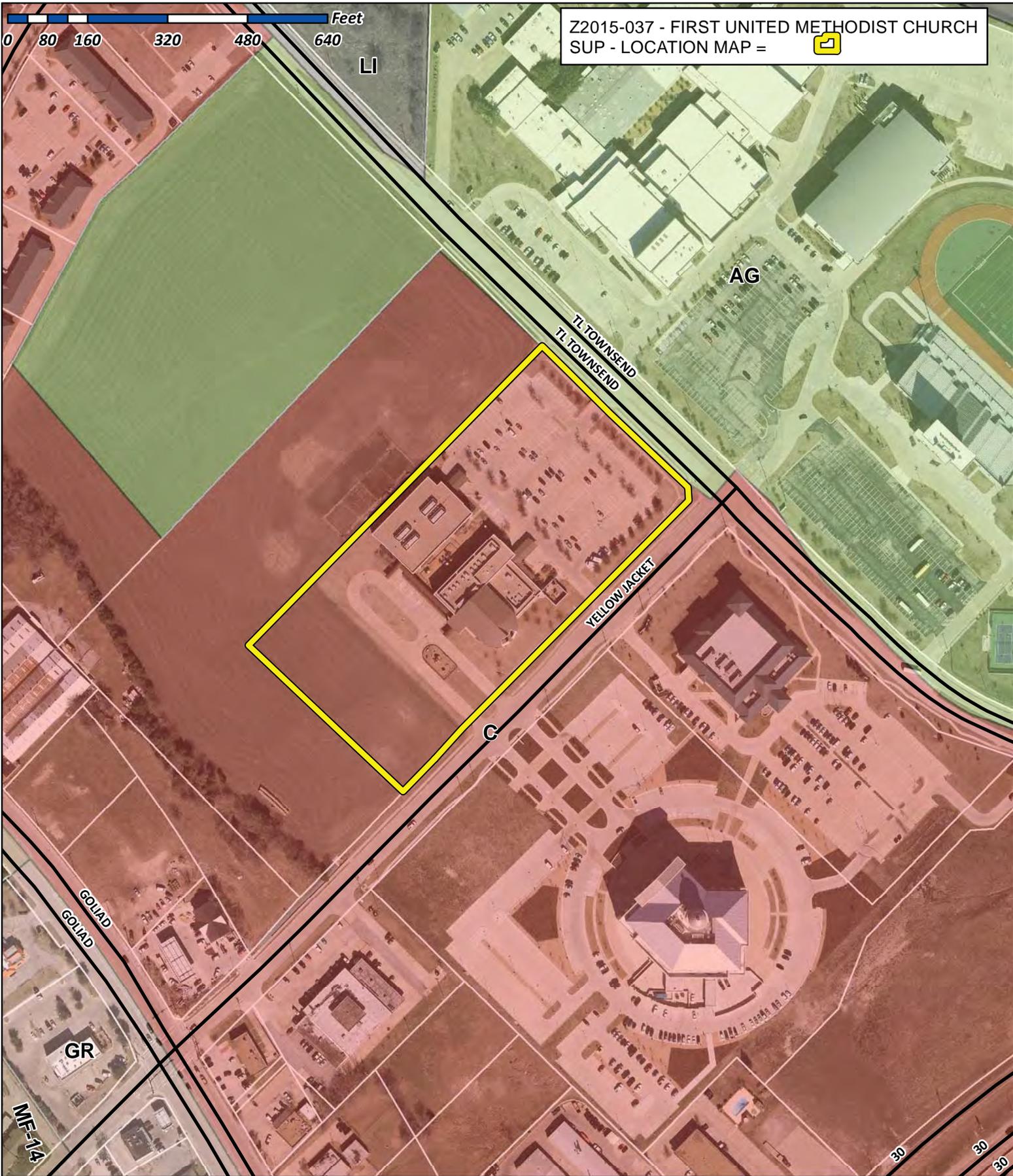
We appreciate your help in handling this matter for us.

Sincerely,

A handwritten signature in blue ink that reads "Arthur F. Beck".

Arthur F. Beck, P.E.

2015:FUMC SUP



Z2015-037 - FIRST UNITED METHODIST CHURCH
 SUP - LOCATION MAP = 



City of Rockwall

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

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

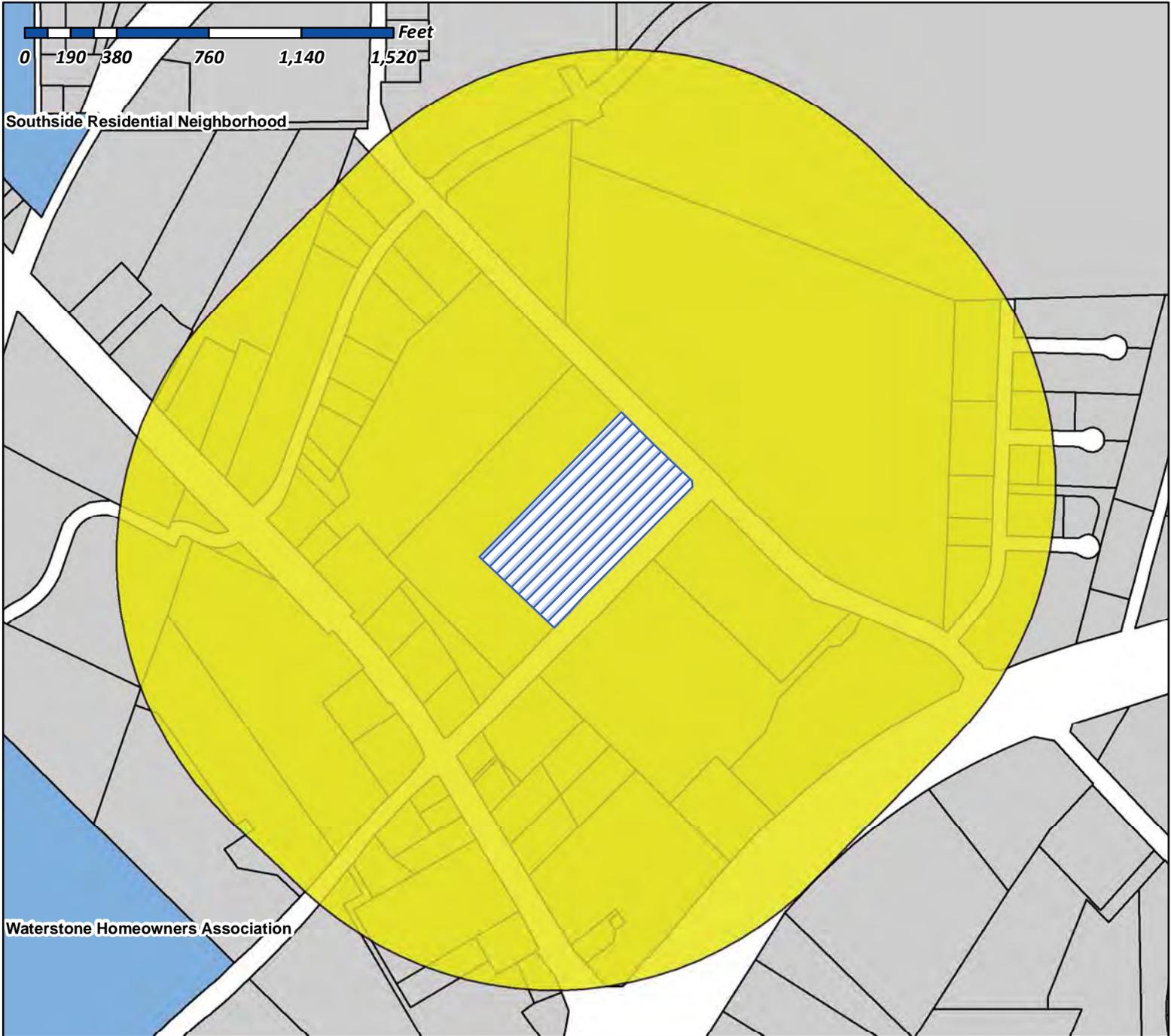




City of Rockwall

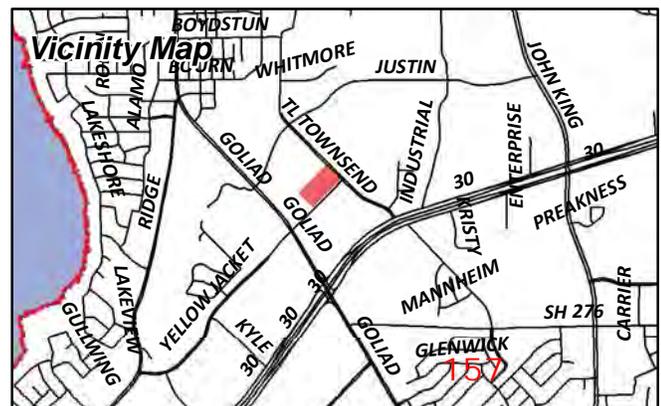
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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Case Number: Z2015-037
Case Name: First United Methodist Church
Case Type: Specific Use Permit
Zoning: Commercial (C) District
Case Address: 1200 Yellow Jacket Lane

Date Created: 12/21/2015
 For Questions on this Case Call (972) 771-7745

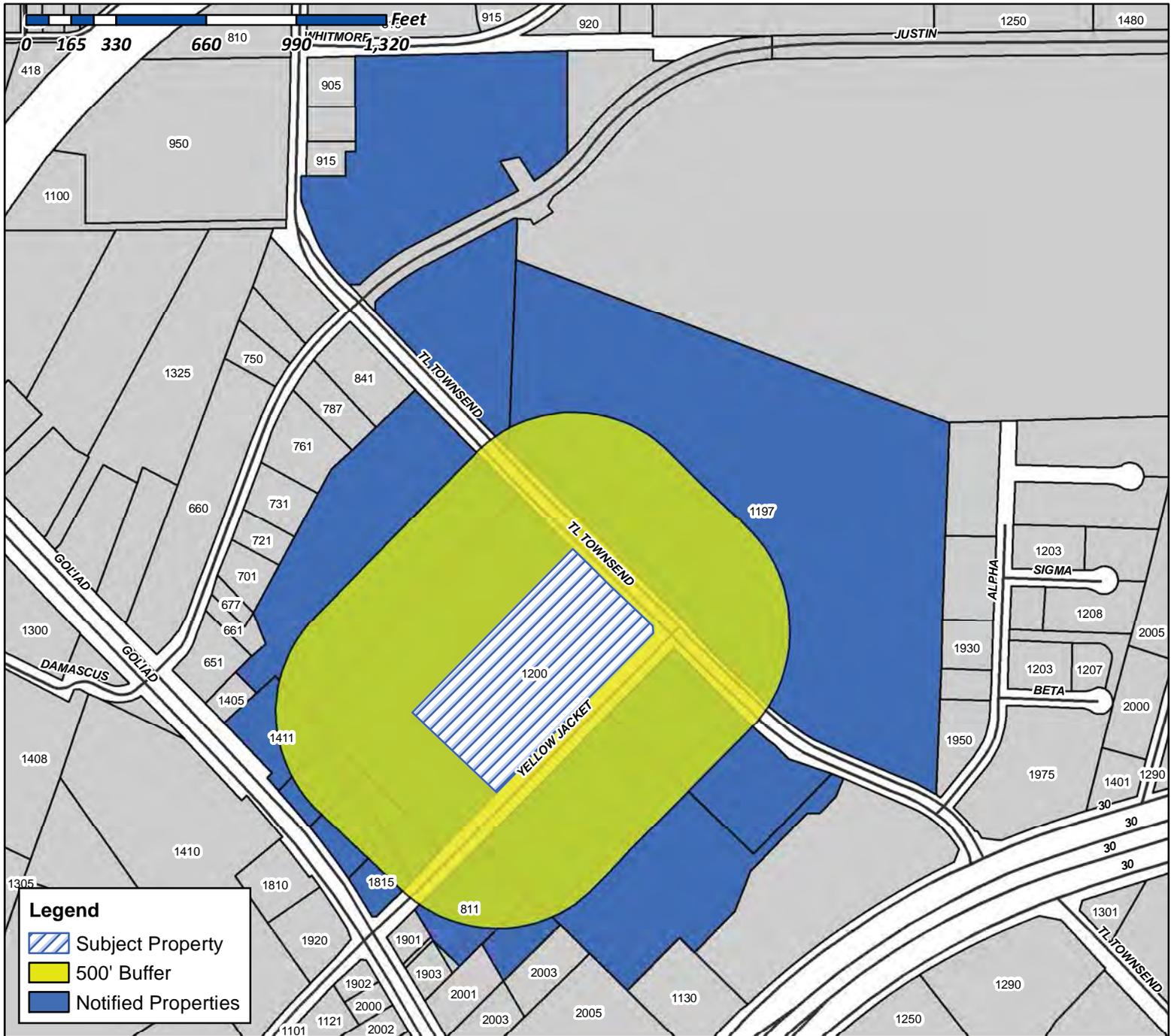




City of Rockwall

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

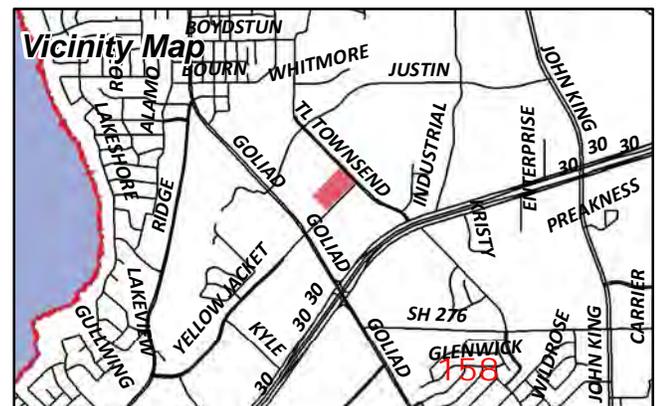
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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



Case Number: Z2015-037
Case Name: First United Methodist Church
Case Type: Specific Use Permit
Zoning: Commercial (C) District
Case Address: 1200 Yellow Jacket Lane

Date Created: 12/21/2015

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





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

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

To Whom It May Concern:

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

Case No. Z2015-037: First United Methodist Church

Hold a public hearing to discuss and consider a request by Arthur F. Beck of BSM Engineers, Inc. on behalf of the First United Methodist Church for the approval of a Specific Use Permit (SUP) for a structure that exceeds the maximum height requirements for a 8.2983-acre parcel of land identified as Lot 7, Block 1, First United Methodist Church Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 1200 E. Yellow Jacket Lane, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 1/12/2016 at 6:00 p.m.**, and the City Council will hold a public hearing on **Tuesday, 1/19/2016 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 **1/19/2016** 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: [HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP](http://www.rockwall.com/planning/planningdevcases.asp)

PLEASE RETURN THE BELOW FORM

Case No. Z2015-037: First United Methodist Church

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

SMARTT LOFLAND & J BOND PTNRS
1 CARMARTHEN CT
DALLAS, TX 75225

ROCKWALL TEXAS 2015 LLC
109 STILL WILD LANE
ELGIN, SC 29045

CURRENT RESIDENT
1197T L TOWNSEND DR
ROCKWALL, TX 75087

FIRST UNITED METHODIST CHURCH
FINANCE OFFICE
1200 E YELLOW JACKET LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1411SGOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
1815SGOLIAD
ROCKWALL, TX 75087

LANDLOW LLC
2070 PONTCHARTRAIN
ROCKWALL, TX 75087

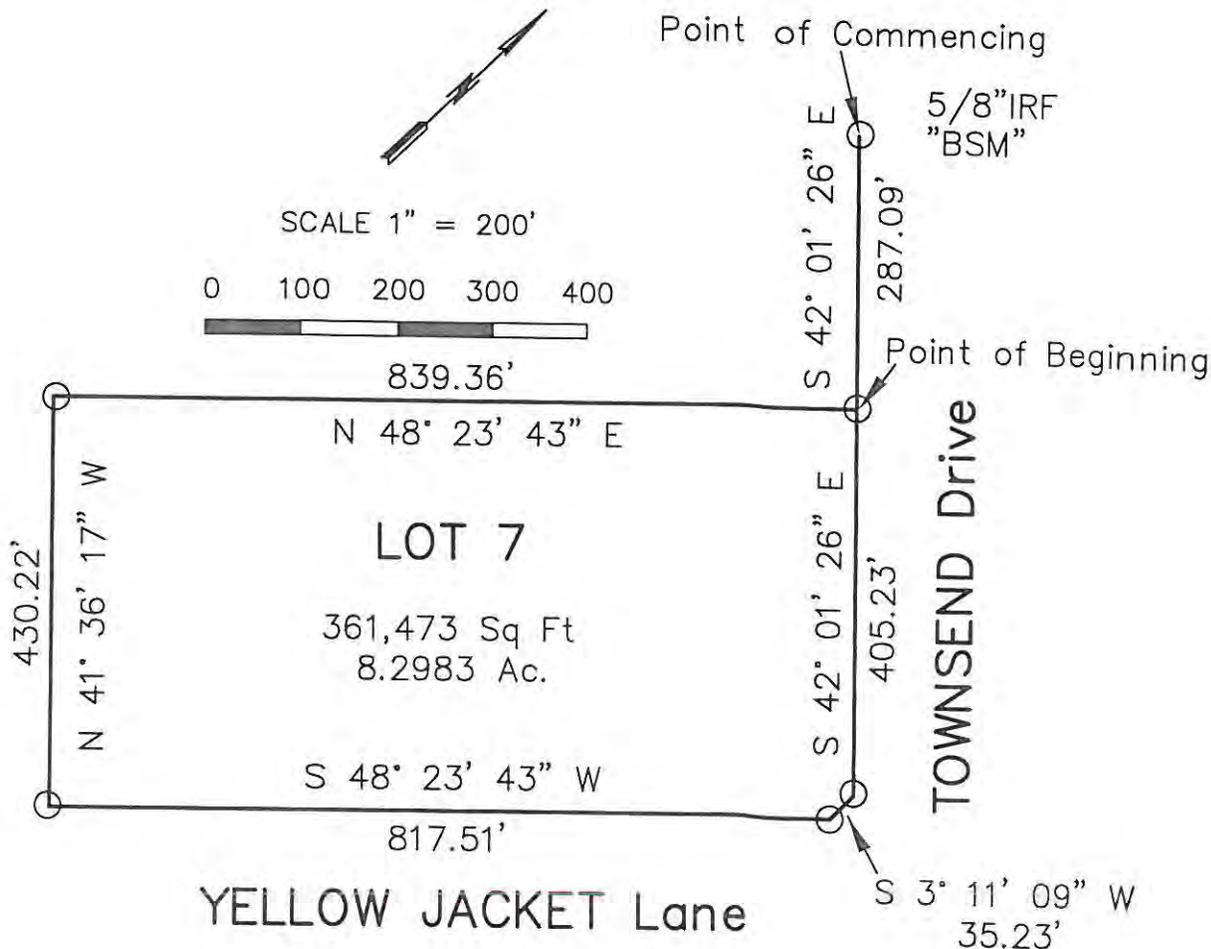
CAMERON & CAMERON
4090 EAST FM 552
ROCKWALL, TX 75087

RHOADS RHOADS AND COX
6905 ELLSWORTH AVE
DALLAS, TX 75214

CURRENT RESIDENT
811YELLOW JACKET
ROCKWALL, TX 75087

ROCKWALL ICE CREAM HOLDINGS LLC
PO BOX 852
WAXAHACHIE, TX 75168

LOT 7
FIRST UNITED METHODIST CHURCH ADDITION



B. J. T. Lewis Survey
Abstract No. 225
Rockwall County, Texas **2015 037**

RECEIVED

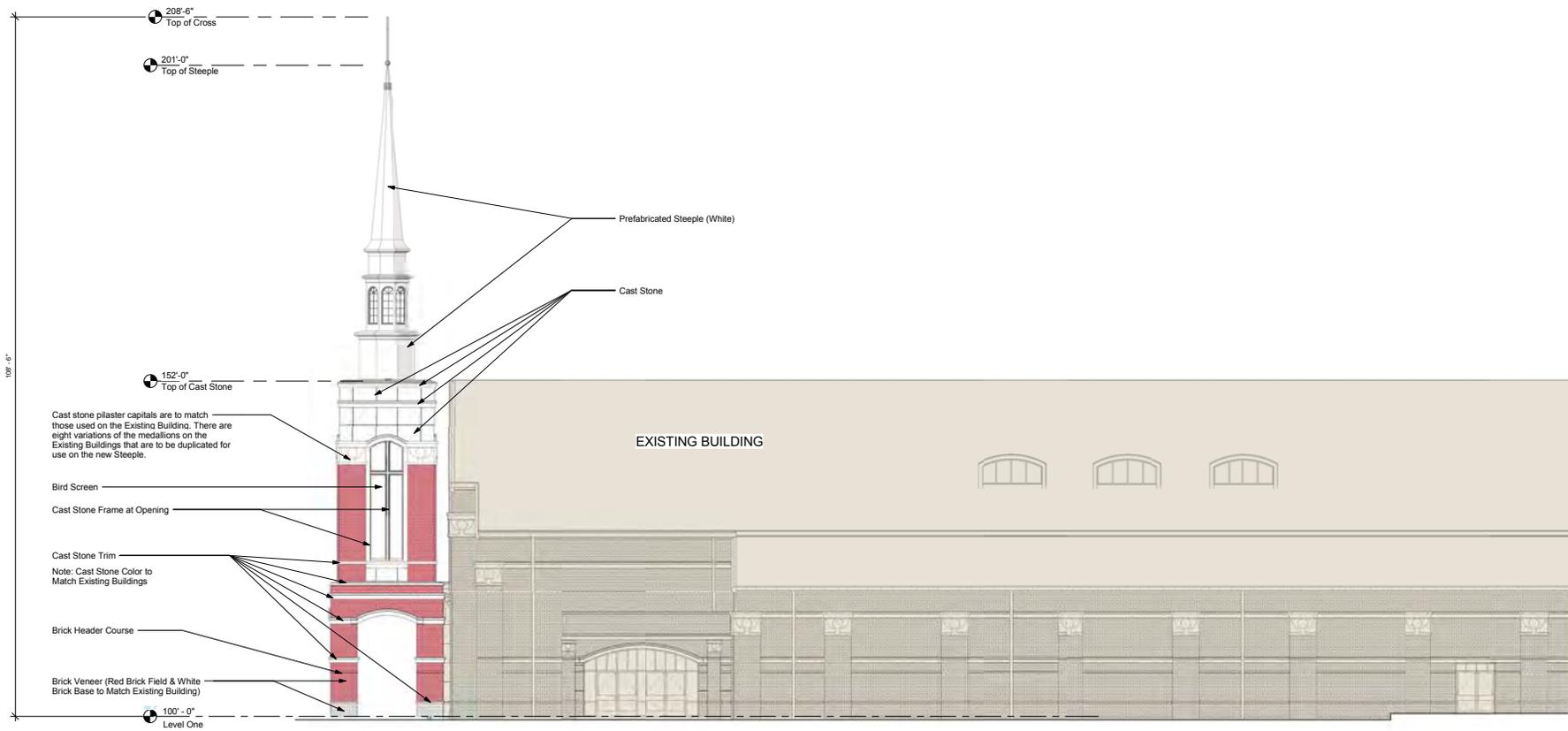
DEC 21 2015

BY: _____

BSM	Consulting	TBPE #F000684
	Civil Engineers	
4111 East U.S. Hwy. 80, Suite 405 Mesquite, Texas 75150 (972) 681-4680		
bsm2 @ cawb.com		



December 16, 2015



1 East Elevation (West Elevation Similar)
SCALE: 1/8" = 1'-0"

Checked:
12/12/2015 11:47:25 AM

Revision Schedule



JH Architects
Copyright 2015
12012015
JH Architects, Inc.
1200 E. Yellow Jacket Lane
Dallas, Texas 75286
Phone: 972-404-1034
Fax: 972-404-1036

**First United Methodist Church of
Rockwall - Steeple**
1200 E Yellow Jacket Lane
Rockwall, Texas 75087

1209.2 2015.12.01

Construction Documents
Building Elevation

A-2

CITY OF ROCKWALL

ORDINANCE NO. 16-_____

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) ALLOWING FOR A STRUCTURE TO EXCEED THE MAXIMUM HEIGHT REQUIREMENT WITHIN A COMMERCIAL (C) DISTRICT, BEING AN 8.2983-ACRE PARCEL OF LAND IDENTIFIED AS LOT 7, BLOCK 1, FIRST UNITED METHODIST CHURCH ADDITION, ADDRESSED AS 1200 E. YELLOW JACKET LANE, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' AND AS DEPICTED IN EXHIBIT 'B'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Arthur F. Beck of BSM Engineers, Inc. on behalf of the First United Methodist Church for the approval of a Specific Use Permit (SUP) to allow for a church steeple to exceed seventy-two (72) feet in height while establishing a maximum height for said steeple within a Commercial (C) District, being an 8.2983-acre parcel of land identified as Lot 7, Block 1 of the First United Methodist Church Addition, and addressed as 1200 Yellow Jacket Lane, City of Rockwall, Rockwall County, Texas, and more specifically described in *Exhibit 'A'* and as depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

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

Section 1. That the Unified Development Code [Ordinance 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 a structure, and more specifically for a church steeple, to establish a maximum height that exceeds the height requirement for a structure within a Commercial (C) District for the *Subject property*; and

Section 2. That the *Subject Property* shall be developed and used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance granted herein and shall be subject to the conditions set forth in *Article V, District Development Standards, Section 4.1.B.2.a Building Height and Setback Exceptions for Commercial Districts*, and *Article V, District Development Standards, Section 4.5 Commercial (C) District*, of the City of Rockwall *Unified Development Code [Ordinance No. 04-38]* as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions:

2.1 Operational Conditions

The following conditions pertain to the construction of a church steeple on the *Subject Property* and conformance to these stipulations is required for continued operations:

- 1) That generally, the height of the steeple shall not exceed a maximum overall height of 108-ft 6-inches; and
- 2) That the City Council reserves the right to review the Specific Use Permit (SUP) any time after the effective date of this ordinance.

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

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

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

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

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE ____ DAY OF _____, 2016.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: _____

2nd Reading: _____

Exhibit 'A' - Legal Description

LOT 7, First United Methodist Church Addition

BEING a tract of land situated in the B. J. T. Lewis Survey, Abstract No. 225, Rockwall County, Texas, and being a tract of land conveyed from Bill R. Cameron and Ida Jo Cameron to The Trustees of the First United Methodist Church of Rockwall, Texas by deed recorded in Volume 1790, Page 206 of the Deed Records of Rockwall County, Texas, and being that tract of land platted as First United Methodist Church Addition, Block 1, Lots 6, 7 and 8, Block 1, an addition to the City of Rockwall, recorded as number 20140000017536 in the records of Rockwall County, Texas, and being more particularly described as follows:

COMMENCING at a 5/8 inch iron rod found with cap stamped "BSM" at the North corner of this tract on the West right of way line of T L Townsend Drive (85 feet wide);

THENCE South 42° 01' 26" East a distance of 287.09 feet following the southwest line of T L Townsend Drive to the North corner of Lot 7 and the Point of Beginning;

THENCE South 42° 01' 26" East a distance of 405.23 feet following the southwest line of T L Townsend Drive to a 5/8 inch iron rod found for corner;

THENCE South 3° 11' 09" West a distance of 35.23 feet following a corner clip at the intersection of T L Townsend Drive and Yellow Jacket Lane to a 5/8 inch iron rod for corner;

THENCE South 48° 23' 43" West a distance of 817.51 feet following the northwest line of Yellow Jacket Lane to the South corner of Lot 7 and a point for corner;

THENCE North 41° 36' 17" West a distance of 430.22 feet to the West corner of Lot 7 and a point for corner;

THENCE North 48° 23' 43" East a distance of 839.36 feet to the Point of Beginning of Lot 7 and containing 361,473 square feet or 8.2983 acres, more or less.

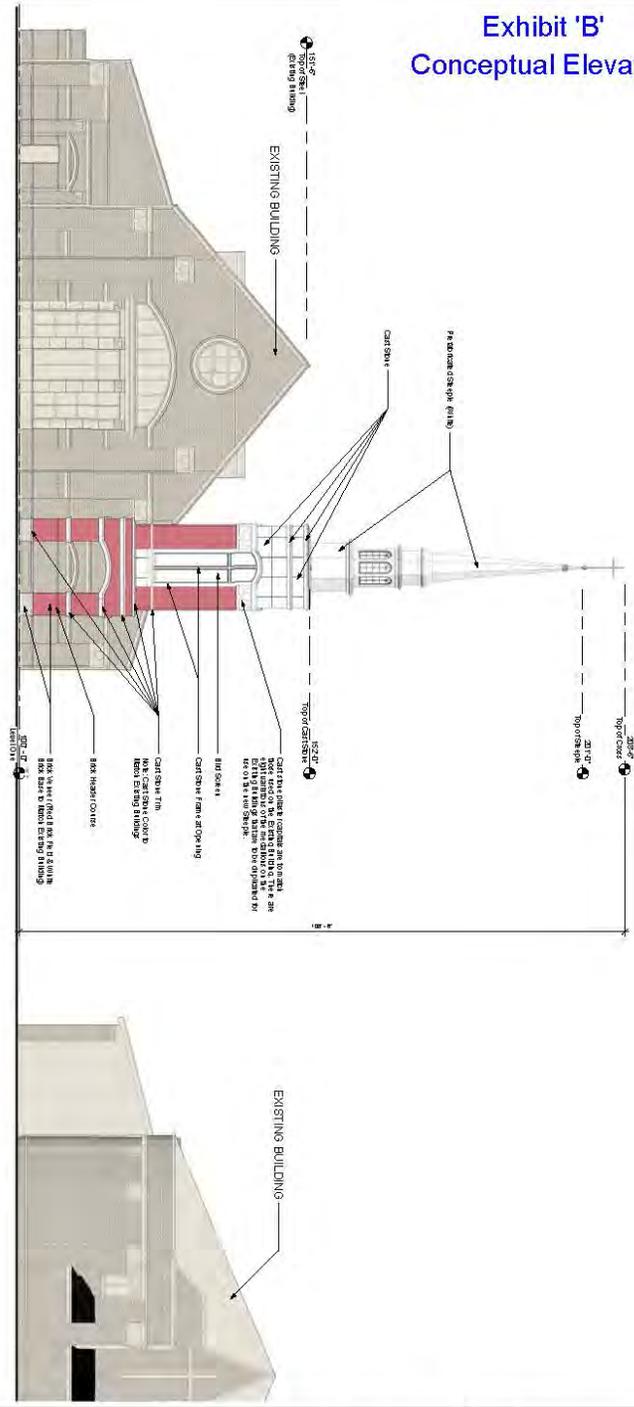
Bearings based on southwest line of T L Townsend Drive as described in First United Methodist Church of Rockwall deed recorded in Volume 1790, Page 206 of the Deed records of Rockwall County, Texas.



Arthur F. Beck

FUMCRockLot7

Exhibit 'B' Conceptual Elevations



1 South Elevation (North Elevation Similar)
SCALE: 1/8" = 1'-0"

<p style="font-size: 2em; font-weight: bold;">A-1</p>	<p style="font-size: 0.8em;">COURTNEY DOCKWORTH ARCHITECTS</p> <p style="font-size: 0.8em;">5700.2 2/15/2016</p>	<p style="font-weight: bold;">First United Methodist Church of Rockwall - Steeple</p> <p style="font-size: 0.8em;">1200 E Yellow Jacket Lane Rockwall, Texas 75087</p>	<p style="font-size: 0.8em;">HH Architects, Inc. 5910 North Central Expressway, Suite 1100 Dallas, Texas 75206</p> <p style="font-size: 0.8em;">972-404-1024 972-404-1026</p>	<p style="font-size: 0.8em;">COURTNEY DOCKWORTH ARCHITECT No. TX 14419</p>
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CITY OF ROCKWALL, TEXAS

MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Brad Griggs, *Assistant City Manager*

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

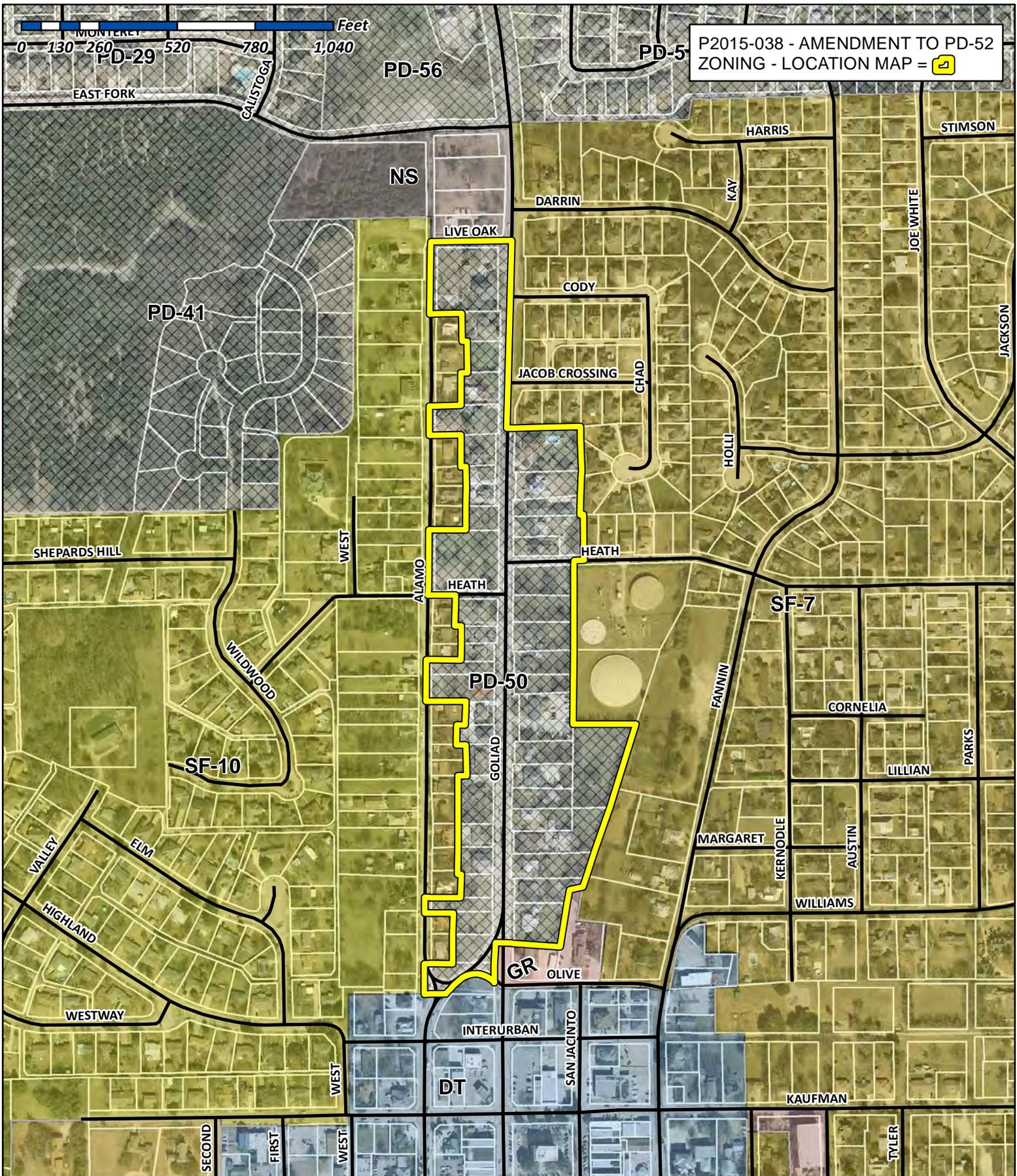
DATE: January 19, 2016

SUBJECT: Z2015-038; *Amendment to PD-50*

On December 16, 2015, the applicants Scott and Leslie Milder submitted an application requesting that Planned Development District 50 (PD-50) be amended to allow a *Banquet Facility* or *Event Venue* through a Specific Use Permit (SUP). The intent of the request is to allow the property at 803 N. Goliad Street to operate as a *Banquet Facility* or *Event Venue*. According to the draft ordinance prepared by staff a *Banquet Facility* or *Event Venue* is defined as “ ... a commercial facility that can be rented out for the purpose of hosting private events (e.g. *birthday parties, weddings receptions, meetings, etc.*). These events shall not be open to the general public.” By allowing the land use through a SUP, the Planning and Zoning Commission and City Council retain discretionary approval. This will allow any request for a *Banquet Facility* or *Event Venue* to be reviewed on a *case-by-case* basis for the purpose of establishing operational conditions to safe guard the character of the district and to mitigate for any potential negative impacts on adjacent properties.

Since the proposed case involves modifying the land uses permitted within Planned Development District 50 (PD-50), staff has notified all property owners and residents within the Planned Development District. In addition, staff mailed out notifications to all property owners and residents within 500-feet of the district and to all Homeowner’s Associations within 1,500-feet of the district (*i.e. Lakeview Summit and Caruth Lakes Homeowner’s Associations*) per the requirements of Section 6.1, *Notice of Public Hearing*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code. Of the 361 notices mailed, staff has received seven (7) notices returned (*four [4] in favor of the request and three [3] opposed*). *All notices have been included in the attached packet.*

On January 13, 2016, the Planning and Zoning Commission approved a motion to recommend approval of the proposed zoning amendment by a vote of 6-0, with Commissioner Jusko absent. If the City Council chooses to approve the applicant’s request, then a SUP request would still need to be submitted and approved prior to the issuance of a Certificate of Occupancy (CO) for 803 N. Goliad Street. If the City Council has any questions, staff and the applicant will be available at the public hearing.



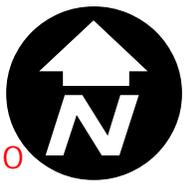
P2015-038 - AMENDMENT TO PD-52
 ZONING - LOCATION MAP =



City of Rockwall

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

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

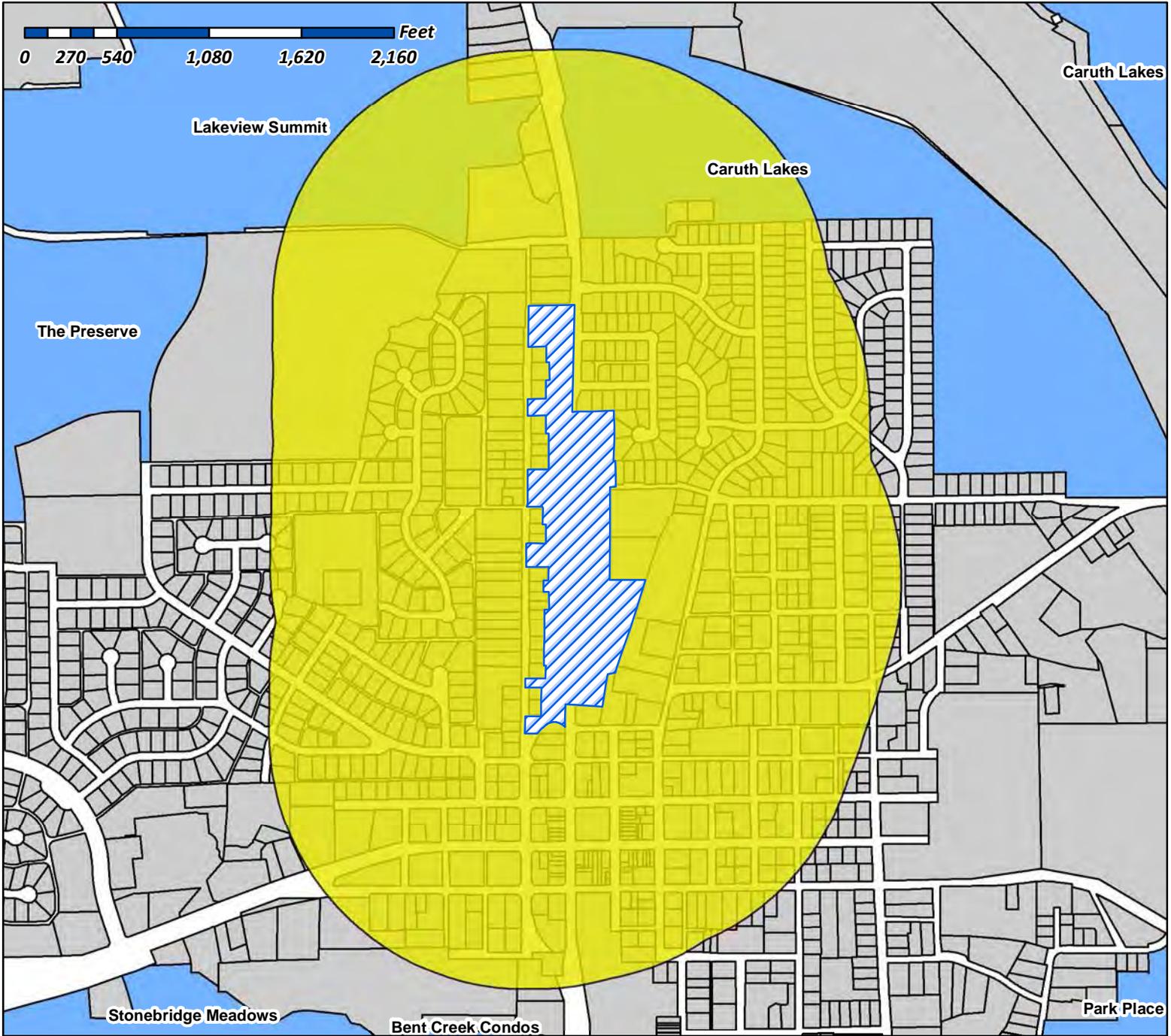




City of Rockwall

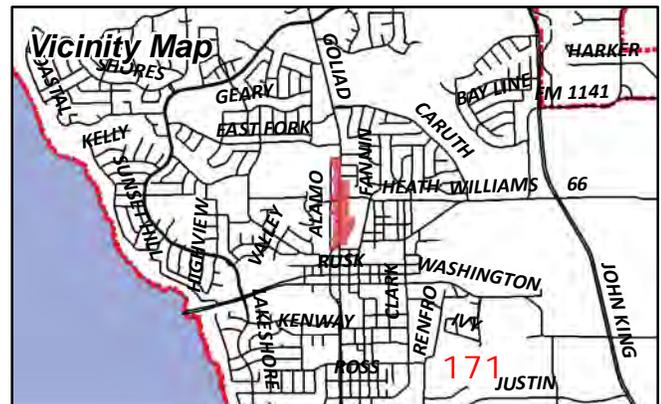
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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: Z2015-038
Case Name: Amendment to PD-50
Case Type: Zoning
Zoning: PD-50
Case Address: SH-205 Between East Fork Drive and Olive Street

Date Created: 12/21/2015
For Questions on this Case Call (972) 771-7745



From: [Morales, Laura](#)
To: [REDACTED]
Subject: Neighborhood Notification Program: Notice of Zoning Request
Date: Thursday, December 31, 2015 9:56:00 AM

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that will also be published in the Rockwall Herald Banner on December 30, 2015. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at <http://www.rockwall.com/planning/planningDevCases.asp>.

Z2015-038

Hold a public hearing to discuss and consider a request by Scott and Leslie Milder for the approval of a zoning amendment to *Ordinance No. 07-29* for the purpose of allowing a *Banquet Facility* land use to be a permitted use through a Specific Use Permit (SUP) for all properties within Planned Development District 50 (PD-50), being 21.266-acres of land in the S.S. McCurry Survey, Abstract No. 146 and B. F. Boydston Survey, Abstract No. 14, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, and generally located along N. Goliad Street [SH-205] north of Interurban Street, and take any action necessary.

