

94-11-PP
City of Rockwall (6/87)

Page 1 of 3

**APPLICATION AND
PRELIMINARY PLAT CHECKLIST**

Date 5/24/94

Name of Proposed Subdivision Waterstone Estates

Name of Subdivider Los Prados Development

Address 1901 Stadium Oaks, Arlington, TX 76011 Phone (817) 261-3477

Owner of Record Los Prados Development

Address 1901 Stadium Oaks, Arlington, TX 76011 Phone (817) 261-3477

Name of Land Planner/Surveyor/Engineer Carter & Burgess, Inc.

Address 7950 Elmbrook Drive, Suite 250 Phone (214) 638-0145

Total Acreage 48.1 acre Current Zoning SF7

No. of Lots/Units 115

Signed 

The Following Preliminary Plat Checklist is a summary of the requirements listed under Section VII of the Rockwall Subdivision Ordinance. Section VII should be reviewed and followed when preparing a Preliminary Plat. The following checklist is intended only as a reminder and a guide for those requirements. Use the space at the left to verify the completeness of the information you are submitting. If an item is not applicable to your plan, indicate by placing a check mark.

<u>Provided or Shown</u>	<u>Not</u>	
<u>On Plat</u>	<u>Applicable</u>	
<u>X</u>	<u> </u>	A. Vicinity map
<u>X</u>	<u> </u>	B. Subdivision Name
<u>X</u>	<u> </u>	C. Name of record owner, subdivider, land planner/engineer
<u>X</u>	<u> </u>	D. Date of plat preparation, scale and north point

II. Subject Property

<u> X </u>	_____	A. Subdivision boundary lines
<u> X </u>	_____	B. Identification of each lot and block by number or letter
<u> X </u>	_____	C. Dimensions, names and description of all public rights-of-ways, improvements, easements, parks and open spaces, both existing and proposed. Locate and identify existing and/or proposed median openings and left turn channelization
<u> X </u>	_____	D. Proposed land uses, and existing and proposed zoning categories
<u> X </u>	_____	E. Approximate acreage
<u> X </u>	_____	F. Typical lot size; lot layout; smallest lot area; number of lots
<u> X </u>	_____	G. Building set-back lines adjacent to street
<u> X </u>	_____	H. Topographical information and physical features to include contours at 2' intervals, outlines of wooded areas, drainage areas and 50 and 100 year flood limit lines, if applicable
<u> X </u>	_____	I. Location of City Limit lines, contiguous or within plat area
<u> X </u>	_____	J. Location and sizes of existing utilities
<u> X </u>	_____	K. Intended water source and sewage disposal method whether inside City limits or in extraterritorial jurisdiction

III. Surrounding Area

 X _____

A. The record owners of contiguous parcels of unsubdivided land; names and lot pattern of contiguous subdivisions; approved concept plans or preliminary plat

 X _____

B. The approximate location, dimension and description of all existing or proposed lots and blocks, public rights-of-way and easements, parks and open spaces. Specifically indicate how the proposed improvements would relate to those in the surrounding area.

Taken by _____

File No. 94-11-PP

Date 5/24/94

Fee \$ 650.00

Receipt No. 031429



CITY OF ROCKWALL
 "THE NEW HORIZON"
 Rockwall, Texas 75087-3628

No 031429

(214) 771-7700

Cash Receipt

Name Carter Burgess Date 5/24/94

Mailing Address _____

Job Address PP Los Prados Permit No. _____

Check 4449 Cash Other

DESCRIPTION	Acct. Code	Amount	DESCRIPTION	Acct. Code	Amount
Building Permit	01-3601		Water Tap	02-3311	
Fence Permit	01-3602		10% Fee	02-3311	
Electrical Permit	01-3604		Sewer Tap	02-3314	
Plumbing Permit	01-3607		Water Availability	06-3835	
Mechanical Permit	01-3610		Sewer Availability	07-3836	
Municipal Pool	01-3402		Meter Deposit	02-2201	
Zoning, Planning, B.O.A.	01-3411	<u>650-</u>	Portable Meter Deposit	02-2311	
Subdivision Plats	01-3412		Misc. Income	02-3819	
Sign Permits	01-3628		NSF Check	02-1128	
Health Permits	01-3631		Meter Rent	02-3406	
Misc. Permits	01-3625		Marina Lease	08-3810	
Misc. Income	01-3819		Cemetery Receipts	10-3830	
Sale of Supplies	01-3807		PID	13-3828	
Recreation Fees	01-3401		Street	14-3828	
			Assessment-Ph#2	14-3830	
			Hotel/Motel Tax	15-3206	
TOTAL OF COLUMN		<u>650-</u>	TOTAL OF COLUMN		
TOTAL DUE		<u>650-</u>	Received by	<u>KR</u>	

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

Carter & Burgess, Inc.
 Dallas, Texas

VOUCHER NO.	DATE	AMOUNT
D24447		650.00
INVOICE NUMBER		34201

94-11-FP

APPLICATION AND FINAL PLAT CHECKLIST

Date 8-19-94

Name of Proposed Development WATERSTONE ESTATES

Name of Developer Pulte Home Corporation of Texas

Address 1431 Greenway Drive, Suite 700, Irving, TX 75038 Phone (214) 518-0177

Owner of Record Pulte Home Corporation of Texas

Address 1431 Greenway Drive, Suite 700, Irving, TX 75038 Phone (214) 518-0177

Name of Land Planner/Surveyor/Engineer Carter & Burgess

Address 7950 Elmbrook Drive, Suite 250, Dallas, TX 75247 Phone (214) 638-0145

Total Acreage 48.11 Current Zoning SF 7

Number of Lots/Units 123

Signed [Signature]

The Final Plat shall generally conform to the Preliminary Plat, as approved by the City Council and shall be drawn to legibly show all data on a satisfactory scale, usually not smaller than one inch equals 100 feet. The Final Plat shall be submitted on a drawing which is 18" x 24".