Laura Morales

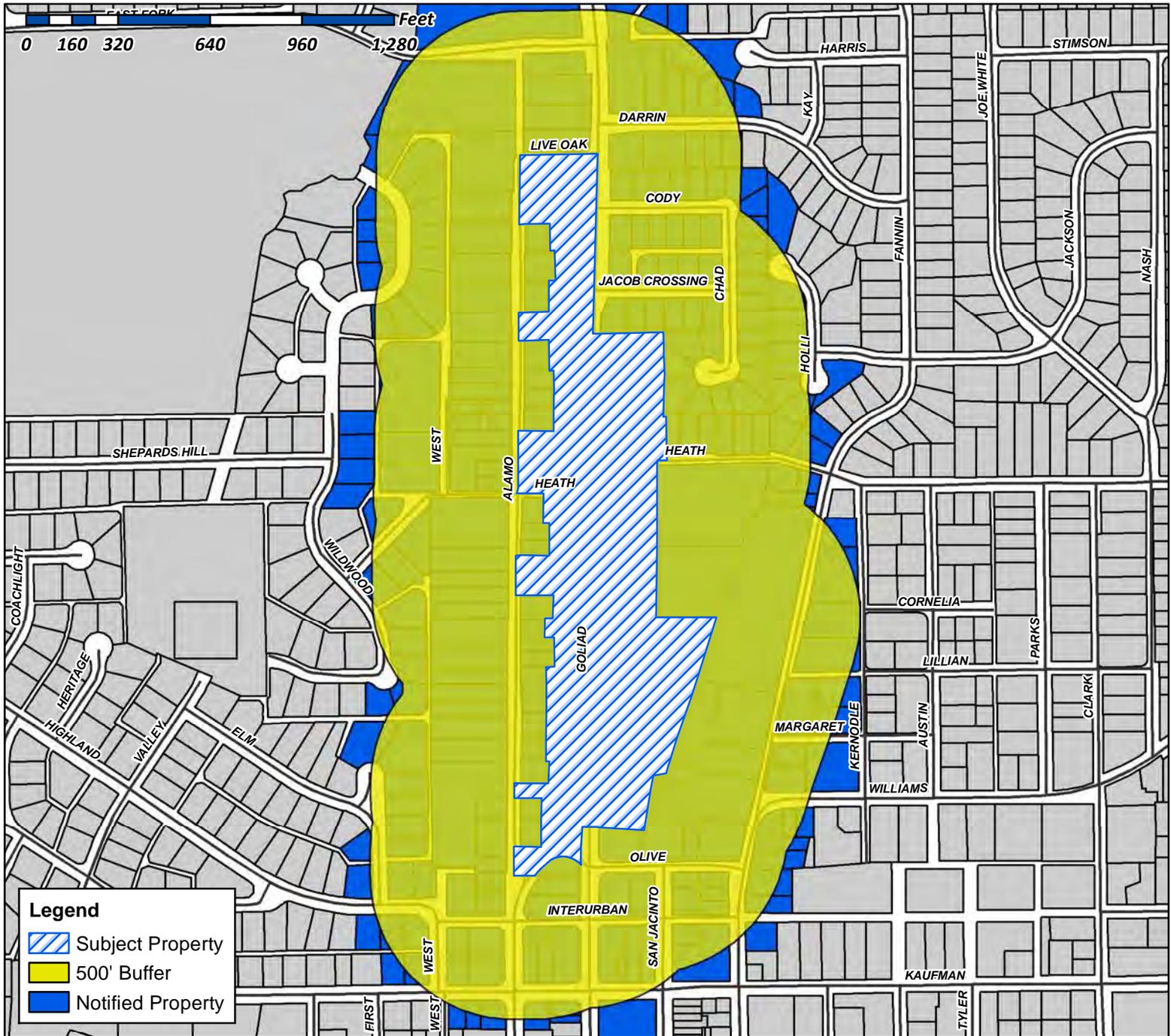
Planning & Zoning Coordinator
City of Rockwall Planning & Zoning Department
972-771-7745 | 972-772-6438
lmorales@rockwall.com | <http://www.rockwall.com>



City of Rockwall

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

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Case Number: Z2015-038
Case Name: Amendment to PD-50
Case Type: Zoning
Zoning: PD-50
Case Address: SH-205 Between East Fork Drive and Olive Street

Date Created: 12/21/2015

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





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

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

To Whom It May Concern:

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

Case No. Z2015-038: Amendment to PD-50

Hold a public hearing to discuss and consider a request by Scott and Leslie Milder for the approval of a zoning amendment to Ordinance No. 07-29 for the purpose of allowing a Banquet Facility land use to be a permitted use through a Specific Use Permit (SUP) for all properties within Planned Development District 50 (PD-50), being 21.266-acres of land in the S.S. McCurry Survey, Abstract No. 146 and B. F. Boydston Survey, Abstract No. 14, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, and generally located along N. Goliad Street [SH-205] north of Interurban Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 1/12/2016 at 6:00 p.m.**, and the City Council will hold a public hearing on **Tuesday, 1/19/2016 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by **1/19/2016** 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: [HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP](http://www.rockwall.com/planning/planningdevcases.asp)

PLEASE RETURN THE BELOW FORM

Case No. Z2015-038: Amendment to PD-50

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

PETERSON ELAINE I
1001 HOLLI LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1001 N GOLIAD
ROCKWALL, TX 75087

RHODES NANCY CLAYCOMB
1003 HOLLI LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1005 HOLLI LN
ROCKWALL, TX 75087

HOWINGTON RACHEL ANN
101 AVERY LN
ROYSE CITY, TX 75189

BILLINGSLEY LAURA RENEE
C/O REX CARTER
101 AVERY LN
ROYSE CITY, TX 75189

MUMMEY MAURICE E ETUX
1010 HOLLI LN
ROCKWALL, TX 75087

ARISTA KAUFMAN LLC
1010 W RALPH HALL PARKWAY SUITE 100
ROCKWALL, TX 75032

CURRENT RESIDENT
102 W KAUFMAN
ROCKWALL, TX 75087

BARKER PERRY H & ELIZABETH D
104 SCENIC DR
ROCKWALL, TX 75032

CURRENT RESIDENT
104 W KAUFMAN
ROCKWALL, TX 75087

BLESSING BRIAN PC
104 W KAUFMAN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
105 OLIVE ST
ROCKWALL, TX 75087

LOFLAND WILLIAM B
105 E KAUFMAN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
105 N ALAMO
ROCKWALL, TX 75087

WIMPEE JOE
105 W KAUFMAN ST
ROCKWALL, TX 75087

SKY ALAMO SERIES LLC
106 E RUSK SUITE 200
ROCKWALL, TX 75087

CURRENT RESIDENT
106 W KAUFMAN
ROCKWALL, TX 75087

BASS JULIE AND
PAM NORRIS AND LISA HOEDEBECK AN DENNIS
MORROW
10620 SALEM
LUBBOCK, TX 79424

MANLEY MICHAEL J AND MARY F
1065 MIDNIGHT PASS
ROCKWALL, TX 75087

CURRENT RESIDENT
107 E KAUFMAN
ROCKWALL, TX 75087

WHITEHEAD EMILY SUE ESTATE
DONALD R GAGE INDEPENDENT EXECUTOR
107 S SAN JACINTO
ROCKWALL, TX 75087

BIRLESON VINCENT R
1071 MIDNIGHT PASS
ROCKWALL, TX 75087

CURRENT RESIDENT
1079 MIDNIGHT PASS
ROCKWALL, TX 75087

CURRENT RESIDENT
108 INTERURBAN
ROCKWALL, TX 75087

CURRENT RESIDENT
109 E KAUFMAN
ROCKWALL, TX 75087

K'S ADVERTISING DALLAS INC THE
109 N GOLIAD ST
ROCKWALL, TX 75087

TEEL BRITTON & BARBARA
10925 ROCKSTONE DR
BALCH SPRINGS, TX 75180

CURRENT RESIDENT
111 N GOLIAD ST
ROCKWALL, TX 75087

WAGNER GERALD P
112 LOS PECES
GUN BARRELL, TX 75156

HILL TOBY VERN H & ANGELA DAWN
113 E HEATH ST
ROCKWALL, TX 75087

CHISENHALL ROBERT
115 E HEATH ST
ROCKWALL, TX 75087

R & S OPERATING CO LP
11508 ROYALSHIRE DR
DALLAS, TX 75230

CHRISTENSEN CATHERINE
117 E HEATH ST
ROCKWALL, TX 75087

GARRISON MONA
119 E HEATH ST
ROCKWALL, TX 75087

MEDLIN ELTON LAKE
1222 MIDDLEBROOK PL
DALLAS, TX 75208

HANCE ROY & RANDA & LARRY
1244 E QUAIL RUN RD
ROCKWALL, TX 75087

STAINED GLASS CREATIONS INC
1391 ANNA CADE RD
ROCKWALL, TX 75087

BRIONES RONALD AND THERESA
1401 BAYLINE DR
ROCKWALL, TX 75087

VANDERSLICE R D AND LYNN
1408 S LAKESHORE DR
ROCKWALL, TX 75087

VANDERSLICE ROBERT
1408 S LAKESHORE DRIVE
ROCKWALL, TX 75087

FERNANDEZ JOSE
14291 STANLEY LN
FORNEY, TX 75126

CANO OSCAR & NANCY
1445 FAIRLAKES POINTE DR
ROCKWALL, TX 75087

WALSER JERRY B & DEBBIE K
1450 ASHBOURNE DR
ROCKWALL, TX 75087

COLBERT MICHAEL DEVON & EMILY
1464 BRITTANY WAY
ROCKWALL, TX 75087

DOUBLE T VENTURES LLC
1500 S KREYMER LN
WYLIE, TX 75098

DOUBLE T VENTURES LLC
1500 S KREYMER LN
WYLIE, TX 75098

ROCKWALL RUSTIC RANCH LLC
1506 SIGNAL RIDGE PL
ROCKWALL, TX 75032

DATAR CORPORATION
1508 BAY VALLEY CIRCLE
HEATH, TX 75032

WRIGHT JOHN M & SUSAN L
1605 SEASCAPE CT
ROCKWALL, TX 75087

HEAVENLY HANDS BIRTHING CENTER PLLC
161 KIRKHAVEN DR
ROCKWALL, TX 75087

MEYERS STUART A & BRENDA S
1614 S LAKESHORE DR
ROCKWALL, TX 75087

105 N ALAMO LLC
1660 E FM 550
ROCKWALL, TX 75032

CRAWFORD STEVE
1709 GASLIGHT CT
SEABROOK, TX 77586

MCMILLAN BENJAMIN & TAYLOR
176 HAMPTON DR
ROCKWALL, TX 75087

DEUTSCHE BANK NTL TR CO
1761 EAST ST ANDREW PLACE
SANTA ANA, CA 94705

SER TEXAS LLC
DBA HYPERION HOMES TEXAS LLC
180 N STETSON AVE
CHICAGO, IL 60601

CRISWELL BARBARA
1890 AVONLEA DR
ROCKWALL, TX 75087

CARLON WILLIAM ANDREW
192 JACOB CROSSING
ROCKWALL, TX 75087

PRYER WILLIAM L III AND LAUREN S
193 JACOB CROSSING
ROCKWALL, TX 75087

COLLINS AMBER R
194 CODY PL
ROCKWALL, TX 75087

CROY DANNY L
195 CODY PL
ROCKWALL, TX 75087

CURRENT RESIDENT
196 JACOB CROSSING
ROCKWALL, TX 75087

STEWART DEBORAH LYNN
196 DARRIN DR
ROCKWALL, TX 75087

MITCHELL CODY
196 JACOB CROSSING
ROCKWALL, TX 75087

CURRENT RESIDENT
197 DARRIN DR
ROCKWALL, TX 75087

RAYMOND TIFFANY M
198 CODY PLACE
ROCKWALL, TX 75087

KANSIER GAYLE
198 DARRIN DR
ROCKWALL, TX 75087

KANSIER GAYLE L
198 DARRIN DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
199 DARRIN DR
ROCKWALL, TX 75087

CURRENT RESIDENT
199 JACOB CROSSING
ROCKWALL, TX 75087

YOUNG BARBARA NEUMANN
199 CODY PLACE
ROCKWALL, TX 75087

CURRENT RESIDENT
200 DARRIN DR
ROCKWALL, TX 75087

CURRENT RESIDENT
200 JACOB CROSSING
ROCKWALL, TX 75087

CAWTHON RICK
2000 E INTERSTATE 30
ROCKWALL, TX 75087

CURRENT RESIDENT
201 OLIVE ST
ROCKWALL, TX 75087

MCWHIRTER CRAIG L
201 DARRIN DR
ROCKWALL, TX 75087

CURRENT RESIDENT
201 E KAUFMAN
ROCKWALL, TX 75087

CITY LIFT STATION
201 E WASHINGTON ST
ROCKWALL, TX 75087

CURRENT RESIDENT
201 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
202 INTERURBAN ST
ROCKWALL, TX 75087

WAY SAMMY J
202 BECKY LANE
ROCKWALL, TX 75087

CRAWFORD KELLI
202 CODY PL
ROCKWALL, TX 75087

GANDY GEORGIA KNEL
202 DARRIN DR
ROCKWALL, TX 75087

CURRENT RESIDENT
202 E HEATH ST
ROCKWALL, TX 75087

HOLLIMAN ANDREA J &
DIANNE C HOLLIMAN
202 N WEST
ROCKWALL, TX 75087

LAZY DALE PARTNERS LP
202 NORTH SAN JACINTO
ROCKWALL, TX 75087

CURRENT RESIDENT
203 JACOB CROSSING
ROCKWALL, TX 75087

CLAY KAREN L
203 CODY PL
ROCKWALL, TX 75087

DAVIS ROBERT C
203 DARRIN
ROCKWALL, TX 75087

BLANKENSHIP JAMES WISE & LISA
203 E HEATH ST
ROCKWALL, TX 75087

CURRENT RESIDENT
203 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
203 W KAUFMAN
ROCKWALL, TX 75087

NELSON THERESE D
204 DARRIN DR
ROCKWALL, TX 75087

HATCHER MATTHEW S & IRENE
204 HARRIS DR
ROCKWALL, TX 75087

PHILLIPS TERESA
204 JACOB CROSSING
ROCKWALL, TX 75087

CURRENT RESIDENT
204 N WEST ST
ROCKWALL, TX 75087

HOLLIMAN ANDREA
204 N. WEST ST
ROCKWALL, TX 75087

LEWIS JODI CHOTSIE
204 W HEATH STREET
ROCKWALL, TX 75087

NBN COMMERCIAL GROUP LLC
2040 N BELT LINE RD STE 400
MESQUITE, TX 75150

DRAKE EDWARD J II & JENNIFER R
205 DARRIN DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
205 W KAUFMAN
ROCKWALL, TX 75087

SIENY RYAN FAIN
206 CODY PL
ROCKWALL, TX 75087

RUDOLPH COLLIN J
206 DARRIN DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
206 N FANNIN ST
ROCKWALL, TX 75087

PRITCHETT JOHNETTA
206 W HEATH ST
ROCKWALL, TX 75087

CURRENT RESIDENT
207 JACOB CROSSING
ROCKWALL, TX 75087

MITCHELL KELLI A &
RYAN S WENZEL
207 CODY PL
ROCKWALL, TX 75087

GARY DENNIS AND DIANNE
207 DARRIN DR
ROCKWALL, TX 75087

WILDER SUSAN C
208 JACOB CROSSING
ROCKWALL, TX 75087

ADAMS JAMES & DEBBIE
208 SUMMIT RIDGE DR
ROCKWALL, TX 75087

PEOPLES DOSVILLE
208 W HEATH ST
ROCKWALL, TX 75087

HENSON ORA LOUISE
209 DARRIN DR
ROCKWALL, TX 75087

CONFIDENTIAL
210 CODY PL
ROCKWALL, TX 75087

REED TERESA
211 CODY PLACE
ROCKWALL, TX 75087

HALE GARY E AND MARY M
211 JACOB CROSSING
ROCKWALL, TX 75087

BOWEN JAMES A
2111 MEADOWVIEW DR
CADDO MILLS, TX 75135

SHIPLEY JASON P & ELIZABETH
212 JACOB XING
ROCKWALL, TX 75087

FOSTER EDWARD M & TERI L
214 CODY PL
ROCKWALL, TX 75087

CHAPMAN KEITH A & TONYA K
215 CODY PL
ROCKWALL, TX 75087

DAVIS RICHARD S & LYNDELL R
2175 LAKE FOREST DR
ROCKWALL, TX 75087

CURRENT RESIDENT
219 CODY PLACE
ROCKWALL, TX 75087

RNDI COMPANIES INC
2255 RIDGE ROAD SUITE 216
ROCKWALL, TX 75087

HUDSPETH F WARD
2304 RIDGE RD
ROCKWALL, TX 75087

KHATER CHARLES ETUX
2368 E FM 552
ROCKWALL, TX 75087

MASTER DEVELOPERS SNB LLC
ATTN LORI WOLFE
2400 DALLAS PARKWAY SUITE 510
PLANO, TX 75093

MASTER DEVELOPERS SNB LLC
ATTN LORI WOLFE
2400 DALLAS PARKWAY SUITE 510
PLANO, TX 75093

KHAN NOOR U. & SHAHLA
2500 ST HWY 121 APT 925
EULESS, TX 76039

HOLLON GREGORY D
2778 S FM 549
ROCKWALL, TX 75032

RAYWAY PROPERTIES LLC
3 GRANITE RIDGE
ROCKWALL, TX 75032

SMITH WENDY
301 HIGHLAND DR
ROCKWALL, TX 75087

ORTAMOND DONALD J & JANA R
301 MARGARET ST
ROCKWALL, TX 75087

BEDFORD AUSTIN J & TERRI W
301 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
301 N FANNIN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
301 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
301 N SAN JACINTO
ROCKWALL, TX 75087

BULLOCK HAROLD G AND HEATHER E
301 WILDWOOD LN
ROCKWALL, TX 75087

CURRENT RESIDENT
302 ELM DR
ROCKWALL, TX 75087

CURRENT RESIDENT
302 WILLIAMS ST
ROCKWALL, TX 75087

ALBARRAN BRENDA
302 DREW LN
HEATH, TX 75032

CURRENT RESIDENT
302 E MARGARET ST
ROCKWALL, TX 75087

WARREN PEGGY E
302 HIGHLAND DR
ROCKWALL, TX 75087

CURRENT RESIDENT
302 N FANNIN ST
ROCKWALL, TX 75087

JOY LUTHERAN CHURCH
302 N GOLIAD ST
ROCKWALL, TX 75087

JOY LUTHERAN CHURCH
302 N GOLIAD ST
ROCKWALL, TX 75087

BRUCE DANA G & JEANNE L
302 N SAN JACINTO ST
ROCKWALL, TX 75087

TCB CONSTRUCTION GROUP LLC
302 S FANNIN
ROCKWALL, TX 75087

CRANE KATHERINE LYNN
302 W KAUFMAN ST
ROCKWALL, TX 75087

SOLIS JOHNNY & JULIE
3021 RIDGE RD SUITE A BOX 93
ROCKWALL, TX 75032

ANDERSON DEREK S & JENNIFER L
303 ELM DR
ROCKWALL, TX 75087

WHITE SANDRA JEAN
303 HIGHLAND DR
ROCKWALL, TX 75087

LEAL CAROL RHEA & ROLAND
303 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
303 N GOLIAD
ROCKWALL, TX 75087

ANGLE GLENDA ANNE
303 WILDWOOD LN
ROCKWALL, TX 75087

POINTER PRICE A AND TAYLOR A
303 WILLIAMS ST
ROCKWALL, TX 75087

POINTER TAYLOR & PRICE
303 WILLIAMS STREET
ROCKWALL, TX 75087

CURRENT RESIDENT
304 HIGHLAND DR
ROCKWALL, TX 75087

CURRENT RESIDENT
304 WILLIAMS ST
ROCKWALL, TX 75087

GLASS KATHLEEN J
304 ELM DR
ROCKWALL, TX 75087

CURRENT RESIDENT
304 N SAN JACINTO
ROCKWALL, TX 75087

CURRENT RESIDENT
304 W KAUFMAN ST
ROCKWALL, TX 75087

WHITE RUNELLE
305 HIGHLAND
ROCKWALL, TX 75087

FERGUSON PROPERTIES LLC
305 N FANNIN ST
ROCKWALL, TX 75087

KING BOBBY R ETUX
305 WILDWOOD LN
ROCKWALL, TX 75087

BELL MARY NELL
306 ELM DR
ROCKWALL, TX 75087

STANLEY PAUL & SHERI
306 HIGHLAND DR
ROCKWALL, TX 75087

CURRENT RESIDENT
306 N FANNIN ST
ROCKWALL, TX 75087

RADLEY LEE JAMES AND EMILY ASHTON
306 WILLIAMS ST
ROCKWALL, TX 75087

FERGUSON PROPERTIES LLC
307 N FANNIN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
308 FANNIN
ROCKWALL, TX 75087

SCHWEIKERT FERN ELLEN
308 ELM DR
ROCKWALL, TX 75087

GATES CHARLES H & BRENDA F
310 ELM DR
ROCKWALL, TX 75087

CURRENT RESIDENT
312 ELM DR
ROCKWALL, TX 75087

CASTILLO PEDRO
3161 S FM 551
ROYSE CITY, TX 75189

SOLIDICE PROPERTIES LLC
3200 MAIN ST #23
DALLAS, TX 75226

HOLLIMAN ANDREA J
332 SHEPARDS HILL
ROCKWALL, TX 75087

HEALDAN GROUP INC
3460 MARRON RD SUITE 103-144
OCEANSIDE, CA 92056

FALLS DAVID C & TERRI L
3608 LAKESIDE DR
ROCKWALL, TX 75087

CURANOVIC JOHN
361 WILLOWCREST
ROCKWALL, TX 75032

CHURCH ROBERT & LESLIE
38 MEADOWCREEK DR
MELISSA, TX 75454

CURRENT RESIDENT
401 N ALAMO
ROCKWALL, TX 75087

JONES CYNTHIA WALLACE & KENNETH LYNN
401 N FANNIN STREET
ROCKWALL, TX 75087

WILBURN MARK JR AND BREANNE
402 WILDWOOD LN
ROCKWALL, TX 75087

CURRENT RESIDENT
404 N GOLIAD
ROCKWALL, TX 75087

COOK CAROLINE D
404 WILDWOOD LN
ROCKWALL, TX 75087

CURRENT RESIDENT
405 N ALAMO
ROCKWALL, TX 75087

ODOM JAY & ALISON
405 N FANNIN STREET
ROCKWALL, TX 75087

ODOM JAY & ALISON
405 N FANNIN STREET
ROCKWALL, TX 75087

CURRENT RESIDENT
405 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
406 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
406 N GOLIAD
ROCKWALL, TX 75087

4 ROSES ENTERPRISES LLC AND
TIMOTHY M & STACY M ROSE
436 WYNDEMERE BLVD
HEATH, TX 75032

KUMAR EESHAN & VANDANA KUMAR
4701 COPPER MOUNTAIN LN
RICHARDSON, TX 75082

BUTTGEN JAMES D
501 KERNODLE ST
ROCKWALL, TX 75087

CURRENT RESIDENT
501 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
501 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
501.5 N GOLIAD ST
ROCKWALL, TX 75087

UDSTUEN STEVE
502 COLUMBIA DR
ROCKWALL, TX 75032

TAMEZ SILVINO & ARACELIA
502 N ALAMO RD
ROCKWALL, TX 75087

BLACK SHIRLEY M
502 N GOLIAD ST
ROCKWALL, TX 75087

SMITH MARY SUE
502 W RUSK ST
ROCKWALL, TX 75087

WOODARD CARL E ET UX
502 WILDWOOD TER
ROCKWALL, TX 75087

CURRENT RESIDENT
503 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
503 N FANNIN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
503 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
504 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
504 N GOLIAD
ROCKWALL, TX 75087

NASH M CALVIN ETUX
504 WILDWOOD TER
ROCKWALL, TX 75087

ALSOBROOK DAVID
505 CARRIAGE TRL
ROCKWALL, TX 75087

TUCKER PAMELA
505 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
505 N GOLIAD
ROCKWALL, TX 75087

DEAN GREG
505 SUNSET HILL DR
ROCKWALL, TX 75087

WRAY JOY
505 WILDWOOD TER
ROCKWALL, TX 75087

CURRENT RESIDENT
506 N GOLIAD
ROCKWALL, TX 75087

HICKERSON JON D
506 WILDWOOD TER
ROCKWALL, TX 75087

FLEMING HALLIE B
507 N GOLIAD
ROCKWALL, TX 75087

MORGAN RHONA L &
JACK HADLEY JR
508 N ALAMO RD
ROCKWALL, TX 75087

REDDEN POLLY AND
PEOPLES JANICE
509 E HEATH ST
ROCKWALL, TX 75087

PEOPLES DERYL W
5268 COUNTY ROAD 2648
ROYSE CITY, TX 75189

CURRENT RESIDENT
601 KERNODLE ST
ROCKWALL, TX 75087

SHIREY THOMAS E
601 N ALAMO ST
ROCKWALL, TX 75087

HALL DOUGLAS A & MARCI
601 N FANNIN ST
ROCKWALL, TX 75087

CARDENAS CECILIO & CARMEN
602 N ALAMO ROAD
ROCKWALL, TX 75087

CURRENT RESIDENT
602 N GOLIAD
ROCKWALL, TX 75087

HANSARD STANLEY E ETUX DALE
602 WILDWOOD LN
ROCKWALL, TX 75087

HUTTON SCOTT W & JOANN Y HAMILTON
603 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
603 N GOLIAD
ROCKWALL, TX 75087

EAGLE SEIKI SALES LTD
C/O ELIZABETH BURKS
603 WOODED TRAIL
ROCKWALL, TX 75087

CURRENT RESIDENT
604 GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
604 N ALAMO
ROCKWALL, TX 75087

KENDALL DANIEL & JESSICA
604 WILDWOOD LANE
ROCKWALL, TX 75087

CURRENT RESIDENT
605 N ALAMO
ROCKWALL, TX 75087

MURRAY JAMES & VIRGINIA
606 WILDWOOD LN
ROCKWALL, TX 75087

MULLINS CHRISTOPHER CHARLES AND ARYN
ELISE
607 KERNODLE ST
ROCKWALL, TX 75087

BELL ZACHARY A AND ELIZABEH H
608 WILDWOOD LN
ROCKWALL, TX 75087

SMITH G DAVID
702 N GOLIAD ST
ROCKWALL, TX 75087

TIBBETTS JERROLD ET UX
703 KERNODLE ST
ROCKWALL, TX 75087

CURRENT RESIDENT
703 N ALAMO RD
ROCKWALL, TX 75087

IRBY DENNIS
703 N GOLIAD ST
ROCKWALL, TX 75087

J-PEG PROPERTIES LLC
704 N GOLIAD
ROCKWALL, TX 75087

ZIMMERMAN CAROLYN
705 KERNODLE ST
ROCKWALL, TX 75087

CURRENT RESIDENT
705 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
705 N GOLIAD ST
ROCKWALL, TX 75087

CURRENT RESIDENT
706 N ALAMO
ROCKWALL, TX 75087

CALABRESE CORINNA RAE
707 N ALAMO RD
ROCKWALL, TX 75087

COLEBAUGH JACOB AND MELISSA METZNER
708 N ALAMO
ROCKWALL, TX 75087

SWIERCINSKY JOSHUA L
710 N ALAMO
ROCKWALL, TX 75087

CCAA INVESTMENT I, LP
750 N ST PAUL SUITE 1650
DALLAS, TX 75201

BROWN JONATHAN R & CHRISTY A
7814 KILLARNEY LANE
ROWLETT, TX 75089

ELLIS MARY KATHRYN
8 CAMDEN
ROCKWALL, TX 75032

CURRENT RESIDENT
801 N GOLIAD ST
ROCKWALL, TX 75087

GUEVARA CARLOS & MONICA A
802 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
802 N GOLIAD
ROCKWALL, TX 75087

MCCARVER DUSTIN
803 KERNODLE STREET
ROCKWALL, TX 75087

CURRENT RESIDENT
803 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
804 N GOLIAD
ROCKWALL, TX 75087

BUSHNELL MICHAEL S & TIFFANIE C
805 KERNODLE ST
ROCKWALL, TX 75087

FORGIONE JERILYN DENISE
805 N ALAMO RD
ROCKWALL, TX 75087

ORTIZ ENRIQUE AROZLA
805 N FANNIN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
805 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
806 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
807 N ALAMO RD
ROCKWALL, TX 75087

MEJIA JULIO & MARIA R
807 N FANNIN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
807 N GOLIAD
ROCKWALL, TX 75087

WYLIE KIMBERLY
808 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
808 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
809 N GOLIAD
ROCKWALL, TX 75087

MARTINEZ RAQUEL P
809 N GOLIAD ST
ROCKWALL, TX 75087

CURRENT RESIDENT
810 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
810 N GOLIAD
ROCKWALL, TX 75087

AOUN PIERRE E
811 N GOLIAD ST
ROCKWALL, TX 75087

CURRENT RESIDENT
812 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
812 N GOLIAD
ROCKWALL, TX 75087

CAIN JAMES O
815 N ALAMO RD
ROCKWALL, TX 75087

CAIN JAMES O
815 N ALAMO RD
ROCKWALL, TX 75087

MILDER SCOTT & LESLIE
830 SHORES BLVD
ROCKWALL, TX 75087

MILDER SCOTT & LESLIE
830 SHORES BLVD
ROCKWALL, TX 75087

WAY FAMILY MANAGEMENT LLC
8441 S FM 549
ROCKWALL, TX 75032

CULLINS KENNETH L & HEATHER D
845 RAVENHURST DR
ROCKWALL, TX 75087

KILLION OLIN R
8709 DALROCK RD
ROWLETT, TX 75089

KILLION OLIN R & AGATHA
8709 DALROCK RD
ROWLETT, TX 75089

KILLION OLIN R
8709 DALROCK RD
ROWLETT, TX 75089

COOPER JAMES A & MICHELLE R
901 N ALAMO
ROCKWALL, TX 75087

CROWDER GERALDINE
901 N FANNIN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
902 N GOLIAD
ROCKWALL, TX 75087

AGUADO MARIA
903 N ALAMO RD
ROCKWALL, TX 75087

HEMPHILL REBECCA
903 N FANNIN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
904 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
905 N WEST ST
ROCKWALL, TX 75087

WILLIAMS ALEX R
906 N ALAMO RD
ROCKWALL, TX 75087

WILLIAMS ALEX RAY &
PATRICIA L WILLIAMS WILKERSON
906 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
906 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
906 N WEST ST
ROCKWALL, TX 75087

HARRIS JAMES SCOTT &
ANNETTE JANE NABORS
907 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
907 N GOLIAD ST
ROCKWALL, TX 75087

PIERCE CAROLYN GREEN
908 N ALAMO RD
ROCKWALL, TX 75087

MARTINKUS NICOLE
908 N WEST ST
ROCKWALL, TX 75087

HAYNES GREGORY & AMANDA
909 N ALAMO
ROCKWALL, TX 75087

JAMESON DANIEL R
909 N WEST ST
ROCKWALL, TX 75087

ZAVALA VICTOR V
910 N ALAMO RD
ROCKWALL, TX 75087

PERRY RUBY DELL
910 N WEST ST
ROCKWALL, TX 75087

WHITE TIMOTHY E
9104 PRIVATE ROAD 2325
TERRELL, TX 75160

HOLLOWAY LESLIE D
911 N ALAMO RD
ROCKWALL, TX 75087

JONES PAMELA J
912 N ALAMO RD
ROCKWALL, TX 75087

STACEY MARY A
912 N GOLIAD ST
ROCKWALL, TX 75087

CURRENT RESIDENT
913 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
915 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
915 N GOLIAD
ROCKWALL, TX 75087

SYFERD STACI ANN
917 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
917 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
918 N ALAMO
ROCKWALL, TX 75087

FARMER BARBARA A
919 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
919 N GOLIAD
ROCKWALL, TX 75087

ALSUP ANGELA G AND DENNIS
921 N ALAMO RD
ROCKWALL, TX 75087

BARRY BARBARA
922 N ALAMO RD
ROCKWALL, TX 75087

CONFIDENTIAL
923 N ALAMO RD
ROCKWALL, TX 75087

CHAVEZ ENRIQUE
923 N GOLIAD ST
ROCKWALL, TX 75087

MONK MARCELLE A LAZARE & PAUL
924 N ALAMO RD
ROCKWALL, TX 75087

CRAWFORD JUANITA LIFE ESTATE AND
MICHAEL CRAWFORD
925 N ALAMO
ROCKWALL, TX 75087

DONAHOE JOHN M & KATHRINE E
925 N GOLIAD ST
ROCKWALL, TX 75087

DONAHOE JOHN M & KATHRINE E
925 N GOLIAD ST
ROCKWALL, TX 75087

TAILLAC JEAN ANTHONY
944 CHAD WAY
ROCKWALL, TX 75087

CURRENT RESIDENT
947 CHAD WAY
ROCKWALL, TX 75087

CURRENT RESIDENT
948 CHAD WAY
ROCKWALL, TX 75087

CORENO FRANCISCO R
951 CHAD WAY
ROCKWALL, TX 75087

CURRENT RESIDENT
952 CHAD WAY
ROCKWALL, TX 75087

CURRENT RESIDENT
955 CHAD WAY
ROCKWALL, TX 75087

ALLEN MARK C AND
DONNA K BOYD
956 CHAD WAY
ROCKWALL, TX 75087

HOLLAND JASON & ANNA
960 CHAD WAY
ROCKWALL, TX 75087

TO TUAN QUOC
964 CHAD WAY
ROCKWALL, TX 75087

JENSEN MIKEL K & MICHELLE
968 CHAD WAY
ROCKWALL, TX 75087

WILCOX GORDON RICHARD AND GINGER R
974 CHAD WAY
ROCKWALL, TX 75087

CRAWFORD MICHAEL & MARY
975 N ALAMO RD
ROCKWALL, TX 75087

LOWRY BRENDA
978 CHAD WAY
ROCKWALL, TX 75087

CLARK RYAN W & AMY B
982 CHAD WAY
ROCKWALL, TX 75087

GIBSON MONTE ROY & BELINDA K
986 CHAD WAY
ROCKWALL, TX 75087

SCHMIDT STEVEN R
990 CHAD WAY
ROCKWALL, TX 75087

PANNELL JIM ESTATE
CHRYSTAL PANNELL INDEPENDENT EXECUTOR
990 CORNELIUS RD
ROCKWALL, TX 75087

MISER RALPH C
993 HOLLI LN
ROCKWALL, TX 75087

GAFFNEY BRIAN & HOPE
994 CHAD WAY
ROCKWALL, TX 75087

DOOLEY RHONDA N
995 HOLLI LN
ROCKWALL, TX 75087

MCCRARY HEATHER L
997 HOLLI LANE
ROCKWALL, TX 75087

ALLEN MARK, DONNA BOYD &
WILLIAM A ALLEN III
998 CHAD WAY
ROCKWALL, TX 75087

MESSENGER BARNARD A & BONNIE
998 HOLLI LN
ROCKWALL, TX 75087

CURRENT RESIDENT
999 HOLLI LN
ROCKWALL, TX 75087

COUNTY OF ROCKWALL
COURTHOUSE
ROCKWALL, TX 75087

CAIN REVOCABLE FAMILY TRUST AND
CREDIT SHELTER TRUST AND SURVIVORS TRUST
DEWAYNE CAIN TRUSTEE PO BOX 1119
ROCKWALL, TX 75087

M & D REAL ESTATE LP
P O BOX 2109
ROCKWALL, TX 75087

PANNELL SMITH PROPERTY MANAGEMENT LLC
PMB 155 3021 RIDGE RD
ROCKWALL, TX 75032

PANNELL SMITH PROPERTY MANAGEMENT LLC
PMB 155 3021 RIDGE RD
ROCKWALL, TX 75032

PANNELL SMITH PROPERTY MANAGEMENT LLC
PMB 155 3021 RIDGE RD
ROCKWALL, TX 75032

CONSELMAN EQUITIES LLC
PO BOX 2284
ROCKWALL, TX 75087

TRANSGLOBAL INSPECTIONS LLC
PO BOX 265
FATE, TX 75132

COMMUNITY BANK
PO BOX 580
GRANBURY, TX 76048

PRINGLE PHYLLIS M
PO BOX 584
ROCKWALL, TX 75087

LAND HEADQUARTERS COMPANY INC
C/O FAIR ROAD PROPERTIES INC
PO BOX 69
KEY BISCAYNE, FL 33149

BAESA MICHAEL H & PAIGE
PO BOX 814
ROCKWALL, TX 75087

ROCKWALL RENTAL PROPERTIES LP
PO BOX 818
TERRELL, TX 75160

DOWER YVONNE
PO BOX 871239
MESQUITE, TX 75187

LAYTON ERIC A
PO BOX 998
ROCKWALL, TX 75087

ROCKWALL RENTAL PROPERTIES LP
PO BOX B
TERRELL, TX 75160

Case No. Z2015-038: Amendment to PD-50

Please place a check mark on the appropriate line below:

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

I AM IN FAVOR OF THIS REQUEST. I THINK ALL OF N, ALAMO ST. ON BOTH SIDES OF THE BLOCK SHOULD BE REZONED TO BUSINESS. AS WE HAVE TONS OF TRAFFIC, SPEEDERS, LARGE TRUCKS LIKE N. GOLIAD. I ALSO WOULD LIKE THE CITY TO CONSIDER SIDEWALKS STEEL LIGHTS

Name:

THOMAS SHIREY

Address:

601 N. ALAMO ST.

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

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Please place a check mark on the appropriate line below:

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

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

Name:

Double T Ventures, LLC

Address:

807 N Goliad, Rockwall, TX

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

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

Case No. Z2015-038: Amendment to PD-50

Please place a check mark on the appropriate line below:

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

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

[Redacted comment area]

Name:

Double T Ventures LLC

Address:

907 N. Goliad, Rockwall, TX

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

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

Case No. Z2015-038: Amendment to PD-50

Please place a check mark on the appropriate line below:

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

-WE DO NOT FEEL IT WILL ADD VALUE TO REAL ESTATE.
 -CROWD PROBLEMS
 -PARKING PROBLEMS

Name: Carol Gendley, VP LAND HEADQUARTERS CO
 Address: 404 N GOLIAD

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

191

Case No. Z2015-038: Amendment to PD-50

Please place a check mark on the appropriate line below:

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

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

NOT ENOUGH INFORMATION PROVIDED ON DEVELOPMENT PLANS &
TOO CLOSE TO MY PROPERTY LINE FOR COMMERCIAL
DEVELOPMENT NEXT TO RESIDENTIAL

Name: Eitan Medlin

Address: 918 N ALAMO Rockwall

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

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

Case No. Z2015-038: Amendment to PD-50

Please place a check mark on the appropriate line below:

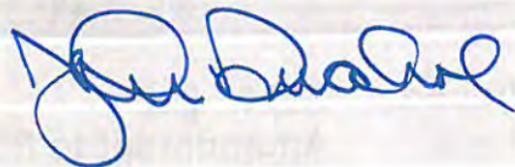
I am in favor of the request for the reasons listed below.

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

[Redacted area]

Name:

John Donahoe



Address:

925 N. GOLIAD ST

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

From: [C.Cook](#)
To: [Miller, Ryan](#)
Subject: Case #Z2015-038: Amendment to PD-50
Date: Tuesday, January 12, 2016 10:23:01 AM

Ryan,

I am OPPOSED to the amendment request for the following reasons:

1) I live 3 blocks from 205, and 2 blocks directly behind the Milder property. I frequently hear music from the downtown area, as well as 24/7 traffic noise from 205. ***Allowing the subject property to host parties will only add to the noise level in a residential area.***

2) I frequently travel on Alamo to get to the downtown area, and that is also where my children gather to wait for the school bus. There are many children living on that street. I have witnessed more than one near-miss due to the limited view around parked cars, as well as the death of a family pet from someone driving through. ***The proposed use of the subject property as a Banquet Facility will add even more traffic through a residential area, especially during a time when children are frequently out playing (afternoon and evening, sometimes well after dark).***

3) I believe a zoning change was requested on this same property approximately 12-18 months ago. At that time, the request was for an antiques/collectibles shop. I did not object to this use of the property, as it was not a high-traffic or noisy business endeavor. The other businesses along that particular strip on 205 are small and quiet in nature. I want to keep this corridor as "small and quiet" as possible. ***I believe that the proposed use of the subject property will NOT accomplish this.***

4) ***I believe that my home value will be negatively impacted by the continued expansion of commercial zoning along that strip of 205.*** This is a real and immediate effect in my mind, as I am planning on selling my property within 10 years, after my children complete their schooling.

Thank you again for your time. I plan on attending the City Council hearing on 1/19/2016, along with as many neighbors as possible.

Caroline Cook
404 Wildwood Lane
Rockwall, TX 75087
214-926-4697

December 18, 2015

ZONING REQUEST
LETTER OF EXPLANATION
PROPERTY ADDRESS
803 N. Goliad
Rockwall, TX 75087

Ryan Miller
City Planner
City of Rockwall
385 South Goliad Street
Rockwall, TX 75087

Dear Mr. Miller:

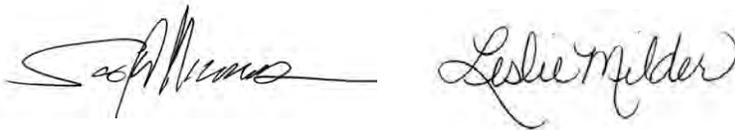
Please accept this letter of explanation to accompany our zoning change application. Leslie and I would like to pursue zoning that would allow for small events at 803 N. Goliad within PD-50 in addition to maintaining the current zoning for light retail / office. Following are the types of events we anticipate:

- Birthday parties
- Baby showers
- Bridal showers
- Team parties
- Graduation parties
- Family reunions and milestone celebrations
- Charitable organization fundraisers and meetings
- Business socials and meetings
- Holiday parties
- Seasonal parties
- Tea parties
- Youth activities
- Weddings
- Receptions
- Funeral meals

We fully intend to respect the neighboring properties and will not permit loud music and/or bands, and will not operate outside of the hours of 8:00am and 10:00pm. Small events are all this property can accommodate with a building capacity of 49 people.

Thank you for your assistance with this process.

Sincerely,



Scott and Leslie Milder
830 Shores Blvd | Rockwall, TX 75087
214-497-6411 cell | smilder@fotps.org

CITY OF ROCKWALL

ORDINANCE NO. 16-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING PLANNED DEVELOPMENT DISTRICT 50 (PD-50) AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF AMENDING PLANNED DEVELOPMENT DISTRICT 50 (PD-50) TO ALLOW A BANQUET FACILITY LAND USE TO BE PERMITTED BY A SPECIFIC USE PERMIT (SUP) FOR THE SUBJECT PROPERTY, BEING A 21.266-ACRE TRACT OF LAND SITUATED WITHIN THE S. S. McCURRY SURVEY, ABSTRACT NO. 146 AND B. F. BOYDSTON SURVEY, ABSTRACT NO. 14, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Scott & Leslie Milder requesting the approval of an amendment to Planned Development District 50 (PD-50) and the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall for the purpose of amending the permitted land uses to allow for the addition of a *Banquet Facility* land use to be permitted by a Specific Use Permit (SUP) for a 21.266-acre tract of land situated within the S. S. McCurry Survey, Abstract No. 146 and B. F. Boydston Survey, Abstract No. 14, City of Rockwall, Rockwall County, Texas, identified as Planned Development District 50 (PD-50), and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 50 (PD-50) and the Unified Development Code [Ordinance No. 04-38] should be amended as follows:

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

SECTION 1. That the approval of this ordinance shall supersede all requirements stipulated in *Ordinance No. 01-53, 02-46, 04-24, 04-39, 05-03, 05-08, 05-18, 05-35 & 07-29*;

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

SECTION 3. That the *Subject Property* shall be developed and/or used only in the manner and for the purposes described in *Exhibit 'C'* of this ordinance, and unless specifically modified within this ordinance the *Subject Property* shall adhere to all development standards stipulated by the Residential Office (RO) District as specified in Section 4.2, *Residential Office (RO) District*, of Article V, *District Development*

Standards, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by the granting of this zoning change, and as may be amended in the future;

SECTION 4. That the official zoning map of the City of Rockwall, Texas be corrected to reflect the change in zoning described here in.

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

SECTION 6. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code [*Ordinance No. 04-38*], and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 7. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code [*Ordinance No. 04-38*] of any provision of the *City Code*, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code [*Ordinance No. 04-38*] (*including references to the Unified Development Code*), and references to overlay districts, in this ordinance or any of the *Exhibits* hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 1ST DAY OF FEBRUARY, 2016.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 19, 2016

2nd Reading: February 1, 2016

EXHIBIT 'A':
Legal Description

BEGINNING at a point in the northwest corner of Block 32 of the Garner Addition (925 N. Goliad Street);

THENCE easterly 211.13' along the south right of way of Live Oak Street for a corner;

THENCE southerly 598.12' along the west right of way of Goliad Street (SH-205);

THENCE east 54.44' across Goliad Street, to the northwest corner of Block 160, Lot 1 of the Austin Addition (912 N. Goliad Street);

THENCE east 220' following the north property line of Block 160, Lot 1 of the Austin Addition (912 N. Goliad Street);

THENCE southerly 441.42' following the east property lines of lots fronting Goliad Street to a point on the north right of way of Heath Street;

THENCE west 39.54' along the north right of way of Heath Street;

THENCE southerly following along the east property lines of lots fronting Goliad Street 562.59' to a point being the northwest corner of B.F. Boydston Survey, Block 123, Lot F (604 N Goliad Street);

THENCE east 210.09' along the north property line of said Block 123, Lot F for a corner;

THENCE southerly 289.31' along the eastern property line of said Block 123, Lot F for a corner;

THENCE southerly 519.9' following along the east property lines of lots fronting Goliad Street to a point being the southeast corner of B.F. Boydston Survey, Block 123, Lot B (406 N. Goliad Street);

THENCE west 215.11' along the south property line of said Block 123, Lot B (406 N. Goliad Street) and crossing to a point on the west right of way of Goliad Street;

THENCE southerly 170.59' following along the west right of way of Goliad Street to a point being the southeast corner of Block 17, Lot 15 of the Amick Addition (401-403 N. Goliad Street);

THENCE west 210' along the south property line of said Block B, Lot 15 of the Amick Addition for a corner;

THENCE northerly 101.05' along the west property line of said Block 17, Lot 15 of the Amick Addition;

THENCE easterly 70.83' along the north property line of Block 17, Lot 15 of the Amick Addition;

THENCE north 170' along the west property lines of Block 18B, Lot 17 and Block 19C, Lot 21 of the Amick Addition;

THENCE west 72.99' along the south property line of Block 19B, Lot 19 of the Amick Addition (501½ N. Goliad Street);

THENCE northerly 51.75' along the west property line of Block 19B, Lot 19 of the Amick Addition (501½ N. Goliad Street);

THENCE easterly 97.01' along the north property line of Block 19B, Lot 19 of the Amick Addition (501½ N. Goliad Street);

THENCE northerly 754.05' following along the west property lines of lots fronting Goliad Street to a point in the south property line of Block 23A, Lot 34 of the Amick Addition (803 N. Goliad Street);

THENCE west 115.03' along the south property line of said Block 23A, Lot 34 of the Amick Addition;

EXHIBIT 'A':
Legal Description

THENCE northerly 139.55' along the east right of way of N. Alamo Street;

THENCE east 99.47' following along the north property line of Block 24C, Lot 37 of the Amick Addition (805. N. Goliad Street) to a point;

THENCE northerly 250.95' following along the west property lines of lots fronting N. Goliad Street and crossing to the north right of way of Heath Street for a corner;

THENCE west 70.51' along the north right of way of Heath Street for a corner;

THENCE northerly 205.32' along the east right of way of N. Alamo Street;

THENCE easterly 103.92' along the south property line of Lot 1 of the Williams Addition;

THENCE northerly 334.45' following along the west property line of lots fronting Goliad Street to a point on the south property line of Block 29 of the Garner Addition (915 N. Goliad Street);

THENCE west 85.69' along the south property line of Block 29 of the Garner Addition (915 N. Goliad Street) to the east right of way of Alamo Street;

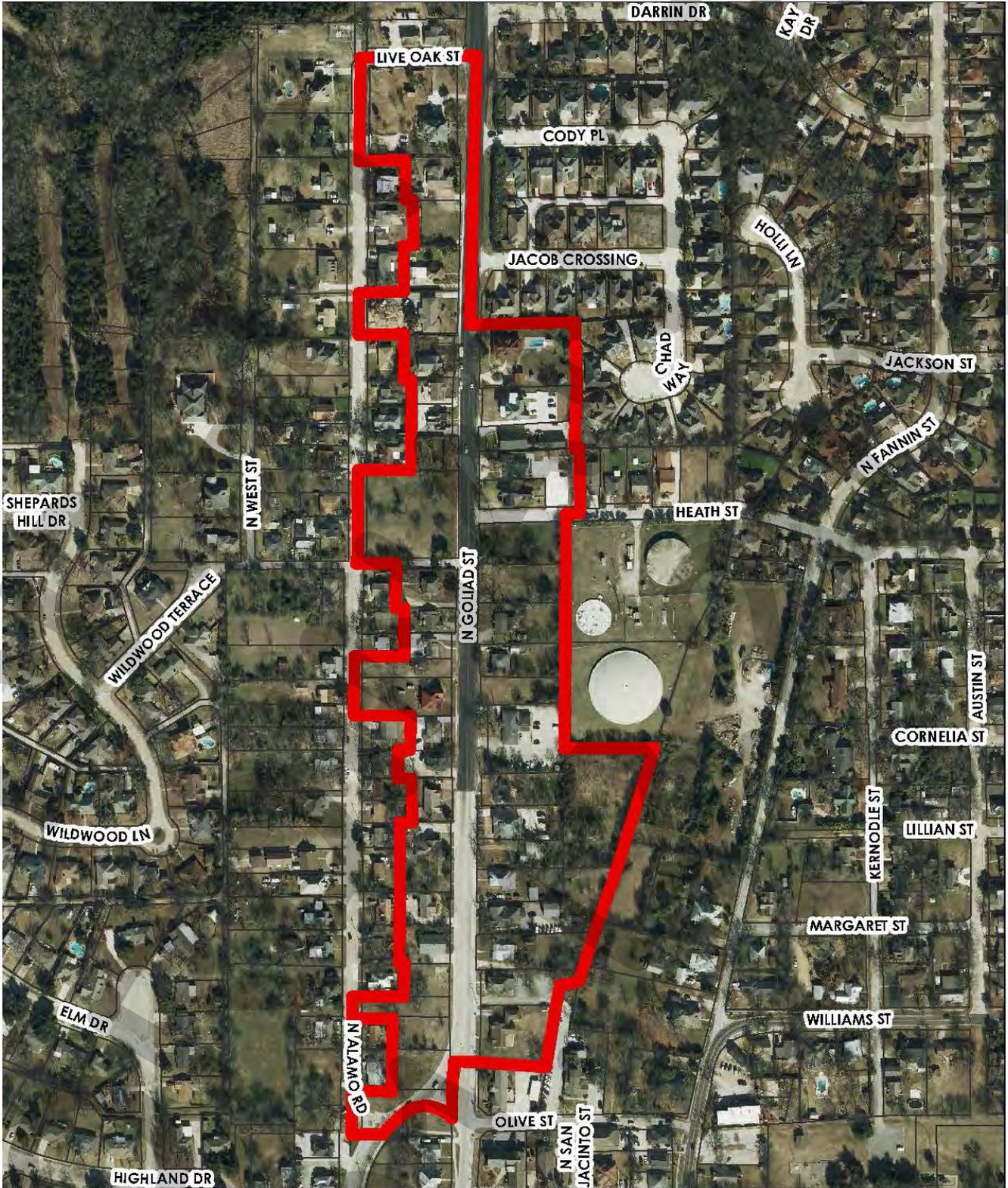
THENCE northerly 98.02' along the east right of way of Alamo Street for a point;

THENCE easterly 85.08' along the north property line of Block 29 of the Garner Addition (915 N. Goliad Street);

THENCE northerly 345.36' following along the west property line of lots fronting Goliad Street to a point in the south right-of-way of Block 32 of the Garner Addition (925 N. Goliad Street);

THENCE northerly 218.51' following along the east right of way of Alamo Street to the **POINT OF BEGINNING** containing approximately 21.266-acres of land.

EXHIBIT 'B':
Location Map



**City of
Rockwall**



Date: 12/22/2015
0 500 Feet
GEOGRAPHIC INFORMATION SYSTEMS

PD50

EXHIBIT 'C':
District Development Standards

Development Standards.

- 1) *Permitted Uses.* Unless specifically provided by this Planned Development District ordinance, only those land uses permitted within the Residential Office (RO) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*], are allowed on the *Subject Property*; however, the following additions and conditions shall apply:
 - (a) *Antique/Collectable Sales.* The retail sales of antiques and collectables shall be permitted through the approval of a Specific Use Permit (SUP) by the City Council; however, such use shall be subject to the following conditions:
 - i. *Antique Sales* is defined as the sale of an object having value because of its age, especially a domestic item or piece of furniture or handicraft esteemed for its artistry, beauty, craftsmanship, or period of origin.
 - ii. *Collectable Sales* is defined as the sale of an object that can be collected, or is suitable or desirable for collecting by hobbyist, or any of a class of old things (*but not antiques*) that people collect as a hobby.
 - iii. The sale of new or used clothing and appliances shall be prohibited.
 - iv. The maximum floor area permitted for *Antique/Collectable Sales* be limited to 2,000 square feet.
 - v. That individual lease areas within the *Antique/Collectable Sales* use be prohibited.
 - (b) *Banquet Facility (Event Venue).* A banquet facility or event venue shall be permitted through the approval of a Specific Use Permit (SUP) by the City Council; however, such use shall be subject to the following conditions:
 - i. *Banquet Facility* or *Event Venue* is defined as commercial facility that can be rented out for the purpose of hosting private events (*e.g. birthday parties, wedding receptions, meetings, etc.*). These events shall not be open to the general public.
- 2) *Cross Access Easements.* Joint or shared access shall be required on all adjoining lots if any property is used for office development or any other non-residential use permitted by this ordinance.
- 3) *Parking.* That all non-residential land uses shall adhere to the following parking requirements:
 - (a) All parking shall be located behind the front façade of the primary structure and parking within the front yard of any property shall be prohibited.
 - (b) The parking requirements for all uses shall be subject to the requirements stipulated by Article VI, *Parking and Loading*, of the Unified Development Code [*Ordinance No. 04-38*] with the exception of *Professional Offices (excluding medical offices)* and *Banquet Facilities*. *Professional Offices* shall be subject to one (1) parking space per 500 SF of floor area and *Banquet Facilities* shall be subject to one (1) parking space per 100 SF of floor area.
 - (c) All drive aisles and parking areas required for the conversion and/or redevelopment of existing structures within the Planned Development District shall be paved in concrete. An exception for asphalt may be approved by the City Engineer.
- 4) *Site Plan.* All properties within the Planned Development District shall be subject to site plan review prior to changing the use from single-family residential.
- 5) *Variances.* In the event that unique or extraordinary conditions exist on the property such that the applicant cannot comply with the strict interpretation of this ordinance a variance can be requested from the City Council.

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CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 01/19/2016

APPLICANT: Dayne Ram of ADR Desings

AGENDA ITEM: Z2015-039; Residence Hotel - SUP

SUMMARY:

Hold a public hearing to discuss and consider a request by Dayne Ram of ADR Designs, LLC on behalf of the owner Majestic Cast, Inc. for the approval of a Specific Use Permit (SUP) for a *Residence Hotel* on a 2.003-acre parcel of land identified as Lot 4, Block A, Wal-Mart Super Center Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (OV) District, located on the east side of White Hills Drive south of Ridge Road [FM-740], and take any action necessary.

BACKGROUND INFORMATION:

The applicant, Dayne Ram of ADR Designs, LLC and on behalf of the owner Majestic Cast, Inc., is requesting a Specific Use Permit (SUP) for the purpose of establishing a *Residence Hotel* on a 2.003-acre parcel of land identified as Lot 4, Block A of the Wal-Mart Supercenter Addition. The *subject property* is zoned Commercial (C) District, is within the IH-30 Overlay (IH-30 OV) District, and is located on the east side of White Hills Drive south of Ridge Road.

According to the Unified Development Code (UDC), Article IV, Sec. 1., Land Use Tables, a hotel including a *Residence Hotel* requires a Specific Use Permit (SUP) within the Commercial (C) zoning district. The UDC also defines a *Residence Hotel* as:

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

Based on the conceptual site plan submitted, the applicant is proposing a 4-story *Home 2 Suites by Hilton*. The proposed *Residence Hotel* will accommodate 91 rooms including a 1,600 sq. ft. meeting room and an indoor pool as an amenity. The proposed hotel will be approximately 47,000 sq. ft. and will provide approximately 101 parking spaces. If approved, submittal of a full site plan (including elevations, landscape, photometric plans, etc.) is required, including an Architectural Review Board recommendation forwarded to the Planning and Zoning Commission for consideration.

Furthermore, the applicant is requesting a variance to allow for a driveway along White Hills Drive that does not meet the spacing requirement as established in the Engineering's Standards of Design (ESD) Manual. White Hills Drive is considered to be a minor collector and the ESD requires a minimum spacing distance of 100-ft from each driveway. The property line along White Hills Drive is approximately 135-ft in length. The placement of the proposed driveway will be approximately 85-ft from the existing south driveway (entrance to Wal-Mart) and

approximately 40-ft from the existing business at 605 White Hills Drive. With driveways on both sides of the property, the applicant will not meet the driveway spacing requirement as prescribed. The applicant is seeking a variance in order to have their primary entrance from White Hills Drive; however, based on the conceptual site plan, access is available from Suncrest Drive. Should the City Council approve this case per staff's recommendations they will be granting the applicant a variance to this requirement.

It should be noted that a request for an SUP is a discretionary act for the City Council.

NOTIFICATION:

On December 22, 2015, staff mailed fifty-two (52) notices to property owners within 500 feet of the subject property including one (1) HOA/Neighborhood Organization (Turtle Cove HOA) within 1500 feet participating in the notification program. Additionally, staff posted a sign on the property as required by the Unified Development Code (UDC). At the time this report was drafted, staff has not received any notices either "for" or "against" the zoning change request.

RECOMMENDATIONS:

If the City Council chooses to approve the applicant's request for a Specific Use Permit (SUP) for a *Residence Hotel* land use on the subject property, then staff would recommend the following conditions of approval:

- 1) That adherence to all Building Inspection, Engineering, and Fire Department standards be required; and
- 2) The *Residence Hotel* generally shall conform to the conceptual site plan submitted and as attached hereto as 'Exhibit A'; and
- 3) That the *Residence Hotel* generally shall not exceed an overall height of 60 feet without approval of or amending of this SUP; and
- 4) The City Council reserves the right to review the Specific Use Permit (SUP) any time after the effective date of the SUP; and
- 5) Any construction or building necessary to complete this request must conform to the requirements set forth by the UDC, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Planning and Zoning Recommendation:

On January 12, 2016, the Planning and Zoning Commission made a motion to approve the SUP request; however, the motion failed to obtain a second, and therefore died. After further discussion, the Planning and Zoning Commission's second motion to approve the request failed by a vote of 2 to 4, with Commissioners Renfro, Trowbridge, McCutcheon, and Fishman dissenting [Jusko – absent]. Since the Planning and Zoning Commission's motion failed to be approved, it is considered to be a Recommendation to Deny; therefore, approval of the SUP request will require passage of a $\frac{3}{4}$ majority vote of City Council.



Z2015-039 - RESIDENCE HOTEL
 SUP - LOCATION MAP = 



City of Rockwall

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

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

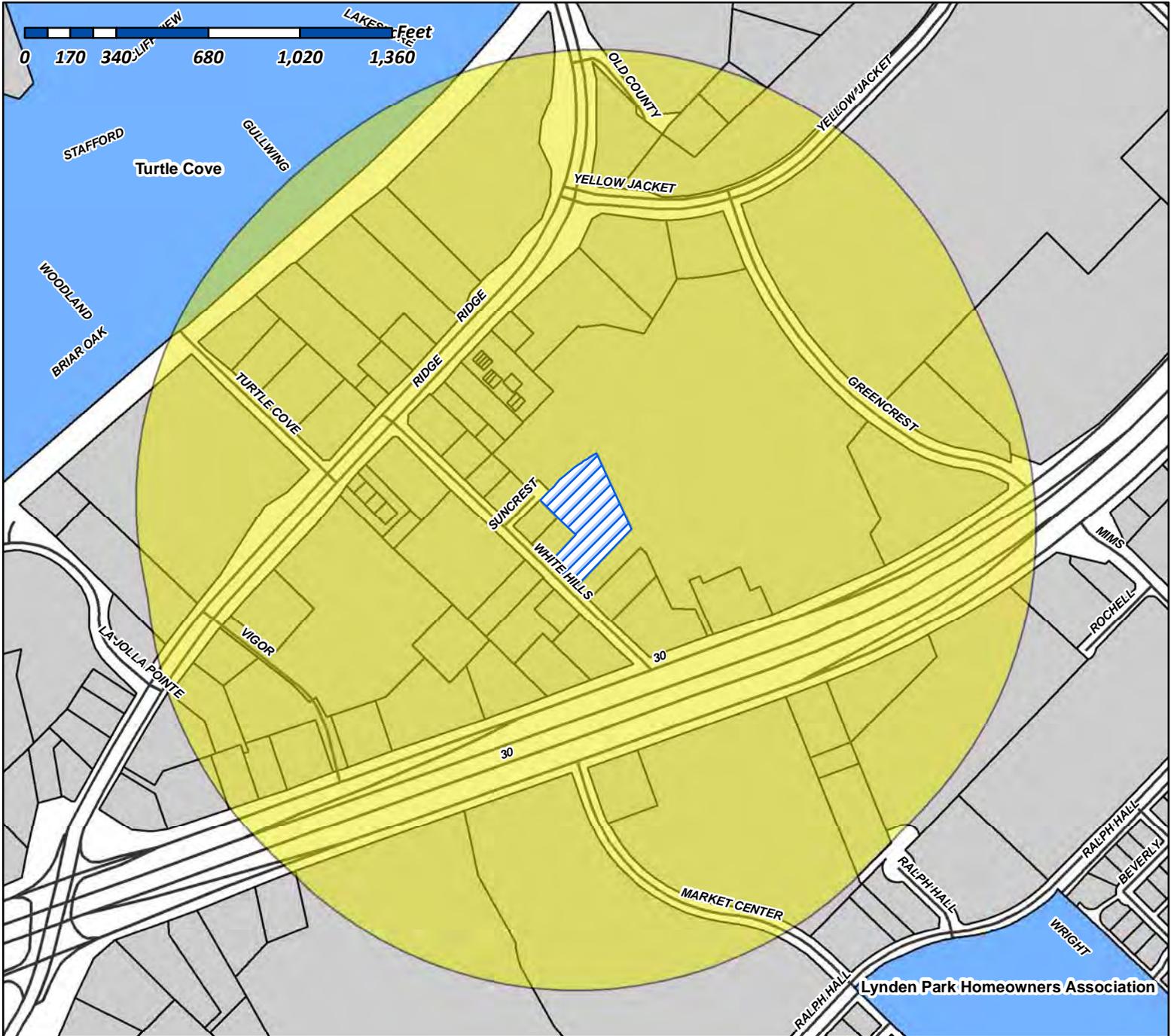




City of Rockwall

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

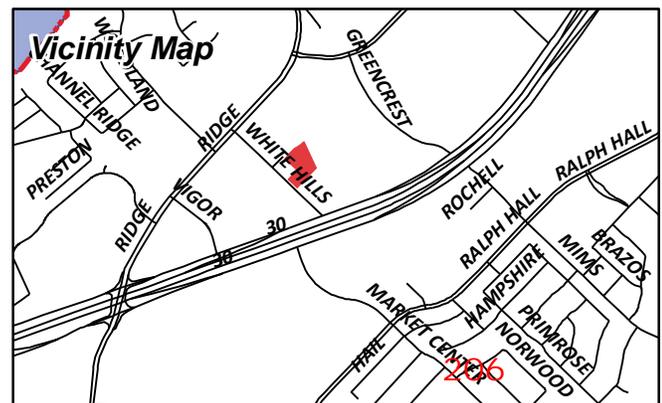
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Case Number: Z2015-039
Case Name: Residence Hotel
Case Type: Specific Use Permit
Zoning: Commercial (C) District
Case Address: East side of White Hills Drive south of Ridge Road

Date Created: 12/21/2015

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

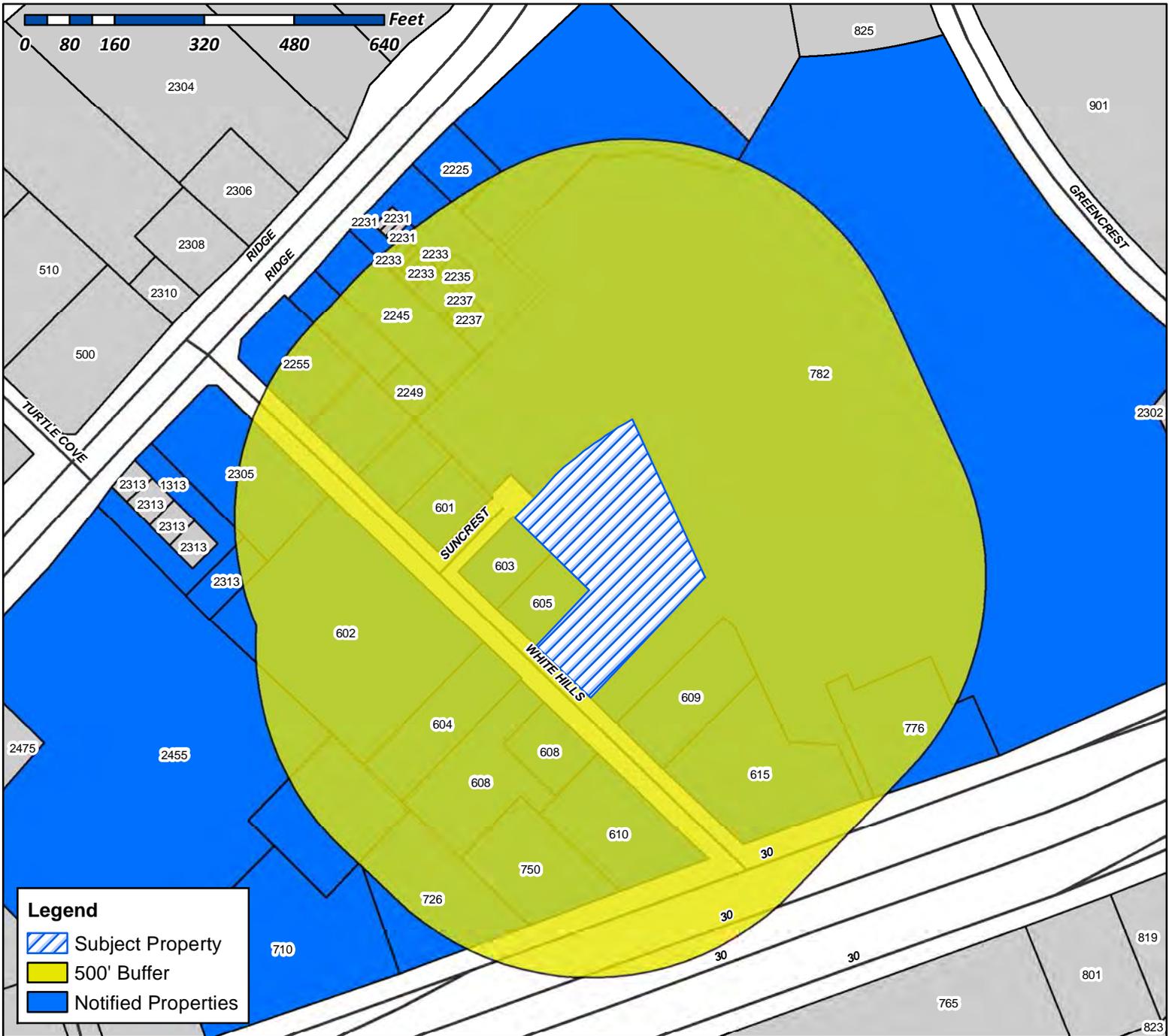




City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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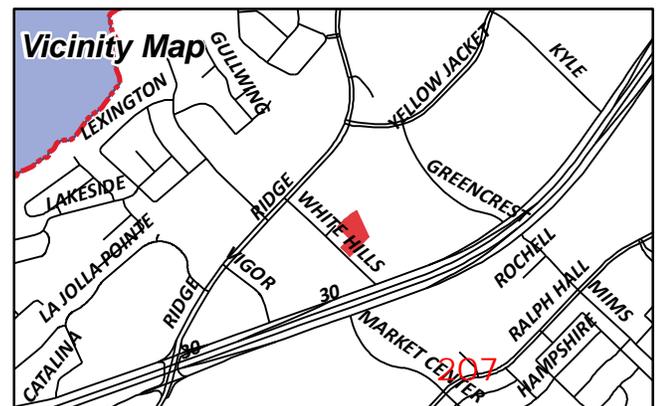
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Case Number: Z2015-039
Case Name: Residence Hotel
Case Type: Specific Use Permit
Zoning: Commercial (C) District
Case Address: East side of White Hills Drive south of Ridge Rd.

Date Created: 12/21/2015

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





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

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

To Whom It May Concern:

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

Case No. Z2015-039: Residence Hotel

Hold a public hearing to discuss and consider a request by Dayne Ram of ADR Designs, LLC on behalf of the owner Majestic Cast, Inc. for the approval of a Specific Use Permit (SUP) for a Residence Hotel on a 2.003-acre parcel of land identified as Lot 4, Block A, Wal-Mart Super Center Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (OV) District, located on the east side of White Hills Drive south of Ridge Road [FM-740], and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 1/12/2016 at 6:00 p.m.**, and the City Council will hold a public hearing on **Tuesday, 1/19/2016 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 **1/19/2016** 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: [HTTP://WWW.ROCKWALL.COM/PLANNING/PLANNINGDEVCASES.ASP](http://www.rockwall.com/planning/planningdevcases.asp)

PLEASE RETURN THE BELOW FORM

Case No. Z2015-039: Residence Hotel

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

HOISINGTON TED & MARILYN
1102 SQUAW VALLEY
ROCKWALL, TX 75087

LAYAN INVESTMENTS INC
126 BERKLEY DR
ROCKWALL, TX 75032

HP ROCKWALL III 30, LTD
12720 HILLCREST RD STE 1080
DALLAS, TX 75230

CURRENT RESIDENT
1313 RIDGE RD
ROCKWALL, TX 75087

MAJESTIC CAST INC
1625 FERRIS RD
GARLAND, TX 75044

DGR ASSOCIATES INC A MISSOURI CORP
1710 WEISKOPF DR
HEATH, TX 75032

THE TWO SHORT, LP
A TEXAS LIMITED PARTNERSHIP
1810 KENTWOOD CIR
ROCKWALL, TX 75032

ROCKWALL OCEANHILL LLC
C/O GEORGE RAUST
200 GLENWOOD CIR BOX 316
MONTEREY, CA 92940

SAFA & SONS LLC
2122 N CLEARSPRING DR
IRVING, TX 75063

CURRENT RESIDENT
2225 RIDGE RD
ROCKWALL, TX 75087

CURRENT RESIDENT
2231 RIDGE RD
ROCKWALL, TX 75087

CURRENT RESIDENT
2233 RIDGE RD UNIT 101
ROCKWALL, TX 75087

CURRENT RESIDENT
2233 RIDGE RD UNIT 102
ROCKWALL, TX 75087

CURRENT RESIDENT
2233 RIDGE RD UNIT 201
ROCKWALL, TX 75087

DOUPHRATE PROPERTIES INC
2235 RIDGE RD STE 200
ROCKWALL, TX 75087

CURRENT RESIDENT
2237 RIDGE RD UNIT 101
ROCKWALL, TX 75087

CURRENT RESIDENT
2237 RIDGE RD UNIT 201
ROCKWALL, TX 75087

ONE RIDGE PLACE LP
2245 RIDGE RD
ROCKWALL, TX 75087

CURRENT RESIDENT
2249 RIDGE RD
ROCKWALL, TX 75087

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

CURRENT RESIDENT
2305 RIDGE RD
ROCKWALL, TX 75087

CURRENT RESIDENT
2313 RIDGE RD
ROCKWALL, TX 75087

CURRENT RESIDENT
2455 RIDGE RD
ROCKWALL, TX 75087

605 WHITE HILLS LLC
253 QUAIL CREEK ROAD
ROCKWALL, TX 75032

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

PNEUMA VENTURES LTD
480 SMIRL DR
HEATH, TX 75032

CURRENT RESIDENT
601 WHITE HILLS DR
ROCKWALL, TX 75087

MEHL ROBERT F III & JOAN
601 CARRIAGE TRL
ROCKWALL, TX 75087

CURRENT RESIDENT
602 WHITE HILLS DR
ROCKWALL, TX 75087

CURRENT RESIDENT
603 WHITE HILLS DR
ROCKWALL, TX 75087

CONAWAY ROBERT
604 WHITE HILLS DR
ROCKWALL, TX 75087

CURRENT RESIDENT
605 WHITE HILLS DR
ROCKWALL, TX 75087

CURRENT RESIDENT
608 WHITE HILLS DR
ROCKWALL, TX 75087

CURRENT RESIDENT
609 WHITE HILLS DR
ROCKWALL, TX 75087

CURRENT RESIDENT
610 WHITE HILLS DR
ROCKWALL, TX 75087

CURRENT RESIDENT
615 WHITE HILLS DR
ROCKWALL, TX 75087

CURRENT RESIDENT
710 E I30
ROCKWALL, TX 75087

PIZZA ENTERPRISES INC
726 E INTERSTATE 30
ROCKWALL, TX 75087

SEVEN26 PROPERTIES LLC
750 E I-30 SUITE 105
ROCKWALL, TX 75087

CURRENT RESIDENT
776 E I30
ROCKWALL, TX 75087

CURRENT RESIDENT
782 I30
ROCKWALL, TX 75087

JARA PARTNERS LTD
9615 COUNTY ROAD 2432
TERRELL, TX 75160

ARC BFRKWTX001 LLC
C/O ED RYBURN CMI SENIOR TAX SPECIALIST
BRIDGESTONE AMERICAS HOLDING INC 535
MARRIOTT DR 9TH FLOOR
NASHVILLE, TN 37214

609 WHITE HILLS LTD
C/O TACO BUENO RESTAURANTS INC
PARK 1 WEST 1605 LYNDON B JOHNSON FWY
SUITE 800
FARMERS BRANCH, TX 75234

DAIKER PARTNERS LTD.
PO BOX 1059
ROCKWALL, TX 75087

JORDAN MARK S &
ROSS I RAMSAY
PO BOX 328
MADISON, MS 39130

JACKSON ROCKWALL INVESTMENT
PO BOX 657
ROCKWALL, TX 75087

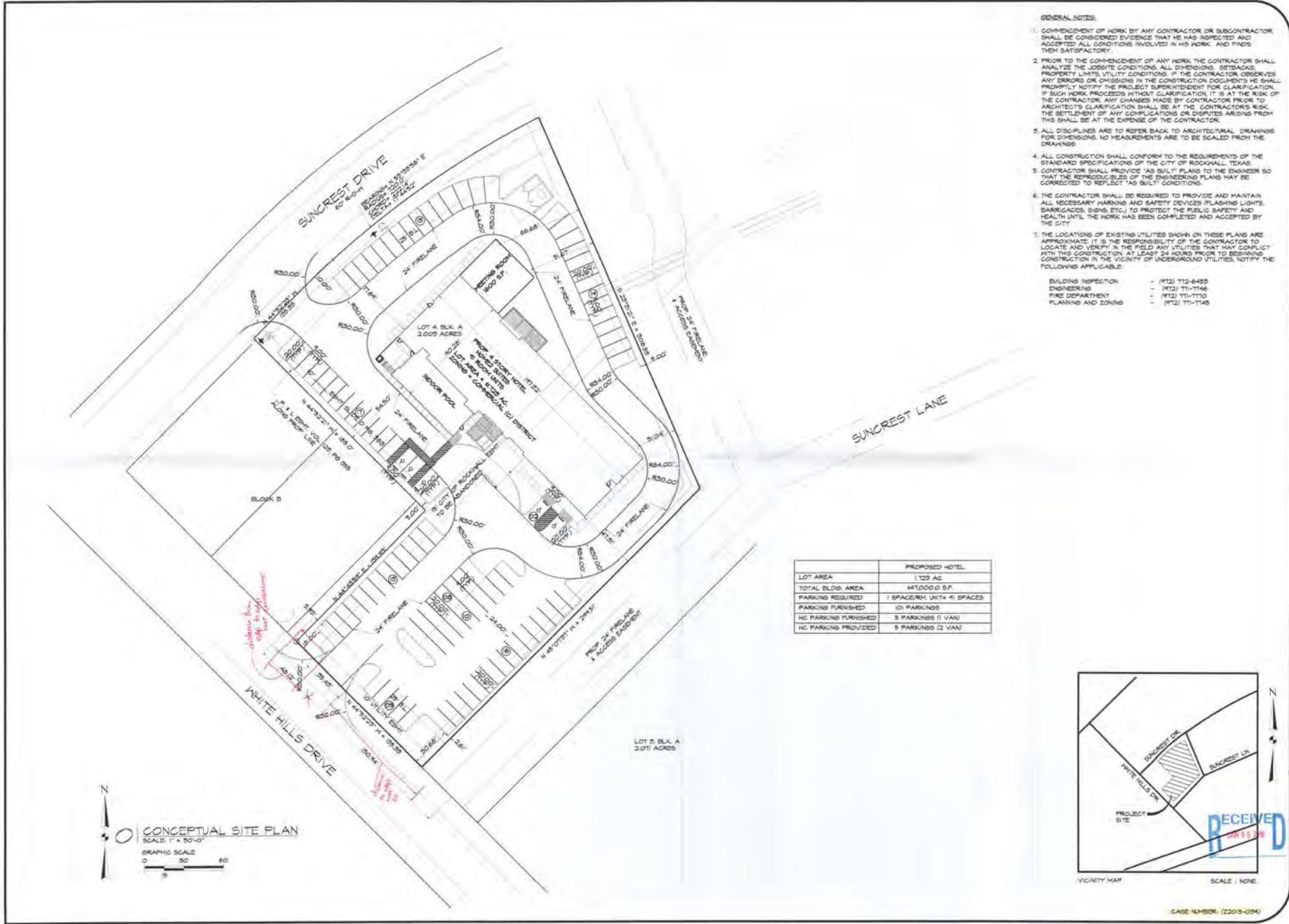
FIRST PRESBYTERIAN CHURCH
ROCKWALL, TEXAS, INC
PO BOX 692
ROCKWALL, TX 75087

MURPHY OIL USA INC
PO BOX 7300
EL DORADO, AR 71731

SHEIKHA SABRI H MD
PO BOX 734
ROCKWALL, TX 75087

GLOBAL ADVANCE INC
PO BOX 742077
DALLAS, TX 75374

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



- GENERAL NOTES:**
1. COMMENCEMENT OF WORK BY ANY CONTRACTOR OR SUBCONTRACTOR SHALL BE CONSIDERED EVIDENCE THAT HE HAS INSPECTED AND ACCEPTED ALL CONDITIONS INVOLVED IN HIS WORK, AND FINDS THEM SATISFACTORY.
 2. PRIOR TO THE COMMENCEMENT OF ANY WORK THE CONTRACTOR SHALL ANALYZE THE JOBSITE CONDITIONS, ALL DIMENSIONS, SETBACKS, PROPERTY LIMITS, UTILITY CONDITIONS. IF THE CONTRACTOR OBSERVES ANY ERRORS OR OMISSIONS IN THE CONSTRUCTION DOCUMENTS HE SHALL PROMPTLY NOTIFY THE PROJECT SUPERINTENDENT FOR CLARIFICATION. IF SUCH WORK PROCEEDS WITHOUT CLARIFICATION, IT IS AT THE RISK OF THE CONTRACTOR. ANY CHANGES MADE BY CONTRACTOR PRIOR TO ARCHITECT'S CLARIFICATION SHALL BE AT THE CONTRACTOR'S RISK. THE SETTLEMENT OF ANY COMPLICATIONS OR DISPUTES ARISING FROM THIS SHALL BE AT THE EXPENSE OF THE CONTRACTOR.
 3. ALL DISCIPLINES ARE TO REFER BACK TO ARCHITECTURAL DRAWINGS FOR DIMENSIONS. NO MEASUREMENTS ARE TO BE SCALED FROM THE DRAWINGS.
 4. ALL CONSTRUCTION SHALL CONFORM TO THE REQUIREMENTS OF THE STANDARD SPECIFICATIONS OF THE CITY OF ROCKWALL, TEXAS.
 5. CONTRACTOR SHALL PROVIDE 'AS BUILT' PLANS TO THE ENGINEER SO THAT THE REPRODUCIBLES OF THE ENGINEERING PLANS MAY BE CORRECTED TO REFLECT 'AS BUILT' CONDITIONS.
 6. THE CONTRACTOR SHALL BE REQUIRED TO PROVIDE AND MAINTAIN ALL NECESSARY WARNING AND SAFETY DEVICES (FLASHING LIGHTS, BARRICADES, SIGNS, ETC.) TO PROTECT THE PUBLIC SAFETY AND HEALTH UNTIL THE WORK HAS BEEN COMPLETED AND ACCEPTED BY THE CITY.
 7. THE LOCATIONS OF EXISTING UTILITIES SHOWN ON THESE PLANS ARE APPROXIMATE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE AND VERIFY IN THE FIELD ANY UTILITIES THAT MAY CONFLICT WITH THIS CONSTRUCTION. AT LEAST 24 HOURS PRIOR TO BEGINNING CONSTRUCTION IN THE VICINITY OF UNDERGROUND UTILITIES, NOTIFY THE FOLLOWING APPLICABLE:

BUILDING INSPECTION	- (RT2) 713-6459
ENGINEERING	- (RT2) 713-7144
FIRE DEPARTMENT	- (RT2) 713-7130
PLANNING AND ZONING	- (RT2) 713-7148

	PROPOSED HOTEL
LOT AREA	1.729 AC
TOTAL BLDG. AREA	847,000 S.F.
PARKING REQUIRED	1 SPACE/10K UNIT = 81 SPACES
PARKING FURNISHED	125 PARKINGS
HC PARKING FURNISHED	3 PARKINGS (1 VAN)
HC PARKING PROVIDED	9 PARKINGS (2 VAN)

CONCEPTUAL SITE PLAN
 SCALE: 1" = 50'-0"
 GRAPHIC SCALE
 0 30 60
 1"



PROJECT STATUS:
 PROGRESS DRAWING
 PROJECT MANAGER:
 DBR
 DESIGN MANAGER:
 RCM
 PROJECT DATE:
 12/11/15
 REVISION DATE:
 12/28/15

MANNY SINGH
 458 GAYLE BRIDGE CDS,
 MURPHY, TEXAS 75084
 PHONE: 803-535-6400

HOME2
 SUITES BY AIRBNB
 WHITE HILLS DRIVE
 CITY OF ROCKWALL, TEXAS

ADR-DESIGNS-LLC
 TOTAL DESIGN MANAGERS
 601 SADDLE HILL DRIVE, GRAND PRAIRIE, TX 75050
 TEL: 972-987-8888
 FAX: 972-987-8889
 WWW.ADRDESIGNS.COM
 P.001 JOHN C. SARGENT

JOB NUMBER

SHEET NUMBER
CSP

LEGEND

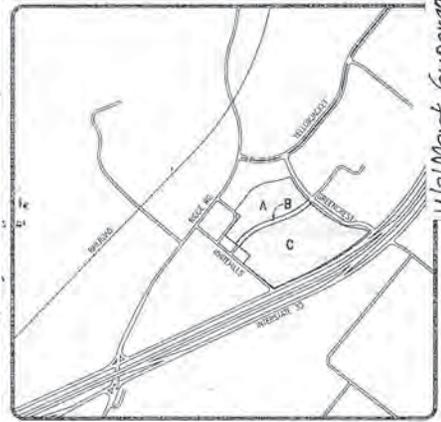
- EXIST. ESMT. TO BE ABANDONED WITH FILING OF THIS PLAT
- PROPOSED CROSS ACCESS ESMT.
- PROPOSED FIRE LANE / ACCESS / UTILITY ESMT (24" WIDE UNLESS OTHERWISE NOTED)
- TRACT CORNER COORDINATE POINT NO. (SEE SHT. 2 FOR COORDINATE LIST)

LOT 2 BLOCK B
ROCKWALL HIGH SCHOOL ADDITION
SLIDE C PAGE 147
(RICHARD WINCORN)

TOTAL CURVE:
CHORD BEARING S 40°47'17" E
CHORD = 931.72
DELTA = 34°40'53"
RADIUS = 1563.00
LENGTH = 946.10
TANGENT = 486.04

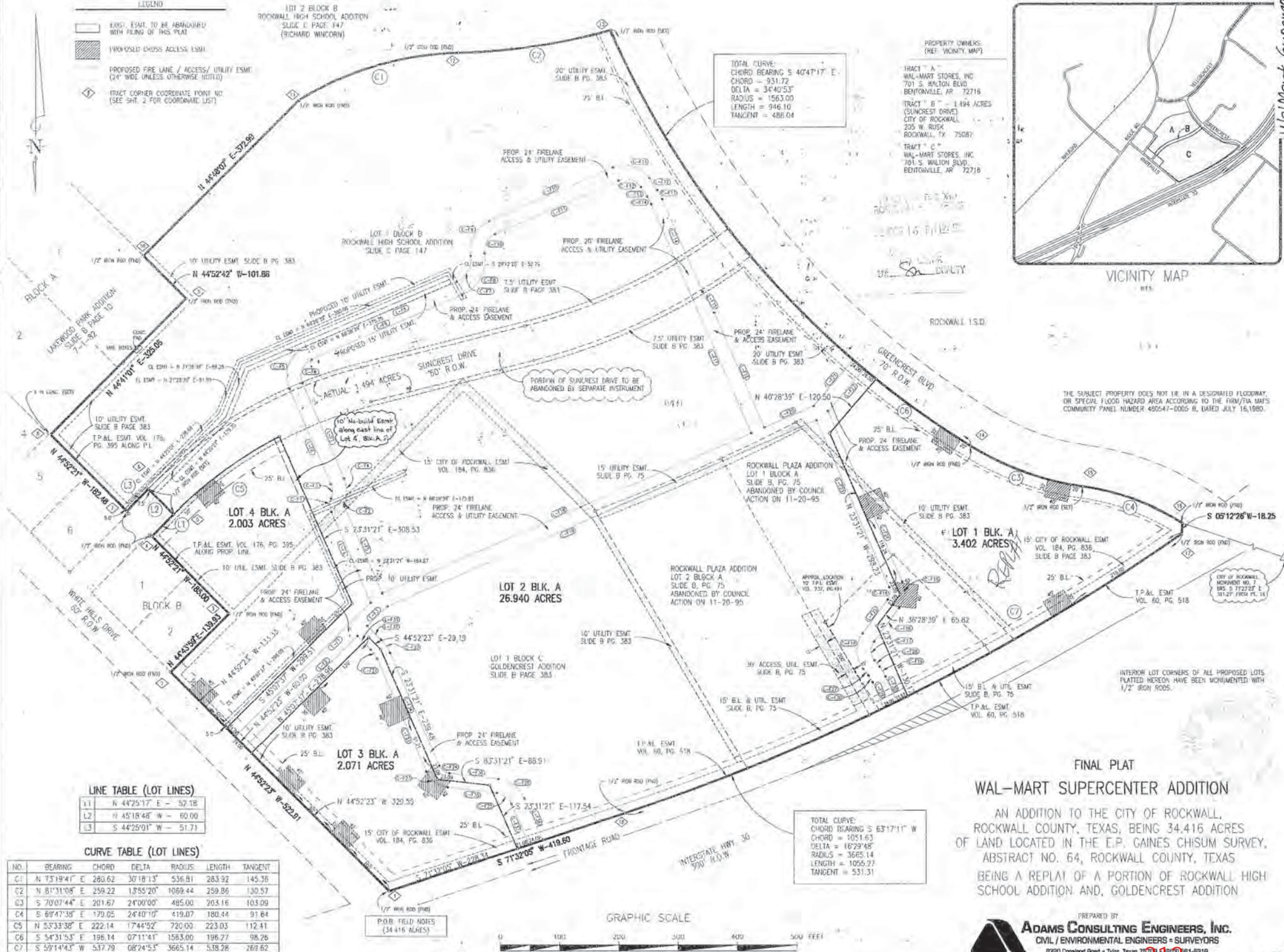
PROPERTY OWNERS:
(SEE VICINITY MAP)

- TRACT "A"
WAL-MART STORES, INC.
701 S. WALTON BLVD.
BENTONVILLE, AR 72716
- TRACT "B" = 1.494 ACRES
(SUNCREST DRIVE)
CITY OF ROCKWALL,
235 W. RUSK,
ROCKWALL, TX 75087
- TRACT "C"
WAL-MART STORES, INC.
701 S. WALTON BLVD.
BENTONVILLE, AR 72716



VICINITY MAP
815

THE SUBJECT PROPERTY DOES NOT LIE IN A DESIGNATED FLOODWAY, OR SPECIAL FLOOD HAZARD AREA ACCORDING TO THE FIRM/71A MAP'S COMMUNITY PANEL NUMBER 480547-0005 B, DATED JULY 16, 1980.