The following Final Plat Checklist is a summary of the requirements listed under Section VIII of the Rockwall Subdivision Ordinance. Section VIII should be reviewed and followed when preparing a Final Plat. The following checklist is intended only as a reminder and a guide for those requirements.

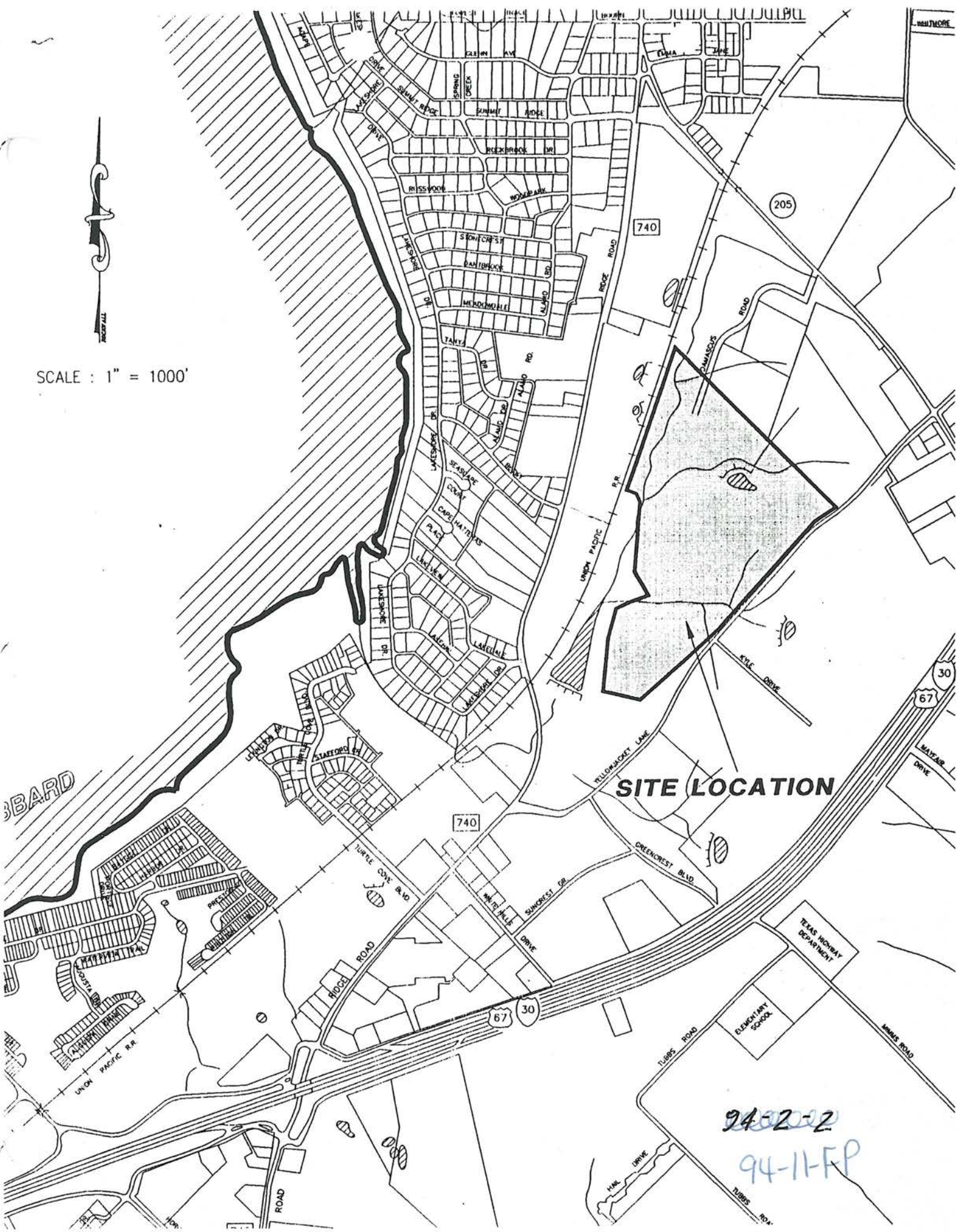
Information

<u>Provided of</u>	<u>Not</u>
<u>Shown on Plat</u>	<u>Applicable</u>

1. Title or name of development, written and graphic scale, north point, date of plat and key map

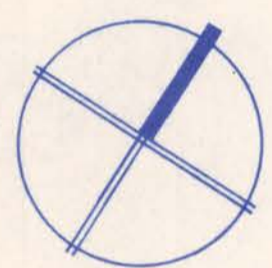


SCALE : 1" = 1000'



SITE LOCATION

94-2-2
94-11-FP



SUMMARY

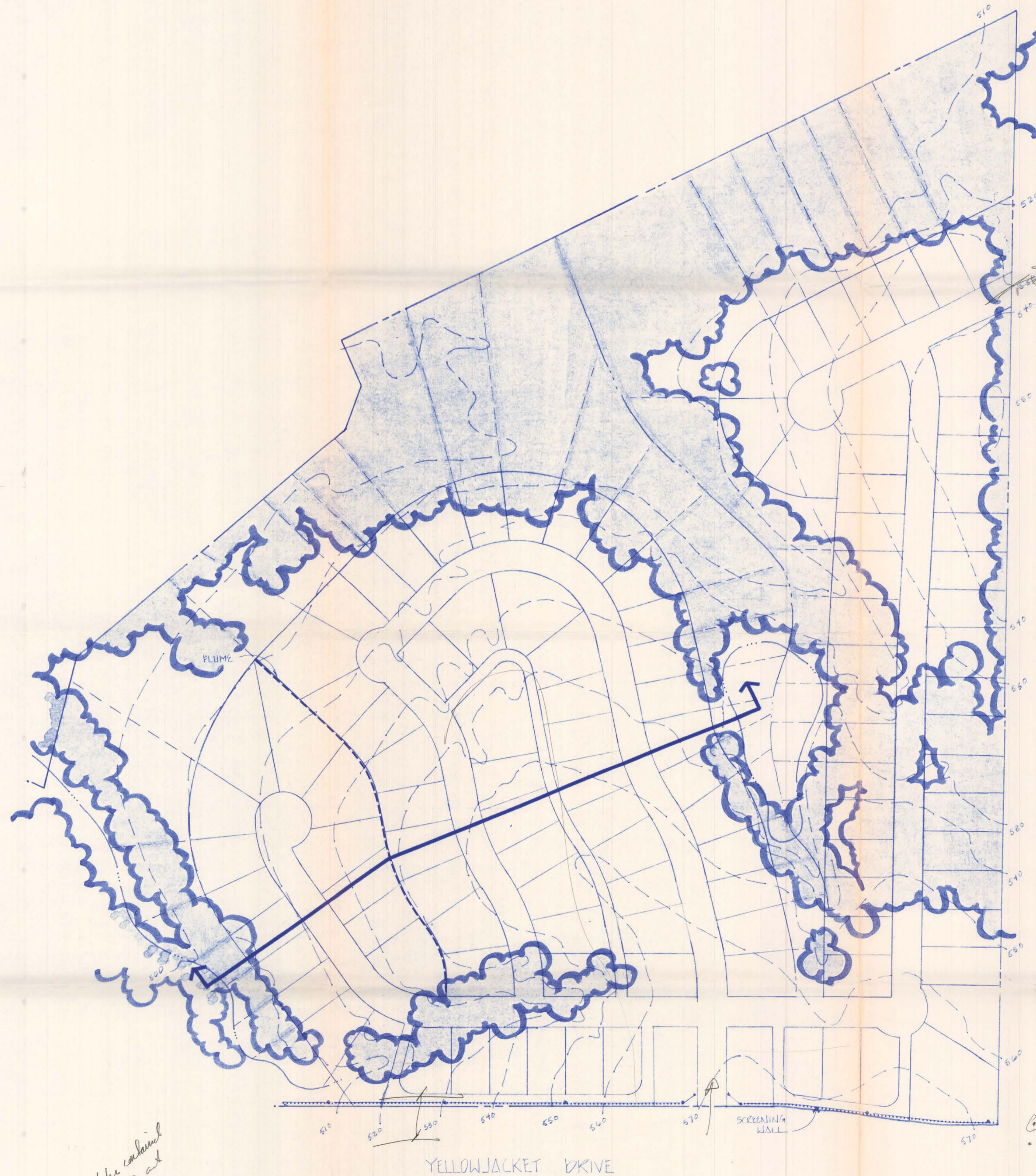
TOTAL SITE AREA	62.0 AC
TOTAL LOTS	115
DENSITY	2.42 DU/AC
(BASED ON AREA SHOWN - 47.5 AC)	
TYP. LOT SIZE	65'x115'