LINE TABLE (LOT LINES)

L1	N 44°25'17" E - 52.18
L2	N 45°18'48" W - 60.00
L3	S 44°25'01" W - 51.71

CURVE TABLE (LOT LINES)

NO.	BEARING	CHORD	DELTA	RADIUS	LENGTH	TANGENT
C1	N 73°19'41" E	260.62	30°18'13"	536.81	283.92	145.36
C2	N 81°31'08" E	259.22	1°55'20"	1069.44	259.86	130.57
C3	S 70°07'44" E	201.67	24°00'00"	495.00	203.16	103.09
C4	S 69°47'38" E	170.05	24°40'10"	419.07	180.44	91.84
C5	N 53°33'38" E	222.14	17°44'52"	720.00	223.03	112.41
C6	S 54°31'53" E	196.14	07°11'41"	1563.00	196.27	98.26
C7	S 59°14'43" W	537.79	08°24'53"	3665.14	538.28	269.82

TOTAL CURVE:
CHORD BEARING S 63°17'11" W
CHORD = 1051.63
DELTA = 16°29'48"
RADIUS = 3665.14
LENGTH = 1056.27
TANGENT = 531.31



FINAL PLAT
WAL-MART SUPERCENTER ADDITION

AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, BEING 34.416 ACRES OF LAND LOCATED IN THE E.P. GAINES CHISUM SURVEY, ABSTRACT NO. 64, ROCKWALL COUNTY, TEXAS BEING A REPLAY OF A PORTION OF ROCKWALL HIGH SCHOOL ADDITION AND, GOLDENCREST ADDITION

PREPARED BY
ADAMS CONSULTING ENGINEERS, INC.
CIVIL / ENVIRONMENTAL ENGINEERS + SURVEYORS
8200 Copeland Road • Tyler, Texas 75701 • (936) 281-8910

WalMart Supercenter

*** NOTE: SEE SHEET 2 FOR FIRELANE LINE & CURVE TABLES ***

CITY OF ROCKWALL

ORDINANCE NO. 16-

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) ALLOWING FOR A RESIDENCE HOTEL, WITHIN A COMMERCIAL (C) DISTRICT, BEING A 2.003-ACRE PARCEL OF LAND IDENTIFIED AS LOT 4, BLOCK A, WAL-MART SUPERCENTER ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DEPICTED IN EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Dayne Ram of ADR Designs, LLC on behalf of the owner Majestic Cast, Inc. for the approval of a Specific Use Permit (SUP) allowing for a *Residence Hotel* within a Commercial (C) District, being a 2.003-acre parcel of land identified as Lot 4, Block A, Wal-Mart Supercenter Addition, and situated on the east side of White Hills Drive south of Ridge Road, City of Rockwall, Rockwall County, Texas, and more specifically depicted in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

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

Section 1. That the Unified Development Code [Ordinance 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 a *Residence Hotel* within a Commercial (C) District for the *Subject property*; and

Section 2. That the *Subject Property* shall be developed and used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance granted herein and shall be subject to the conditions set forth in *Article V, District Development Standards, Section 4.5 Commercial (C) District*, of the City of Rockwall Unified Development Code [Ordinance No. 04-38] as heretofore

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

2.1 Operational Conditions

The following conditions pertain to the operation of the *Residence Hotel* on the *Subject Property* and conformance to these stipulations is required for continued operations:

- 1) That the *Residence Hotel* generally shall conform to the conceptual site plan submitted and as attached hereto as 'Exhibit A'; and
- 2) That the *Residence Hotel* generally shall not exceed an overall height of 60 feet without approval of or amending of this SUP; and
- 3) The City Council reserves the right to review the Specific Use Permit (SUP) any time after the effective date of the SUP; and
- 4) Any construction or building necessary to complete this request must conform to the requirements set forth by the UDC, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

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

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

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

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

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE ____ DAY OF _____, 2016.**

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

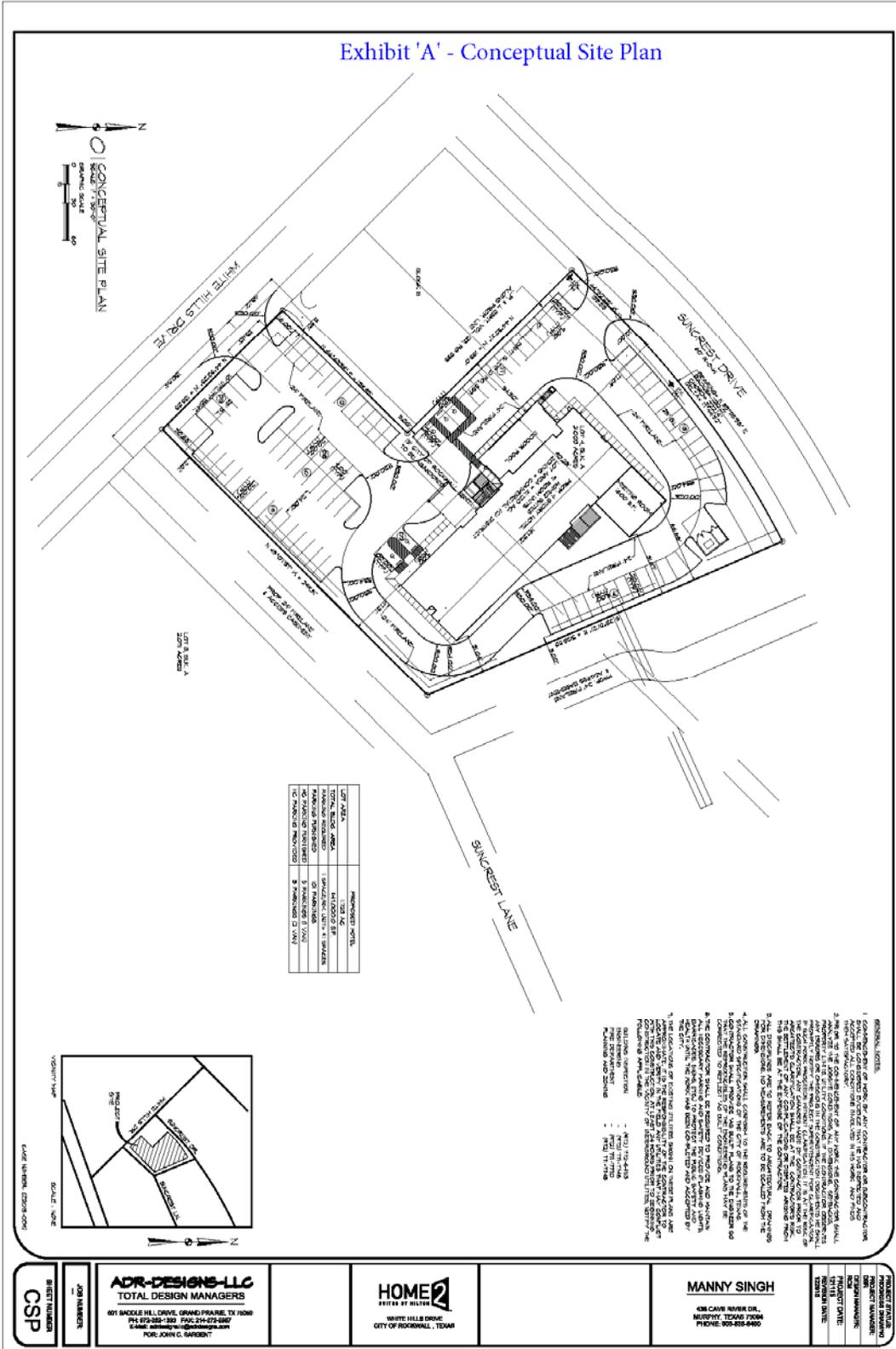
APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: _____

2nd Reading: _____

Exhibit 'A' - Conceptual Site Plan



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CITY OF ROCKWALL

ORDINANCE NO. 16-10

ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF ROCKWALL, TEXAS, GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BONDS, SERIES 2016; ESTABLISHING PROCEDURES AND DELEGATING AUTHORITY FOR THE SALE AND DELIVERY OF THE BONDS; PROVIDING AN EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT

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

WHEREAS, by virtue of elections held within the City of Rockwall, Texas ("the Issuer"), this City Council became authorized to issue, sell and deliver the general obligation bonds of the Issuer, of which there have been issued heretofore, are authorized to be issued by this Ordinance, and will remain authorized but unissued hereafter, as described in Schedule I attached hereto and incorporated herein;

WHEREAS, this City Council finds and determines that it is necessary and proper to order the issuance, sale and delivery of such voted bonds (the "Voted Bonds");

WHEREAS, there are presently the outstanding obligations of the Issuer described in Schedule II attached hereto, collectively, the "Eligible Refunded Obligations";

WHEREAS, the Issuer now desires to refund all or part of the Eligible Refunded Obligations, and those Eligible Refunded Obligations designated by the Pricing Officer in the Pricing Certificate, each as defined below, to be refunded are herein referred to as the "Refunded Obligations";

WHEREAS, Chapter 1207, Texas Government Code, authorizes the Issuer to issue refunding bonds and to deposit the proceeds from the sale thereof, together with any other available funds or resources, directly with a paying agent for the Refunded Obligations or a trust company or commercial bank that does not act as a depository for the Issuer and is named in these proceedings, and such deposit, if made before the payment dates of the Refunded Obligations, shall constitute the making of firm banking and financial arrangements for the discharge and final payment of the Refunded Obligations;

WHEREAS, Chapter 1207, Texas Government Code, further authorizes the Issuer to enter into an escrow agreement with such paying agent for the Refunded Obligations or trust company or commercial bank with respect to the safekeeping, investment, reinvestment, administration and disposition of any such deposit, upon such terms and conditions as the Issuer and such paying agent or trust company or commercial bank may agree;

WHEREAS, The Bank of New York Mellon Trust Company, N.A., Dallas, Texas, is a paying agent for the Refunded Obligations and the Escrow Agreement, wherein The Bank of New York Mellon Trust Company, N.A., Dallas, Texas is the Escrow Agent, hereinafter authorized constitutes an escrow agreement of the kind authorized and permitted by said Chapter 1207;

WHEREAS, this City Council hereby finds and determines that it is a public purpose and in the best interests of the Issuer to refund the Refunded Obligations in order to restructure debt service payments and to achieve a present value debt service savings of at least 5.00%, with such savings, among other information and terms, to be included in a pricing certificate (the "Pricing Certificate") to be executed by the Pricing

Officer (hereinafter designated), all in accordance with the provisions of Chapters 1207 and 1371, Texas Government Code;

WHEREAS, this City Council hereby further finds and determines that the manner in which the refunding is being executed, in that the pricing and terms of the bonds hereinafter authorized are to be determined at a future date pursuant to the provisions of this Ordinance, does not make it practicable to determine the amount of debt service loss or debt service savings that will result from the refunding of the Refunded Obligations;

WHEREAS, all the Refunded Obligations mature or are subject to redemption prior to maturity within 20 years of the date of the bonds hereinafter authorized;

WHEREAS, the Issuer is an "Issuer" under Section 1371.001(4)(P), Texas Government Code, having (i) a principal amount of at least \$100 million in outstanding long-term indebtedness, in long-term indebtedness proposed to be issued, or a combination of outstanding or proposed long-term indebtedness; and (ii) some amount of long-term indebtedness outstanding or proposed to be issued that is rated in one of the four highest rating categories for long-term debt instruments by a nationally recognized rating agency for municipal securities, without regard to the effect of any credit agreement or other form of credit enhancement entered into in connection with the obligation;

WHEREAS, the Bonds hereinafter authorized to be issued were voted and are to be issued, sold and delivered pursuant to the general laws of the State of Texas, including Tex. Gov't Code Ann. Chapters 1207, 1251, 1331 and 1371, as amended; and

WHEREAS, it is officially found, determined, and declared that the meeting at which this Ordinance has been adopted was open to the public and public notice of the time, place and subject matter of the public business to be considered and acted upon at said meeting, including this Ordinance, was given, all as required by the applicable provisions of Tex. Gov't Code Ann. Chapter 551; Now, Therefore

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

Section 1. RECITALS, AMOUNT, PURPOSE AND DESIGNATION OF THE BONDS.

(a) The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in this Section.

(b) The bonds of the City of Rockwall, Texas (the "Issuer") are hereby authorized to be issued and delivered in the aggregate principal amount not to exceed \$83,890,000 for (i) constructing, installing and equipping street and sidewalk improvements, parking lots, landscaping, pedestrian areas and related improvements in the historic downtown area, and the acquisition of land and interests in land necessary therefor; (ii) constructing, improving, extending, expanding, upgrading and developing streets, roads and thoroughfares in the City, as follows: reconstruction and rehabilitation of existing streets, road and thoroughfares and Interstate 30 ramps, access road and related improvements, including bridges, intersections, utility relocation, landscaping, sidewalks, traffic safety and operational improvements, the purchase of any necessary land and right-of-way, drainage and other related costs, with any remaining bond proceeds to be used for construction and improvement of such other streets and roads as the City Council may determine (the "Improvement Projects"); (iii) refunding certain outstanding obligations of the Issuer; and (iv) paying costs of issuance of the Bonds (collectively, the "Projects").

(c) Each bond issued pursuant to this Ordinance shall be designated: "CITY OF ROCKWALL, TEXAS, GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BOND, SERIES 2016," and initially there shall be issued, sold, and delivered hereunder fully registered Bonds, without interest coupons, payable to the respective registered owners thereof (with the initial bonds being made payable to the initial purchaser as described in Section 10 hereof), or to the registered assignee or assignees of said bonds or any portion or portions thereof (in each case, the "Registered Owner"). The Bonds shall be in the respective denominations and principal amounts, shall be numbered, shall mature and be payable on the date or dates in each of the years and in the principal amounts, and shall bear interest to their respective dates of maturity or redemption prior to maturity at the rates per annum, as set forth in the Pricing Certificate.

Section 2. DELEGATION TO PRICING OFFICER.

(a) As authorized by Chapters 1207 and 1371, Texas Government Code, as amended, the City Manager and the Assistant City Manager/Director of Finance of the Issuer (each a "Pricing Officer") are each hereby authorized to act on behalf of the Issuer in selling and delivering the Bonds, determining which of the Eligible Refunded Obligations shall be refunded and carrying out the other procedures specified in this Ordinance, including, determining the date of the Bonds, any additional or different designation or title by which the Bonds shall be known, the price at which the Bonds will be sold, the years in which the Bonds will mature, the principal amount to mature in each of such years, the rate of interest to be borne by each such maturity, the interest payment and record dates, the price and terms upon and at which the Bonds shall be subject to redemption prior to maturity at the option of the Issuer, as well as any mandatory sinking fund redemption provisions, and all other matters relating to the issuance, sale, and delivery of the Bonds and the refunding of the Refunded Obligations, including without limitation establishing the redemption dates for and effecting the redemption of the Refunded Obligations and obtaining municipal bond insurance for all or any portion of the Bonds and providing for the terms and provisions thereof applicable to the Bonds (including the execution of any commitment agreements, membership agreements in mutual insurance companies, and other similar agreements), all of which shall be specified in the Pricing Certificate; provided that:

(i) the aggregate principal amount of the Voted Bonds (taking into account principal and premium applied against the voted authorization) shall not exceed \$8,775,000 (Prop 2 - \$880,000; Prop 5 - \$7,895,000);

(ii) the aggregate principal amount of the Bonds issued to refund the Refunded Obligations shall not exceed \$75,115,000;

(iii) the refunding of the Refunded Obligations must produce a present value debt service savings of not less than 5.00% (net of any Issuer contribution);

(iv) the true interest cost of the Bonds shall not exceed 3.25% per annum; provided that the net effective interest rate on the Bonds shall not exceed the maximum rate set forth in Chapter 1204, Texas Government Code, as amended;

(v) the final maturity of the Bonds shall not be later than August 1, 2037; and

(vi) the delegation made hereby shall expire if not exercised by the Pricing Officer on or prior to April 18, 2016.

(b) In establishing the aggregate principal amount of the Bonds, the Pricing Officer shall establish an amount not exceeding the amount authorized in Subsection (a) hereof, which shall be sufficient in amount

to provide for the purposes for which the Bonds are authorized and to pay costs of issuing the Bonds. The Bonds shall be sold with and subject to such terms as set forth in the Pricing Certificate.

(c) The Pricing Officer shall select the Eligible Refunded Obligations to be refunded in accordance with the limitations set forth above.

(d) The Pricing Officer shall determine whether the Bonds will be sold by private placement or negotiated or competitive sale.

Section 3. CHARACTERISTICS OF THE BONDS.

(a) Appointment of Paying Agent/Registrar. The selection and appointment of the paying agent/registrar for the Bonds (the "Paying Agent/Registrar") shall be as provided in the Pricing Certificate. The Mayor or either Pricing Officer is authorized and directed to execute and deliver in the name and under the corporate seal and on behalf of the Issuer a Paying Agent/Registrar Agreement with the Paying Agent/Registrar in substantially the form presented at this meeting.

(b) Registration, Transfer, Conversion and Exchange. The Issuer shall keep or cause to be kept at the corporate trust office of the Paying Agent/Registrar books or records for the registration of the transfer, conversion and exchange of the Bonds (the "Registration Books"), and the Issuer hereby appoints the Paying Agent/Registrar as its registrar and transfer agent to keep such books or records and make such registrations of transfers, conversions and exchanges under such reasonable regulations as the Issuer and Paying Agent/Registrar may prescribe; and the Paying Agent/Registrar shall make such registrations, transfers, conversions and exchanges as herein provided within three days of presentation in due and proper form. The Paying Agent/Registrar shall obtain and record in the Registration Books the address of the registered owner of each Bond to which payments with respect to the Bonds shall be mailed, as herein provided; but it shall be the duty of each registered owner to notify the Paying Agent/Registrar in writing of the address to which payments shall be mailed, and such interest payments shall not be mailed unless such notice has been given. The Issuer shall have the right to inspect the Registration Books during regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Registration Books confidential and, unless otherwise required by law, shall not permit their inspection by any other entity. The Issuer shall pay the Paying Agent/Registrar's standard or customary fees and charges for making such registration, transfer, conversion, exchange and delivery of a substitute Bond or Bonds. Registration of assignments, transfers, conversions and exchanges of Bonds shall be made in the manner provided and with the effect stated in the FORM OF BOND set forth in this Ordinance. Each substitute Bond shall bear a letter and/or number to distinguish it from each other Bond.

(c) Authentication. Except as provided in subsection (j) of this section, an authorized representative of the Paying Agent/Registrar shall, before the delivery of any such Bond, date and manually sign said Bond, and no such Bond shall be deemed to be issued or outstanding unless such Bond is so executed. The Paying Agent/Registrar promptly shall cancel all paid Bonds and Bonds surrendered for conversion and exchange. No additional ordinances, orders or resolutions need be passed or adopted by the governing body of the Issuer or any other body or person so as to accomplish the foregoing conversion and exchange of any Bond or portion thereof, and the Paying Agent/Registrar shall provide for the printing, execution and delivery of the substitute Bonds in the manner prescribed herein. Pursuant to Subchapter D, Chapter 1201, Texas Government Code, the duty of conversion and exchange of Bonds as aforesaid is hereby imposed upon the Paying Agent/Registrar, and, upon the execution of said Bond, the converted and exchanged Bond shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Bonds which initially were issued and delivered pursuant to this Ordinance, approved by the Attorney General, and registered by the Comptroller of Public Accounts.

(d) Payment of Principal and Interest. The Issuer hereby further appoints the Paying Agent/Registrar to act as the paying agent for paying the principal of and interest on the Bonds, all as provided in this Ordinance. The Paying Agent/Registrar shall keep proper records of all payments made by the Issuer and the Paying Agent/Registrar with respect to the Bonds, and of all conversions and exchanges of Bonds, and all replacements of Bonds, as provided in this Ordinance. However, in the event of a nonpayment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be 15 days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first class postage prepaid, to the address of each registered owner appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

(e) Payment to Registered Owner. Notwithstanding any other provision of this Ordinance to the contrary, the Issuer and the Paying Agent/Registrar shall be entitled to treat and consider the person in whose name each Bond is registered in the Registration Books as the absolute owner of such Bond for the purpose of payment of principal and interest with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Paying Agent/Registrar shall pay all principal of and interest on the Bonds only to or upon the order of the registered owners, as shown in the Registration Books as provided in this Ordinance, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the Issuer's obligations with respect to payment of principal of and interest on the Bonds to the extent of the sum or sums so paid. No person other than a registered owner, as shown in the Registration Books, shall receive a Bond certificate evidencing the obligation of the Issuer to make payments of principal and interest pursuant to this Ordinance.

(f) Paying Agent/Registrar. The Issuer covenants with the registered owners of the Bonds that at all times while the Bonds are outstanding the Issuer will provide a competent and legally qualified bank, trust company, financial institution or other agency to act as and perform the services of Paying Agent/Registrar for the Bonds under this Ordinance, and that the Paying Agent/Registrar will be one entity. By accepting the position and performing as such, each Paying Agent/Registrar shall be deemed to have agreed to the provisions of this Ordinance, and a certified copy of this Ordinance shall be delivered to each Paying Agent/Registrar.

(g) Substitute Paying Agent/Registrar. The Issuer reserves the right to, and may, at its option, change the Paying Agent/Registrar upon not less than 120 days written notice to the Paying Agent/Registrar, to be effective not later than 60 days prior to the next principal or interest payment date after such notice. In the event that the entity at any time acting as Paying Agent/Registrar (or its successor by merger, acquisition, or other method) should resign or otherwise cease to act as such, the Issuer covenants that promptly it will appoint a competent and legally qualified bank, trust company, financial institution, or other agency to act as Paying Agent/Registrar under this Ordinance. Upon any change in the Paying Agent/Registrar, the previous Paying Agent/Registrar promptly shall transfer and deliver the Registration Books (or a copy thereof), along with all other pertinent books and records relating to the Bonds, to the new Paying Agent/Registrar designated and appointed by the Issuer. Upon any change in the Paying Agent/Registrar, the Issuer promptly will cause a written notice thereof to be sent by the new Paying Agent/Registrar to each registered owner of the Bonds, by United States mail, first-class postage prepaid, which notice also shall give the address of the new Paying Agent/Registrar.

(h) Book-Entry Only System. The Bonds issued in exchange for the Bonds initially issued to the purchaser or purchasers specified herein shall be initially issued in the form of a separate single fully registered Bond for each of the maturities thereof and the ownership of each such Bond shall be registered

in the name of Cede & Co., as nominee of The Depository Trust Company of New York ("DTC"), and except as provided in subsections (j) and (k) of this Section, all of the outstanding Bonds shall be registered in the name of Cede & Co., as nominee of DTC.

(i) Blanket Letter of Representations. The previous execution and delivery of the Blanket Letter of Representations with respect to obligations of the Issuer is hereby ratified and confirmed; and the provisions thereof shall be fully applicable to the Bonds. Notwithstanding anything to the contrary contained herein, while the Bonds are subject to DTC's Book-Entry Only System and to the extent permitted by law, the Letter of Representations is hereby incorporated herein and its provisions shall prevail over any other provisions of this Ordinance in the event of conflict.

(ji) Bonds Registered in the Name of Cede & Co. With respect to Bonds registered in the name of Cede & Co., as nominee of DTC, the Issuer and the Paying Agent/Registrar shall have no responsibility or obligation to any securities brokers and dealers, banks, trust companies, clearing corporations and certain other organizations on whose behalf DTC was created ("DTC Participant") to hold securities to facilitate the clearance and settlement of securities transactions among DTC Participants or to any person on behalf of whom such a DTC Participant holds an interest in the Bonds. Without limiting the immediately preceding sentence, the Issuer and the Paying Agent/Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any DTC Participant or any other person, other than a registered owner of Bonds, as shown on the Registration Books, of any notice with respect to the Bonds, or (iii) the payment to any DTC Participant or any other person, other than a registered owner of Bonds, as shown in the Registration Books of any amount with respect to principal of or interest on the Bonds. Upon delivery by DTC to the Paying Agent/Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Ordinance with respect to interest checks being mailed to the registered owner at the close of business on the Record date, the words "Cede & Co." in this Ordinance shall refer to such new nominee of DTC.

(k) Successor Securities Depository; Transfers Outside Book-Entry Only System. In the event that the Issuer determines that DTC is incapable of discharging its responsibilities described herein and in the representation letter of the Issuer to DTC or that it is in the best interest of the beneficial owners of the Bonds that they be able to obtain certificated Bonds, the Issuer shall (i) appoint a successor securities depository, qualified to act as such under Section 17A of the Securities and Exchange Act of 1934, as amended, notify DTC and DTC Participants of the appointment of such successor securities depository and transfer one or more separate Bonds to such successor securities depository or (ii) notify DTC and DTC Participants of the availability through DTC of Bonds and transfer one or more separate Bonds to DTC Participants having Bonds credited to their DTC accounts. In such event, the Bonds shall no longer be restricted to being registered in the Registration Books in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names registered owners transferring or exchanging Bonds shall designate, in accordance with the provisions of this Ordinance.

(l) Payments to Cede & Co. Notwithstanding any other provision of this Ordinance to the contrary, so long as any Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, in the manner provided in the representation letter of the Issuer to DTC.

(m) General Characteristics of the Bonds. The Bonds (i) shall be issued in fully registered form, without interest coupons, with the principal of and interest on such Bonds to be payable only to the Registered Owners thereof, (ii) may and shall be redeemed prior to their scheduled maturities, (iii) may be transferred and assigned, (iv) may be converted and exchanged for other Bonds, (v) shall have the characteristics, (vi)

shall be signed, sealed, executed and authenticated, (vii) the principal of and interest on the Bonds shall be payable, and (viii) shall be administered and the Paying Agent/Registrar and the Issuer shall have certain duties and responsibilities with respect to the Bonds, all as provided, and in the manner and to the effect as required or indicated, in the FORM OF BOND set forth in this Ordinance. The Bonds initially issued and delivered pursuant to this Ordinance is not required to be, and shall not be, authenticated by the Paying Agent/Registrar, but on each substitute Bond issued in conversion of and exchange for any Bond or Bonds issued under this Ordinance the Paying Agent/Registrar shall execute the Paying Agent/Registrar's Authentication Bond, in the FORM OF BOND set forth in this Ordinance.

(n) Cancellation of Initial Bonds. On the closing date, one initial Bond representing the entire principal amount of the Bonds, payable in stated installments to the purchaser designated in Section 10 or its designee, executed by manual or facsimile signature of the Mayor and City Secretary of the Issuer, approved by the Attorney General of Texas, and registered and manually signed by the Comptroller of Public Accounts of the State of Texas, will be delivered to such purchaser or its designee. Upon payment for such initial Bond, the Paying Agent/Registrar shall cancel such initial Bond and deliver to the DTC on behalf of such purchaser one registered definitive Bond for each year of maturity of such Bonds, in the aggregate principal amount of all of the Bonds for such maturity, registered in the name of Cede & Co., as nominee of DTC. To the extent that the Paying Agent/Registrar is eligible to participate in DTC's FAST System, pursuant to an agreement between the Paying Agent/Registrar and DTC, the Paying Agent/Registrar shall hold the definitive Bonds in safekeeping for DTC.

Section 4. FORM OF BONDS. The form of the Bonds, including the form of Paying Agent/Registrar's Authentication Certificate, the form of Assignment and the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be attached to the Bonds initially issued and delivered pursuant to this Ordinance, shall be, respectively, substantially as follows, with such appropriate variations, omissions or insertions as are permitted or required by this Ordinance.

(a) Form of Bond.

NO. R-	UNITED STATES OF AMERICA STATE OF TEXAS CITY OF ROCKWALL, TEXAS GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BOND SERIES 2016	PRINCIPAL AMOUNT \$ _____
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<u>INTEREST RATE</u>	<u>DATE OF BONDS</u>	<u>MATURITY DATE</u>	<u>CUSIP NO.</u>
_____	_____	_____	_____

REGISTERED OWNER:

PRINCIPAL AMOUNT: DOLLARS

ON THE MATURITY DATE specified above, the City of Rockwall, in Rockwall County, Texas, (the "Issuer"), being a political subdivision and municipal corporation of the State of Texas, hereby promises to pay to the Registered Owner specified above, or registered assigns (hereinafter called the "Registered Owner"), on the Maturity Date specified above, the Principal Amount specified above. The Issuer promises to pay interest on the unpaid principal amount hereof (calculated on the basis of a 360-day year of twelve 30-

day months) from _____, _____ at the Interest Rate per annum specified above. Interest is payable on _____, _____ and semiannually on each _____ and _____ thereafter to the Maturity Date specified above, or the date of redemption prior to maturity; except, if this Bond is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such principal amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication hereof the interest on the Bond or Bonds, if any, for which this Bond is being exchanged is due but has not been paid, then this Bond shall bear interest from the date to which such interest has been paid in full.

THE PRINCIPAL OF AND INTEREST ON this Bond are payable in lawful money of the United States of America, without exchange or collection charges. The principal of this Bond shall be paid to the registered owner hereof upon presentation and surrender of this Bond at maturity, or upon the date fixed for its redemption prior to maturity, at the principal corporate trust office of _____, _____, _____, which is the "Paying Agent/Registrar" for this Bond. The payment of interest on this Bond shall be made by the Paying Agent/Registrar to the registered owner hereof on each interest payment date by check or draft, dated as of such interest payment date, drawn by the Paying Agent/Registrar on, and payable solely from, funds of the Issuer required by the ordinance authorizing the issuance of this Bond (the "Bond Ordinance") to be on deposit with the Paying Agent/Registrar for such purpose as hereinafter provided; and such check or draft shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, on each such interest payment date, to the registered owner hereof, at its address as it appeared on the _____ day of the month preceding each such date (the "Record Date") on the Registration Books kept by the Paying Agent/Registrar, as hereinafter described. In addition, interest may be paid by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the registered owner. In the event of a non-payment of interest on a scheduled payment date, and for 30 days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be 15 days after the Special Record Date) shall be sent at least five business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of each owner of a Bond appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

ANY ACCRUED INTEREST due at maturity or upon the redemption of this Bond prior to maturity as provided herein shall be paid to the registered owner upon presentation and surrender of this Bond for payment or redemption at the principal corporate trust office of the Paying Agent/Registrar. The Issuer covenants with the registered owner of this Bond that on or before each principal payment date and interest payment date for this Bond it will make available to the Paying Agent/Registrar, from the "Interest and Sinking Fund" created by the Bond Ordinance, the amounts required to provide for the payment, in immediately available funds, of all principal of and interest on the Bonds, when due.

IF THE DATE for any payment of the principal of or interest on this Bond shall be a Saturday, Sunday, a legal holiday or a day on which banking institutions in the city where the principal corporate trust office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day that is not such a Saturday, Sunday, legal holiday or day on which banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due.

THIS BOND is one of a series of Bonds dated _____, _____, authorized in accordance with the Constitution and laws of the State of Texas in the principal amount of \$ _____ for the public purposes of providing funds for constructing, installing and equipping street and sidewalk improvements, parking lots, landscaping, pedestrian areas and related improvements in the historic downtown area, and the acquisition of land and interests in land necessary therefor; constructing, improving, extending, expanding, upgrading and developing streets, roads and thoroughfares in the City, as follows: reconstruction and rehabilitation of existing streets, road and thoroughfares and Interstate 30 ramps, access road and related improvements, including bridges, intersections, utility relocation, landscaping, sidewalks, traffic safety and operational improvements, the purchase of any necessary land and right-of-way, drainage and other related costs, with any remaining bond proceeds to be used for construction and improvement of such other streets and roads as the City Council may determine; refunding certain outstanding obligations of the Issuer; and to pay the costs incurred in connection with the issuance of the Bonds.

ON _____, or on any date thereafter, the Bonds of this series may be redeemed prior to their scheduled maturities, at the option of the Issuer, with funds derived from any available and lawful source, as a whole, or in part, and, if in part, the particular Bonds, or portions thereof, to be redeemed shall be selected and designated by the Issuer (provided that a portion of a Bond may be redeemed only in an integral multiple of \$5,000), at a redemption price equal to the principal amount to be redeemed plus accrued interest to the date fixed for redemption.

THE BONDS scheduled to mature on _____ in the years ____ and ____ (the "Term Bonds") are subject to scheduled mandatory redemption by the Paying Agent/Registrar by lot, or by any other customary method that results in a random selection, at a price equal to the principal amount thereof, plus accrued interest to the redemption date, out of moneys available for such purpose in the interest and sinking fund for the Bonds, on the dates and in the respective principal amounts, set forth in the following schedule:

Term Bond		Term Bond	
Maturity: _____, ____		Maturity: _____, ____	
Mandatory Redemption Date	Principal Amount	Mandatory Redemption Date	Principal Amount
_____, ____	\$ _____	_____, ____	\$ _____
_____, ____	_____	_____, ____	_____
_____, ____	_____	_____, ____	_____
_____, ____ (maturity)	_____	_____, ____ (maturity)	_____

The principal amount of Term Bonds of a stated maturity required to be redeemed on any mandatory redemption date pursuant to the operation of the mandatory sinking fund redemption provisions shall be reduced, at the option of the Issuer, by the principal amount of any Term Bonds of the same maturity which, at least 50 days prior to a mandatory redemption date (1) shall have been acquired by the Issuer at a price not exceeding the principal amount of such Term Bonds plus accrued interest to the date of purchase thereof, and delivered to the Paying Agent/Registrar for cancellation, (2) shall have been purchased and canceled by the Paying Agent/Registrar at the request of the Issuer at a price not exceeding the principal amount of such Term Bonds plus accrued interest to the date of purchase, or (3) shall have been redeemed pursuant to the optional redemption provisions and not theretofore credited against a mandatory redemption requirement.

IF AT THE TIME OF MAILING of notice of optional redemption there shall not have either been deposited with the Paying Agent/Registrar or legally authorized escrow agent immediately available funds sufficient to redeem all the Bonds called for redemption, such notice may state that it is conditional, and is subject to the deposit of the redemption moneys with the Paying Agent/Registrar or legally authorized escrow

agent at or prior to the redemption date. If such redemption is not effectuated, the Paying Agent/Registrar shall, within five days thereafter, give notice in the manner in which the notice of redemption was given that such moneys were not so received and shall rescind the redemption.

AT LEAST 30 DAYS prior to the date fixed for any redemption of Bonds or portions thereof prior to maturity a written notice of such redemption shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, at least 30 days prior to the date fixed for any such redemption, to the registered owner of each Bond to be redeemed at its address as it appeared on the 45th day prior to such redemption date; provided, however, that the failure of the registered owner to receive such notice, or any defect therein or in the sending or mailing thereof, shall not affect the validity or effectiveness of the proceedings for the redemption of any Bond. By the date fixed for any such redemption due provision shall be made with the Paying Agent/Registrar for the payment of the required redemption price for the Bonds or portions thereof that are to be so redeemed. If such written notice of redemption is sent and if due provision for such payment is made, all as provided above, the Bonds or portions thereof that are to be so redeemed thereby automatically shall be treated as redeemed prior to their scheduled maturities, and they shall not bear interest after the date fixed for redemption, and they shall not be regarded as being outstanding except for the right of the registered owner to receive the redemption price from the Paying Agent/Registrar out of the funds provided for such payment. If a portion of any Bond shall be redeemed, a substitute Bond or Bonds having the same maturity date, bearing interest at the same rate, in any denomination or denominations in any integral multiple of \$5,000, at the written request of the registered owner, and in aggregate principal amount equal to the unredeemed portion thereof, will be issued to the registered owner upon the surrender thereof for cancellation, at the expense of the Issuer, all as provided in the Bond Ordinance.

ALL BONDS OF THIS SERIES are issuable solely as fully registered bonds, without interest coupons, in the denomination of any integral multiple of \$5,000. As provided in the Bond Ordinance, this Bond may, at the request of the registered owner or the assignee or assignees hereof, be assigned, transferred, converted into and exchanged for a like aggregate principal amount of fully registered Bonds, without interest coupons, payable to the appropriate registered owner, assignee or assignees, as the case may be, having the same denomination or denominations in any integral multiple of \$5,000 as requested in writing by the appropriate registered owner, assignee or assignees, as the case may be, upon surrender of this Bond to the Paying Agent/Registrar for cancellation, all in accordance with the form and procedures set forth in the Bond Ordinance. Among other requirements for such assignment and transfer, this Bond must be presented and surrendered to the Paying Agent/Registrar, together with proper instruments of assignment, in form and with guarantee of signatures satisfactory to the Paying Agent/Registrar, evidencing assignment of this Bond or any portion or portions hereof in any integral multiple of \$5,000 to the assignee or assignees in whose name or names this Bond or any such portion or portions hereof is or are to be registered. The form of Assignment printed or endorsed on this Bond may be executed by the registered owner to evidence the assignment hereof, but such method is not exclusive, and other instruments of assignment satisfactory to the Paying Agent/Registrar may be used to evidence the assignment of this Bond or any portion or portions hereof from time to time by the registered owner. The Paying Agent/Registrar's reasonable standard or customary fees and charges for assigning, transferring, converting and exchanging any Bond or portion thereof will be paid by the Issuer. In any circumstance, any taxes or governmental charges required to be paid with respect thereto shall be paid by the one requesting such assignment, transfer, conversion or exchange, as a condition precedent to the exercise of such privilege. The Paying Agent/Registrar shall not be required to make any such transfer, conversion, or exchange (i) during the period commencing with the close of business on any Record Date and ending with the opening of business on the next following principal or interest payment date, or (ii) with respect to any Bond or any portion thereof called for redemption prior to maturity, within 45 days prior to its redemption date.

IN THE EVENT any Paying Agent/Registrar for the Bonds is changed by the Issuer, resigns, or otherwise ceases to act as such, the Issuer has covenanted in the Bond Ordinance that it promptly will appoint a competent and legally qualified substitute therefor, and cause written notice thereof to be mailed to the registered owners of the Bonds.

IT IS HEREBY certified, recited and covenanted that this Bond has been duly and validly authorized, issued and delivered; that all acts, conditions and things required or proper to be performed, exist and be done precedent to or in the authorization, issuance and delivery of this Bond have been performed, existed and been done in accordance with law; and that annual ad valorem taxes sufficient to provide for the payment of the interest on and principal of this Bond, as such interest comes due and such principal matures, have been levied and ordered to be levied against all taxable property in said Issuer, and have been pledged for such payment, within the limit prescribed by law.

THE ISSUER HAS RESERVED THE RIGHT to amend the Bond Ordinance as provided therein, and under some (but not all) circumstances amendments thereto must be approved by the registered owners of a majority in aggregate principal amount of the outstanding Bonds.

BY BECOMING the registered owner of this Bond, the registered owner thereby acknowledges all of the terms and provisions of the Bond Ordinance, agrees to be bound by such terms and provisions, acknowledges that the Bond Ordinance is duly recorded and available for inspection in the official minutes and records of the governing body of the Issuer, and agrees that the terms and provisions of this Bond and the Bond Ordinance constitute a contract between each registered owner hereof and the Issuer.

IN WITNESS WHEREOF, the Issuer has caused this Bond to be signed with the manual or facsimile signature of the Mayor of the Issuer (or in his absence, the Mayor Pro Tem) and countersigned with the manual or facsimile signature of the City Secretary of said Issuer, and has caused the official seal of the Issuer to be duly impressed, or placed in facsimile, on this Bond.

(signature)
City Secretary

(signature)
Mayor

(SEAL)

(b) Form of Paying Agent/Registrar's Authentication Certificate.

PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE
(To be executed if this Bond is not accompanied by an executed
Registration Certificate of the Comptroller of Public Accounts of the State of Texas)

It is hereby certified that this Bond has been issued under the provisions of the Bond Ordinance described in the text of this Bond; and that this Bond has been issued in conversion or replacement of, or in exchange for, a Bond, Bonds, or a portion of a Bond or Bonds of a series that originally was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

Dated: _____.

Paying Agent/Registrar

By: _____

Authorized Representative

(c) Form of Assignment.

ASSIGNMENT
(Please print or type clearly)

For value received, the undersigned hereby sells, assigns and transfers
unto: _____

Transferee's Social Security or Taxpayer Identification Number: _____

Transferee's name and address, including zip code: _____

_____ the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints
_____, attorney, to register the transfer of
the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a securities transfer association recognized signature guarantee program.

NOTICE: The signature above must correspond with the name of the registered owner as it appears upon the front of this Bond in every particular, without alteration or enlargement or any change whatsoever.

(d) Form of Registration Certificate of the Comptroller of Public Accounts.

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO. _____

I hereby certify that this Bond has been examined, certified as to validity and approved by the Attorney General of the State of Texas, and that this Bond has been registered by the Comptroller of Public Accounts of the State of Texas.

Witness my signature and seal this _____.

Comptroller of Public Accounts of the State of

Texas

(COMPTROLLER'S SEAL)

(e) Initial Bond Insertions.

(i) The initial Bond shall be in the form set forth in paragraph (a) of this Section, except that:

A. immediately under the name of the Bond, the headings "Interest Rate" and "Maturity Date" shall both be completed with the words "As shown below" and "CUSIP No. _____" shall be deleted.

B. the first paragraph shall be deleted and the following will be inserted:

"THE CITY OF ROCKWALL, TEXAS, in Rockwall County, Texas (the "Issuer"), being a political subdivision and municipal corporation of the State of Texas, hereby promises to pay to the Registered Owner specified above, or registered assigns (hereinafter called the "Registered Owner"), on August 1 in each of the years, in the principal installments and bearing interest at the per annum rates set forth in the following schedule:

<u>Years</u>	<u>Principal Installments</u>	<u>Interest Rates</u>
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(Information from Section 2 to be inserted)

The Issuer promises to pay interest on the unpaid principal amount hereof (calculated on the basis of a 360-day year of twelve 30-day months) from _____ at the respective Interest Rate per annum specified above. Interest is payable on _____, and semiannually on each _____ and _____ thereafter to the date of payment of the principal installment specified above, or the date of redemption prior to maturity; except, that if this Bond is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such Principal Amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication hereof the interest on the Bond or Bonds, if any, for which this Bond is being exchanged is due but has not been paid, then this Bond shall bear interest from the date to which such interest has been paid in full."

C. The Initial Bond shall be numbered "T-1."

Section 5. INTEREST AND SINKING FUND.

(a) A special "Interest and Sinking Fund" is hereby created and shall be established and maintained by the Issuer as a separate fund or account and the funds therein shall be deposited into and held in an account at an official depository bank of said Issuer. Said Interest and Sinking Fund shall be kept separate and apart from all other funds and accounts of said Issuer, and shall be used only for paying the interest on and principal of said Bonds. All ad valorem taxes levied and collected for and on account of said Bonds shall be deposited, as collected, to the credit of said Interest and Sinking Fund. During each year while any of said Bonds are outstanding and unpaid, the governing body of said Issuer shall compute and ascertain a rate and amount of ad valorem tax that will be sufficient to raise and produce the money required to pay the interest on said Bonds as such interest comes due, and to provide and maintain a sinking fund adequate to pay the principal of said Bonds as such principal matures (but never less than 2% of the original amount of said Bonds as a sinking fund each year); and said tax shall be based on the latest approved tax rolls of said Issuer, with full allowances being made for tax delinquencies and the cost of tax collection. Said rate and amount of ad valorem tax is hereby levied, and is hereby ordered to be levied, against all taxable property in said Issuer, for each year while any of said Bonds are outstanding and unpaid, and said tax shall be assessed and collected each such year and deposited to the credit of the aforesaid Interest and Sinking Fund. Said ad valorem taxes sufficient to provide for the payment of the interest on and principal of said Bonds, as such

interest comes due and such principal matures, are hereby pledged for such payment, within the limit prescribed by law. Notwithstanding the requirements of this section, if lawfully available moneys of the Issuer are on deposit in the Interest and Sinking Fund in advance of the time when ad valorem taxes are scheduled to be levied for any year, then the amount of taxes that otherwise would have been required to be levied pursuant to this Section may be reduced to the extent and by the amount of the lawfully available funds then on deposit in the Interest and Sinking Fund.

(b) Article 1208, Government Code, applies to the issuance of the Bonds and the pledge of the taxes granted by the Issuer under this Section, and is therefore valid, effective, and perfected. Should Texas law be amended at any time while the Bonds are outstanding and unpaid, the result of such amendment being that the pledge of the taxes granted by the Issuer under this Section is to be subject to the filing requirements of Chapter 9, Business & Commerce Code, in order to preserve to the registered owners of the Bonds a security interest in said pledge, the Issuer agrees to take such measures as it determines are reasonable and necessary under Texas law to comply with the applicable provisions of Chapter 9, Business & Commerce Code and enable a filing of a security interest in said pledge to occur.

Section 6. DEFEASANCE OF BONDS.

(a) Any Bond and the interest thereon shall be deemed to be paid, retired and no longer outstanding (a "Defeased Bond") within the meaning of this Ordinance, except to the extent provided in subsection (d) of this Section, when payment of the principal of such Bond, plus interest thereon to the due date (whether such due date be by reason of maturity or otherwise) either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to the Paying Agent/Registrar in accordance with an escrow agreement or other instrument (the "Future Escrow Agreement") for such payment (1) lawful money of the United States of America sufficient to make such payment or (2) Defeasance Securities that mature as to principal and interest in such amounts and at such times as will insure the availability, without reinvestment, of sufficient money to provide for such payment, and when proper arrangements have been made by the Issuer with the Paying Agent/Registrar for the payment of its services until all Defeased Bonds shall have become due and payable. At such time as a Bond shall be deemed to be a Defeased Bond hereunder, as aforesaid, such Bond and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of, the ad valorem taxes herein levied and pledged as provided in this Ordinance, and such principal and interest shall be payable solely from such money or Defeasance Securities. Notwithstanding any other provision of this Ordinance to the contrary, it is hereby provided that any determination not to redeem Defeased Bonds that is made in conjunction with the payment arrangements specified in Subsection (a)(i) or (ii) of this Section shall not be irrevocable, provided that: (1) in the proceedings providing for such payment arrangements, the Issuer expressly reserves the right to call the Defeased Bonds for redemption; (2) gives notice of the reservation of that right to the owners of the Defeased Bonds immediately following the making of the payment arrangements; and (3) directs that notice of the reservation be included in any redemption notices that it authorizes.

(b) Any moneys so deposited with the Paying Agent/Registrar may at the written direction of the Issuer be invested in Defeasance Securities, maturing in the amounts and times as hereinbefore set forth, and all income from such Defeasance Securities received by the Paying Agent/Registrar that is not required for the payment of the Bonds and interest thereon, with respect to which such money has been so deposited, shall be turned over to the Issuer, or deposited as directed in writing by the Issuer. Any Future Escrow Agreement pursuant to which the money and/or Defeasance Securities are held for the payment of Defeased Bonds may contain provisions permitting the investment or reinvestment of such moneys in Defeasance Securities or the substitution of other Defeasance Securities upon the satisfaction of the requirements specified in Subsection (a)(i) or (ii) of this Section. All income from such Defeasance Securities received by the Paying

Agent/Registrar which is not required for the payment of the Defeased Bonds, with respect to which such money has been so deposited, shall be remitted to the Issuer or deposited as directed in writing by the Issuer.

(c) The term "Defeasance Securities" means any securities and obligations now or hereafter authorized by State law that are eligible to refund, retire or otherwise discharge obligations such as the Bonds.

(d) Until all Defeased Bonds shall have become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for such Defeased Bonds the same as if they had not been defeased, and the Issuer shall make proper arrangements to provide and pay for such services as required by this Ordinance.

(e) In the event that the Issuer elects to defease less than all of the principal amount of Bonds of a maturity, the Paying Agent/Registrar shall select, or cause to be selected, such amount of Bonds by such random method as it deems fair and appropriate.

Section 7. DAMAGED, MUTILATED, LOST, STOLEN, OR DESTROYED BONDS.

(a) Replacement Bonds. In the event any outstanding Bond is damaged, mutilated, lost, stolen or destroyed, the Paying Agent/Registrar shall cause to be printed, executed and delivered, a new Bond of the same principal amount, maturity and interest rate, as the damaged, mutilated, lost, stolen or destroyed Bond, in replacement for such Bond in the manner hereinafter provided.

(b) Application for Replacement Bonds. Application for replacement of damaged, mutilated, lost, stolen or destroyed Bonds shall be made by the registered owner thereof to the Paying Agent/Registrar. In every case of loss, theft or destruction of a Bond, the registered owner applying for a replacement Bond shall furnish to the Issuer and to the Paying Agent/Registrar such security or indemnity as may be required by them to save each of them harmless from any loss or damage with respect thereto. Also, in every case of loss, theft or destruction of a Bond, the registered owner shall furnish to the Issuer and to the Paying Agent/Registrar evidence to their satisfaction of the loss, theft or destruction of such Bond, as the case may be. In every case of damage or mutilation of a Bond, the registered owner shall surrender to the Paying Agent/Registrar for cancellation the Bond so damaged or mutilated.

(c) No Default Occurred. Notwithstanding the foregoing provisions of this Section, in the event any such Bond shall have matured, and no default has occurred that is then continuing in the payment of the principal of, redemption premium, if any, or interest on the Bond, the Issuer may authorize the payment of the same (without surrender thereof except in the case of a damaged or mutilated Bond) instead of issuing a replacement Bond, provided security or indemnity is furnished as above provided in this Section.

(d) Charge for Issuing Replacement Bonds. Prior to the issuance of any replacement Bond, the Paying Agent/Registrar shall charge the registered owner of such Bond with all legal, printing, and other expenses in connection therewith. Every replacement Bond issued pursuant to the provisions of this Section by virtue of the fact that any Bond is lost, stolen or destroyed shall constitute a contractual obligation of the Issuer whether or not the lost, stolen or destroyed Bond shall be found at any time, or be enforceable by anyone, and shall be entitled to all the benefits of this Ordinance equally and proportionately with any and all other Bonds duly issued under this Ordinance.

(e) Authority for Issuing Replacement Bonds. In accordance with Section 1206.022, Government Code, this Section 7 of this Ordinance shall constitute authority for the issuance of any such replacement Bond without necessity of further action by the governing body of the Issuer or any other body or person, and the duty of the replacement of such Bonds is hereby authorized and imposed upon the Paying

Agent/Registrar, and the Paying Agent/Registrar shall authenticate and deliver such Bonds in the form and manner and with the effect, as provided in Section 3(a) of this Ordinance for Bonds issued in conversion and exchange for other Bonds.

Section 8. CUSTODY, APPROVAL, AND REGISTRATION OF BONDS; BOND COUNSEL'S OPINION; CUSIP NUMBERS AND CONTINGENT INSURANCE PROVISION, IF OBTAINED; ENGAGEMENT OF BOND COUNSEL.

(a) The Mayor of the Issuer and each of the Pricing Officers is hereby authorized to have control of the Bonds initially issued and delivered hereunder and all necessary records and proceedings pertaining to the Bonds pending their delivery and their investigation, examination, and approval by the Attorney General of the State of Texas, and their registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of the Bonds said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate attached to such Bonds, and the seal of said Comptroller shall be impressed, or placed in facsimile, on such Bond. The approving legal opinion of the Issuer's Bond Counsel and the assigned CUSIP numbers may, at the option of the Issuer, be printed on the Bonds issued and delivered under this Ordinance, but neither shall have any legal effect, and shall be solely for the convenience and information of the registered owners of the Bonds. In addition, if bond insurance is obtained, the Bonds may bear an appropriate legend as provided by the insurer.

(b) The obligation of the initial purchaser to accept delivery of the Bonds is subject to the initial purchaser being furnished with the final, approving opinion of McCall, Parkhurst & Horton L.L.P., bond counsel to the Issuer, which opinion shall be dated as of and delivered on the date of initial delivery of the Bonds to the initial purchaser. The engagement of such firm as bond counsel to the Issuer in connection with issuance, sale and delivery of the Bonds is hereby approved and confirmed. The execution and delivery of an engagement letter between the Issuer and such firm, with respect to such services as bond counsel, is hereby authorized in such form as may be approved by the Mayor, and the Mayor is hereby authorized to execute such engagement letter.

Section 9. COVENANTS REGARDING TAX EXEMPTION OF INTEREST ON THE BONDS.

(a) Covenants. The Issuer covenants to take any action necessary to assure, or refrain from any action that would adversely affect, the treatment of the Bonds as obligations described in section 103 of the Internal Revenue Code of 1986 (the "Code"), the interest on which is not includable in the "gross income" of the holder for purposes of federal income taxation. In furtherance thereof, the Issuer covenants as follows:

(1) to take any action to assure that no more than 10 percent of the proceeds of the Bonds (less amounts deposited to a reserve fund, if any) are used for any "private business use," as defined in section 141(b)(6) of the Code or, if more than 10 percent of the proceeds or the projects financed therewith are so used, such amounts, whether or not received by the Issuer, with respect to such private business use, do not, under the terms of this Ordinance or any underlying arrangement, directly or indirectly, secure or provide for the payment of more than 10 percent of the debt service on the Bonds, in contravention of section 141(b)(2) of the Code;

(2) to take any action to assure that in the event that the "private business use" described in subsection (1) hereof exceeds 5 percent of the proceeds of the Bonds or the projects financed therewith (less amounts deposited into a reserve fund, if any) then the amount in excess of 5 percent is used for a "private business use" that is "related" and not "disproportionate," within the meaning of section 141(b)(3) of the Code, to the governmental use;

(3) to take any action to assure that no amount that is greater than the lesser of \$5,000,000, or 5 percent of the proceeds of the Bonds (less amounts deposited into a reserve fund, if any) is directly or indirectly used to finance loans to persons, other than state or local governmental units, in contravention of section 141(c) of the Code;

(4) to refrain from taking any action that would otherwise result in the Bonds being treated as "private activity bonds" within the meaning of section 141(b) of the Code;

(5) to refrain from taking any action that would result in the Bonds being "federally guaranteed" within the meaning of section 149(b) of the Code;

(6) to refrain from using any portion of the proceeds of the Bonds, directly or indirectly, to acquire or to replace funds that were used, directly or indirectly, to acquire investment property (as defined in section 148(b)(2) of the Code) that produces a materially higher yield over the term of the Bonds, other than investment property acquired with –

(A) proceeds of the Bonds invested for a reasonable temporary period of 3 years or less or, in the case of an advance refunding bond, for a period of 30 days or less, and in the case of a current refunding bond, for a period of 90 days or less, until such proceeds are needed for the purpose for which the Bonds are issued,

(B) amounts invested in a bona fide debt service fund, within the meaning of section 1.148-1(b) of the Treasury Regulations, and

(C) amounts deposited in any reasonably required reserve or replacement fund to the extent such amounts do not exceed 10 percent of the proceeds of the Bonds;

(7) to otherwise restrict the use of the proceeds of the Bonds or amounts treated as proceeds of the Bonds, as may be necessary, so that the Bonds do not otherwise contravene the requirements of section 148 of the Code (relating to arbitrage) and, to the extent applicable, section 149(d) of the Code (relating to advance refundings); and

(8) to pay to the United States of America at least once during each five-year period (beginning on the date of delivery of the Bonds) an amount that is at least equal to 90 percent of the "Excess Earnings," within the meaning of section 148(f) of the Code and to pay to the United States of America, not later than 60 days after the Bonds have been paid in full, 100 percent of the amount then required to be paid as a result of Excess Earnings under section 148(f) of the Code.

(b) Rebate Fund. In order to facilitate compliance with the above covenant (a)(8), a "Rebate Fund" is hereby established by the Issuer for the sole benefit of the United States of America, and such Fund shall not be subject to the claim of any other person, including without limitation the Bondholders. The Rebate Fund is established for the additional purpose of compliance with section 148 of the Code.

(c) Use of Proceeds. For purposes of the foregoing covenants (a)(1) and (a)(2), the Issuer understands that the term "proceeds" includes "disposition proceeds" as defined in the Treasury Regulations and, in the case of refunding bonds, transferred proceeds (if any) and proceeds of the Refunded Obligations expended prior to the date of issuance of the Bonds. It is the understanding of the Issuer that the covenants contained herein are intended to assure compliance with the Code and any regulations or rulings promulgated by the U.S. Department of the Treasury pursuant thereto. In the event that regulations or rulings are hereafter promulgated that modify or expand provisions of the Code, as applicable to the Bonds, the Issuer will not be

required to comply with any covenant contained herein to the extent that such failure to comply, in the opinion of nationally recognized bond counsel, will not adversely affect the exemption from federal income taxation of interest on the Bonds under section 103 of the Code. In the event that regulations or rulings are hereafter promulgated that impose additional requirements applicable to the Bonds, the Issuer agrees to comply with the additional requirements to the extent necessary, in the opinion of nationally recognized bond counsel, to preserve the exemption from federal income taxation of interest on the Bonds under section 103 of the Code. In furtherance of such intention, the Issuer hereby authorizes and directs the Mayor and each Pricing Officer, or any one of them, to execute any documents, certificates or reports required by the Code and to make such elections, on behalf of the Issuer, that may be permitted by the Code as are consistent with the purpose for the issuance of the Bonds.

(d) Allocation of, and Limitation on, Expenditures for the Improvement Projects. The Issuer covenants to account for the expenditure of sale proceeds and investment earnings to be used for the construction and acquisition of the Improvement Projects on its books and records by allocating proceeds to expenditures within 18 months of the later of the date that (1) the expenditure is made, or (2) the Improvement Project is completed. The foregoing notwithstanding, the Issuer shall not expend proceeds of the sale of the Bonds or investment earnings thereon more than 60 days after the earlier of (1) the fifth anniversary of the delivery of the Bonds, or (2) the date the Bonds are retired, unless the Issuer obtains an opinion of nationally-recognized bond counsel that such expenditure will not adversely affect the status, for federal income tax purposes, of the Bonds or the interest thereon. For purposes hereof, the Issuer shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

(e) Disposition of Projects. The Issuer covenants that the property constituting the Projects will not be sold or otherwise disposed in a transaction resulting in the receipt by the Issuer of cash or other compensation, unless any action taken in connection with such disposition will not adversely affect the tax-exempt status of the Bonds. For purpose of the foregoing, the Issuer may rely on an opinion of nationally-recognized bond counsel that the action taken in connection with such sale or other disposition will not adversely affect the tax-exempt status of the Bonds. For purposes of the foregoing, the portion of the property comprising personal property and disposed in the ordinary course shall not be treated as a transaction resulting in the receipt of cash or other compensation. For purposes hereof, the Issuer shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

Section 10. SALE OF BONDS AND APPROVAL OF OFFICIAL STATEMENT; FURTHER PROCEDURES.

(a) The Bonds shall be sold and delivered subject to the provisions of Section 1 and Section 2 and pursuant to the terms and provisions of a purchase agreement or purchase letter (the "Purchase Agreement") which the Pricing Officer is hereby authorized to execute and deliver and in which the purchaser or purchasers (the "Underwriters") of the Bonds shall be designated. The Bonds shall initially be registered in the name of the purchaser thereof as set forth in the Pricing Certificate.

(b) The Mayor and City Secretary are further authorized and directed to execute and deliver for and on behalf of the Issuer copies of a Preliminary Official Statement and Official Statement, if prepared in connection with the offering of the Bonds by the Underwriters, in final form as may be required by the Underwriters, and such final Official Statement in the form and content as approved by the Pricing Officer or as manually executed by said officials shall be deemed to be approved by the City Council and constitute the Official Statement authorized for distribution and use by the Underwriters. The form and substance of the Preliminary Official Statement for the Bonds and any addenda, supplement or amendment thereto, all as

approved by the Pricing Officer, are hereby deemed to be approved in all respects by the City Council, and the Preliminary Official Statement is hereby deemed final as of its date (except for the omission of pricing and related information) within the meaning and for the purpose of paragraph (b)(1) of the Rule (hereinafter defined).

(c) The Pricing Officer is authorized, in connection with effecting the sale of the Bonds, to obtain from a municipal bond insurance company so designated in the Pricing Certificate (the "Insurer") a municipal bond insurance policy (the "Insurance Policy") in support of the Bonds. To that end, should the Pricing Officer exercise such authority and commit the Issuer to obtain a municipal bond insurance policy, for so long as the Insurance Policy is in effect, the requirements of the Insurer relating to the issuance of the Insurance Policy as set forth in the Pricing Certificate are incorporated by reference into this Ordinance and made a part hereof for all purposes, notwithstanding any other provision of this Ordinance to the contrary. The Pricing Officer shall have the authority to execute any documents to effect the issuance of the Insurance Policy by the Insurer.

(d) The Mayor and Mayor Pro Tem, the City Secretary and the Pricing Officers of the Issuer, and each of them, shall be and they are hereby expressly authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name and on behalf of the Issuer such documents, certificates and other instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance, the Bonds, the sale of the Bonds and the Official Statement. In case any officer whose signature shall appear on any Bond shall cease to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

Section 11. INTEREST EARNINGS ON BOND PROCEEDS. Interest earnings derived from the investment of proceeds from the sale of the Bonds issued for the Improvement Projects shall be used along with other Bond proceeds for the Improvement Projects; provided that after completion of such purpose, if any of such interest earnings remain on hand, such interest earnings shall be deposited in the Interest and Sinking Fund. It is further provided, however, that any interest earnings on Bond proceeds that are required to be rebated to the United States of America pursuant to Section 9 hereof in order to prevent the Bonds from being arbitrage bonds shall be so rebated and not considered as interest earnings for the purposes of this Section.

Section 12. CONSTRUCTION FUND.

(a) The Issuer hereby creates and establishes and shall maintain on the books of the Issuer a separate fund to be entitled the "Series 2016 General Obligation Bonds Construction Fund" for use by the Issuer for payment of all lawful costs associated with the acquisition and construction of the Improvement Projects as hereinbefore provided. Upon payment of all such costs, any moneys remaining on deposit in said fund shall be transferred to the Interest and Sinking fund. Amounts so deposited to the Interest and Sinking Fund shall be used in the manner described in Section 5 of this Ordinance.

(b) The Issuer may invest proceeds of the Bonds (including investment earnings thereon) issued for Improvement Projects and amounts deposited into the Interest and Sinking Fund in investments authorized by the Public Funds Investment Act, Chapter 2256, Texas Government Code, as amended; provided, however, that the Issuer hereby covenants that the proceeds of the sale of the Bonds will be used as soon as practicable for the purposes for which the Bonds are issued.

(c) All deposits authorized or required by this Ordinance shall be secured to the fullest extent required by law for the security of public funds.

Section 13. COMPLIANCE WITH RULE 15c2-12.

(a) Definitions. As used in this Section, the following terms have the meanings ascribed to such terms below:

"MSRB" means the Municipal Securities Rulemaking Board.

"Rule" means SEC Rule 15c2-12, as amended from time to time.

"SEC" means the United States Securities and Exchange Commission.

(b) Annual Reports.

(i) The Issuer shall provide annually to the MSRB, in an electronic format as prescribed by the MSRB, within 6 months after the end of each fiscal year ending in or after 2016, financial information and operating data with respect to the Issuer of the general type included in the final Official Statement authorized by Section 10 of this Ordinance, being the information described in the Pricing Certificate. The Issuer will additionally provide audited financial statements when and if available, and in any event, within 12 months after the end of each fiscal year ending in or after 2016. If the audit of such financial statements is not complete within 12 months after any such fiscal year end, then the Issuer will file unaudited financial statements within such 12 month period and audited financial statements for the applicable fiscal year, when and if the audit report on such statements becomes available. Any financial statements so to be provided shall be prepared in accordance with the accounting principles described in Appendix B to the Official Statement, or such other accounting principles as the Issuer may be required to employ from time to time pursuant to state law or regulation.

(ii) If the Issuer changes its fiscal year, it will notify the MSRB of the change (and of the date of the new fiscal year end) prior to the next date by which the Issuer otherwise would be required to provide financial information and operating data pursuant to this Section. The financial information and operating data to be provided pursuant to this Section may be set forth in full in one or more documents or may be included by specific reference to any document that is available to the public on the MSRB's internet website or filed with the SEC. All documents provided to the MSRB pursuant to this Section shall be accompanied by identifying information as prescribed by the MSRB.

(c) Event Notices.

(i) The Issuer shall notify the MSRB in an electronic format as prescribed by the MSRB, in a timely manner (but not in excess of ten business days after the occurrence of the event) of any of the following events with respect to the Bonds, if such event is material within the meaning of the federal securities laws:

1. Non-payment related defaults;
2. Modifications to rights of Bondholders;
3. Bond calls;
4. Release, substitution, or sale of property securing repayment of the Bonds;

5. The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms; and

6. Appointment of a successor or additional trustee or the change of name of a trustee.

(ii) The Issuer shall notify the MSRB in an electronic format as prescribed by the MSRB, in a timely manner (but not in excess of ten business days after the occurrence of the event) of any of the following events with respect to the Bonds, without regard to whether such event is considered material within the meaning of the federal securities laws:

1. Principal and interest payment delinquencies;
2. Unscheduled draws on debt service reserves reflecting financial difficulties;
3. Unscheduled draws on credit enhancements reflecting financial difficulties;
4. Substitution of credit or liquidity providers, or their failure to perform;

5. Adverse tax opinions or the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;

6. Tender offers;
7. Defeasances;
8. Rating changes; and
9. Bankruptcy, insolvency, receivership or similar event of an obligated person.

(iii) The Issuer shall notify the MSRB, in a timely manner, of any failure by the Issuer to provide financial information or operating data in accordance with subsection (b) of this Section by the time required by such subsection.

(d) Limitations, Disclaimers, and Amendments.

(i) The Issuer shall be obligated to observe and perform the covenants specified in this Section for so long as, but only for so long as, the Issuer remains an "obligated person" with respect to the Bonds within the meaning of the Rule, except that the Issuer in any event will give notice of any deposit made in accordance with this Ordinance or applicable law that causes Bonds no longer to be outstanding.

(ii) The provisions of this Section are for the sole benefit of the registered owners and beneficial owners of the Bonds, and nothing in this Section, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The Issuer

undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Section and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the Issuer's financial results, condition, or prospects or hereby undertake to update any information provided in accordance with this Section or otherwise, except as expressly provided herein. The Issuer does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Bonds at any future date.

(iii) UNDER NO CIRCUMSTANCES SHALL THE ISSUER BE LIABLE TO THE REGISTERED OWNER OR BENEFICIAL OWNER OF ANY BOND OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE ISSUER, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS SECTION, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR MANDAMUS OR SPECIFIC PERFORMANCE.

(iv) No default by the Issuer in observing or performing its obligations under this Section shall comprise a breach of or default under this Ordinance for purposes of any other provision of this Ordinance. Nothing in this Section is intended or shall act to disclaim, waive, or otherwise limit the duties of the Issuer under federal and state securities laws.

(v) Should the Rule be amended to obligate the Issuer to make filings with or provide notices to entities other than the MSRB, the Issuer hereby agrees to undertake such obligation with respect to the Bonds in accordance with the Rule as amended. The provisions of this Section may be amended by the Issuer from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the Issuer, but only if (1) the provisions of this Section, as so amended, would have permitted an underwriter to purchase or sell Bonds in the primary offering of the Bonds in compliance with the Rule, taking into account any amendments or interpretations of the Rule since such offering as well as such changed circumstances and (2) either (a) the registered owners of a majority in aggregate principal amount (or any greater amount required by any other provision of this Ordinance that authorizes such an amendment) of the outstanding Bonds consent to such amendment or (b) a person that is unaffiliated with the Issuer (such as nationally recognized bond counsel) determined that such amendment will not materially impair the interest of the registered owners and beneficial owners of the Bonds. The Issuer may also amend or repeal the provisions of this continuing disclosure agreement if the SEC amends or repeals the applicable provision of the Rule or a court of final jurisdiction enters judgment that such provisions of the Rule are invalid, but only if and to the extent that the provisions of this sentence would not prevent an underwriter from lawfully purchasing or selling Bonds in the primary offering of the Bonds. If the Issuer so amends the provisions of this Section, it shall include with any amended financial information or operating data next provided in accordance with subsection (b) of this Section an explanation, in narrative form, of the reason for the amendment and of the impact of any change in the type of financial information or operating data so provided.

Section 14. METHOD OF AMENDMENT. The Issuer hereby reserves the right to amend this Ordinance subject to the following terms and conditions, to-wit:

(a) The Issuer may from time to time, without the consent of any holder, except as otherwise required by paragraph (b) below, amend or supplement this Ordinance in order to (i) cure any ambiguity, defect or omission in this Ordinance that does not materially adversely affect the interests of the holders, (ii) grant

additional rights or security for the benefit of the holders, (iii) add events of default as shall not be inconsistent with the provisions of this Ordinance and that shall not materially adversely affect the interests of the holders, (iv) qualify this Ordinance under the Trust Indenture Act of 1939, as amended, or corresponding provisions of federal laws from time to time in effect, or (v) make such other provisions in regard to matters or questions arising under this Ordinance as shall not be inconsistent with the provisions of this Ordinance and that shall not in the opinion of the Issuer's Bond Counsel materially adversely affect the interests of the holders.

(b) Except as provided in paragraph (a) above, the holders of Bonds aggregating in principal amount 51% of the aggregate principal amount of then outstanding Bonds that are the subject of a proposed amendment shall have the right from time to time to approve any amendment hereto that may be deemed necessary or desirable by the Issuer; provided, however, that without the consent of 100% of the holders in aggregate principal amount of the then outstanding Bonds, nothing herein contained shall permit or be construed to permit amendment of the terms and conditions of this Ordinance or in any of the Bonds so as to:

- (1) Make any change in the maturity of any of the outstanding Bonds;
- (2) Reduce the rate of interest borne by any of the outstanding Bonds;
- (3) Reduce the amount of the principal of, or redemption premium, if any, payable on any outstanding Bonds;
- (4) Modify the terms of payment of principal or of interest or redemption premium on outstanding Bonds or any of them or impose any condition with respect to such payment; or
- (5) Change the minimum percentage of the principal amount of the Bonds necessary for consent to such amendment.

(c) If at any time the Issuer shall desire to amend this Ordinance under this Section, the Issuer shall send by U.S. mail to each registered owner of the affected Bonds a copy of the proposed amendment.

(d) Whenever at any time within one year from the date of mailing of such notice the Issuer shall receive an instrument or instruments executed by the holders of at least 51% in aggregate principal amount of all of the Bonds then outstanding that are required for the amendment, which instrument or instruments shall refer to the proposed amendment and that shall specifically consent to and approve such amendment, the Issuer may adopt the amendment in substantially the same form.

(e) Upon the adoption of any amendatory Ordinance pursuant to the provisions of this Section, this Ordinance shall be deemed to be modified and amended in accordance with such amendatory Ordinance, and the respective rights, duties, and obligations of the Issuer and all holders of such affected Bonds shall thereafter be determined, exercised, and enforced, subject in all respects to such amendment.

(f) Any consent given by the holder of a Bond pursuant to the provisions of this Section shall be irrevocable for a period of six months from the date of such consent, and shall be conclusive and binding upon all future holders of the same Bond during such period. Such consent may be revoked at any time after six months from the date of such consent by the holder who gave such consent, or by a successor in title, by filing notice with the Issuer, but such revocation shall not be effective if the holders of 51% in aggregate principal amount of the affected Bonds then outstanding, have, prior to the attempted revocation, consented to and approved the amendment.

For the purposes of establishing ownership of the Bonds, the Issuer shall rely solely upon the registration of the ownership of such Bonds on the registration books kept by the Paying Agent/Registrar.

Section 15. DEFAULT AND REMEDIES.

(a) Events of Default. Each of the following occurrences or events for the purpose of this Ordinance is hereby declared to be an Event of Default:

(i) the failure to make payment of the principal of or interest on any of the Bonds when the same becomes due and payable; or

(ii) default in the performance or observance of any other covenant, agreement or obligation of the Issuer, the failure to perform which materially, adversely affects the rights of the registered owners of the Bonds, including, but not limited to, their prospect or ability to be repaid in accordance with this Ordinance, and the continuation thereof for a period of 60 days after notice of such default is given by any Registered Owner to the Issuer.

(b) Remedies for Default.

(i) Upon the happening of any Event of Default, then and in every case, any Registered Owner or an authorized representative thereof, including, but not limited to, a trustee or trustees therefor, may proceed against the Issuer for the purpose of protecting and enforcing the rights of the Registered Owners under this Ordinance, by mandamus or other suit, action or special proceeding in equity or at law, in any court of competent jurisdiction, for any relief permitted by law, including the specific performance of any covenant or agreement contained herein, or thereby to enjoin any act or thing that may be unlawful or in violation of any right of the Registered Owners hereunder or any combination of such remedies.

(ii) It is provided that all such proceedings shall be instituted and maintained for the equal benefit of all Registered Owners of Bonds then outstanding.

(c) Remedies Not Exclusive.

(i) No remedy herein conferred or reserved is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or under the Bonds or now or hereafter existing at law or in equity; provided, however, that notwithstanding any other provision of this Ordinance, the right to accelerate the debt evidenced by the Bonds shall not be available as a remedy under this Ordinance.

(ii) The exercise of any remedy herein conferred or reserved shall not be deemed a waiver of any other available remedy.

(iii) By accepting the delivery of a Bond authorized under this Ordinance, such Registered Owner agrees that the certifications required to effectuate any covenants or representations contained in this Ordinance do not and shall never constitute or give rise to a personal or pecuniary liability or charge against the officers, employees or trustees of the Issuer or the City Council.

Section 16. APPROVAL OF ESCROW AGREEMENT AND TRANSFER OF FUNDS. In furtherance of authority granted by Section 1207.007(b), Texas Government Code, the Mayor or either of the Pricing Officers are further authorized to enter into and execute on behalf of the Issuer with the escrow agent

named therein, an escrow or similar agreement, in the form and substance as shall be approved by the Pricing Officer, which agreement will provide for the payment in full of the Refunded Obligations. In addition, the Mayor or the Pricing Officer is authorized to purchase such securities, to execute such subscriptions for the purchase of the Escrowed Securities (as defined in the agreement), if any, and to authorize such contributions for the escrow fund as provided in the agreement.

Section 17. REDEMPTION OF REFUNDED OBLIGATIONS.

(a) Subject to execution and delivery of the Purchase Agreement with the Underwriters, the Issuer hereby directs that the Refunded Obligations be called for redemption on the dates and at such prices as set forth in the Pricing Certificate. The Pricing Officer is hereby authorized and directed to issue or cause to be issued Notice of Redemption of the Refunded Obligations, completed with information from the Pricing Certificate, to the paying agents for the Refunded Obligations.

(b) In addition, the paying agents for the Refunded Obligations are hereby directed to provide the appropriate notices of redemption and defeasance as specified by the ordinances authorizing the issuance of Refunded Obligations and are hereby directed to make appropriate arrangements so that the Refunded Obligations may be redeemed on their redemption dates. The Refunded Obligations shall be presented for redemption at the paying agents therefor, and shall not bear interest after the date fixed for redemption.

(c) If the redemption of the Refunded Obligations results in the partial refunding of any maturity of the Refunded Obligations, the Pricing Officer shall direct the paying agent/registrar for the Refunded Obligations to designate at random and by lot which of the Refunded Obligations will be payable from and secured solely from ad valorem taxes of the Issuer pursuant to the ordinance of the Issuer authorizing the issuance of such Refunded Obligations (the "Refunded Bond Ordinance"). The paying agent/registrar shall notify by first-class mail all registered owners of all affected bonds of such maturities that: (i) a portion of such bonds have been refunded and are secured until final maturity solely with cash and investments maintained by the Escrow Agent in the Escrow Fund, (ii) the principal amount of all affected bonds of such maturities registered in the name of such registered owner that have been refunded and are payable solely from cash and investments in the Escrow Fund and the remaining principal amount of all affected bonds of such maturities registered in the name of such registered owner, if any, have not been refunded and are payable and secured solely from ad valorem taxes of the Issuer described in the Refunded Obligation Ordinance, (iii) the registered owner is required to submit his or her Refunded Obligations to the paying agent/registrar, for the purposes of re-registering such registered owner's bonds and assigning new CUSIP numbers in order to distinguish the source of payment for the principal and interest on such bonds, and (iv) payment of principal of and interest on such bonds may, in some circumstances, be delayed until such bonds have been re-registered and new CUSIP numbers have been assigned as required by (iii) above.

(d) The source of funds for payment of the principal of and interest on the Refunded Obligations on their respective maturity or redemption dates shall be from the funds deposited with the Escrow Agent pursuant to the Escrow Agreement approved in Section 16 of this Ordinance.

Section 18. APPROPRIATION. To pay the debt service coming due on the Bonds, if any (as determined by the Pricing Certificate) prior to receipt of the taxes levied to pay such debt service, there is hereby appropriated from current funds on hand, which are hereby certified to be on hand and available for such purpose, an amount sufficient to pay such debt service, and such amount shall be used for no other purpose.

Section 19. SEVERABILITY. If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any persons or circumstances is held invalid or unconstitutional

by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Ordinance, despite such invalidity, which remaining portions shall remain in full force and effect.

Section 20. EFFECTIVE DATE. In accordance with the provisions of V.T.C.A., Government Code, Section 1201.028, this Ordinance shall be effective immediately upon its adoption by the City Council.

(Execution Page Follows)

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
TEXAS, this 19th day of January, 2016.

ATTEST:

Mayor, City of Rockwall, Texas

City Secretary, City of Rockwall, Texas

[CITY SEAL]

APPROVED AS TO FORM:

City Attorney

1ST Reading: 01-04-2016

2ND Reading: 01-19-2016

SCHEDULE I

Voted Bonds

Purpose	Amount Authorized	Amount Previously Issued	Unissued Balance	Amount Being Issued
<u>December 7, 1985 Election</u>				
Street Improvements	\$ 1,500,000	\$ 600,000	\$ 900,000	\$ -0-
<u>December 3, 1994 Election</u>				
FM 740 Road Improvements (Prop. 1)	3,100,000	2,600,000	500,000	-0-
<u>May 12, 2012 Election</u>				
Street and Other Improvements in Downtown Area (Prop. 2)	8,625,000	6,500,000	2,125,000	880,000
Street and Road Improvements (Prop. 5)	19,155,000	1,500,000	17,655,000	7,895,000
				<u>\$ 8,775,000</u>

SCHEDULE II

Schedule of Refunded Obligations

City of Rockwall, Texas Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2005.

City of Rockwall, Texas General Obligation Refunding and Improvement Bonds, Series 2005.

City of Rockwall, Texas General Obligation Bonds, Series 2006.

City of Rockwall, Texas Combination Tax and Surplus Revenue Certificates of Obligation, Series 2007.

City of Rockwall, Texas General Obligation Bonds, Series 2007.

City of Rockwall, Texas Combination Tax and Surplus Revenue Certificates of Obligation, Series 2008.

City of Rockwall, General Obligation Bonds, Series 2008.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager
FROM: Mary Smith, Assistant City Manager
DATE: January 15, 2016
SUBJECT: Issuance of Bonds – Second Reading

Both the General Obligation Bond and Certificate of Obligation Bond Ordinances are included on the January 19th Council agenda for second reading and action.

Staff participated in ratings calls in the last week with Standard and Poor's and Moody's Investor Service to rate the new issues. Both affirmed our current bond ratings AA+ and Aa2 respectively. When both of the ratings reports are received, we will forward those to the Council.

Following Council approval of the ordinances First Southwest will begin the process to obtain pricing for the debt and the City Manager will, as authorized in the ordinances, be notified when pricing is completed so he can make the final approval. We will update the Council with those results when they are known.



City of Rockwall
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WHEREAS, it is officially found, determined, and declared that the meeting at which this Ordinance has been adopted was open to the public and public notice of the time, place and subject matter of the public business to be considered and acted upon at said meeting, including this Ordinance, was given, all as required by the applicable provisions of Tex. Gov't Code Ann. Chapter 551; Now, Therefore

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

Section 1. RECITALS, AMOUNT AND PURPOSE OF THE CERTIFICATES.

(a) The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in this Section.

(b) The certificates of the City of Rockwall, Texas (the "Issuer") are hereby authorized to be issued and delivered, in one or more series, in the aggregate principal amount not to exceed \$6,000,000 for paying all or a portion of the Issuer's contractual obligations incurred in connection with (i) acquiring, constructing, installing and equipping additions, extensions and improvements to the Issuer's waterworks and sewer system, including the acquisition of vehicles and equipment for the waterworks and sewer system; and (ii) legal, fiscal and engineering fees in connection with such projects (collectively, the "Project").

(c) Each certificate issued pursuant to this Ordinance shall be designated: "CITY OF ROCKWALL, TEXAS, COMBINATION TAX AND SURPLUS REVENUE CERTIFICATE OF OBLIGATION, SERIES 2016," and initially there shall be issued, sold, and delivered hereunder fully registered certificates, without interest coupons, with certificates issued in replacement thereof being in the denominations and principal amounts hereinafter stated and numbered consecutively from R-1 upward, payable to the respective Registered Owners thereof (with the initial certificate being made payable to the initial purchaser as described in Section 10 hereof), or to the registered assignee or assignees of said certificates or any portion or portions thereof (in each case, the "Registered Owner"). The Certificates shall be in the respective denominations and principal amounts, shall be numbered, shall mature and be payable on the date or dates in each of the years and in the principal amounts, and shall bear interest to their respective dates of maturity or redemption prior to maturity at the rates per annum, as set forth in the Pricing Certificate.

Section 2. DELEGATION TO PRICING OFFICER.

(a) As authorized by Chapter 1371, Texas Government Code, as amended, the City Manager and the Assistant City Manager/Director of Finance of the Issuer (each a "Pricing Officer") are each hereby authorized to act on behalf of the Issuer in selling and delivering the Certificates, carrying out the other procedures specified in this Ordinance, including, determining the date of the Certificates, any additional or different designation or title by which the Certificates shall be known, whether the Certificate shall be sold and delivered in one or more series and the date and sale and delivery of each such series, the amount of Certificates to be sold and the authorized purposes set forth in Section 1 for which such Certificates are issued, the price at which the Certificates will be sold, the years in which the Certificates will mature, the principal amount to mature in each of such years, the rate of interest to be borne by each such maturity, the interest payment and record dates, the price and terms upon and at which the Certificates shall be subject to redemption prior to maturity at the option of the Issuer, as well as any mandatory sinking fund redemption provisions, and all other matters relating to the issuance, sale, and delivery of the Certificates and obtaining municipal bond insurance for all or any portion of the Certificates and providing for the terms and provisions thereof applicable to the Certificates (including the execution of any commitment agreements, membership agreements in mutual insurance companies, and other similar agreements), all of which shall be specified in the Pricing Certificate; provided that:

- (i) the aggregate principal amount of the Certificates shall not exceed \$6,000,000;
- (ii) the true interest cost of the Certificates shall not exceed 3.35% per annum; provided that the net effective interest rate on the Certificates shall not exceed the maximum rate set forth in Chapter 1204, Texas Government Code, as amended;
- (iii) the final maturity of the Certificates shall not be later than August 1, 2035; and
- (iv) the delegation made hereby shall expire if not exercised by the Pricing Officer on or prior to April 18, 2016.

(b) In establishing the aggregate principal amount of the Certificates, the Pricing Officer shall establish an amount not exceeding the amount authorized in Subsection (a) hereof, which shall be sufficient in amount to provide for the purposes for which the Certificates are authorized and to pay costs of issuing the Certificates. The Certificates shall be sold with and subject to such terms as set forth in the Pricing Certificate.

(c) The Pricing Officer shall determine whether the Certificates will be sold by private placement or negotiated or competitive sale.

Section 3. CHARACTERISTICS OF THE CERTIFICATES.

(a) Appointment of Paying Agent/Registrar. The selection and appointment of the paying agent/registrar for the Certificates (the "Paying Agent/Registrar") shall be as provided in the Pricing Certificate. The Mayor or either Pricing Officer is authorized and directed to execute and deliver in the name and under the corporate seal and on behalf of the Issuer a Paying Agent/Registrar Agreement with the Paying Agent/Registrar in substantially the form presented at this meeting.