CONCEPT PLAN - 62 ACRE TRACT
ROCKWALL, TEXAS
LOS PRODAS DEVELOPMENT



MARCH 4, 1994

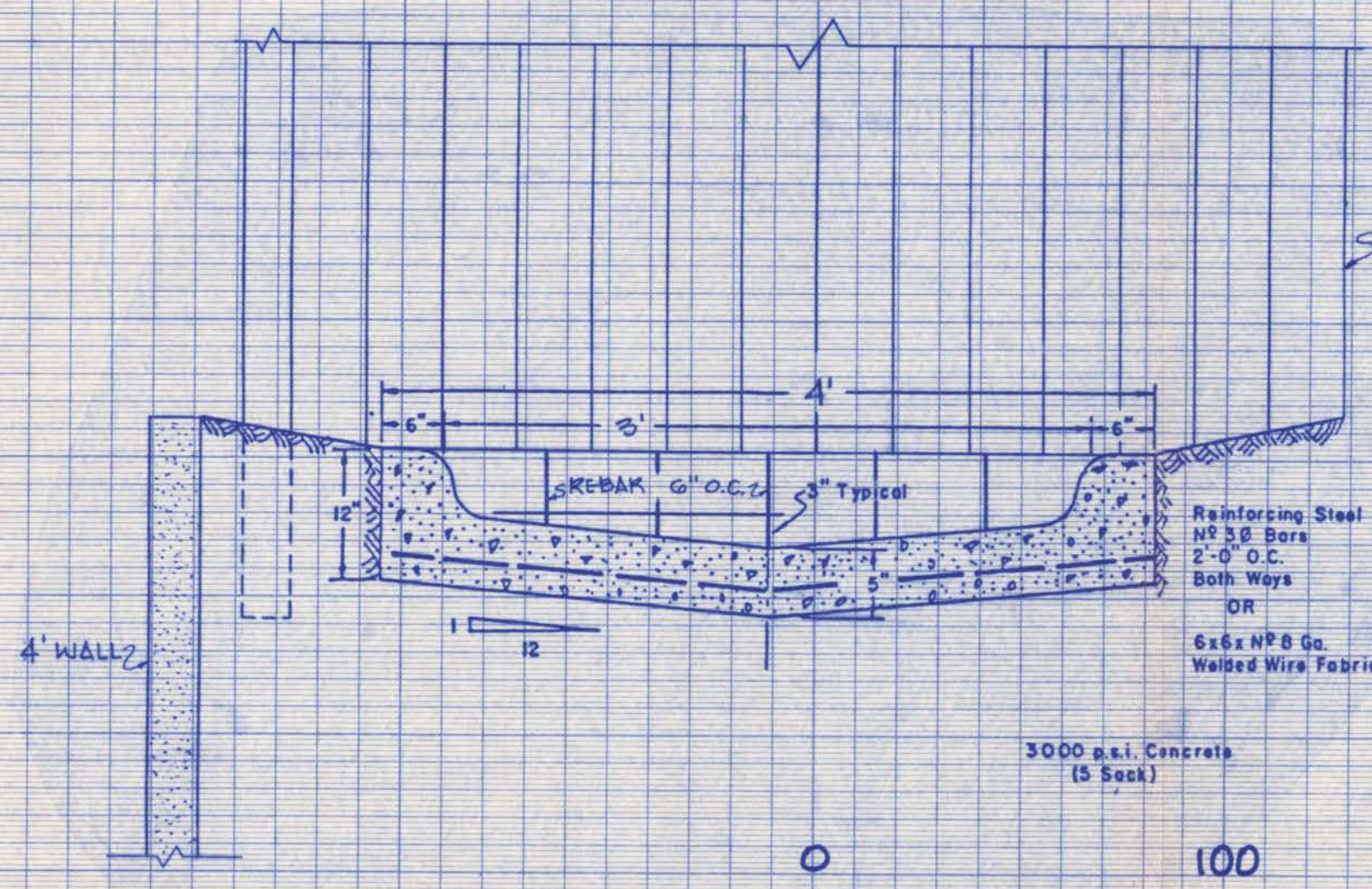
94-11-PP



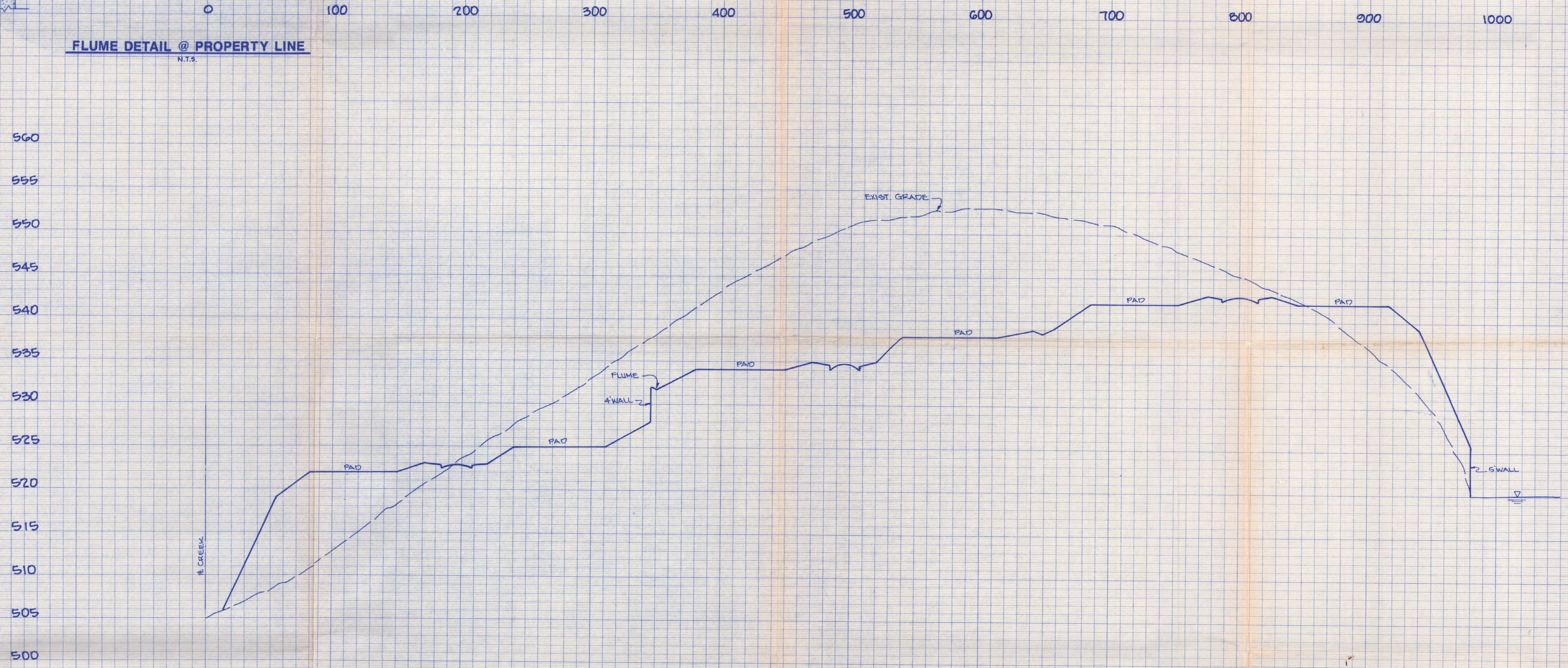
*Let
 open me*

*o Neighborhood will be combined
 to other one because of R.R. cut
 Flood plain
 o lot combine to general retail
 o If school is along Yellowjacket
 should be 300' depth
 o Buffer with MF*