(b) Registration, Transfer, Conversion and Exchange. The Issuer shall keep or cause to be kept at the corporate trust office of the Paying Agent/Registrar books or records for the registration of the transfer, conversion and exchange of the Certificates (the "Registration Books"), and the Issuer hereby appoints the Paying Agent/Registrar as its registrar and transfer agent to keep such books or records and make such registrations of transfers, conversions and exchanges under such reasonable regulations as the Issuer and Paying Agent/Registrar may prescribe; and the Paying Agent/Registrar shall make such registrations, transfers, conversions and exchanges as herein provided within three days of presentation in due and proper form. The Paying Agent/Registrar shall obtain and record in the Registration Books the address of the registered owner of each Certificate to which payments with respect to the Certificates shall be mailed, as herein provided; but it shall be the duty of each registered owner to notify the Paying Agent/Registrar in writing of the address to which payments shall be mailed, and such interest payments shall not be mailed unless such notice has been given. The Issuer shall have the right to inspect the Registration Books during regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Registration Books confidential and, unless otherwise required by law, shall not permit their inspection by any other entity. The Issuer shall pay the Paying Agent/Registrar's standard or customary fees and charges for making such registration, transfer, conversion, exchange and delivery of a substitute Certificate or Certificates. Registration of assignments, transfers, conversions and exchanges of Certificates shall be made in the manner provided and with the effect stated in the FORM OF CERTIFICATE set forth in this Ordinance. Each substitute Certificate shall bear a letter and/or number to distinguish it from each other Certificate.

(c) Authentication. Except as provided in subsection (j) of this section, an authorized representative of the Paying Agent/Registrar shall, before the delivery of any such Certificate, date and manually sign said Certificate, and no such Certificate shall be deemed to be issued or outstanding unless such Certificate is so executed. The Paying Agent/Registrar promptly shall cancel all paid Certificates and Certificates surrendered for conversion and exchange. No additional ordinances, orders or resolutions need be passed or adopted by the governing body of the Issuer or any other body or person so as to accomplish the foregoing conversion and exchange of any Certificate or portion thereof, and the Paying Agent/Registrar shall provide for the printing, execution and delivery of the substitute Certificates in the manner prescribed herein. Pursuant to Subchapter D, Chapter 1201, Texas Government Code, the duty of conversion and exchange of Certificates as aforesaid is hereby imposed upon the Paying Agent/Registrar, and, upon the execution of said Certificate, the converted and exchanged Certificate shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Certificates which initially were issued and delivered pursuant to this Ordinance, approved by the Attorney General, and registered by the Comptroller of Public Accounts.

(d) Payment of Principal and Interest. The Issuer hereby further appoints the Paying Agent/Registrar to act as the paying agent for paying the principal of and interest on the Certificates, all as provided in this Ordinance. The Paying Agent/Registrar shall keep proper records of all payments made by the Issuer and the Paying Agent/Registrar with respect to the Certificates, and of all conversions and exchanges of Certificates, and all replacements of Certificates, as provided in this Ordinance. However, in the event of a nonpayment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be 15 days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first class postage prepaid, to the address of each registered owner appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

(e) Payment to Registered Owner. Notwithstanding any other provision of this Ordinance to the contrary, the Issuer and the Paying Agent/Registrar shall be entitled to treat and consider the person in whose name each Certificate is registered in the Registration Books as the absolute owner of such Certificate for the purpose of payment of principal and interest with respect to such Certificate, for the purpose of registering transfers with respect to such Certificate, and for all other purposes whatsoever. The Paying Agent/Registrar shall pay all principal of and interest on the Certificates only to or upon the order of the registered owners, as shown in the Registration Books as provided in this Ordinance, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the Issuer's obligations with respect to payment of principal of and interest on the Certificates to the extent of the sum or sums so paid. No person other than a registered owner, as shown in the Registration Books, shall receive a Certificate certificate evidencing the obligation of the Issuer to make payments of principal and interest pursuant to this Ordinance.

(f) Paying Agent/Registrar. The Issuer covenants with the registered owners of the Certificates that at all times while the Certificates are outstanding the Issuer will provide a competent and legally qualified bank, trust company, financial institution or other agency to act as and perform the services of Paying Agent/Registrar for the Certificates under this Ordinance, and that the Paying Agent/Registrar will be one entity. By accepting the position and performing as such, each Paying Agent/Registrar shall be deemed to have agreed to the provisions of this Ordinance, and a certified copy of this Ordinance shall be delivered to each Paying Agent/Registrar.

(g) Substitute Paying Agent/Registrar. The Issuer reserves the right to, and may, at its option, change the Paying Agent/Registrar upon not less than 120 days written notice to the Paying Agent/Registrar, to be

effective not later than 60 days prior to the next principal or interest payment date after such notice. In the event that the entity at any time acting as Paying Agent/Registrar (or its successor by merger, acquisition, or other method) should resign or otherwise cease to act as such, the Issuer covenants that promptly it will appoint a competent and legally qualified bank, trust company, financial institution, or other agency to act as Paying Agent/Registrar under this Ordinance. Upon any change in the Paying Agent/Registrar, the previous Paying Agent/Registrar promptly shall transfer and deliver the Registration Books (or a copy thereof), along with all other pertinent books and records relating to the Certificates, to the new Paying Agent/Registrar designated and appointed by the Issuer. Upon any change in the Paying Agent/Registrar, the Issuer promptly will cause a written notice thereof to be sent by the new Paying Agent/Registrar to each registered owner of the Certificates, by United States mail, first-class postage prepaid, which notice also shall give the address of the new Paying Agent/Registrar.

(h) Book-Entry Only System. The Certificates issued in exchange for the Certificates initially issued to the purchaser or purchasers specified herein shall be initially issued in the form of a separate single fully registered Certificate for each of the maturities thereof and the ownership of each such Certificate shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company of New York ("DTC"), and except as provided in subsections (ji) and (kj) of this Section, all of the outstanding Certificates shall be registered in the name of Cede & Co., as nominee of DTC.

(i) Blanket Letter of Representations. The previous execution and delivery of the Blanket Letter of Representations with respect to obligations of the Issuer is hereby ratified and confirmed; and the provisions thereof shall be fully applicable to the Certificates. Notwithstanding anything to the contrary contained herein, while the Certificates are subject to DTC's Book-Entry Only System and to the extent permitted by law, the Letter of Representations is hereby incorporated herein and its provisions shall prevail over any other provisions of this Ordinance in the event of conflict.

(j) Certificates Registered in the Name of Cede & Co. With respect to Certificates registered in the name of Cede & Co., as nominee of DTC, the Issuer and the Paying Agent/Registrar shall have no responsibility or obligation to any securities brokers and dealers, banks, trust companies, clearing corporations and certain other organizations on whose behalf DTC was created ("DTC Participant") to hold securities to facilitate the clearance and settlement of securities transactions among DTC Participants or to any person on behalf of whom such a DTC Participant holds an interest in the Certificates. Without limiting the immediately preceding sentence, the Issuer and the Paying Agent/Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Certificates, (ii) the delivery to any DTC Participant or any other person, other than a registered owner of Certificates, as shown on the Registration Books, of any notice with respect to the Certificates, or (iii) the payment to any DTC Participant or any other person, other than a registered owner of Certificates, as shown in the Registration Books of any amount with respect to principal of or interest on the Certificates. Upon delivery by DTC to the Paying Agent/Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Ordinance with respect to interest checks being mailed to the registered owner at the close of business on the Record date, the words "Cede & Co." in this Ordinance shall refer to such new nominee of DTC.

(k) Successor Securities Depository; Transfers Outside Book-Entry Only System. In the event that the Issuer determines that DTC is incapable of discharging its responsibilities described herein and in the representation letter of the Issuer to DTC or that it is in the best interest of the beneficial owners of the Certificates that they be able to obtain certificated Certificates, the Issuer shall (i) appoint a successor securities depository, qualified to act as such under Section 17A of the Securities and Exchange Act of 1934, as amended, notify DTC and DTC Participants of the appointment of such successor securities depository and

transfer one or more separate Certificates to such successor securities depository or (ii) notify DTC and DTC Participants of the availability through DTC of Certificates and transfer one or more separate Certificates to DTC Participants having Certificates credited to their DTC accounts. In such event, the Certificates shall no longer be restricted to being registered in the Registration Books in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names registered owners transferring or exchanging Certificates shall designate, in accordance with the provisions of this Ordinance.

(l) Payments to Cede & Co. Notwithstanding any other provision of this Ordinance to the contrary, so long as any Certificate is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of and interest on such Certificate and all notices with respect to such Certificate shall be made and given, respectively, in the manner provided in the representation letter of the Issuer to DTC.

(m) General Characteristics of the Certificates. The Certificates (i) shall be issued in fully registered form, without interest coupons, with the principal of and interest on such Certificates to be payable only to the Registered Owners thereof, (ii) may and shall be redeemed prior to their scheduled maturities, (iii) may be transferred and assigned, (iv) may be converted and exchanged for other Certificates, (v) shall have the characteristics, (vi) shall be signed, sealed, executed and authenticated, (vii) the principal of and interest on the Certificates shall be payable, and (viii) shall be administered and the Paying Agent/Registrar and the Issuer shall have certain duties and responsibilities with respect to the Certificates, all as provided, and in the manner and to the effect as required or indicated, in the FORM OF CERTIFICATE set forth in this Ordinance. The Certificates initially issued and delivered pursuant to this Ordinance is not required to be, and shall not be, authenticated by the Paying Agent/Registrar, but on each substitute Certificate issued in conversion of and exchange for any Certificate or Certificates issued under this Ordinance the Paying Agent/Registrar shall execute the Paying Agent/Registrar's Authentication Certificate, in the FORM OF CERTIFICATE set forth in this Ordinance.

(n) Cancellation of Initial Certificate. On the closing date, one initial Certificate representing the entire principal amount of the Certificates, payable in stated installments to the purchaser designated in Section 10 or its designee, executed by manual or facsimile signature of the Mayor and City Secretary of the Issuer, approved by the Attorney General of Texas, and registered and manually signed by the Comptroller of Public Accounts of the State of Texas, will be delivered to such purchaser or its designee. Upon payment for such initial Certificate, the Paying Agent/Registrar shall cancel such initial Certificate and deliver to the DTC on behalf of such purchaser one registered definitive Certificate for each year of maturity of such Certificates, in the aggregate principal amount of all of the Certificates for such maturity, registered in the name of Cede & Co., as nominee of DTC. To the extent that the Paying Agent/Registrar is eligible to participate in DTC's FAST System, pursuant to an agreement between the Paying Agent/Registrar and DTC, the Paying Agent/Registrar shall hold the definitive Certificates in safekeeping for DTC..

Section 4. FORM OF CERTIFICATES. The form of the Certificates, including the form of Paying Agent/Registrar's Authentication Certificate, the form of Assignment and the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be attached to the Certificates initially issued and delivered pursuant to this Ordinance, shall be, respectively, substantially as follows, with such appropriate variations, omissions or insertions as are permitted or required by this Ordinance.

(a) Form of Certificate.

NO. R-

UNITED STATES OF AMERICA
STATE OF TEXAS

PRINCIPAL
AMOUNT
\$ _____

CITY OF ROCKWALL, TEXAS
COMBINATION TAX AND SURPLUS REVENUE CERTIFICATE OF OBLIGATION
SERIES 2016

INTEREST RATE	DATE OF CERTIFICATES	MATURITY DATE	CUSIP NO.
_____	_____	_____	_____

REGISTERED OWNER:

PRINCIPAL AMOUNT: _____ DOLLARS

ON THE MATURITY DATE specified above, the City of Rockwall, in Rockwall County, Texas, (the "Issuer"), being a political subdivision and municipal corporation of the State of Texas, hereby promises to pay to the Registered Owner specified above, or registered assigns (hereinafter called the "Registered Owner"), on the Maturity Date specified above, the Principal Amount specified above. The Issuer promises to pay interest on the unpaid principal amount hereof (calculated on the basis of a 360-day year of twelve 30-day months) from _____, _____ at the Interest Rate per annum specified above. Interest is payable on _____, _____ and semiannually on each _____ and _____ thereafter to the Maturity Date specified above, or the date of redemption prior to maturity; except, if this Certificate is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such principal amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication hereof the interest on the Certificate or Certificates, if any, for which this Certificate is being exchanged is due but has not been paid, then this Certificate shall bear interest from the date to which such interest has been paid in full.

THE PRINCIPAL OF AND INTEREST ON this Certificate are payable in lawful money of the United States of America, without exchange or collection charges. The principal of this Certificate shall be paid to the registered owner hereof upon presentation and surrender of this Certificate at maturity, or upon the date fixed for its redemption prior to maturity, at the principal corporate trust office of _____, _____, _____, which is the "Paying Agent/Registrar" for this Certificate. The payment of interest on this Certificate shall be made by the Paying Agent/Registrar to the registered owner hereof on each interest payment date by check or draft, dated as of such interest payment date, drawn by the Paying Agent/Registrar on, and payable solely from, funds of the Issuer required by the ordinance authorizing the issuance of this Certificate (the "Certificate Ordinance") to be on deposit with the Paying Agent/Registrar for such purpose as hereinafter provided; and such check or draft shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, on each such interest payment date, to the registered owner hereof, at its address as it appeared on the _____ day of the month preceding each such date (the "Record Date") on the Registration Books kept by the Paying Agent/Registrar, as hereinafter described. In addition, interest may be paid by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the registered owner. In the event of a non-payment of interest on a scheduled payment date, and for 30 days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be 15 days after the Special Record Date) shall be sent at least five business days prior to the Special Record Date by United States mail, first-

class postage prepaid, to the address of each owner of a Certificate appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

ANY ACCRUED INTEREST due at maturity or upon the redemption of this Certificate prior to maturity as provided herein shall be paid to the registered owner upon presentation and surrender of this Certificate for payment or redemption at the principal corporate trust office of the Paying Agent/Registrar. The Issuer covenants with the registered owner of this Certificate that on or before each principal payment date and interest payment date for this Certificate it will make available to the Paying Agent/Registrar, from the "Interest and Sinking Fund" created by the Certificate Ordinance, the amounts required to provide for the payment, in immediately available funds, of all principal of and interest on the Certificates, when due.

IF THE DATE for any payment of the principal of or interest on this Certificate shall be a Saturday, Sunday, a legal holiday or a day on which banking institutions in the city where the principal corporate trust office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day that is not such a Saturday, Sunday, legal holiday or day on which banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due.

THIS CERTIFICATE is one of a series of Certificates dated _____, _____, authorized in accordance with the Constitution and laws of the State of Texas in the principal amount of \$_____ for the public purposes of acquiring, constructing, installing and equipping additions, extensions and improvements to the Issuer's waterworks and sewer system, including the acquisition of vehicles and equipment for the waterworks and sewer system; paying legal, fiscal and engineering fees in connection with such projects; and to pay the costs incurred in connection with the issuance of the Certificates.

ON _____, or on any date thereafter, the Certificates of this series may be redeemed prior to their scheduled maturities, at the option of the Issuer, with funds derived from any available and lawful source, as a whole, or in part, and, if in part, the particular Certificates, or portions thereof, to be redeemed shall be selected and designated by the Issuer (provided that a portion of a Certificate may be redeemed only in an integral multiple of \$5,000), at a redemption price equal to the principal amount to be redeemed plus accrued interest to the date fixed for redemption.

THE CERTIFICATES scheduled to mature on _____ in the years ____ and ____ (the "Term Certificates") are subject to scheduled mandatory redemption by the Paying Agent/Registrar by lot, or by any other customary method that results in a random selection, at a price equal to the principal amount thereof, plus accrued interest to the redemption date, out of moneys available for such purpose in the interest and sinking fund for the Certificates, on the dates and in the respective principal amounts, set forth in the following schedule:

Term Certificate Maturity: _____, _____		Term Certificate Maturity: _____, _____	
<u>Mandatory Redemption Date</u>	<u>Principal Amount</u>	<u>Mandatory Redemption Date</u>	<u>Principal Amount</u>
_____, _____	\$_____	_____, _____	\$_____
_____, _____	_____	_____, _____	_____
_____, _____ (maturity)	_____	_____, _____ (maturity)	_____

The principal amount of Term Certificates of a stated maturity required to be redeemed on any mandatory redemption date pursuant to the operation of the mandatory sinking fund redemption provisions shall be reduced, at the option of the Issuer, by the principal amount of any Term Certificates of the same maturity which, at least 50 days prior to a mandatory redemption date (1) shall have been acquired by the Issuer at a price not exceeding the principal amount of such Term Certificates plus accrued interest to the date of purchase thereof, and delivered to the Paying Agent/Registrar for cancellation, (2) shall have been purchased and canceled by the Paying Agent/Registrar at the request of the Issuer at a price not exceeding the principal amount of such Term Certificates plus accrued interest to the date of purchase, or (3) shall have been redeemed pursuant to the optional redemption provisions and not theretofore credited against a mandatory redemption requirement.

IF AT THE TIME OF MAILING of notice of optional redemption there shall not have either been deposited with the Paying Agent/Registrar or legally authorized escrow agent immediately available funds sufficient to redeem all the Certificates called for redemption, such notice may state that it is conditional, and is subject to the deposit of the redemption moneys with the Paying Agent/Registrar or legally authorized escrow agent at or prior to the redemption date. If such redemption is not effectuated, the Paying Agent/Registrar shall, within five days thereafter, give notice in the manner in which the notice of redemption was given that such moneys were not so received and shall rescind the redemption.

AT LEAST 30 DAYS prior to the date fixed for any redemption of Certificates or portions thereof prior to maturity a written notice of such redemption shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, at least 30 days prior to the date fixed for any such redemption, to the registered owner of each Certificate to be redeemed at its address as it appeared on the 45th day prior to such redemption date; provided, however, that the failure of the registered owner to receive such notice, or any defect therein or in the sending or mailing thereof, shall not affect the validity or effectiveness of the proceedings for the redemption of any Certificate. By the date fixed for any such redemption due provision shall be made with the Paying Agent/Registrar for the payment of the required redemption price for the Certificates or portions thereof that are to be so redeemed. If such written notice of redemption is sent and if due provision for such payment is made, all as provided above, the Certificates or portions thereof that are to be so redeemed thereby automatically shall be treated as redeemed prior to their scheduled maturities, and they shall not bear interest after the date fixed for redemption, and they shall not be regarded as being outstanding except for the right of the registered owner to receive the redemption price from the Paying Agent/Registrar out of the funds provided for such payment. If a portion of any Certificate shall be redeemed, a substitute Certificate or Certificates having the same maturity date, bearing interest at the same rate, in any denomination or denominations in any integral multiple of \$5,000, at the written request of the registered owner, and in aggregate principal amount equal to the unredeemed portion thereof, will be issued to the registered owner upon the surrender thereof for cancellation, at the expense of the Issuer, all as provided in the Certificate Ordinance.

ALL CERTIFICATES OF THIS SERIES are issuable solely as fully registered certificates, without interest coupons, in the denomination of any integral multiple of \$5,000. As provided in the Certificate Ordinance, this Certificate may, at the request of the registered owner or the assignee or assignees hereof, be assigned, transferred, converted into and exchanged for a like aggregate principal amount of fully registered Certificates, without interest coupons, payable to the appropriate registered owner, assignee or assignees, as the case may be, having the same denomination or denominations in any integral multiple of \$5,000 as requested in writing by the appropriate registered owner, assignee or assignees, as the case may be, upon surrender of this Certificate to the Paying Agent/Registrar for cancellation, all in accordance with the form and procedures set forth in the Certificate Ordinance. Among other requirements for such assignment and transfer, this Certificate must be presented and surrendered to the Paying Agent/Registrar, together with proper instruments of assignment, in form and with guarantee of signatures satisfactory to the Paying

Agent/Registrar, evidencing assignment of this Certificate or any portion or portions hereof in any integral multiple of \$5,000 to the assignee or assignees in whose name or names this Certificate or any such portion or portions hereof is or are to be registered. The form of Assignment printed or endorsed on this Certificate may be executed by the registered owner to evidence the assignment hereof, but such method is not exclusive, and other instruments of assignment satisfactory to the Paying Agent/Registrar may be used to evidence the assignment of this Certificate or any portion or portions hereof from time to time by the registered owner. The Paying Agent/Registrar's reasonable standard or customary fees and charges for assigning, transferring, converting and exchanging any Certificate or portion thereof will be paid by the Issuer. In any circumstance, any taxes or governmental charges required to be paid with respect thereto shall be paid by the one requesting such assignment, transfer, conversion or exchange, as a condition precedent to the exercise of such privilege. The Paying Agent/Registrar shall not be required to make any such transfer, conversion, or exchange (i) during the period commencing with the close of business on any Record Date and ending with the opening of business on the next following principal or interest payment date, or (ii) with respect to any Certificate or any portion thereof called for redemption prior to maturity, within 45 days prior to its redemption date.

IN THE EVENT any Paying Agent/Registrar for the Certificates is changed by the Issuer, resigns, or otherwise ceases to act as such, the Issuer has covenanted in the Certificate Ordinance that it promptly will appoint a competent and legally qualified substitute therefor, and cause written notice thereof to be mailed to the registered owners of the Certificates.

IT IS HEREBY certified, recited and covenanted that this Certificate has been duly and validly authorized, issued and delivered; that all acts, conditions and things required or proper to be performed, exist and be done precedent to or in the authorization, issuance and delivery of this Certificate have been performed, existed and been done in accordance with law; that this Certificate is a general obligation of said Issuer, issued on the full faith and credit thereof; and that annual ad valorem taxes sufficient to provide for the payment of the interest on and principal of this Certificate, as such interest comes due and such principal matures, have been levied and ordered to be levied against all taxable property in said Issuer, and have been pledged for such payment, within the limit prescribed by law, and that this Certificate is additionally secured by and payable from a pledge of the net revenues of the Issuer's waterworks and sewer system remaining after payment of all operation and maintenance expenses thereof, and all debt service, reserve and other requirements in connection with all of the Issuer's revenue obligations (now or hereafter outstanding) that are payable from all or part of said revenues, all as provided in the Certificate Ordinance.

THE ISSUER HAS RESERVED THE RIGHT to amend the Certificate Ordinance as provided therein, and under some (but not all) circumstances amendments thereto must be approved by the registered owners of a majority in aggregate principal amount of the outstanding Certificates.

BY BECOMING the registered owner of this Certificate, the registered owner thereby acknowledges all of the terms and provisions of the Certificate Ordinance, agrees to be bound by such terms and provisions, acknowledges that the Certificate Ordinance is duly recorded and available for inspection in the official minutes and records of the governing body of the Issuer, and agrees that the terms and provisions of this Certificate and the Certificate Ordinance constitute a contract between each registered owner hereof and the Issuer.

IN WITNESS WHEREOF, the Issuer has caused this Certificate to be signed with the manual or facsimile signature of the Mayor of the Issuer (or in his absence, the Mayor Pro Tem) and countersigned with the manual or facsimile signature of the City Secretary of said Issuer, and has caused the official seal of the Issuer to be duly impressed, or placed in facsimile, on this Certificate.

(signature)
City Secretary

(signature)
Mayor

(SEAL)

(b) Form of Paying Agent/Registrar's Authentication Certificate.

PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE
(To be executed if this Certificate is not accompanied by an executed Registration
Certificate of the Comptroller of Public Accounts of the State of Texas)

It is hereby certified that this Certificate has been issued under the provisions of the Certificate Ordinance described in the text of this Certificate; and that this Certificate has been issued in conversion or replacement of, or in exchange for, a certificate, certificates, or a portion of a certificate or certificates of a series that originally was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

Dated: _____.

_____, _____
Paying Agent/Registrar

By: _____
Authorized Representative

(c) Form of Assignment.

ASSIGNMENT
(Please print or type clearly)

For value received, the undersigned hereby sells, assigns and transfers
unto: _____

Transferee's Social Security or Taxpayer Identification Number: _____

Transferee's name and address, including zip code: _____

the within Certificate and all rights thereunder, and hereby irrevocably constitutes and appoints
_____, attorney, to register the transfer of
the within Certificate on the books kept for registration thereof, with full power of substitution in the
premises.

Dated: _____.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a securities transfer association recognized signature guarantee program.

NOTICE: The signature above must correspond with the name of the registered owner as it appears upon the front of this Certificate in every particular, without alteration or enlargement or any change whatsoever.

(d) Form of Registration Certificate of the Comptroller of Public Accounts.

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO. _____

I hereby certify that this Certificate has been examined, certified as to validity and approved by the Attorney General of the State of Texas, and that this Certificate has been registered by the Comptroller of Public Accounts of the State of Texas.

Witness my signature and seal this _____.

Comptroller of Public Accounts of the State of

Texas

(COMPTROLLER'S SEAL)

(e) Initial Certificate Insertions.

(i) The initial Certificate shall be in the form set forth in paragraph (a) of this Section, except that:

A. immediately under the name of the Certificate, the headings "Interest Rate" and "Maturity Date" shall both be completed with the words "As shown below" and "CUSIP No. _____" shall be deleted.

B. the first paragraph shall be deleted and the following will be inserted:

"THE CITY OF ROCKWALL, TEXAS, in Rockwall County, Texas (the "Issuer"), being a political subdivision and municipal corporation of the State of Texas, hereby promises to pay to the Registered Owner specified above, or registered assigns (hereinafter called the "Registered Owner"), on August 1 in each of the years, in the principal installments and bearing interest at the per annum rates set forth in the following schedule:

Years	Principal Installments	Interest Rates
-------	------------------------	----------------

(Information from Section 2 to be inserted)

The Issuer promises to pay interest on the unpaid principal amount hereof (calculated on the basis of a 360-day year of twelve 30-day months) from _____ at the respective Interest Rate per annum specified above. Interest is payable on _____, and semiannually on each _____ and _____ thereafter to the date of payment of the principal installment specified above, or the date of redemption prior to maturity; except, that if this Certificate is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such

Principal Amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication hereof the interest on the Certificate or Certificates, if any, for which this Certificate is being exchanged is due but has not been paid, then this Certificate shall bear interest from the date to which such interest has been paid in full."

C. The Initial Certificate shall be numbered "T-1."

Section 5. INTEREST AND SINKING FUND; SURPLUS REVENUES.

(a) A special "Interest and Sinking Fund" is hereby created and shall be established and maintained by the Issuer as a separate fund or account and the funds therein shall be deposited into and held in an account at an official depository bank of said Issuer. Said Interest and Sinking Fund shall be kept separate and apart from all other funds and accounts of said Issuer, and shall be used only for paying the interest on and principal of said Certificates. All ad valorem taxes levied and collected for and on account of said Certificates shall be deposited, as collected, to the credit of said Interest and Sinking Fund. During each year while any of said Certificates are outstanding and unpaid, the governing body of said Issuer shall compute and ascertain a rate and amount of ad valorem tax that will be sufficient to raise and produce the money required to pay the interest on said Certificates as such interest comes due, and to provide and maintain a sinking fund adequate to pay the principal of said Certificates as such principal matures (but never less than 2% of the original amount of said Certificates as a sinking fund each year); and said tax shall be based on the latest approved tax rolls of said Issuer, with full allowances being made for tax delinquencies and the cost of tax collection. Said rate and amount of ad valorem tax is hereby levied, and is hereby ordered to be levied, against all taxable property in said Issuer, for each year while any of said Certificates are outstanding and unpaid, and said tax shall be assessed and collected each such year and deposited to the credit of the aforesaid Interest and Sinking Fund. Said ad valorem taxes sufficient to provide for the payment of the interest on and principal of said Certificates, as such interest comes due and such principal matures, are hereby pledged for such payment, within the limit prescribed by law.

(b) The Certificates are additionally secured by revenues of the Issuer's waterworks and sewer system that remain after the payment of all maintenance and operation expenses thereof, and all debt service, reserve and other requirements in connection with all of the Issuer's revenue obligations (now or hereafter outstanding) that are secured by a lien on all or any part of the net revenues of the Issuer's waterworks and sewer system, constituting "Surplus Revenues." The Issuer shall deposit such Surplus Revenues to the credit of the Interest and Sinking Fund created pursuant to subsection (a) of this section, to the extent necessary to pay the principal of and interest on the Certificates. Notwithstanding the requirements of subsection (a) of this section, if Surplus Revenues or other lawfully available moneys of the Issuer are actually on deposit in the Interest and Sinking Fund in advance of the time when ad valorem taxes are scheduled to be levied for any year, then the amount of taxes that otherwise would have been required to be levied pursuant to this Section may be reduced to the extent and by the amount of the Surplus Revenues or other lawfully available funds then on deposit in the Interest and Sinking Fund.

(c) Article 1208, Government Code, applies to the issuance of the Certificates of Obligation and the pledge of the taxes and Surplus Revenues granted by the Issuer under this Section, and is therefore valid, effective, and perfected. Should Texas law be amended at any time while the Certificates of Obligation are outstanding and unpaid, the result of such amendment being that the pledge of the taxes and Surplus Revenues granted by the Issuer under this Section is to be subject to the filing requirements of Chapter 9, Business & Commerce Code, in order to preserve to the registered owners of the Certificates of Obligation a security interest in said pledge, the Issuer agrees to take such measures as it determines are reasonable and

necessary under Texas law to comply with the applicable provisions of Chapter 9, Business & Commerce Code and enable a filing of a security interest in said pledge to occur.

Section 6. DEFEASANCE OF CERTIFICATES.

(a) Any Certificate and the interest thereon shall be deemed to be paid, retired and no longer outstanding (a "Defeased Certificate") within the meaning of this Ordinance, except to the extent provided in subsection (d) of this Section, when payment of the principal of such Certificate, plus interest thereon to the due date (whether such due date be by reason of maturity or otherwise) either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to the Paying Agent/Registrar in accordance with an escrow agreement or other instrument (the "Future Escrow Agreement") for such payment (1) lawful money of the United States of America sufficient to make such payment or (2) Defeasance Securities that mature as to principal and interest in such amounts and at such times as will insure the availability, without reinvestment, of sufficient money to provide for such payment, and when proper arrangements have been made by the Issuer with the Paying Agent/Registrar for the payment of its services until all Defeased Certificates shall have become due and payable. At such time as a Certificate shall be deemed to be a Defeased Certificate hereunder, as aforesaid, such Certificate and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of, the ad valorem taxes herein levied and pledged as provided in this Ordinance, and such principal and interest shall be payable solely from such money or Defeasance Securities. Notwithstanding any other provision of this Ordinance to the contrary, it is hereby provided that any determination not to redeem Defeased Certificates that is made in conjunction with the payment arrangements specified in subsections (a)(i) or (ii) of this Section shall not be irrevocable, provided that: (1) in the proceedings providing for such payment arrangements, the Issuer expressly reserves the right to call the Defeased Certificates for redemption; (2) gives notice of the reservation of that right to the owners of the Defeased Certificates immediately following the making of the payment arrangements; and (3) directs that notice of the reservation be included in any redemption notices that it authorizes.

(b) Any moneys so deposited with the Paying Agent/Registrar may at the written direction of the Issuer be invested in Defeasance Securities, maturing in the amounts and times as hereinbefore set forth, and all income from such Defeasance Securities received by the Paying Agent/Registrar that is not required for the payment of the Certificates and interest thereon, with respect to which such money has been so deposited, shall be turned over to the Issuer, or deposited as directed in writing by the Issuer. Any Future Escrow Agreement pursuant to which the money and/or Defeasance Securities are held for the payment of Defeased Certificates may contain provisions permitting the investment or reinvestment of such moneys in Defeasance Securities or the substitution of other Defeasance Securities upon the satisfaction of the requirements specified in subsections (a)(i) or (ii) of this Section. All income from such Defeasance Securities received by the Paying Agent/Registrar which is not required for the payment of the Defeased Certificates, with respect to which such money has been so deposited, shall be remitted to the Issuer or deposited as directed in writing by the Issuer.

(c) The term "Defeasance Securities" means any securities and obligations now or hereafter authorized by State law that are eligible to refund, retire or otherwise discharge obligations such as the Certificates.

(d) Until all Defeased Certificates shall have become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for such Defeased Certificates the same as if they had not been defeased, and the Issuer shall make proper arrangements to provide and pay for such services as required by this Ordinance.

(e) In the event that the Issuer elects to defease less than all of the principal amount of Certificates of a maturity, the Paying Agent/Registrar shall select, or cause to be selected, such amount of Certificates by such random method as it deems fair and appropriate.

Section 7. DAMAGED, MUTILATED, LOST, STOLEN, OR DESTROYED CERTIFICATES.

(a) Replacement Certificates. In the event any outstanding Certificate is damaged, mutilated, lost, stolen or destroyed, the Paying Agent/Registrar shall cause to be printed, executed and delivered, a new certificate of the same principal amount, maturity and interest rate, as the damaged, mutilated, lost, stolen or destroyed Certificate, in replacement for such Certificate in the manner hereinafter provided.

(b) Application for Replacement Certificates. Application for replacement of damaged, mutilated, lost, stolen or destroyed Certificates shall be made by the registered owner thereof to the Paying Agent/Registrar. In every case of loss, theft or destruction of a Certificate, the registered owner applying for a replacement certificate shall furnish to the Issuer and to the Paying Agent/Registrar such security or indemnity as may be required by them to save each of them harmless from any loss or damage with respect thereto. Also, in every case of loss, theft or destruction of a Certificate, the registered owner shall furnish to the Issuer and to the Paying Agent/Registrar evidence to their satisfaction of the loss, theft or destruction of such Certificate, as the case may be. In every case of damage or mutilation of a Certificate, the registered owner shall surrender to the Paying Agent/Registrar for cancellation the Certificate so damaged or mutilated.

(c) No Default Occurred. Notwithstanding the foregoing provisions of this Section, in the event any such Certificate shall have matured, and no default has occurred that is then continuing in the payment of the principal of, redemption premium, if any, or interest on the Certificate, the Issuer may authorize the payment of the same (without surrender thereof except in the case of a damaged or mutilated Certificate) instead of issuing a replacement Certificate, provided security or indemnity is furnished as above provided in this Section.

(d) Charge for Issuing Replacement Certificates. Prior to the issuance of any replacement certificate, the Paying Agent/Registrar shall charge the registered owner of such Certificate with all legal, printing, and other expenses in connection therewith. Every replacement certificate issued pursuant to the provisions of this Section by virtue of the fact that any Certificate is lost, stolen or destroyed shall constitute a contractual obligation of the Issuer whether or not the lost, stolen or destroyed Certificate shall be found at any time, or be enforceable by anyone, and shall be entitled to all the benefits of this Ordinance equally and proportionately with any and all other Certificates duly issued under this Ordinance.

(e) Authority for Issuing Replacement Certificates. In accordance with Section 1206.022, Government Code, this Section 7 of this Ordinance shall constitute authority for the issuance of any such replacement certificate without necessity of further action by the governing body of the Issuer or any other body or person, and the duty of the replacement of such certificates is hereby authorized and imposed upon the Paying Agent/Registrar, and the Paying Agent/Registrar shall authenticate and deliver such Certificates in the form and manner and with the effect, as provided in Section 3(a) of this Ordinance for Certificates issued in conversion and exchange for other Certificates.

Section 8. CUSTODY, APPROVAL, AND REGISTRATION OF CERTIFICATES; BOND COUNSEL'S OPINION; CUSIP NUMBERS AND CONTINGENT INSURANCE PROVISION, IF OBTAINED; ENGAGEMENT OF BOND COUNSEL.

(a) The Mayor of the Issuer is hereby authorized to have control of the Certificates initially issued and delivered hereunder and all necessary records and proceedings pertaining to the Certificates pending their

delivery and their investigation, examination, and approval by the Attorney General of the State of Texas, and their registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of the Certificates said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate attached to such Certificates, and the seal of said Comptroller shall be impressed, or placed in facsimile, on such Certificate. The approving legal opinion of the Issuer's Bond Counsel and the assigned CUSIP numbers may, at the option of the Issuer, be printed on the Certificates issued and delivered under this Ordinance, but neither shall have any legal effect, and shall be solely for the convenience and information of the registered owners of the Certificates. In addition, if bond insurance is obtained, the Certificates may bear an appropriate legend as provided by the insurer.

(b) The obligation of the initial purchaser to accept delivery of the Certificates is subject to the initial purchaser being furnished with the final, approving opinion of McCall, Parkhurst & Horton L.L.P., bond counsel to the Issuer, which opinion shall be dated as of and delivered on the date of initial delivery of the Certificates to the initial purchaser. The engagement of such firm as bond counsel to the Issuer in connection with issuance, sale and delivery of the Certificates is hereby approved and confirmed. The execution and delivery of an engagement letter between the Issuer and such firm, with respect to such services as bond counsel, is hereby authorized in such form as may be approved by the Mayor, and the Mayor is hereby authorized to execute such engagement letter.

Section 9. COVENANTS REGARDING TAX EXEMPTION OF INTEREST ON THE CERTIFICATES.

(a) Covenants. The Issuer covenants to take any action necessary to assure, or refrain from any action that would adversely affect, the treatment of the Certificates as obligations described in section 103 of the Code, the interest on which is not includable in the "gross income" of the holder for purposes of federal income taxation. In furtherance thereof, the Issuer covenants as follows:

(1) to take any action to assure that no more than 10 percent of the proceeds of the Certificates (less amounts deposited to a reserve fund, if any) are used for any "private business use," as defined in section 141(b)(6) of the Code or, if more than 10 percent of the proceeds or the projects financed therewith are so used, such amounts, whether or not received by the Issuer, with respect to such private business use, do not, under the terms of this Ordinance or any underlying arrangement, directly or indirectly, secure or provide for the payment of more than 10 percent of the debt service on the Certificates, in contravention of section 141(b)(2) of the Code;

(2) to take any action to assure that in the event that the "private business use" described in subsection (1) hereof exceeds 5 percent of the proceeds of the Certificates or the projects financed therewith (less amounts deposited into a reserve fund, if any) then the amount in excess of 5 percent is used for a "private business use" that is "related" and not "disproportionate," within the meaning of section 141(b)(3) of the Code, to the governmental use;

(3) to take any action to assure that no amount that is greater than the lesser of \$5,000,000, or 5 percent of the proceeds of the Certificates (less amounts deposited into a reserve fund, if any) is directly or indirectly used to finance loans to persons, other than state or local governmental units, in contravention of section 141(c) of the Code;

(4) to refrain from taking any action that would otherwise result in the Certificates being treated as "private activity bonds" within the meaning of section 141(b) of the Code;

(5) to refrain from taking any action that would result in the Certificates being "federally guaranteed" within the meaning of section 149(b) of the Code;

(6) to refrain from using any portion of the proceeds of the Certificates, directly or indirectly, to acquire or to replace funds that were used, directly or indirectly, to acquire investment property (as defined in section 148(b)(2) of the Code) that produces a materially higher yield over the term of the Certificates, other than investment property acquired with –

(A) proceeds of the Certificates invested for a reasonable temporary period of 3 years or less or, in the case of a refunding bond, for a period of 30 days or less until such proceeds are needed for the purpose for which the Certificates are issued,

(B) amounts invested in a bona fide debt service fund, within the meaning of section 1.148-1(b) of the Treasury Regulations, and

(C) amounts deposited in any reasonably required reserve or replacement fund to the extent such amounts do not exceed 10 percent of the proceeds of the Certificates;

(7) to otherwise restrict the use of the proceeds of the Certificates or amounts treated as proceeds of the Certificates, as may be necessary, so that the Certificates do not otherwise contravene the requirements of section 148 of the Code (relating to arbitrage) and, to the extent applicable, section 149(d) of the Code (relating to advance refundings);

(8) to pay to the United States of America at least once during each five-year period (beginning on the date of delivery of the Certificates) an amount that is at least equal to 90 percent of the "Excess Earnings," within the meaning of section 148(f) of the Code and to pay to the United States of America, not later than 60 days after the Certificates have been paid in full, 100 percent of the amount then required to be paid as a result of Excess Earnings under section 148(f) of the Code; and

(9) use the proceeds of the Certificates solely for new money purposes.

(b) Rebate Fund. In order to facilitate compliance with the above covenant (a)(8), a "Rebate Fund" is hereby established by the Issuer for the sole benefit of the United States of America, and such Fund shall not be subject to the claim of any other person, including without limitation the Certificateholders. The Rebate Fund is established for the additional purpose of compliance with section 148 of the Code.

(c) Use of Proceeds. For purposes of the foregoing covenants (a)(1) and (a)(2), the Issuer understands that the term "proceeds" includes "disposition proceeds" as defined in the Treasury Regulations and, in the case of refunding bonds, transferred proceeds (if any) and proceeds of the refunded bonds expended prior to the date of issuance of the Certificates. It is the understanding of the Issuer that the covenants contained herein are intended to assure compliance with the Code and any regulations or rulings promulgated by the U.S. Department of the Treasury pursuant thereto. In the event that regulations or rulings are hereafter promulgated that modify or expand provisions of the Code, as applicable to the Certificates, the Issuer will not be required to comply with any covenant contained herein to the extent that such failure to comply, in the opinion of nationally recognized bond counsel, will not adversely affect the exemption from federal income taxation of interest on the Certificates under section 103 of the Code. In the event that regulations or rulings are hereafter promulgated that impose additional requirements applicable to the Certificates, the Issuer agrees to comply with the additional requirements to the extent necessary, in the opinion of nationally recognized bond counsel, to preserve the exemption from federal income taxation of

interest on the Certificates under section 103 of the Code. In furtherance of such intention, the Issuer hereby authorizes and directs the Mayor and each Pricing Officer, or any one of them, to execute any documents, certificates or reports required by the Code and to make such elections, on behalf of the Issuer, that may be permitted by the Code as are consistent with the purpose for the issuance of the Certificates.

(d) Allocation of, and Limitation on, Expenditures for the Project. The Issuer covenants to account for the expenditure of sale proceeds and investment earnings to be used for the construction and acquisition of the Project on its books and records by allocating proceeds to expenditures within 18 months of the later of the date that (1) the expenditure is made, or (2) the Project is completed. The foregoing notwithstanding, the Issuer shall not expend proceeds of the sale of the Certificates or investment earnings thereon more than 60 days after the earlier of (1) the fifth anniversary of the delivery of the Certificates, or (2) the date the Certificates are retired, unless the Issuer obtains an opinion of nationally-recognized bond counsel that such expenditure will not adversely affect the status, for federal income tax purposes, of the Certificates or the interest thereon. For purposes hereof, the Issuer shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

(e) Disposition of Project. The Issuer covenants that the property constituting the Project will not be sold or otherwise disposed in a transaction resulting in the receipt by the Issuer of cash or other compensation, unless any action taken in connection with such disposition will not adversely affect the tax-exempt status of the Certificates. For purpose of the foregoing, the Issuer may rely on an opinion of nationally-recognized bond counsel that the action taken in connection with such sale or other disposition will not adversely affect the tax-exempt status of the Certificates. For purposes of the foregoing, the portion of the property comprising personal property and disposed in the ordinary course shall not be treated as a transaction resulting in the receipt of cash or other compensation. For purposes hereof, the Issuer shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

Section 10. SALE OF CERTIFICATES AND APPROVAL OF OFFICIAL STATEMENT; FURTHER PROCEDURES.

(a) Each series of Certificates shall be sold and delivered subject to the provisions of Section 1 and Section 2 and pursuant to the terms and provisions of a purchase agreement or purchase letter (the "Purchase Agreement") which the Pricing Officer is hereby authorized to execute and deliver and in which the purchaser or purchasers (the "Underwriters") of the Certificates shall be designated. The Certificates shall initially be registered in the name of the purchaser thereof as set forth in the Pricing Certificate.

(b) The Mayor and City Secretary are further authorized and directed to execute and deliver for and on behalf of the Issuer copies of a Preliminary Official Statement and Official Statement, if prepared in connection with the offering of Certificates by the Underwriters, in final form as may be required by the Underwriters, and such final Official Statement in the form and content as approved by the Pricing Officer or as manually executed by said officials shall be deemed to be approved by the City Council and constitute the Official Statement authorized for distribution and use by the Underwriters. The form and substance of the Preliminary Official Statement for the Certificates and any addenda, supplement or amendment thereto, all as approved by the Pricing Officer, are hereby deemed to be approved in all respects by the City Council, and the Preliminary Official Statement is hereby deemed final as of its date (except for the omission of pricing and related information) within the meaning and for the purpose of paragraph (b)(1) of the Rule (hereinafter defined).

(c) The Pricing Officer is authorized, in connection with effecting the sale of each series of the Certificates, to obtain from a municipal bond insurance company so designated in the Pricing Certificate (the "Insurer") a municipal bond insurance policy (the "Insurance Policy") in support of the Certificates. To that end, should the Pricing Officer exercise such authority and commit the Issuer to obtain a municipal bond insurance policy, for so long as the Insurance Policy is in effect, the requirements of the Insurer relating to the issuance of the Insurance Policy as set forth in the Pricing Certificate are incorporated by reference into this Ordinance and made a part hereof for all purposes, notwithstanding any other provision of this Ordinance to the contrary. The Pricing Officer shall have the authority to execute any documents to effect the issuance of the Insurance Policy by the Insurer.

(d) The Mayor and Mayor Pro Tem, the City Secretary and the Pricing Officers of the Issuer, and each of them, shall be and they are hereby expressly authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name and on behalf of the Issuer such documents, certificates and other instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance, the Certificates, the sale of the Certificates and the Official Statement. In case any officer whose signature shall appear on any Certificate shall cease to be such officer before the delivery of such Certificate, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

Section 11. INTEREST EARNINGS ON CERTIFICATE PROCEEDS. Interest earnings derived from the investment of proceeds from the sale of the Certificates shall be used along with other certificate proceeds for the Project; provided that after completion of such purpose, if any of such interest earnings remain on hand, such interest earnings shall be deposited in the Interest and Sinking Fund. It is further provided, however, that any interest earnings on certificate proceeds that are required to be rebated to the United States of America pursuant to Section 9 hereof in order to prevent the Certificates from being arbitrage bonds shall be so rebated and not considered as interest earnings for the purposes of this Section.

Section 12. CONSTRUCTION FUND.

(a) The Issuer hereby creates and establishes and shall maintain on the books of the Issuer a separate fund to be entitled the "Series 2016 Combination Tax and Surplus Revenue Certificate of Obligation Construction Fund" for use by the Issuer for payment of all lawful costs associated with the acquisition and construction of the Project as hereinbefore provided. Upon payment of all such costs, any moneys remaining on deposit in said fund shall be transferred to the Interest and Sinking Fund. Amounts so deposited to the Interest and Sinking Fund shall be used in the manner described in Section 5 of this Ordinance.

(b) The Issuer may invest proceeds of the Certificates (including investment earnings thereon) and amounts deposited into the Interest and Sinking Fund in investments authorized by the Public Funds Investment Act, Chapter 2256, Texas Government Code, as amended; provided, however, that the Issuer hereby covenants that the proceeds of the sale of the Certificates will be used as soon as practicable for the purposes for which the Certificates are issued.

(c) All deposits authorized or required by this Ordinance shall be secured to the fullest extent required by law for the security of public funds.

Section 13. COMPLIANCE WITH RULE 15c2-12.

(a) Annual Reports.

(i) The Issuer shall provide annually to the MSRB, in an electronic format as prescribed by the MSRB, within 6 months after the end of each fiscal year ending in or after 2016, financial information and operating data with respect to the Issuer of the general type included in the final Official Statement authorized by Section 10 of this Ordinance, being the information described in the Pricing Certificate. The Issuer will additionally provide audited financial statements when and if available, and in any event, within 12 months after the end of each fiscal year ending in or after 2016. If the audit of such financial statements is not complete within 12 months after any such fiscal year end, then the Issuer will file unaudited financial statements within such 12 month period and audited financial statements for the applicable fiscal year, when and if the audit report on such statements becomes available. Any financial statements so to be provided shall be prepared in accordance with the accounting principles described in Appendix B to the Official Statement, or such other accounting principles as the Issuer may be required to employ from time to time pursuant to state law or regulation.

(ii) If the Issuer changes its fiscal year, it will notify the MSRB of the change (and of the date of the new fiscal year end) prior to the next date by which the Issuer otherwise would be required to provide financial information and operating data pursuant to this Section. The financial information and operating data to be provided pursuant to this Section may be set forth in full in one or more documents or may be included by specific reference to any document (including an official statement or other offering document, if it is available from the MSRB) that theretofore has been provided to the MSRB or filed with the SEC.

(b) Event Notices.

(i) The Issuer shall notify the MSRB in an electronic format as prescribed by the MSRB, in a timely manner (but not in excess of ten business days after the occurrence of the event) of any of the following events with respect to the Certificates, if such event is material within the meaning of the federal securities laws:

1. Non-payment related defaults;
2. Modifications to rights of Certificateholders;
3. Certificate calls;
4. Release, substitution, or sale of property securing repayment of the Certificates;
5. The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms; and

6. Appointment of a successor or additional trustee or the change of name of a trustee.

(ii) The Issuer shall notify the MSRB in an electronic format as prescribed by the MSRB, in a timely manner (but not in excess of ten business days after the occurrence of the event) of any of the following events with respect to the Certificates, without regard to whether such event is considered material within the meaning of the federal securities laws:

1. Principal and interest payment delinquencies;
2. Unscheduled draws on debt service reserves reflecting financial difficulties;
3. Unscheduled draws on credit enhancements reflecting financial difficulties;
4. Substitution of credit or liquidity providers, or their failure to perform;
5. Adverse tax opinions or the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Certificates, or other material events affecting the tax status of the Certificates;
6. Tender offers;
7. Defeasances;
8. Rating changes; and
9. Bankruptcy, insolvency, receivership or similar event of an obligated person.

(iii) The Issuer shall notify the MSRB, in a timely manner, of any failure by the Issuer to provide financial information or operating data in accordance with subsection (b) of this Section by the time required by such subsection.

(c) Limitations, Disclaimers, and Amendments.

(i) The Issuer shall be obligated to observe and perform the covenants specified in this Section for so long as, but only for so long as, the Issuer remains an "obligated person" with respect to the Certificates within the meaning of the Rule, except that the Issuer in any event will give the notice required by Subsection (b) hereof of any Certificate calls and defeasance that cause the Issuer to no longer be such an "obligated person".

(ii) The provisions of this Section are for the sole benefit of the registered owners and beneficial owners of the Certificates, and nothing in this Section, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The Issuer undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Section and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the Issuer's financial results, condition, or prospects or hereby undertake to update any information provided in accordance with this Section or otherwise, except as expressly provided herein. The Issuer does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Certificates at any future date.

(iii) UNDER NO CIRCUMSTANCES SHALL THE ISSUER BE LIABLE TO THE REGISTERED OWNER OR BENEFICIAL OWNER OF ANY CERTIFICATE OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE ISSUER, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS SECTION, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF

ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR MANDAMUS OR SPECIFIC PERFORMANCE.

(iv) No default by the Issuer in observing or performing its obligations under this Section shall comprise a breach of or default under the Ordinance for purposes of any other provision of this Ordinance. Nothing in this Section is intended or shall act to disclaim, waive, or otherwise limit the duties of the Issuer under federal and state securities laws.

(v) Should the Rule be amended to obligate the Issuer to make filings with or provide notices to entities other than the MSRB, the Issuer hereby agrees to undertake such obligation with respect to the Certificates in accordance with the Rule as amended. The provisions of this Section may be amended by the Issuer from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the Issuer, but only if (1) the provisions of this Section, as so amended, would have permitted an underwriter to purchase or sell Certificates in the primary offering of the Certificates in compliance with the Rule, taking into account any amendments or interpretations of the Rule since such offering as well as such changed circumstances and (2) either (a) the registered owners of a majority in aggregate principal amount (or any greater amount required by any other provision of this Ordinance that authorizes such an amendment) of the outstanding Certificates consent to such amendment or (b) a person that is unaffiliated with the Issuer (such as nationally recognized bond counsel) determined that such amendment will not materially impair the interest of the registered owners and beneficial owners of the Certificates. If the Issuer so amends the provisions of this Section, it shall include with any amended financial information or operating data next provided in accordance with subsection (a) of this Section an explanation, in narrative form, of the reason for the amendment and of the impact of any change in the type of financial information or operating data so provided. The Issuer may also amend or repeal the provisions of this continuing disclosure agreement if the SEC amends or repeals the applicable provision of the Rule or a court of final jurisdiction enters judgment that such provisions of the Rule are invalid, but only if and to the extent that the provisions of this sentence would not prevent an underwriter from lawfully purchasing or selling Certificates in the primary offering of the Certificates.

(d) Definitions. As used in this Section, the following terms have the meanings ascribed to such terms below:

"MSRB" means the Municipal Securities Rulemaking Board or any successor to its functions under the Rule.

"Rule" means SEC Rule 15c2-12, as amended from time to time.

"SEC" means the United States Securities and Exchange Commission.

Section 14. METHOD OF AMENDMENT. The Issuer hereby reserves the right to amend this Ordinance subject to the following terms and conditions, to-wit:

(a) The Issuer may from time to time, without the consent of any holder, except as otherwise required by paragraph (b) below, amend or supplement this Ordinance in order to (i) cure any ambiguity, defect or omission in this Ordinance that does not materially adversely affect the interests of the holders, (ii) grant additional rights or security for the benefit of the holders, (iii) add events of default as shall not be inconsistent with the provisions of this Ordinance and that shall not materially adversely affect the interests of the holders, (iv) qualify this Ordinance under the Trust Indenture Act of 1939, as amended, or

corresponding provisions of federal laws from time to time in effect, or (v) make such other provisions in regard to matters or questions arising under this Ordinance as shall not be inconsistent with the provisions of this Ordinance and that shall not in the opinion of the Issuer's Bond Counsel materially adversely affect the interests of the holders.

(b) Except as provided in paragraph (a) above, the holders of Certificates aggregating in principal amount 51% of the aggregate principal amount of then outstanding Certificates that are the subject of a proposed amendment shall have the right from time to time to approve any amendment hereto that may be deemed necessary or desirable by the Issuer; provided, however, that without the consent of 100% of the holders in aggregate principal amount of the then outstanding Certificates, nothing herein contained shall permit or be construed to permit amendment of the terms and conditions of this Ordinance or in any of the Certificates so as to:

- (1) Make any change in the maturity of any of the outstanding Certificates;
- (2) Reduce the rate of interest borne by any of the outstanding Certificates;
- (3) Reduce the amount of the principal of, or redemption premium, if any, payable on any outstanding Certificates;
- (4) Modify the terms of payment of principal or of interest or redemption premium on outstanding Certificates or any of them or impose any condition with respect to such payment; or
- (5) Change the minimum percentage of the principal amount of the Certificates necessary for consent to such amendment.

(c) If at any time the Issuer shall desire to amend this Ordinance under this Section, the Issuer shall send by U.S. mail to each registered owner of the affected Certificates a copy of the proposed amendment.

(d) Whenever at any time within one year from the date of mailing of such notice the Issuer shall receive an instrument or instruments executed by the holders of at least 51% in aggregate principal amount of all of the Certificates then outstanding that are required for the amendment, which instrument or instruments shall refer to the proposed amendment and that shall specifically consent to and approve such amendment, the Issuer may adopt the amendment in substantially the same form.

(e) Upon the adoption of any amendatory Ordinance pursuant to the provisions of this Section, this Ordinance shall be deemed to be modified and amended in accordance with such amendatory Ordinance, and the respective rights, duties, and obligations of the Issuer and all holders of such affected Certificates shall thereafter be determined, exercised, and enforced, subject in all respects to such amendment.

(f) Any consent given by the holder of a Certificate pursuant to the provisions of this Section shall be irrevocable for a period of six months from the date of such consent, and shall be conclusive and binding upon all future holders of the same Certificate during such period. Such consent may be revoked at any time after six months from the date of such consent by the holder who gave such consent, or by a successor in title, by filing notice with the Issuer, but such revocation shall not be effective if the holders of 51% in aggregate principal amount of the affected Certificates then outstanding, have, prior to the attempted revocation, consented to and approved the amendment.

For the purposes of establishing ownership of the Certificates, the Issuer shall rely solely upon the registration of the ownership of such Certificates on the registration books kept by the Paying Agent/Registrar.

Section 15. DEFAULT AND REMEDIES

(a) Events of Default. Each of the following occurrences or events for the purpose of this Ordinance is hereby declared to be an Event of Default:

(i) the failure to make payment of the principal of or interest on any of the Certificates when the same becomes due and payable; or

(ii) default in the performance or observance of any other covenant, agreement or obligation of the Issuer, the failure to perform which materially, adversely affects the rights of the registered owners of the Certificates, including, but not limited to, their prospect or ability to be repaid in accordance with this Ordinance, and the continuation thereof for a period of 60 days after notice of such default is given by any Registered Owner to the Issuer.

(b) Remedies for Default.

(i) Upon the happening of any Event of Default, then and in every case, any Registered Owner or an authorized representative thereof, including, but not limited to, a trustee or trustees therefor, may proceed against the Issuer for the purpose of protecting and enforcing the rights of the Registered Owners under this Ordinance, by mandamus or other suit, action or special proceeding in equity or at law, in any court of competent jurisdiction, for any relief permitted by law, including the specific performance of any covenant or agreement contained herein, or thereby to enjoin any act or thing that may be unlawful or in violation of any right of the Registered Owners hereunder or any combination of such remedies.

(ii) It is provided that all such proceedings shall be instituted and maintained for the equal benefit of all Registered Owners of Certificates then outstanding.

(c) Remedies Not Exclusive.

(i) No remedy herein conferred or reserved is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or under the Certificates or now or hereafter existing at law or in equity; provided, however, that notwithstanding any other provision of this Ordinance, the right to accelerate the debt evidenced by the Certificates shall not be available as a remedy under this Ordinance.

(ii) The exercise of any remedy herein conferred or reserved shall not be deemed a waiver of any other available remedy.

(iii) By accepting the delivery of a Certificate authorized under this Ordinance, such Registered Owner agrees that the certifications required to effectuate any covenants or representations contained in this Ordinance do not and shall never constitute or give rise to a personal or pecuniary liability or charge against the officers, employees or trustees of the Issuer or the City Council.

Section 16. APPROPRIATION. To pay the debt service coming due on the Certificates, if any (as determined by the Pricing Certificate) prior to receipt of the taxes levied to pay such debt service, there is hereby appropriated from current funds on hand, which are hereby certified to be on hand and available for such purpose, an amount sufficient to pay such debt service, and such amount shall be used for no other purpose.

Section 17. EFFECTIVE DATE. In accordance with the provisions of V.T.C.A., Government Code, Section 1201.028, this Ordinance shall be effective immediately upon its adoption by the City Council.

Section 18. SEVERABILITY. If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any persons or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Ordinance, despite such invalidity, which remaining portions shall remain in full force and effect.

[Execution Page Follows]

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
this 19th day of January, 2016.

ATTEST:

Mayor, City of Rockwall, Texas

City Secretary, City of Rockwall, Texas

[CITY SEAL]

APPROVED AS TO FORM:

City Attorney

1ST Reading: 01-04-2016

2ND Reading: 01-19-2016

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CITY OF ROCKWALL, TEXAS

MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Brad Griggs, *Assistant City Manager*

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

DATE: January 19, 2016

SUBJECT: Structure Preservation Tax Incentive

Per Councilmen Fowler and White's request, the following relates to the intent of *Ordinance No. 03-28*, which regulates the *Structure Tax Preservation Incentive*. In addition, I have included all minutes and ordinances that deal with the incentive attached to this memorandum (*pertinent information highlighted*).

The *Structure Tax Preservation Incentive* was created from two (2) ordinances and one (1) resolution. The original resolution (*i.e. Resolution No. 02-10*) states that "...the City Council will consider tax abatement agreements with individual property owners within the District for exemption from ad valorem taxes based on the value of improvements for seven (7) years if the project cost is for preservation of the structure, or improvements to restore the structure to its original condition." Later in 2002, this resolution was amended and clarified by *Ordinance No. 02-53* to include two options (*i.e. a 5-year and a 7-year option*). According to staff's memorandum that was provided to the Council with this ordinance, "(t)he program will initially apply to all properties included in the Old Rockwall Historic District, the Southside Overlay District, and any such historic districts that may be adopted subsequent to this ordinance." In addition, in the City Council's meeting minutes (*i.e. November 18, 2002*) then Councilmember Nell Welborn stated in response to approving the ordinance that "...she believes this will preserve the older homes and structures." In 2003, the Council passed *Ordinance No. 03-28*, which amended *Ordinance No. 02-53* to extend the incentive program to Historic Landmarks. According to staff's memorandum this ordinance was brought forward to extend the incentives from residential properties to both non-residential and residential properties (*many of the City's landmarks are non-residential properties*).

Taking all of this into consideration, it appears that the overall intent of the *Structure Tax Preservation Ordinance* is to preserve and restore historic structures within the City's historic districts. With the exception of the case approved in 2014 (*i.e. 405 N. Fannin Street*), all the properties that have received the incentive have been historical homes that were deemed to be *High Contributing* properties (*i.e. 602 Williams Street & 311 S. Fannin Street*); however, the largest incentive/re-investment approved was for a *Non-Contributing* property. Considering this, it may be beneficial for Council to decide how they want to apply this ordinance in the future (*e.g. as a reinvestment tool or as a historic restoration tool*). As the ordinance is currently written it can be broadly applied to any property that is within the Old Town Rockwall Historic District, Southside Overlay District or that is designated as a Landmark property. If Council chooses to view this as a historic re-investment tool it should be noted that there are no historically designated properties within the Southside Overlay District. In addition, Council may choose to redefine the terms of the 5-year, \$5,000.00 investment to be a percentage of a

property's value similar to the 7-year incentive. With all this being said any approval of any request for the incentive is at the discretion of the City Council.

Should Council take a direction on this ordinance staff will be available to answer any questions or provide any information.

Exhibit A: Ordinance Timeline

Timeline of the City's Structure Tax Preservation Incentive

- ☑ *April 15, 2002:* Resolution 02-10 was approved by the City Council.
- ☑ *September 19, 2002:* The HPAB reviewed the proposed tax preservation incentive and directed staff to present alternatives at the October 17th meeting.
- ☑ *October 17, 2002:* *No Minutes Found.*
- ☑ *November 18, 2002:* The City Council approved Ordinance No. 02-53 [*1st Reading*]. The second reading of the ordinance was on December 2, 2002.
- ☑ *July 17, 2003:* The HPAB approved a motion to recommend changes to the tax preservation incentive ordinance that would allow Landmarked properties to participate in the program.
- ☑ *August 18, 2003:* The City Council approved case AM2003-001 adopting the changes recommended by the HPAB. The second reading of this ordinance was on September 2, 2003.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 02-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING FOR INCENTIVE PACKAGES FOR PROPERTY OWNERS WITHIN THE INAUGURAL HISTORIC DISTRICT; PROVIDING FOR A COST ESTIMATE TO BE PREPARED AND FUNDING PROVIDED AND/OR INCLUDED IN FUTURE BUDGETS; PROVIDING FOR PLACEMENT OF SIGNS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has not previously had a policy regarding incentive packages for property owners within the Inaugural Historic District; and

WHEREAS, the City Council desires to establish a policy providing for incentive packages for property owners within the Inaugural Historic District;

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

Section 1. Effective with the adoption of the Inaugural Historic District, the City Council will consider tax abatement agreements with individual property owners within the District for exemption from ad valorem taxes based on the value of improvements for seven (7) years if the project cost is for preservation of the structure, or improvements to restore the structure to its original condition.

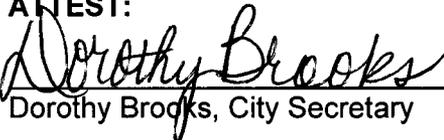
Section 2. That a study to determine the cost of such exemptions be conducted and funds provided now and/or in future budgets for this project.

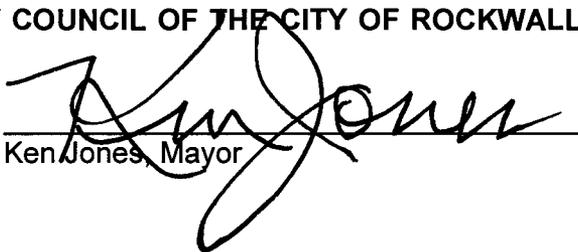
Section 3. That the City place "sign toppers" at intersections of major streets identifying the Inaugural Historic District boundaries.

Section 3. That this resolution take effect immediately upon its passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 15th day of April, 2002.

ATTEST:


Dorothy Brooks, City Secretary


Ken Jones, Mayor

APPROVED AS TO FORM:


Pete Eckert, City Attorney

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The motion was unanimously approved by a vote of 7-0.

Appointments

- a. Appointment with Planning and Zoning Chairman, Nell Welborn, to discuss and answer any questions regarding cases on the agenda and any related issues.

Nell Welborn gave a report on the planning and zoning cases being considered on the agenda.

- b. Appointment with Councilmember-Elect Nell Welborn to present a **Resolution** for Historic District Incentives.

Nell Welborn spoke on incentives for the Historic District. Councilmember Cotti made a motion to adopt the Resolution, and Councilmember Morris seconded the motion. The motion was unanimously approved by a vote of 7-0.

Public Hearing

- a. **PZ-2002-27-Z** -- Hold a Public Hearing to consider approval of an **Ordinance** for a request for a city initiated amendment to the City of Rockwall Comprehensive Zoning Ordinance (Ord. No. 83-23) to accommodate a new Section 8.8 - Temporary Use Standards aimed at regulating the development and operation of temporary use facilities including portable food services facilities and temporary structures utilized by public schools. (1st Reading)

Robert LaCroix, Director of Planning, discussed the general issues of the request. Discussion ensued regarding whether or not there should be a limit on the number of temporary facilities approved. Mayor Jones opened the public hearing. No one appeared, and the public hearing was closed. Councilmember Cotti made a motion to approve the ordinance as written, Councilmember Morris seconded the motion and the ordinance was read as follows:

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE (ORD. NO. 83-23) OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, TO PROVIDE FOR GENERAL PROVISIONS AND REQUIREMENTS FOR ADDING A NEW SECTION KNOWN AS TEMPORARY USES; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 4 ayes and 3 nays. (Councilmembers Cecil, Jones and Coleson dissenting.)

- b. **PZ-2002-28-Z** -- Hold a Public Hearing to consider approval of an **Ordinance** for a request for a city initiated amendment to the City of Rockwall Tree Preservation Ordinance (Ord. No. 99-32) serving to clarify featured tree definition, tree removal and replacement criteria, method of providing tree credits and variances. (1st Reading)

Robert LaCroix, Director of Planning, discussed the general issues of the request. Mayor Jones opened the public hearing. Joey Mayo, 601 Carriage Trail, appeared in favor of the ordinance. Mayor Jones closed the public hearing. Councilmember Cecil made a motion to approve the ordinance and Councilmember Raulston seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL

ORDINANCE NO. 02-53

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS AMENDING THE ROCKWALL CODE OF ORDINANCES TO PROVIDE AN AD VALOREM TAX EXEMPTION FOR STRUCTURES IN NEED OF TAX RELIEF TO ENCOURAGE THEIR ENHANCEMENT AS HEREIN DEFINED; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING A PENALTY OF A FINE OF \$500.00 FOR EACH OFFENSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the 65th Legislature in June 1977 passed S.B. 595 amending Title 122, Revised Civil Statutes of Texas (1925), by adding Article 7150i authorizing the governing body of a political subdivision to exempt historic sites from certain property taxation; and

WHEREAS, Article 7150i was made effective upon adoption of Section 1-f to Article VIII of the Texas Constitution which authorized the State Legislature to allow political subdivisions to exempt historical sites from certain property taxation; and

WHEREAS, Texas voters on November 7, 1977, amended Article VIII of the Texas Constitution by adding Section 1-f; and

WHEREAS, effective January 1, 1980, the 66th Legislature codified Section 7150i as Section 11.24 of the Property Tax Code (1979); and

WHEREAS, there has been adopted in the City of Rockwall certain historic overlay districts which are in need of tax relief to encourage enhancement of structures as herein defined;

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

Section 1. Chapter 25 of the Code of Ordinances is amended to add a new Article III to read as follows:

“ARTICLE III

EXEMPTION FOR HISTORICALLY SIGNIFICANT SITES

SECTION 25 - 38: DEFINITIONS

As used in this Article, the following terms shall have the meanings described herein:

- A. “Assessed Value Prior to Preservation” means the value assessed by the Rockwall County Appraisal District for the tax year of verification.

- B. “Certification” means the attestation by the Director of Community Development that the structure in question is a structure located in the boundaries of the Old Rockwall Historic District in need of tax relief to encourage enhancement of structures and that the plans submitted will meet the definition of enhancement of a structure as defined herein.
- C. “Enhancement of a Structure” means the completion of a building project to improve a structure and the certifiable expenditure of at least \$5,000 for that project which has occurred after the adoption of this ordinance.
- D. “Historic District” includes the Old Rockwall Historic District, the Southside Overlay District, and such historic districts that may be adopted by the City in the future.
- E. “Increment Project” shall mean the monetary amount invested by the property owner in enhancing the subject structure (i.e. improvement) located within an official Historic Overlay District, which shall include the Old Rockwall Historic District, Southside Overlay District, and such historic districts that may be adopted by the City subsequent to the adoption of this ordinance.
- F. “The Improvement” shall mean the monetary value of the property minus the value of the land upon which property taxes are levied by the City.
- G. “Property in need of tax relief to encourage enhancement of a structure” shall mean any structure located in the Old Rockwall Historic District, Southside Overlay District, and any such historic districts that may be adopted by the City subsequent to the adoption of this ordinance.
- H. “Property” shall mean the monetary value of the land plus the value of the improvement.
- I. “Structure” is defined herein as a building located in an official historic district, which shall include the Old Rockwall Historic District, Southside Overlay District, and such historic districts that may be adopted by the City subsequent to the adoption of this ordinance within the City of Rockwall.

SECTION 25 - 39: STRUCTURE PRESERVATION TAX EXEMPTION

A residential building which meets the requirements of this ordinance shall be certified by the Director of Community Development to have the assessed value for ad valorem taxation “frozen” as described and listed below in order to qualify

for ad valorem tax exemption. The assessed value shall be frozen at the value for the tax year in which the increment project was completed. The assessed value of the improvement shall be so "frozen" in accordance with the schedule below:

The period of the tax abatement shall be five (5) years if the amount of the increment project is \$5,000 or greater; or

The period of the tax abatement shall be seven (7) years if the amount of the increment project is equal to or exceeds 25% of the assessed value of the improvement on January 1st of the year the increment project was completed.

Furthermore, this exemption shall begin on the first day of the next tax year after verification of completion of the preservation required for certification; provided that: The building shall comply with the applicable zoning regulations for its use and location; and

SECTION 25 - 40: APPLICATION PROCESS

Applications for an ad valorem tax exemption pursuant to this ordinance are to be filed with the Community Development Department. Each application shall be signed and sworn to by the owner of the property and shall:

- A. State the legal description of the property proposed for certification;
- B. Provide proof of title in the applicant to the property proposed for certification;
- C. Include an affidavit by the owner describing the structure in need of tax relief and its compliance with the requirements of Section 25 - 39 herein;
- D. Provide proof that taxes or other assessments are not delinquent on the property;
- E. Include a final complete set of plans for the structure's enhancement as required to secure a building permit;
- F. Include a statement of costs for the restoration or rehabilitation work;
- G. Include a projection of the estimated construction time and predicted completion date of the restoration or rehabilitation;
- H. Authorize representatives of the City of Rockwall to visit and inspect the property and the records and books of the owner as necessary to certify that the property in question is in substantial need of restoration or rehabilitation;

- I. Include a detailed statement of the proposed use for the property; and
- J. Provide any additional information that the owner deems relevant.
- K. Provide such other information as may be required by the Director of Community Development to properly consider certification of the project.
- L. Provide a written acknowledgement by the property owner acknowledging the owners future obligation to notify the Director of Community Development upon completion of the increment project. This will begin the verification process noted in Section 25 - 42 below.

Each application shall contain documentation confirming or supporting the information submitted.

SECTION 25 - 41: CERTIFICATION PROCESS

Within 30 days after receipt of the properly completed application, the City shall make an investigation of the property and shall certify the facts to the Director of Community Development along with the documentation and recommendation for approval or disapproval.

Upon receipt of a recommendation, the Director of Community Development shall immediately forward the application to the Rockwall City Council and, within thirty (30) days, the Council shall consider approval or disapproval eligibility of the property for tax relief pursuant to this ordinance. In determining eligibility, the City Council shall first determine that all the requirements of this ordinance have been met and that only the structure is to be provided favorable tax relief as provided in Section II herein. Written notice of the determination shall be sent to the applicant.

SECTION 25 - 42: VERIFICATION PROCESS

Upon completion of the enhancement of a structure, the certified applicant shall submit a sworn statement of completion acknowledging that the property has been substantially rehabilitated or restored. Within (30) days after receipt of the sworn statement of completion, the Director of Community Development shall make an investigation of the property and shall determine if the enhancement has been completed as required for certification. If the enhancement is deemed incomplete, the applicant shall be required to complete the enhancement in order to secure the tax exemption. If the enhancement is determined to be complete, the Director of Community Development shall notify the Chief Appraiser of the Rockwall County Central Appraisal District in writing that the applicable ad valorem tax exemption shall apply.

Thereafter, the Chief Appraiser of the Rockwall County Central Appraisal District shall provide the property with the tax exemption provided in Section 25 - 39 herein."

Section 2. That any person who violates any provision of this ordinance shall, upon conviction, be subject to a fine in accordance with the general provisions of the Code of Ordinances, and that each day in violation shall constitute a separate offence.

Section 3. The provisions of this ordinance are severable. If any provision of this ordinance or the application thereof to any person or circumstances shall be held to be invalid or unconstitutional, the remainder of this ordinance shall nevertheless be valid.

Section 4. That all ordinances or part of ordinances in conflict herewith are repealed to the extent of the conflict only.

Section 5. This ordinance shall become effective from and after its adoption, and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 2nd day of December, 2002.


Ken Jones, Mayor

ATTEST:


Dorothy Brooks, City Secretary

APPROVED AS TO FORM:


Pete Eckert, City Attorney



1st Reading: November 18, 2002

2nd Reading: December 2, 2002

HPAB Minutes: September 19, 2002

Ms. May stated that she needed the driveway to be wide enough to accommodate her vehicle and the space to set a wheelchair down next to said vehicle.

Williams began to explain the reasoning behind the approval of the CofA for the driveway serving the property at 310 Williams in order to demonstrate the discretion the Historic Preservation Advisory Board had when interpreting the historic district Design Guidelines.

Ms. May pointed out that the “310-property” was not at issue and would prefer that it not be discussed.

Williams apologized for bringing the “310-property” into the discussion.

LaCroix state that the Design Guidelines offered some flexibility and specifically referenced III. Building Standards; I. Driveways; Item #5. which states:

“On a corner lot, the driveway may extend from the side street to the garage if the garage faces the side street. All other width and approach regulations will apply to driveways on corner lots.”

LaCroix pointed out that this is the condition that exists in the situation with the proposed addition to the “308 Williams-property” (i.e. the garage faces Kernodle) and the question of the width of the driveway is an issue of the ADA requirements and the needs of Ms. May.

Pannell-Smith made a motion that Certificate of Appropriateness as request by Ms. May be approved.

Holcomb seconded the motion.

LaCroix suggested that the motion may need to include the condition that the driveway is being approved with a width exceeding the ten (10') feet minimum.

Pannell-Smith amended he motion to include the condition that the CofA is approved with the condition that the driveway is allowed to be 15-feet wide.

Ms. May also pointed out that as the driveway “flairs” near the garage she is interested in possibly putting a pad for storage of a recreational vehicle.

LaCroix stated that this was acceptable.

The motion was voted on and passed unanimously 4 to 0.

Tax Incentives

Williams stated that he and City Staff member Joey Boyd had met with Ray Helm, Director of the Rockwall County Central Appraisal District, to discuss the issue of

the proposed tax incentives applied to properties within the Old Rockwall Historic District.

Williams outlined the various mechanisms by which tax incentives are implemented and stated the mechanism that Mr. Helm believed would work best is an abatement based on the percentage of the appraised value of a property (not including the land) rather than a tax freeze.

Pittman stated that she believed that the resolution passed in April, 2002 by the City Council mentioned an abatement program based on the value of the restoration improvements made to a property rather than abatement of the total appraised value of the property improvements as a whole.

Williams stated he believed that the resolution did not stated specifically state what the abatement program would be based upon.

The resolution passed on 04/15/2002 was shown to state the following:

Section 1. Effective with the adoption of the Inaugural Historic District, the City Council will consider tax abatement agreements with individual property owners within the District for exemption from ad valorem taxes based on the value of improvements **[i.e. not the land]** for seven (7) years if the project cost is for preservation of the structure, or improvement to restore the structure to its original condition. ***

Pittman asked if the tax incentives program would be considered to apply to "landmark properties" that would not necessarily be within the historic district.

LaCroix stated that it was his belief that the program would be drafted to accommodate such properties.

Holcomb stated that after reviewing the tax incentive programs from the several Texas cities, she favored the programs in Denton and Boerne.

Williams indicated that he had a copy of the ordinance that implemented the tax incentive program in Denton.

After a great deal of discussion it was determined that Staff would continue their tax incentive research and develop some scenarios for the Board to consider at the next meeting (October 17, 2002).

Historic District Street Signage

Williams asked the Board to consider what kind of signage they would want to consider (i.e. street sign toppers or a separate sign that is attached to the street sign pole).

531 a motion to approve the Bylaws with the change for the liaison to be the City
532 Manager or her designee. Councilmember Cecil seconded the motion and the
533 motion passed unanimously by a vote of 7 ayes and 0 nays.

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- 7f. Discuss and consider approval of a tax incentive *Ordinance* for property owners in historic districts and take any action necessary.

538 **Joey Boyd, Assistant to the Assistant City Manager, discussed the request and**
539 **stated that Ray Helm was ok with the ordinance and that his system would**
540 **accommodate both scenarios.**

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Councilmember Raulston made a motion to approve the request and
Councilmember Cecil seconded the motion. Councilmember Welborn stated that
after we gain experience, we should increase the amount. Welborn stated that she
believes this will preserve the older homes and structures. The motion passed
unanimously by a vote of 7 ayes and 0 nays.

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- 7g. Discuss and consider approval of an *Ordinance/Franchise Agreement* with Farmers Electric Cooperative and take any action necessary.

551 **Chuck Todd, City Engineer, discussed the general issues of the request.**
552 **Councilmember Cotti made a motion to approve the request. Councilmember**
553 **Welborn wanted to know if this put FEC on the same footing as Oncor to which**
554 **Todd replied no. Welborn then seconded the motion. The motion passed**
555 **unanimously by a vote of 7 ayes and 0 nays.**

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- 7h. Discuss and consider a settlement agreement with TXU et al. and take any action necessary.

559 **Pete Eckert, City Attorney, discussed the general issues of the agreement and**
560 **stated that the City stands to gain \$56,000. Eckert stated that these are pass thrus**
561 **– TXU can pass through the cost to the consumer. TXU Gas does not say how it**
562 **will be spread among the classes and Eckert advised hold off on approving the**
563 **TXU Gas ordinance for at least two weeks.**

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Councilmember Morris made a motion to approve the settlement agreement with
TXU Electric, but defer approval on the gas ordinance until the next meeting.
Councilmember Cotti seconded the motion and the motion passed by a vote of 7
aye and 0 nays.

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- 7i. Discuss provision of land for schools as a part of the development process.

572 **Rick Crowley, Assistant City Manager, discussed the background of this item and**
573 **stated that currently there is no state authority to require this and that we will**
574 **continue discussions with the various developers.**

575



**CITY OF ROCKWALL, TEXAS
MEMORANDUM**

TO: Mayor and Council

FROM: Joey Boyd, Assistant to the City Manager

DATE: November 14, 2002

SUBJECT: Tax Incentive Ordinance

In April 2002, the Council passed a resolution providing for an incentive for property owners in the Old Rockwall Historic District. The State of Texas allows for local governments to provide partial or full exemption from property taxes with about 18 cities currently participating in the program. City Staff looked at various tax incentive scenarios being used by other cities in Texas and developed the following recommendations included in the attached ordinance.

- The program will initially apply to all properties included in the Old Rockwall Historic District, the Southside Overlay District, and any such historic districts that may be adopted subsequent to this ordinance.
- A property that meets the requirements of the ordinance will have the assessed value for ad valorem taxes frozen as it applies to the following scenarios:

The period of the tax abatement shall be five (5) years if the amount of the increment project is \$5,000 or greater; or

The period of the tax abatement shall be seven (7) years if the amount of the increment project is equal to or exceeds 25% of the assessed value of the improvement on January 1st of the year the increment project was completed.

- If approved by the City Council, the exemption begins on the first day of the first tax year following completion of the project.

The ordinance has been reviewed by the City Attorney and provided to Mr. Ray Helm of the Rockwall County Appraisal District. Mr. Helm has indicated that their system will support this type of program. Should the City Council approve the ordinance, the Director of Community Development will oversee the program from the time of application through the verification process.

CITY OF ROCKWALL

ORDINANCE NO. 03-28

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS AMENDING THE ROCKWALL CODE OF ORDINANCES TO PROVIDE AN AD VALOREM TAX EXEMPTION FOR STRUCTURES IN NEED OF TAX RELIEF TO ENCOURAGE THEIR ENHANCEMENT AS HEREIN DEFINED; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING A PENALTY OF A FINE OF \$500.00 FOR EACH OFFENSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the 65th Legislature in June 1977 passed S.B. 595 amending Title 122, Revised Civil Statutes of Texas (1925), by adding Article 7150i authorizing the governing body of a political subdivision to exempt historic sites from certain property taxation; and

WHEREAS, Article 7150i was made effective upon adoption of Section 1-f to Article VIII of the Texas Constitution which authorized the State Legislature to allow political subdivisions to exempt historical sites from certain property taxation; and

WHEREAS, Texas voters on November 7, 1977, amended Article VIII of the Texas Constitution by adding Section 1-f; and

WHEREAS, effective January 1, 1980, the 66th Legislature codified Section 7150i as Section 11.24 of the Property Tax Code (1979); and

WHEREAS, there has been adopted in the City of Rockwall certain historic overlay districts which are in need of tax relief to encourage enhancement of structures as herein defined;

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

Section 1. Chapter 25 of the Code of Ordinances is amended to add a new Article III to read as follows:

“ARTICLE III

EXEMPTION FOR HISTORICALLY SIGNIFICANT SITES

SECTION 25 - 38: DEFINITIONS

As used in this Article, the following terms shall have the meanings described herein:

- A. “Assessed Value Prior to Preservation” means the value assessed by the Rockwall County Appraisal District for the tax year of verification.
- B. “Certification” means the attestation by the Director of Community Development that the structure in question is a

structure located in the boundaries of the Old Town Rockwall Historic District or a Landmark Property as defined herein, in need of tax relief to encourage enhancement of structures and that the plans submitted will meet the definition of enhancement of a structure as defined herein.

- C. “Enhancement of a Structure” means the completion of a building project to improve a structure and the certifiable expenditure of at least \$5,000 for that project which has occurred after the adoption of this ordinance.
- D. “Historic District” includes the Old Town Rockwall Historic District, the Southside Overlay District, designated Landmark Properties, and such historic districts that may be adopted by the City in the future.
- E. “Increment Project” shall mean the monetary amount invested by the property owner in enhancing the subject structure (i.e. improvement) located within an official Historic Overlay District, which shall include the Old Town Rockwall Historic District, Southside Overlay District, designated Landmark Properties, and such historic districts that may be adopted by the City subsequent to the adoption of this ordinance.
- F. “The Improvement” shall mean the monetary value of the property minus the value of the land upon which property taxes are levied by the City.
- G. “Landmark Property” shall mean a property or structure(s), not contiguous to or part of an existing historic district, that is deemed worthy of preserving.
- H. “Property in need of tax relief to encourage enhancement of a structure” shall mean any structure located in the Old Town Rockwall Historic District, Southside Overlay District, designated Landmark Properties, and any such historic districts that may be adopted by the City subsequent to the adoption of this ordinance.
- I. “Property” shall mean the monetary value of the land plus the value of the improvement.
- J. “Structure” is defined herein as a building located in an official historic district, which shall include the Old Town Rockwall Historic District, Southside Overlay District, designated Landmark Properties, and such historic districts that may be adopted by the City subsequent to the adoption of this ordinance within the City of Rockwall.

SECTION 25 - 39: STRUCTURE PRESERVATION TAX EXEMPTION

A residential building or designated landmark property which meets the requirements of this ordinance shall be certified by the Director of Community Development to have the assessed value for ad valorem taxation "frozen" as described and listed below in order to qualify for ad valorem tax exemption. The assessed value shall be frozen at the value for the tax year in which the increment project was completed. The assessed value of the improvement shall be so "frozen" in accordance with the schedule below:

The period of the tax abatement shall be five (5) years if the amount of the increment project is \$5,000 or greater; or

The period of the tax abatement shall be seven (7) years if the amount of the increment project is equal to or exceeds 25% of the assessed value of the improvement on January 1st of the year the increment project was completed.

Furthermore, this exemption shall begin on the first day of the next tax year after verification of completion of the preservation required for certification; provided that: The building shall comply with the applicable zoning regulations for its use and location; and

SECTION 25 - 40: APPLICATION PROCESS

Applications for an ad valorem tax exemption pursuant to this ordinance are to be filed with the Community Development Department. Each application shall be signed and sworn to by the owner of the property and shall:

- A. State the legal description of the property proposed for certification;
- B. Provide proof of title in the applicant to the property proposed for certification;
- C. Include an affidavit by the owner describing the structure in need of tax relief and its compliance with the requirements of Section 25 - 39 herein;
- D. Provide proof that taxes or other assessments are not delinquent on the property;
- E. Include a final complete set of plans for the structure's enhancement as required to secure a building permit;
- F. Include a statement of costs for the restoration or rehabilitation work;
- G. Include a projection of the estimated construction time and predicted completion date of the restoration or rehabilitation;

- H. Authorize representatives of the City of Rockwall to visit and inspect the property and the records and books of the owner as necessary to certify that the property in question is in substantial need of restoration or rehabilitation;
- I. Include a detailed statement of the proposed use for the property; and
- J. Provide any additional information that the owner deems relevant.
- K. Provide such other information as may be required by the Director of Community Development to properly consider certification of the project.
- L. Provide a written acknowledgement by the property owner acknowledging the owners future obligation to notify the Director of Community Development upon completion of the increment project. This will begin the verification process noted in Section 25 - 42 below.

Each application shall contain documentation confirming or supporting the information submitted.

SECTION 25 - 41: CERTIFICATION PROCESS

Within 30 days after receipt of the properly completed application, the City shall make an investigation of the property and shall certify the facts to the Director of Community Development along with the documentation and recommendation for approval or disapproval.

Upon receipt of a recommendation, the Director of Community Development shall immediately forward the application to the Rockwall City Council and, within thirty (30) days, the Council shall consider approval or disapproval eligibility of the property for tax relief pursuant to this ordinance. In determining eligibility, the City Council shall first determine that all the requirements of this ordinance have been met and that only the structure is to be provided favorable tax relief as provided in Section II herein. Written notice of the determination shall be sent to the applicant.