*o zoning? ... safe zoning
 - can't find MF is
 comp plan is retail*

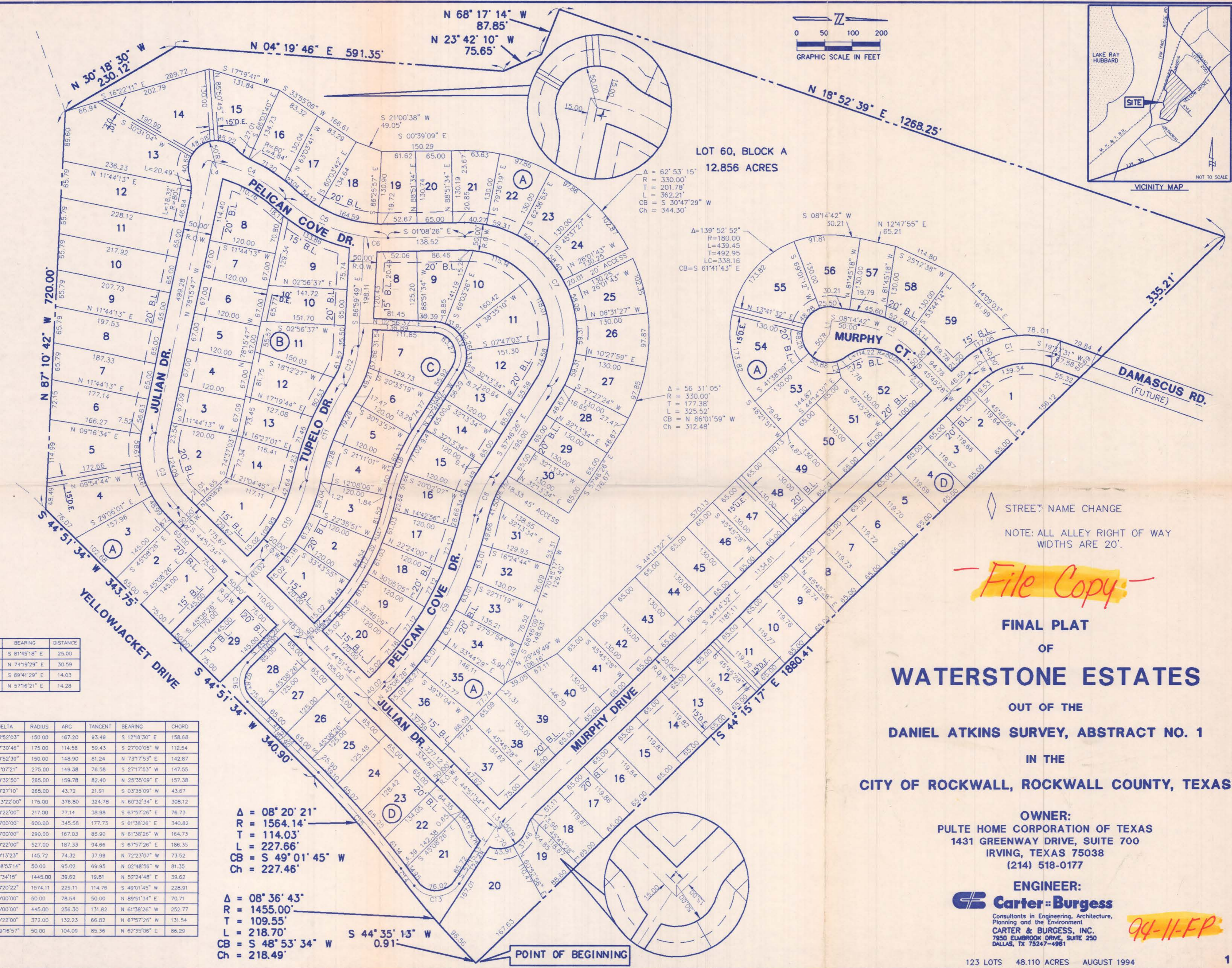
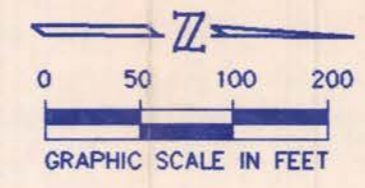
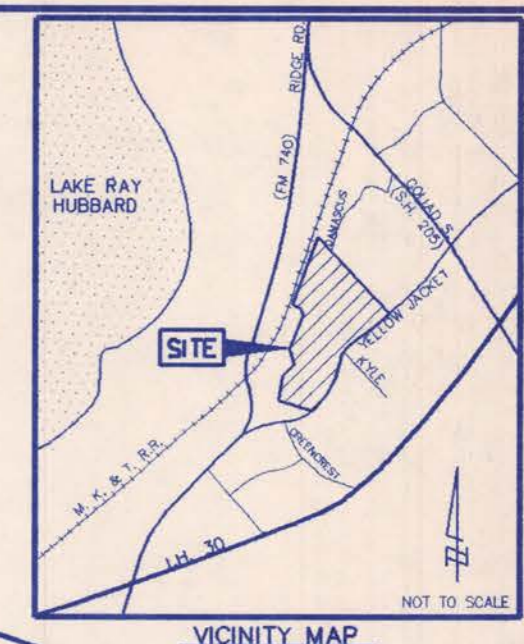


FLUME DETAIL @ PROPERTY LINE
N.T.S.



94-11-PP

DATE	REVISION	MADE	CKD.	APPD.		
CARTER & BURGESS, INC. ENGINEERS • PLANNERS • SURVEYORS 7950 ELMBROOK DRIVE / SUITE 250 / DALLAS, TEXAS 75247 (214) 638-0145 METRO (214) 263-2019						
CROSS SECTION - 62 ACRE TRACT						
ROCKWALL, TEXAS						
LOS PRADOS DEVELOPMENT						
DESIGN	DRAWN	CKD.	SCALE	DATE	FILE	NO.
R.R.P.	K.G.C.		1" = 40' H 1" = 6' V	MAR. 94		



LOT 60, BLOCK A
12.856 ACRES

Δ = 62° 53' 15"
R = 330.00'
T = 201.78'
L = 362.21'
CB = S 30° 47' 29" W
Ch = 344.30'

Δ = 139° 52' 52"
R = 180.00'
L = 439.45'
T = 492.95'
LC = 338.16'
CB = S 61° 41' 43" E

Δ = 56° 31' 05"
R = 330.00'
T = 177.38'
L = 325.52'
CB = N 86° 01' 59" W
Ch = 312.48'

◇ STREET NAME CHANGE

NOTE: ALL ALLEY RIGHT OF WAY WIDTHS ARE 20'.

File Copy

FINAL PLAT
OF
WATERSTONE ESTATES

OUT OF THE
DANIEL ATKINS SURVEY, ABSTRACT NO. 1
IN THE
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

OWNER:
PULTE HOME CORPORATION OF TEXAS
1431 GREENWAY DRIVE, SUITE 700
IRVING, TEXAS 75038
(214) 518-0177

ENGINEER:
Carter Burgess
Consultants in Engineering, Architecture,
Planning and the Environment.
CARTER & BURGESS, INC.
7850 ELMBROOK DRIVE, SUITE 250
DALLAS, TX 75247-4981

94-11-FP

LINE	BEARING	DISTANCE
L1	S 81°45'18" E	25.00
L2	N 74°19'29" E	30.59
L3	S 89°41'29" E	14.03
L4	N 57°16'21" E	14.28

CURVE	DELTA	RADIUS	ARC	TANGENT	BEARING	CHORD
C1	63°52'03"	150.00	167.20	93.49	S 12°18'30" E	158.68
C2	37°30'46"	175.00	114.58	59.43	S 27°00'05" W	112.54
C3	56°52'39"	150.00	148.90	81.24	N 73°17'53" E	142.87
C4	31°07'21"	275.00	149.38	76.58	S 27°17'53" W	147.55
C5	34°32'50"	285.00	159.78	82.40	N 25°35'09" E	157.38
C6	09°27'10"	265.00	43.72	21.91	S 03°35'09" W	43.67
C7	123°22'00"	175.00	376.80	324.78	N 60°32'34" E	308.12
C8	20°22'00"	217.00	77.14	38.98	S 67°57'26" E	76.73
C9	33°00'00"	600.00	345.58	177.73	S 61°38'26" E	340.82
C10	33°00'00"	290.00	167.03	85.90	N 61°38'26" W	164.73
C11	20°22'00"	527.00	187.33	94.66	S 67°57'26" E	186.35
C12	29°13'23"	145.72	74.32	37.99	N 72°23'07" W	73.52
C13	108°33'14"	50.00	95.02	69.95	N 02°48'56" W	81.35
C14	01°34'15"	1445.00	39.62	19.81	N 52°24'48" E	39.62
C15	08°20'22"	1574.11	229.11	114.76	S 49°01'45" W	228.91
C16	90°00'00"	50.00	78.54	50.00	N 89°51'34" E	70.71
C17	33°00'00"	445.00	256.30	131.82	N 61°38'26" W	252.77
C18	20°22'00"	372.00	132.23	66.82	N 67°57'26" W	131.54
C19	119°16'57"	50.00	104.09	85.36	N 67°35'06" E	86.29

Δ = 08° 20' 21"
R = 1564.14'
T = 114.03'
L = 227.66'
CB = S 49° 01' 45" W
Ch = 227.46'

Δ = 08° 36' 43"
R = 1455.00'
T = 109.55'
L = 218.70'
CB = S 48° 53' 34" W
Ch = 218.49'

POINT OF BEGINNING

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, Pulte Home Corporation does hereby adopt this plat as "WATERSTONE ESTATES", an addition to the City of Rockwall, Texas, 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 or private utility shall have the right to remove and keep removed all or part of any building, fence, trees, shrubs, or other improvements of growths, which in any way endanger, or interfere with the construction, maintenance of 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 strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective system 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.

EXECUTED this the _____ day of _____, 1994.

PULTE HOME CORPORATION

By: _____
DON EVANS
Vice President

STATE OF TEXAS
COUNTY OF DALLAS

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Don Evans, 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 expressed and in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 1994.

Notary Public in and for the State of Texas

APPROVED BY THE CITY OF ROCKWALL, TEXAS, THIS THE _____ DAY OF _____, 1994

MAYOR

ATTEST:

CITY SECRETARY

I, WILLIAM C. BODEN, REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON ACCURATELY REPRESENTS THE DESCRIBED PROPERTY AS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION, THAT UPON COMPLETION OF CONSTRUCTION 5/8" IRON RODS WITH CAPS STAMPED "CARTER & BURGESS" WILL BE SET AT ALL LOT CORNERS AND POINTS OF CURVATURE ALONG DEDICATED RIGHT-OF-WAYS UNLESS OTHERWISE NOTED AND THE MONUMENTS OR MARKS SET, FOUND, OR REFERENCED AS SHOWN HEREON ARE SUFFICIENT TO ENABLE RETRACEMENT.

Date: _____

WILLIAM C. BODEN
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 1932

STATE OF TEXAS
COUNTY OF DALLAS

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared William Boden, 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 expressed and in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 1994.

Notary Public in and for the State of Texas

DESCRIPTION

BEING A 48.125 ACRE TRACT OF LAND SITUATED IN THE DANIEL ATKINS SURVEY, ABSTRACT NO. 1, ROCKWALL COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN 61.2737 ACRE TRACT OF LAND DESCRIBED IN DEED TO PULTE HOME CORPORATION OF TEXAS AS RECORDED IN VOLUME 0916, PAGE 098 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS. BEARING BASIS IS SAID DEED OF RECORD BASED ON RECORD MONUMENTS FOUND MARKING THE MOST SOUTHERLY SOUTHEAST LINE OF SAID 61.2737 ACRE TRACT. SAID 48.125 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod with plastic cap marked "KADLECK-3952" found marking the east corner of said 61.2737 tract, common with northwest line of Yellowjacket Lane, a 90 foot right-of-way dedicated to the City of Rockwall by deed recorded in V. 479, p. 10 Deed Records Rockwall County, Texas and common with a southerly corner of Lot 1, Block A Pebblebrook Apartments, Phase Two as recorded in Slide B, Page 45 Plat Records Rockwall County, Texas;

THENCE with northwest line of Yellowjacket Lane, S 44°35'13" W, a distance of 0.91 feet to a 5/8" iron rod with cap marked "CARTER & BURGESS" set for corner;