SECTION 25 - 42: VERIFICATION PROCESS

Upon completion of the enhancement of a structure, the certified applicant shall submit a sworn statement of completion acknowledging that the property has been substantially rehabilitated or restored. Within (30) days after receipt of the sworn statement of completion, the Director of Community Development shall make an investigation of the property and shall determine if the enhancement has been completed as required for certification. If the enhancement is deemed incomplete, the applicant shall be required to complete the enhancement in order to secure the tax exemption. If the enhancement is determined to be complete, the Director of Community Development shall notify the Chief Appraiser of the

Rockwall County Central Appraisal District in writing that the applicable ad valorem tax exemption shall apply.

Thereafter, the Chief Appraiser of the Rockwall County Central Appraisal District shall provide the property with the tax exemption provided in Section 25 - 39 herein."

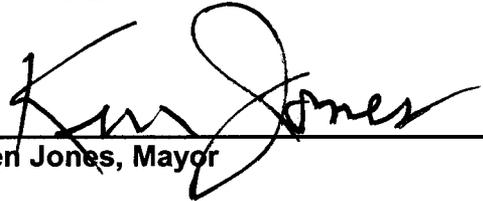
Section 2. That any person who violates any provision of this ordinance shall, upon conviction, be subject to a fine in accordance with the general provisions of the Code of Ordinances, and that each day in violation shall constitute a separate offence.

Section 3. The provisions of this ordinance are severable. If any provision of this ordinance or the application thereof to any person or circumstances shall be held to be invalid or unconstitutional, the remainder of this ordinance shall nevertheless be valid.

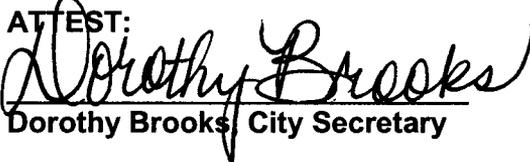
Section 4. That all ordinances or part of ordinances in conflict herewith are repealed to the extent of the conflict only.

Section 5. This ordinance shall become effective from and after its adoption, and it is so ordained.

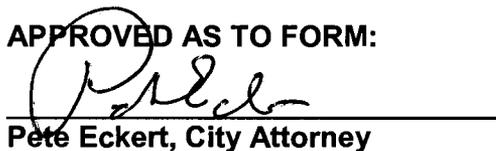
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 2nd day of September, 2003.



Ken Jones, Mayor

ATTEST:


Dorothy Brooks, City Secretary

APPROVED AS TO FORM:


Pete Eckert, City Attorney



1st Reading: August 18, 2003

2nd Reading: September 2, 2003

Historic Preservation Advisory Board July 17, 2003

Board Member Attendees: *Chair:* Sherry Pittman, Marge Holcomb, Kirk Ragsdale and Daniel Demeyer (Pannell-Smith, Caffey and M. Smith absent)

Staff Attendees: Bob Cotti (City Council liaison), Robert LaCroix and James Williams

CALL TO ORDER - 6:35 p.m.

Williams pointed out that Mr. Cotti is in attendance at tonight's meeting in his capacity as the City Council liaison to the Historic Preservation Advisory Board.

Approval of Minutes from 05/17/2003 Historic Preservation Advisory Board (HPAB) meeting

Holcomb made a motion to approve the minutes from the 05/17/2003 HPAB meeting.

Ragsdale seconded the motion. Vote was taken and the motion was approved 4 to 0.

DISCUSSION ITEMS:

Discuss and consider the Historic Tax Incentive Program and how it could be applied to Non-Residential Properties

Williams outlined the reason for considering the amendment to the Tax Incentive Ordinance (Ord. No. 02-53) stating that it was specifically aimed at accommodating non-residential properties that may want designation as a "landmark property" so that tax relief could be applied for under the Certificate of Appropriateness procedure. Williams further stated that the main reason that staff is addressing this issue at this time is because of a recent request from the owners of the Old Methodist church at the corner of Fannin and Rusk had give rise to the question of how non-residential properties should be handled.

Pittman stated that she agreed that this was an appropriate way to designate non-residential properties and therefore apply the tax incentive to those properties that are designated as landmarks.

General discuss of the nature of the HIS Covenant Children (owners of the Old Methodist Church property) business ensued including what kind services that the agency offered to the community.

Demeyer asked how properties would get designated; is it City initiated? Or owner initiated?

Pittman asked if the Historic Preservation Advisory Board could initiate the designation of properties.

LaCroix stated that in certain circumstances this could be appropriate provided that Board, or an designation initiating body, built a case that supported the appropriateness of any designation of landmark properties.

Pittman asked specifically if the old Lyons funeral home (aka Spong estate) could be a candidate for designation.

LaCroix stated that it was possible.

Demeyer asked if the HPAB should be proactive or reactive.

LaCroix answered that if the situation warranted a “proactive” approach from the Board then the Board should certainly act in a proactive manner.

Discussion continued regarding the issue of designation of landmarks and this discussion included the topic of the status of the old Lakeshore Church on Rusk.

Holcomb stated that originally the church had been a Baptist church.

Ragsdale stated his support of the designation of the Old Methodist Church as a landmark.

Williams stated that the consideration of the Old Methodist Church property as a landmark would be an agenda item at a future HPAB meeting.

Demeyer stated that the physical nature of the structure on the property is what is important to consider and the use going on inside said structure is another matter all together and one that may not be material to what the HPAB should consider.

Discussion continued regarding possible future uses within the Old Methodist Church and education building, as well as discussion of the wording of the tax incentive “enabling” ordinance.

Demeyer made a motion to recommend approval of the amendment to the tax incentive ordinance to accommodate the designation of landmark properties.

Holcomb seconded the motion. Vote was cast and the motion passed 4 to 0.

Mary Sue Smith arrived.

Historic District Signage

Williams displayed the street sign topper prototype and then handed it around to the HPAB members for their inspection. Williams stated that if the Board was content with the sign, Staff would proceed with the order for sixty (60) signs through Morrision Sign Company and delivery should be expected within 3 or 4 weeks.

351
352 Robert LaCroix discussed the background of the request. This property is within PD-50
353 and is within the Historic District. It is not a contributing property, however, it is very
354 well maintained. The applicant will only need four parking spaces, three in the back and
355 1 up front. The concern was that parking is usually on concrete, so a variance is being
356 requested for a gravel lot. The applicant will plat the property and will dedicate a 15'
357 mutual access easement to the property. The applicant is willing to do what the City has
358 asked for. Staff believes this approach is what we are looking for and recommends
359 approval.

360
361 Councilmember Raulston asked if the back road would be gravel. LaCroix advised that it
362 would be concrete. This is in the Historic District and we don't want to affect the houses
363 abutting the property. Councilmember Raulston made a motion to approve the request
364 with Staff recommendations and Councilmember Cotti seconded the motion.
365 Councilmember King asked how wide the gravel drive is and LaCroix stated it is now 10
366 feet wide. The motion passed unanimously by a vote of 7 ayes and 0 nays.

367
368 **ACTION ITEMS**

- 369
370 10a. **AM2003-001 – Discuss and consider approval of an Ordinance**
371 **amending the tax incentive ordinance to create a definition for landmark**
372 **properties, thus providing for the application of said tax relief to those**
373 **properties that qualify for designation as landmark properties and take**
374 **any action necessary. (1st Reading)**

375 **Robert LaCroix discussed the background of the request. The tax exemption program**
376 **for Historically Significant Sites was approved on December 2, 2002, in an effort to**
377 **provide tax relief encouraging historic restoration within the Old Town Rockwall Historic**
378 **District. The original ordinance applied to “residential properties” and made no**
379 **allowance for non-residential properties. Earlier this summer the owners of the old**
380 **Methodist Church/Education Building located northeast of the intersection of East Rusk**
381 **and North Fannin contacted the City and indicated their interest in having their property**
382 **included in the historic district. The ordinance amends Ordinance No. 02-53 to include a**
383 **definition for “landmark property” and further specifies that program’s application to**
384 **said landmark properties. The Historic Preservation Advisory Board recommend**
385 **approval.**

386
387 **Councilmember Cotti stated that he thought this was a good idea and made a motion to**
388 **approve the ordinance as written. Councilmember Raulston seconded the motion and**
389 **the ordinance was read as follows:**

390
391 **AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE ROCKWALL**
392 **CODE OF ORDINANCES TO PROVIDE AN AD VALOREM TAX EXEMPTION FOR**
393 **STRUCTURES IN NEED OF TAX RELIEF TO ENCOURAGE THEIR ENHANCEMENT AS**
394 **HEREIN DEFINED; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A**
395 **REPEALER CLAUSE; PROVIDING A PENALTY OF A FINE OF \$500.00 FOR EACH**
396 **OFFENSE; PROVIDING AND EFFECTIVE DATE.**

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398 **The motion passed unanimously by a vote of 7 ayes and 0 nays.**
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CITY OF ROCKWALL, TEXAS

MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Brad Griggs, *Assistant City Manager*

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

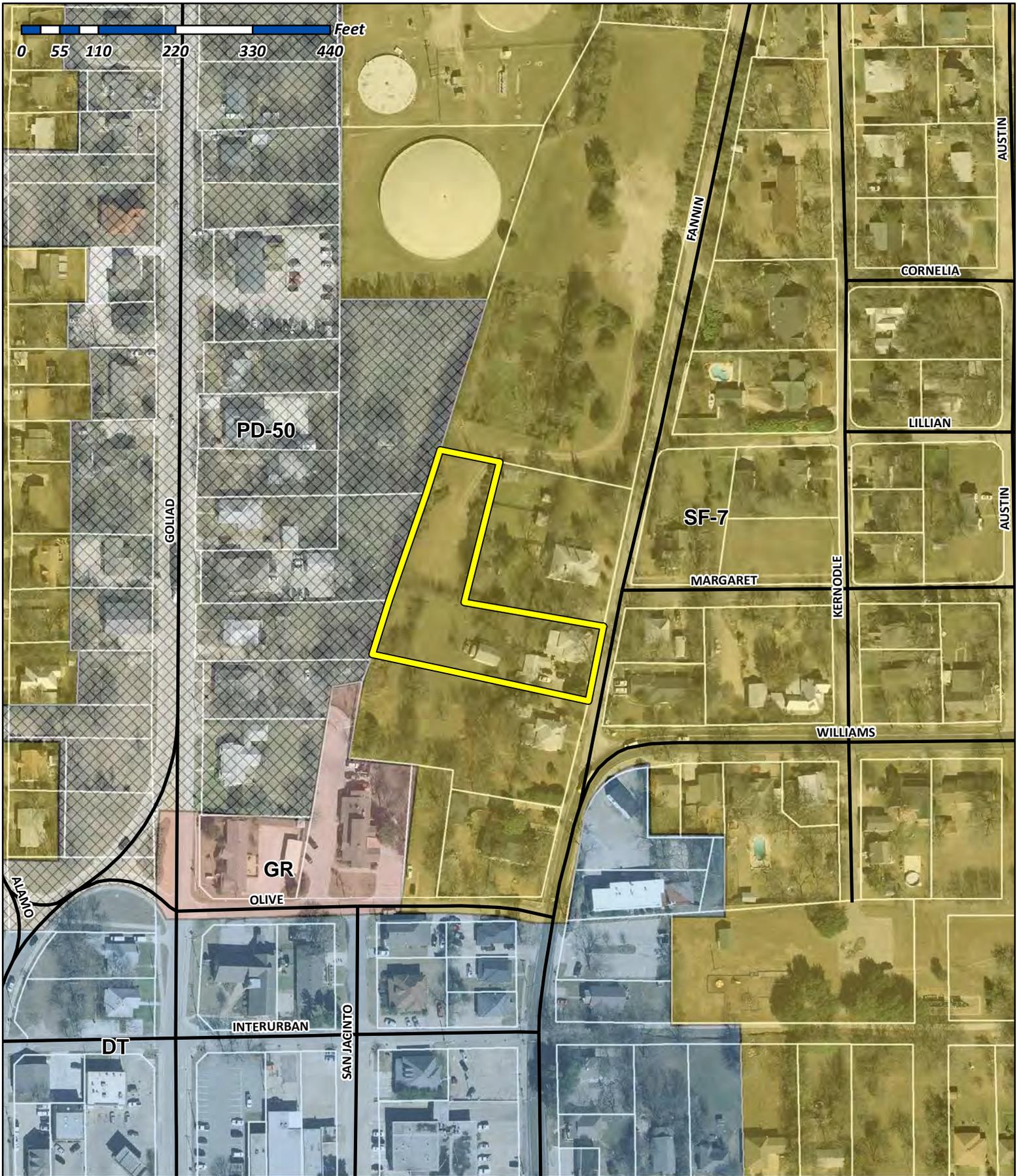
DATE: January 19, 2016

SUBJECT: Structure Preservation Tax Exemption (*503 N. Fannin Street*)

In accordance with *Ordinance No. 03-28* the applicants, Jay and Alison Odom, are requesting to have the assessed value for ad valorem taxation “frozen” for a period of seven (7) years on the subject property at 503 N. Fannin Street for the purpose of renovating/rehabilitating the existing single-family home. Specifically, the applicants have submitted paper work indicating that an investment of approximately \$56,575.31 will be made into the property in order to make improvements/repairs to the foundation, siding, roofing, sheetrock, and to repair/remove all wood-rot. On November 19, 2015, the applicants received approval from the Historic Preservation Advisory Board (HPAB) for a Certificate of Appropriateness (COA) [*Case No. H2015-006*] for the proposed restoration of the exterior of the home. The board approved the request finding that the proposed scope of work would not have an adverse impact on the essential character of the neighborhood, nor would it have a negative impact on the historic nature of the adjacent properties. It should be noted that while this is classified as a *Non-Contributing* home, the Rockwall Central Appraisal District (RCAD) identifies an original construction date of 1940 for the property. *A copy of staff's memo to the HPAB has been provided in the attached packet.*

According to *Ordinance No. 03-28* a tax abatement of seven (7) years can be approved, “...if the amount of the increment project is equal to or exceeds 25% of the assessed value of the improvement on January 1st of the year the increment project was completed.” In this case, the current taxable value of the subject property is \$118,020.00 for which the proposed investment represents ~47.94% of this value. If the City Council chooses to approve the applicants’ request then the effective tax rate for the subject property would be fixed at \$118,020.00 for a period of seven (7) years. The applicant has provided all required supporting information stipulated by the ordinance including a legal description, proof of title (*i.e. warranty deed*), and an owner’s affidavit. The applicant has stated that they will provide staff with a tax certificate verifying that all current taxes have been paid by January 22, 2016. Should the request be approved the applicant would be required to submit a sworn statement of completion, at the conclusion of the proposed work, acknowledging that the property has been restored in compliance with the plans submitted to staff. Additionally, the applicant shall be required to provide staff with documentation verifying the total cost of all improvements. All information will be verified prior to staff notifying the Rockwall County Central Appraisal District’s (RCAD’s) Chief Appraiser of the applicable ad valorem tax exemption. In the event of default, the applicant will be required to fill out and sign a “Repay Certificate.”

Should the City Council have any questions concerning the scope of work the applicant will be present at the meeting. Staff will also be available to answer any technical questions concerning the request.



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.





STRUCTURE PRESERVATION TAX EXEMPTION

PLANNING AND ZONING DEPARTMENT
CITY OF ROCKWALL, TEXAS
385 S. GOLIAD STREET
ROCKWALL, TEXAS 75087
PHONE (972) 771-7748

OWNER(S) NAME Jay Odom and Alison Odom

ADDRESS 503 N Fannin St

ADDRESS 405 N Fannin St

Rockwall, TX 75087

Rockwall, TX 75087

PHONE 214-202-4226

E-MAIL ADDRESS jay@rockwallmortgage.com

- OLD TOWN ROCKWALL HISTORIC DISTRICT
SOUTHSIDE OVERLAY DISTRICT
DESIGNATED LANDMARKED PROPERTY

TOTAL COST FOR THE RESTORATION OR REHABILITATION WORK \$50,000

NOTE: DOCUMENTATION OF COST SHALL BE SUBMITTED WITH THE SWORN COMPLETION

- LEGAL DESCRIPTION
PROOF OF TITLE
TAX CERTIFICATE
CONSTRUCTION PLANS
OWNER'S AFFIDAVIT *

* FOR MORE INFORMATION ON THE OWNER'S AFFIDAVIT PLEASE REFER TO THE BACK OF THIS APPLICATION.

CONSTRUCTION WILL BEGIN ON ASAP

CONSTRUCTION WILL BE COMPLETED ON (ESTIMATED) March 2016

IF THE PROPERTY WILL BE USED FOR COMMERCIAL USES PROVIDE A DETAILED STATEMENT OF THE PROPOSED USE FOR THE PROPERTY. OTHERWISE, INDICATE THAT THE PROPERTY WILL BE USED FOR RESIDENTIAL, SINGLE FAMILY USES. IN ADDITION PLEASE PROVIDE ANY ADDITIONAL INFORMATION THAT MAYBE HELPFUL TO STAFF IN EVALUATING THIS REQUEST.

Property is being rehabilitated to go back towards the traditional look of this home as it was built in the early 1900's. Bricking that was installed in the 1990's will be removed and home will be re-sided and painted. All rotted wood will be removed and replaced. Brand new roof will be installed. Interior is being remodeled, as it has not been touched in the last 16 years it has been a rental property. Sheetrock will be replaced, walls will be straightened, cabinets will be replaced, etc. Extensive work will be done to clear out large dead trees and brush that are a hazard to the property, its inhabitants, as well as close-by neighbors. Please note there are no construction plans, as no changes will be made to the shape of home.

I AUTHORIZE REPRESENTATIVES OF THE CITY OF ROCKWALL TO VISIT AND INSPECT THE PROPERTY AND THE RECORDS AND BOOKS OF THE OWNER AS NECESSARY TO CERTIFY THAT THE PROPERTY IN QUESTION IS IN SUBSTANTIAL NEED OF RESTORATION OR REHABILITATION.

I ACKNOWLEDGE MY FUTURE OBLIGATION TO NOTIFY THE DIRECTOR OF PLANNING & ZONING UPON THE COMPLETION OF THE PROPOSED PROJECT, AND PROVIDE A SWORN STATEMENT OF COMPLETION. THIS WILL BEGIN THE VERIFICATION PROCESS NOTED IN SECTION 25.4 OF ORDINANCE 03-28, WHICH IS STATED ON THE BACK OF THIS APPLICATION.

I HEREBY ATTEST THAT THE INFORMATION THAT I HAVE PROVIDED IS, TO THE BEST OF MY KNOWLEDGE, CORRECT AND TRUE, AND THAT I OWN THE PROPERTY DESCRIBED ABOVE OR THAT I AM LEGALLY THE AUTHORITY IN CHARGE OF THE PROPERTY. I ALSO UNDERSTAND THAT, IF THE REQUESTED EXEMPTION IS GRANTED, I HAVE ENTERED INTO A COVENANT WITH THE CITY OF ROCKWALL IN WHICH I MUST AGREE TO MAINTAIN THE CHARACTER OF THE PROPERTY AND THE QUALIFYING IMPROVEMENTS FOR THE TERM OF THE EXEMPTION.

OWNER'S SIGNATURE [Handwritten signature]

DATE 1/11/16

January 15, 2016

Jay and Alison Odom
405 N Fannin St
Rockwall, TX 75087

Re: 503 N Fannin Street - Structure Preservation Tax Exemption Application – Owners' Affidavit

To Whom It May Concern:

We are respectfully requesting an abatement of our property tax in compliance with the requirement of Ordinance 03-28, Section 25-39 approved on September 3, 2003. This property, known as 503 N Fannin St, Rockwall, TX 75087, legal description, B F BOYDSTON, BLOCK 122, LOT A. This property will be used for residential use.

The property at 503 N Fannin Street, Old Town Rockwall has been a rental property since 1999 and has had little or no repair or upkeep since that time. We purchased the property in 2014 and are now restoring and rehabilitating the property back to a safe condition for use, and an appropriate look for the period when it was built (early 1900's). The budget for the project is approximately \$50,000 and should be completed by late spring. The items being repaired are as follows:

- Foundation
- Siding
- Roof for home and both garages
- Sheetrock
- All rotted wood to be removed and replaced

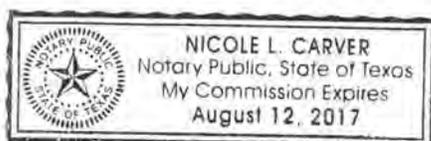
Application, tax info, title deed and photos are attached.

Please contact us with any questions at all.

Thank you,



Jay and Alison Odom



Legal Description

Exhibit "A"

All that certain lot, tract or parcel of land situated in the B.F. BOYDSTUN SURVEY, ABSTRACT NO. 14, City of Rockwall, Rockwall County, Texas, and being all of the First and Second tract of land as described in a Warranty deed to Cedo Rakich and Julia Rakich, dated July 30, 1990 and being recorded in Volume 557, Page 55 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the west right-of-way line of N. Fannin Street, said point being at the southeast corner of said Rakich tract and at the northeast corner of a tract of land as described in a Warranty deed from Edwin McCrary to Cedo Rakich and Julia Rakich, dated July 8, 1993 and being recorded in Volume 804, Page 43 of the Real Property Records of Rockwall County, Texas;

THENCE N. 79 deg. 22 min. 00 sec. W. along the north boundary line of said McCrary to Rakich tract, a distance of 182.00 feet to a 1/2" iron rod found for corner;

THENCE N. 78 deg. 00 min. 00 sec. W. a distance of 130.00 feet to a 1/2" iron rod found for corner;

THENCE N. 17 deg. 14 min. 08 sec. E. a distance of 100.00 feet to a 1/2" iron rod found for corner;

THENCE S. 78 deg. 53 min. 32 sec. E. a distance of 304.61 feet to a 1/2" iron rod found for corner in the west right-of-way line of N. Fannin Street;

THENCE S. 13 deg. 00 min. 00 sec. W. along said right-of-way line, a distance of 100.00 feet to the POINT OF BEGINNING and containing 0.71 acres of land.

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

**WARRANTY DEED WITH VENDOR'S LIEN
(Vendor's Lien Reserved to Grantor)**

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF ROCKWALL §

THAT THE UNDERSIGNED, **Cedo Rakich and Julia Rakich**, hereinafter called "Grantor," whether one or more, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration to the undersigned in hand paid by the Grantee herein named, the receipt of which is hereby acknowledged, and the further consideration of the execution and delivery by the Grantee of that one certain promissory note of even date herewith in the principal sum of **\$135,000.00**, payable to the order of Grantor, as therein specified, providing for acceleration of maturity and for attorney's fees, the payment of which note is secured by the vendor's lien herein retained, and is additionally secured by a deed of trust of even date herewith to **William C. Shaddock, TRUSTEE**, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY unto **Jay Odom and Alison Odom**, herein referred to as "Grantee," whether one or more, the real property described as follows:

See Attached Exhibit A

This conveyance, however, is made and accepted subject to any and all restrictions, encumbrances, easements, covenants and conditions, if any, relating to the hereinabove described property as the same are filed for record in the County Clerk's Office of Collin County, Texas.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Grantee, Grantee's heirs, executors, administrators, successors and assigns forever; and Grantor does hereby bind Grantor, Grantor's heirs, executors, administrators, successors and/or assigns to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee, Grantee's heirs, executors, administrators, successors and/or assigns against every person whomsoever claiming or to claim the same or any part thereof.

But it is expressly agreed that the Vendor's Lien, as well as Superior Title in and to the above described premises, is retained against the above described property, premises and improvements until the above described note and all interest thereon are fully paid

according to the face, tenor, effect and reading thereof, when this Deed shall become absolute.

Current ad valorem taxes on the property having been prorated, the payment thereof is assumed by Grantee.

EXECUTED this 28 day of April, 2014.

Cedo Rakich
Cedo Rakich
Julia Rakich
Julia Rakich

Arkansas
THE STATE OF ~~Texas~~ §
COUNTY OF Garland §
§

The foregoing instrument was acknowledged before me on the 28th day of April, 2014 by Cedo Rakich and Julia Rakich.

Susan Joplin
NOTARY PUBLIC, STATE OF ~~Texas~~
Arkansas
NOTARY PUBLIC - ARKANSAS
SUSAN JOPLIN
No. 12350249
COMM. EXP. 9-7-2016
GARLAND COUNTY

Grantee's Address &
AFTER RECORDING, RETURN TO:

Jay & Alison Odom
405 N. Fannin
Rockwall, Texas 75087

PREPARED IN THE LAW OFFICE OF
Shaddock & Associates, P. C.
2400 N. Dallas Parkway, Ste. 560
Plano, Texas 75093

AO
AO



TCB Construction Group
 302 S Fannin St
 Rockwall, TX 75087
phone (214) 708-2685
fax (972) 961-0202

TCB Bid Form

OWNER _____
Address Jay and Alison Odom _____
Customer 503 N Fannin _____
Suite _____
Square Feet _____

	Cost	Totals	Notes
01 General Conditions			
Supervision			thru duration of the project 12 weeks
Dumpsters, Cleaning, equipment	\$ 2,307.97		30 yard construction dumpster onsite during construction
Perdlum, hotel, travel			
misc			
		Total \$ 2,307.97	
02 Site/Demolition	\$3,920.00		demolition of sheetrock only
03 Foundation	\$ 6,500.00		
04 Storefront			
05 Siding	\$ 12,807.65		siding
		Total \$23,227.65	
06 Flooring			
Materials/ floor prep	\$ 5,117.82		wood flooring to match and tile as mentioned onsite
Labor	\$ 3,856.11		tile and base install/ floor prep,
		Total \$ 8,973.93	
07 Roofing and sealants	\$ 13,287.44	\$ 13,287.44	
08 Doors/Frames/Hdwr.			
Materials	\$ 2,145.32		3 doors
Labor	\$ 400.00		storefront and back door are existing
		Total \$ 2,545.32	
09 Finishes			
Framing, Drywall, TBT, Paint	\$ 6,233.00		quoted by LMT contracting
soffit			
cement board			
FRP			
insulation			
		Total \$ 6,233.00	
Cellings			
Blocking			
Other			
		Total \$ _____	

	Cost	Totals	Notes
10 Specialties			
Restroom Accessories	\$ _____ -		_____
Misc GC installed items			
Other	\$ _____ -		_____
		Total \$ _____ -	
11 Equipment			
Fire Extinguisher	\$ _____ -		_____
	\$ _____ -		_____
Other	\$ _____ -		_____
		Total \$ _____ -	
12 Misc items			
grease trap access			_____
		Total \$ _____ -	
13 Fire Protection			
Fire alarm			_____
Ansul		\$ _____ -	
14 Sprinkler system			
15 Mechanical			
Plumbing			_____
HVAC			_____
Other	\$ _____ -		_____
		Total _____	
16 Electrical			
Electrical service			_____
Other			_____
		Total _____	
Sub Total		\$ 56,575.31	
overhead and taxes			
GC OH and profit			
Total Bid			

Alternate Pricing:

- Alt. # 2 _____
- Alt. # 3 _____
- Alt. # 4 _____
- Alt. # 5 _____

Property Search and Tax Payment

Property ID: 14477 For Year 2016



Property Details

Account	
Property ID:	14477
Legal Description:	B F BOYDSTON, BLOCK 122, LOT A
Geographic ID:	3140-0122-000A-00-0R
Agent Code:	
Type:	Real
Location	
Address:	503 N FANNIN ST
Map ID:	2-3
Neighborhood CD:	N3600
Owner	
Owner ID:	1062465
Name:	ODOM JAY & ALISON
Mailing Address:	405 N FANNIN STREET ROCKWALL, TX 75087
% Ownership:	100.0%
Exemptions:	For privacy reasons not all exemptions are shown online.

Property Values	
Improvement Homesite Value:	N/A
Improvement Non-Homesite Value:	N/A
Land Homesite Value:	N/A
Land Non-Homesite Value:	N/A
Agricultural Market Valuation:	N/A
Market Value:	N/A
Ag Use Value:	N/A
Appraised Value:	N/A
HS Cap:	N/A
Assessed Value:	N/A

DISCLAIMER: Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

Property Taxing Jurisdiction						
Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
CAD	ROCKWALL CAD	N/A	N/A	N/A	N/A	N/A
CRW	CITY OF ROCKWALL	N/A	N/A	N/A	N/A	N/A
GRW	ROCKWALL COUNTY	N/A	N/A	N/A	N/A	N/A
SRW	ROCKWALL ISD	N/A	N/A	N/A	N/A	N/A
Total Tax Rate: N/A Estimated Taxes With Exemptions: N/A Estimated Taxes Without Exemptions: N/A						

Property Improvement - Building

Type: RESIDENTIAL State Code: A1 Living Area: 1,282.00sqft Value: N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
MA	MAIN AREA	GM1M	36	1940	1,282.00
CP	COVERED PORCH	GM1M		1940	50.00
CP	COVERED PORCH	GM1M		1985	140.00

Type: MISC IMP State Code: A1 Living Area: 0.00sqft Value: N/A

Type	Description	Class CD	Year Built	SQFT
DG	DETACHED GARAGE	DG12	1940	600.00
CP	COVERED PORCH	CP4	1999	100.00

Property Land

Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
A1	RES SFR NON WF	0.71	30,927.60	100.00	326.00	N/A	N/A

Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2016	N/A	N/A	N/A	N/A	N/A	N/A
2015	\$80,020	\$38,000	\$0	\$118,020	\$0	\$118,020
2014	\$81,260	\$38,000	\$0	\$119,260	\$0	\$119,260
2013	\$73,560	\$38,000	\$0	\$111,560	\$0	\$111,560
2012	\$74,490	\$38,000	\$0	\$112,490	\$0	\$112,490
2011	\$75,410	\$38,000	\$0	\$113,410	\$0	\$113,410
2010	\$76,000	\$38,000	\$0	\$114,000	\$0	\$114,000
2009	\$83,880	\$38,000	\$0	\$121,880	\$0	\$121,880
2008	\$84,870	\$38,000	\$0	\$122,870	\$0	\$122,870
2007	\$85,870	\$35,000	\$0	\$120,870	\$0	\$120,870

Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
4/18/2014	WD	WARRANTY DEED	RAKICH CEDO AND JULIA	ODOM JAY & ALISON	2014	0000005613	
7/30/1990	WD	WARRANTY DEED	GRAY R,LEWIS A,& B MCCRARY	RAKICH CEDO AND JULIA	557	55	0
3/14/1985	OT		GRAY A T	GRAY R,LEWIS A,& B MCCRARY	221	710	0

Estimated Tax Due

NOTE: Indicated amount due may not reflect delinquent tax due beyond a 5 year history. Partial payments or contract payments may not be reflected. Quarterly payments according to Section 31.031 of the Texas Property Tax Code are not considered delinquent. For the most current tax due amount please contact the Appraisal District.

Year	Taxing Jurisdiction	Taxable Value	Base Tax	Base Taxes Paid	Base Tax Due	Discount/Penalty & Interest	Attorney Fees	Amount Due
2016	CITY OF ROCKWALL	N/A	N/A	N/A	N/A	N/A	N/A	N/A
2016	ROCKWALL COUNTY	N/A	N/A	N/A	N/A	N/A	N/A	N/A
2016	ROCKWALL ISD	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	2016 Total:		N/A	N/A	N/A	N/A	N/A	N/A
2015	CITY OF ROCKWALL	\$118,020	\$572.75	\$0.00	\$572.75	\$0.00	\$0.00	\$572.75
2015	ROCKWALL COUNTY	\$118,020	\$467.24	\$0.00	\$467.24	\$0.00	\$0.00	\$467.24
2015	ROCKWALL ISD	\$118,020	\$1,699.49	\$0.00	\$1,699.49	\$0.00	\$0.00	\$1,699.49
	2015 Total:		\$2,739.48	\$0.00	\$2,739.48	\$0.00	\$0.00	\$2,739.48
2014	CITY OF ROCKWALL	\$119,260	\$590.94	\$590.94	\$0.00	\$0.00	\$0.00	\$0.00
2014	ROCKWALL COUNTY	\$119,260	\$472.15	\$472.15	\$0.00	\$0.00	\$0.00	\$0.00
2014	ROCKWALL ISD	\$119,260	\$1,717.34	\$1,717.34	\$0.00	\$0.00	\$0.00	\$0.00
	2014 Total:		\$2,780.43	\$2,780.43	\$0.00	\$0.00	\$0.00	\$0.00
2013	CITY OF ROCKWALL	\$111,560	\$560.59	\$560.59	\$0.00	\$0.00	\$0.00	\$0.00
2013	ROCKWALL COUNTY	\$111,560	\$441.67	\$441.67	\$0.00	\$0.00	\$0.00	\$0.00
2013	ROCKWALL ISD	\$111,560	\$1,628.77	\$1,628.77	\$0.00	\$0.00	\$0.00	\$0.00
	2013 Total:		\$2,631.03	\$2,631.03	\$0.00	\$0.00	\$0.00	\$0.00
2012	CITY OF ROCKWALL	\$112,490	\$565.26	\$565.26	\$0.00	\$0.00	\$0.00	\$0.00
2012	ROCKWALL COUNTY	\$112,490	\$434.66	\$434.66	\$0.00	\$0.00	\$0.00	\$0.00
2012	ROCKWALL ISD	\$112,490	\$1,653.61	\$1,653.61	\$0.00	\$0.00	\$0.00	\$0.00
	2012 Total:		\$2,653.53	\$2,653.53	\$0.00	\$0.00	\$0.00	\$0.00
2011	CITY OF ROCKWALL	\$113,410	\$570.57	\$570.57	\$0.00	\$0.00	\$0.00	\$0.00
2011	ROCKWALL	\$113,410	\$438.21	\$438.21	\$0.00	\$0.00	\$0.00	\$0.00

	COUNTY							
2011	ROCKWALL ISD	\$113,410	\$1,667.12	\$1,667.12	\$0.00	\$0.00	\$0.00	\$0.00
	2011 Total:		\$2,675.90	\$2,675.90	\$0.00	\$0.00	\$0.00	\$0.00
2010	CITY OF ROCKWALL	\$114,000	\$573.53	\$573.53	\$0.00	\$0.00	\$0.00	\$0.00
2010	ROCKWALL COUNTY	\$114,000	\$440.50	\$440.50	\$0.00	\$0.00	\$0.00	\$0.00
2010	ROCKWALL ISD	\$114,000	\$1,675.80	\$1,675.80	\$0.00	\$0.00	\$0.00	\$0.00
	2010 Total:		\$2,689.83	\$2,689.83	\$0.00	\$0.00	\$0.00	\$0.00
2009	CITY OF ROCKWALL	\$121,880	\$613.18	\$613.18	\$0.00	\$0.00	\$0.00	\$0.00
2009	ROCKWALL COUNTY	\$121,880	\$457.05	\$457.05	\$0.00	\$0.00	\$0.00	\$0.00
2009	ROCKWALL ISD	\$121,880	\$1,791.63	\$1,791.63	\$0.00	\$0.00	\$0.00	\$0.00
	2009 Total:		\$2,861.86	\$2,861.86	\$0.00	\$0.00	\$0.00	\$0.00
2008	CITY OF ROCKWALL	\$122,870	\$618.15	\$618.15	\$0.00	\$0.00	\$0.00	\$0.00
2008	ROCKWALL COUNTY	\$122,870	\$460.77	\$460.77	\$0.00	\$0.00	\$0.00	\$0.00
2008	ROCKWALL ISD	\$122,870	\$1,806.19	\$1,806.19	\$0.00	\$0.00	\$0.00	\$0.00
	2008 Total:		\$2,885.11	\$2,885.11	\$0.00	\$0.00	\$0.00	\$0.00
2007	CITY OF ROCKWALL	\$120,870	\$588.03	\$588.03	\$0.00	\$0.00	\$0.00	\$0.00
2007	ROCKWALL COUNTY	\$120,870	\$423.05	\$423.05	\$0.00	\$0.00	\$0.00	\$0.00
2007	ROCKWALL ISD	\$120,870	\$1,776.79	\$1,776.79	\$0.00	\$0.00	\$0.00	\$0.00
	2007 Total:		\$2,787.87	\$2,787.87	\$0.00	\$0.00	\$0.00	\$0.00

DISCLAIMER: Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.



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CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Rick Crowley, City Manager

CC: Brad Griggs, Assistant City Manager
Ryan Miller, Director of Planning and Zoning

FROM: Andy Hesser, Parks and Recreation Manager

DATE: January 14, 2016

SUBJECT: USE OF PARK LAND REQUEST BY ARKOMA DEVELOPMENT LLC.

In 2006, Arkoma Development LLC submitted a development plan for the corner of N. Lakeshore Blvd and SH 205; one parcel to the south of Lakeshore and multiple parcels to the north. The development proposed is zoned Planned Development District 65 (PD-65) for commercial and retail, with no residential components. Also in 2006, the developer dedicated land along the northeast side of Squabble Creek for the purpose of park land with the potential to construct concrete trail within it. This dedication was voluntary because the development was commercial/retail and therefore not required by the Mandatory Park Land Dedication Ordinance. It should be noted that prior to the dedication, the applicant submitted a flood reclamation plan showing floodplain mitigation similar to what is currently being proposed; however, no action was taken on this plan, the land was dedicated to the City and the plan expired due to inactivity.

The 2005 bond funds included money for constructing 8' concrete trail. These funds were used to build the trail that currently goes from Phelps Lake around Raymond Cameron Lake, underneath SH 205 and connects to the Squabble Creek Mountain Bike Trail. The key to this connection was utilizing the property that Arkoma dedicated.

Arkoma is now ready to develop the parcel on the southwest corner of SH 205 and N. Lakeshore Drive. A large portion of this development is located in the floodplain. One of the requirements to build in a floodplain is to perform a flood study and to mitigate any floodplain that was lost due to construction. The floodplain mitigation for this parcel proposes to utilize some of the land that was originally dedicated. This entails excavating an amount of soil that is equivalent to the amount of fill that is brought in to construct upon.

Because a private developer's improvements require cooperation from the City in utilizing the parkland, a determination of impact must be made. According to the City

Attorney, the excavation to mitigate the floodplain design is permissible if it is determined that the excavation does not change the intended use of the parkland, which is public recreational trail.

The developer presented this request to the Park Board on January 5th. Park Board voted unanimously to recommend to Council that the grading changes proposed by Arkoma do not substantially change the use of the land and further recommend the following conditions apply:

- Any excavation adjacent to the trail takes care not to create any potential for erosion.
- Does not create an unsafe drop off along the trail edge. All building and engineering codes apply regarding slopes and drop offs.
- Vegetation must be re-established to at least 95% coverage using native vegetation approved by the City.
- Excavation must be done in such a way as to keep a natural appearance using gradual slopes, non-linear edges and not hold water for an extended period of time.
- Any damage done to the trail as a result of the excavation must be repaired immediately so as not to impede use of the trail by the public.

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CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Brad Griggs, Assistant City Manager

FROM: Andy Hesser, Parks and Recreation Manager

DATE: January 15, 2016

SUBJECT: INCLEMENT WEATHER AND LIGHTNING POLICY

In an effort to provide the safest possible conditions during baseball and softball games at Leon Tuttle Athletic Complex for participants, staff and visitors, the FY 2016 budget provided for a lighting prediction system. This system called Thor Guard, has been purchased and installed in preparation of the spring baseball/softball season.

HOW THE THOR GUARD SYSTEM WORKS:

When the conditions for a lightning strike exist, the Thor Guard system will give a 15 second blast from the horn located at the top of the Tuttle concession stand and can be heard up to 700 yards away. At the same time, a yellow strobe visible from most areas of the park will activate and stay on until the danger has passed or at least 15 minutes after the last detection of lightning. Once the potential for a lightning strike has passed, the system will activate the horns giving the all clear signal with three, five second blasts and the strobe light will go off. However, if weather conditions appear unsafe and the system has not sounded the alarm, common sense should still be your guide and activities should cease despite the absence of a Thor Guard warning sound.

Due to the unpredictability of weather patterns, it may be possible for the alarm to sound multiple times within an hour or even sound when there appears to be no danger. While starting and stopping game or practices activities due to the Thor Guard warnings may result in some frustration, the warning must be heeded at all times. If the system sets off the alarm on a sunny day, it is not malfunctioning. This situation is often referred to a "bolt out of the blue". There is a chance of being struck by lightning if the alarm is not heeded. Once the Thor Guard Lightning Prediction system senses conditions that favor lightning, there is often a flash of lightning in the area within 10 minutes.

At the January meeting, Park Board reviewed and discussed a policy to establish procedures for inclement weather and more specifically lightning safety. The components of the policy include recommendations from a position paper published by

the *National Athletic Trainers' Association*. Park Board voted unanimously in favor of recommending to City Council the consideration of the following policy language:

I. Communicate and promote lightning safety awareness and the Thor Guard system:

- Identify and communicate locations that are safe from a lightning hazard. In the case of Tuttle Athletic Complex, this would be in a vehicle.
- Identify and communicate locations that are unsafe from lightning. This would be anything metallic such as fences, scoreboards, bleachers, flag poles, dugouts, awnings etc. Avoid high places, open areas, overhead wires and power lines, telephones and cell phones, radios, isolated trees and standing water.
- Where possible, post educational and procedural information regarding lightning safety.

II. Establish a weather monitoring procedure:

- Designate a City staff person as the official “weather watcher”. This individual may change due to staff schedules and availability.
- Designate official weather forecast and radar services, such as: the National Weather Service and smart phone device apps that are to be used on a consistent basis.

III. Establish a chain of command:

- A decision making Chain of Command shall be established and clearly communicated to all staff, umpires, participants and coaches for the purpose of implementing the policy and procedures on site.
- Once the determination is made to cancel, delay or suspend activities OR the Thor Guard warning is sounded, it is the umpires’ responsibility to notify coaches and participants that unsafe conditions may exist and that the game is cancelled, delayed or suspended in accordance with the adopted RBSL rules.

IV. Establish criteria to suspend and resume activity:

- If a tornado warning is in effect during a time frame that includes a program, event or game start time, the game(s) will be cancelled.
- If a tornado watch is in effect during the times of scheduled activities, the situation will be monitored closely by the designated weather watcher and Athletic Supervisor or designee. If the watch is upgraded to a warning, then activities or games will be immediately cancelled and participants will be notified.
- In the case of lightning, once the Thor Guard system warning is sounded, suspend all practices, game, or other activities and seek shelter immediately until the all-clear signal is heard.
- Everyone should seek shelter immediately any time they believe lightning threatens the area even if the system warning has not been sounded.
- Once the all clear signal sounds, activities can proceed.

The Thor Guard Lightning Prediction system is a tool to help assess the threat for lightning. Neither the warning sound nor the system is intended to guarantee that conditions are safe. Personal judgment is still each individual’s responsibility.

Anyone not following these guidelines or when the Thor Guard warning sound is activated and remains out doors or in an inappropriate area or shelter, will do so at their own risk. If park patrons return before the all clear is sounded, they do so at their own risk.

Although the Thor Guard system is intended to specifically be utilized at the Leon Tuttle Athletic Complex, this policy can be applied to all City operated outdoor programs, events, and activities.

In the absence of the Thor Guard system as a tool to predict conditions favorable to produce lightning, the “30-30 Lightning Safety Rule” should be utilized to determine when activities are suspended due lightning potential. This rule utilizes the “flash to bang” method to estimate the distance between you and a lightning flash. The rule recommends that activity be suspended if the “flash to bang” count reaches 30 seconds or less. This indicates that the lightning is approximately six miles away. If this situation occurs then activities should be suspended for a minimum of 30 minutes after the last “flash to bang” threshold is met.

Contingent on Council approval, staff will formulate the procedures prescribed in the policy language and disseminate to staff, coaches and umpires. Staff will be available to answer any questions.

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