THENCE continuing with northwest line of Yellowjacket Lane, along a curve to the right having a radius of 1455.00 feet, a delta angle of 08°36'44", a long chord that bears S 48°53'34" W a distance of 218.49 feet, an arc distance of 218.70 feet to a 5/8" iron rod with cap marked "CARTER & BURGESS" set for corner;

THENCE continuing with northwest line of Yellowjacket Lane, along a curve to the left having a radius of 1564.10 feet, a delta angle of 08°20'22", a long chord that bears S 49°01'45" W a distance of 227.45 feet, an arc distance of 227.65 feet to a 5/8" iron rod with cap marked "CARTER & BURGESS" set for corner;

THENCE continuing with northwest line of Yellowjacket Lane, S 44°51'34" W, a distance of 684.65 feet to an iron rod with plastic cap marked "KADLECK" found marking a point of curvature and the southeast corner of this tract;

THENCE departing said Lane and through said 61.2737 acre tract, N 87°10'42" W, a distance of 720.00 feet to a 5/8" iron rod with cap marked "CARTER & BURGESS" set for corner, common with the most easterly corner of a 6.0 Acre tract described in deed to church on the rock as recorded in V. 451, P. 196 of the Deed Records Rockwall County, Texas;

THENCE with the west line of said 61.2737 acre tract, common with the east line of said 6.0 acre tract, N 30°18'30" W, a distance of 230.12 feet to a 5/8" iron rod with cap marked "CARTER & BURGESS" set for corner;

THENCE continuing with said common line, N 04°19'46" E, a distance of 591.35 feet to a 3/8" iron rod found at old down fence corner;

THENCE continuing with said common line, N 23°42'10" W, a distance of 75.65 feet to a 5/8" iron rod with cap marked "CARTER & BURGESS" set for corner;

THENCE continuing with said common line, N 68°17'14" W, a distance of 87.85 feet to a 3/8" iron rod found in the easterly line of the M.K. & T. Railroad's 100 foot right-of-way;

THENCE with the westerly line of said 61.2737 acre tract, common with the easterly of the M.K. & T. Railroad's 100 foot right-of-way, N 18°52'39" E, a distance of 1268.25 feet to a 3/8" iron rod found marking the north corner of said 61.2737 acre tract, common with the westerly corner of the Ray Cameron 11.299 acre tract;

THENCE with the northeast line of said 61.2737 acre tract, common with the southwest lines of said 11.299 acre tract, common with the southwest line of Our Lady of the Lake Catholic Church as recorded in Slide B, Page 217 of the Plat Records Rockwall County, Texas, and common with said Lot 1, Block A Pebblebrook Apartments, Phase Two, S 44°15'17" E, a distance of 1880.41 feet to THE POINT OF BEGINNING, and containing 48.125 acres of land, more or less.

7950 Elmbrook Drive, Ste. 250 / Dallas, TX 75247-4951
 Dallas • Fort Worth • Houston • Arlington • Austin • Midland, TX
 Little Rock, Arkansas • Fort Myers, Florida

TO: CITY OF ROCKWALL

DATE	<u>5/19/94</u>	JOB NO.	<u>933277010</u>
RE:	<u>WATERSTONE ESTATES</u>		

ATTENTION: Planning Dept.

WE ARE SENDING YOU:

- Herewith In accordance with your request
 Under separate cover via:
 Messenger Blueprinter Carrier
 Mail Receipt and return duplicate to Carter & Burgess, Inc. TOO MANY

THE FOLLOWING:

- Original tracings Prints Copy of letter
 Reproducibles Specifications Other _____

NO. OF COPIES	DATE	DRAWING NO.	DESCRIPTION
<u>10</u>			<u>Blue Lines of Prelim Plat, Prelim Utilities & Prelim Drainage</u>
<u>1</u>			<u>Application Fee</u>
<u>1</u>			<u>Application</u>

THESE ARE TRANSMITTED AS CHECKED BELOW:

- For approval Furnish as submitted Revise and resubmit _____ copies for approval
 For your use Furnish as corrected Submit _____ copies for distribution
 For your information Returned for corrections Return _____ corrected prints
 For review and comment Submit specified item _____
 FOR BIDS DUE _____ 19____ PRINTS RETURNED AFTER LOAN TO US

REMARKS Please call with any questions OR Comments Thank You APP

COPIES TO: _____

SENT BY: RICHARD Payne

KayRenée, Inc.

GENERAL CONTRACTORS

94-11

1901 STADIUM OAKS

(817) 860-9095 • FAX (817) 860-4314

ARLINGTON, TX 76011

August 25, 1995

Bill Crolley, Planning Director
City of Rockwall
205 W. Rusk
Rockwall, Texas

Re: Waterstone Estates PH. I - Landscape Improvements

Dear Mr. Crolley:

Pulte Home Corporation of Texas agrees to install and maintain the landscaping along Yellowjacket Lane.

Maintenance of said landscaping and fence will be provided while Pulte Homes has a "SALES MODEL" presence, but shall not extend beyond a two (2) year period unless otherwise notified by Pulte Homes or their representative.

As the conclusion of Pulte Homes' maintenance of the landscaping, the City of Rockwall agrees to maintain the landscaping and wall at their sole expense, therefore releasing Pulte Home Corporation of any further obligation.

Enclosed are a "PLAT" and "LANDSCAPE PLAN" outlining the ares affected by this agreement.

If you have any questions regarding this agreement, please call.

Sincerely,



Brad Shelton
Project Manager, Waterstone Estates

BS/gm
Enc.



D/FW

94-11

Division

Fax Cover Sheet

1431 GREENWAY DRIVE
SUITE 700
IRVING, TEXAS 75038
(214) 518-0177 FAX (214) 518-2613

TO: BILL Crolley City Rockwall

FROM: DONNIE EVANS Pulte Homes

DATE: 9-6-95

NUMBER OF PAGES BEING TRANSMITTED, INCLUDING COVER SHEET:

COMMENTS: Please call if you have any
Comments or questions

**RIGHT-OF-WAY LANDSCAPE
AND IRRIGATION AGREEMENT**

STATE OF TEXAS

COUNTY OF ROCKWALL

KNOW ALL MEN BY THESE PRESENTS:

THIS AGREEMENT is entered into this _____ day of _____, 1995, by and between the **CITY OF ROCKWALL, TEXAS**, a municipal Corporation (hereinafter referred to as "City", and **PULTE HOME CORPORATION OF TEXAS, A MICHIGAN CORPORATION** (hereinafter referred to as "Developer"), both acting through their authorized officers and employees.

WITNESSETH:

WHEREAS, Developer will install certain landscaping and irrigation improvements in a portion of the right of way of Yellowjacket Lane within Waterstone Estates Addition, and addition to the City of Rockwall, Rockwall County, Texas, as shown on the attached drawing marked Exhibit "A" and made a part hereof, and

WHEREAS, City, under the terms and conditions set forth herein, is agreeable to Developer installing and maintaining the landscape and irrigation improvements (hereinafter called ("Improvements")) in that certain portion of right of way of Yellowjacket Lane.

NOW, THEREFORE, for and in consideration of the covenants, obligations and undertakings to be performed by each of the parties to this Agreement, the said parties do hereby agree as follows:

1. Developer shall install and maintain for two years beginning the date of subdivision acceptance, the Improvements within that certain portion of the right of way of Yellowjacket Lane within the Waterstone Estates Addition to the City of Rockwall, Texas as shown on Exhibit "A".

2. Prior to installation of the Improvements, the City shall approve plans for such improvements, which plans have been prepared by a landscape architect or a practicing professional in the field.

3. Upon submission of the plans the City shall determine if the landscaping and irrigation proposed is of such quality as to improve and enhance the site and its surrounding areas as to be of minimal maintenance requirements. To this end, the City shall have the right to require such revisions to the original plans

Right-of-Way Landscape and Irrigation Agreement
Page 2

as are necessary to achieve the standards set out above.

Any installation of landscaping materials and/or irrigation facilities within right-of-way under this agreement shall be in full compliance and accordance with the plans thereof approved by the City.

4. The primary landscaping materials to be used by the Developer shall be trees, grass and shrubbery.

5. The Developer shall furnish or cause to be furnished, at its expense, all labor, equipment, accessories and services necessary to install all landscaping materials and irrigation facilities in accordance with the approved plans and specifications.

6. The City shall inspect such installation and shall require such steps to be taken as are necessary to cause proper installation to be accomplished.

7. Upon completion of the installation in accordance with the approved plans, written confirmation thereof shall be furnished to the Developer.

8. Developer, its representatives, successors or assigns, at its sole expense, shall furnish all labor, materials, equipment, accessories and services, necessary to maintain irrigation equipment in proper working order, and all plant material installed under this Agreement in a healthy, vigorous growing condition, replacing any plant materials when and as it becomes damaged, unsightly or dead, for a period of two (2) years after subdivision acceptance. Developer shall at its sole expense provide water for the purpose of irrigation. During the period, all landscaping materials and irrigation equipment shall be and remain the property of the Developer.

9. After the subdivision acceptance and during the period of Developer's responsibility for maintenance, City shall periodically inspect the areas landscaped and irrigated under this Agreement to determine that such areas are being properly maintained by the Developer. If, upon such inspection, city finds that Developer is not properly maintaining such areas, City shall so notify Developer in writing, specifying the deficiencies.

10. At the end of the two years from subdivision acceptance, this agreement shall terminate and City shall have rights of ownership and complete authority to determine the appropriate level of maintenance.

Right-of-Way Landscape and Irrigation Agreement
Page 3

11. This agreement and all requirements hereunder may be modified or amended only by written instrument executed by the Developer and the City, their representatives, successors or assigns.

12. The laws of the State of Texas shall govern the interpretation, validity, performance and enforcement of this Agreement and Rockwall County shall be the exclusive venue for the bringing of any action to enforce the terms and conditions of the Agreement.

IN WITNESS HEREOF, the parties hereto have executed the Agreement the day and year first above written.

CITY OF ROCKWALL, TEXAS

By: _____

Title _____

PULTE HOME CORPORATION OF TEXAS
A MICHIGAN CORPORATION

By: _____

Title _____

ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF ROCKWALL

BEFORE ME, The undersigned authority, on this day personally appeared _____, City Manager of the CITY OF ROCKWALL, TEXAS, a home rule municipal corporation, known to me to be the person whose name is subscribed to the forgoing instrument and acknowledged to me that he/she executed the same as the act and deed of the CITY OF ROCKWALL, TEXAS, for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN under my hand and seal of the office this the _____ day of _____, 1995.

Notary Public in and for the State of Texas

STATE OF TEXAS

COUNTY OF _____

BEFORE ME, The undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she is duly authorized to execute the foregoing instrument and the he/she executed the same as the act and deed of the PULTE HOME CORPORATION OF TEXAS, A MICHIGAN CORPORATION, for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN under my hand and seal of the office this the _____ day of _____, 1995.

Notary Public in and for the State of Texas

AGENDA
PLANNING & ZONING COMMISSION WORK SESSION
205 W RUSK
AUGUST 25, 1994
7:00 P.M.

I. CALL TO ORDER

II. WORK SESSION ITEMS

93-51-FP A request from Kirby Albright for a Final Plat for the Benton Woods Addition located on the east side of FM-740, south of Shadeydale Lane.

94-11-FP A request from Los Prados Development for a Final Plat for Waterstone Estates located on the north side of Yellowjacket Lane, south of the Union Pacific Railroad.

94-16-PP/Z A request from Homeplace for a Preliminary Plat and an Amendment to PD-3 changing the Land Use from MF and C to SF-10 and zoning change from A to PD-3 for Random Oaks at the Shores

94-17-FP A request from Caruth Lake Development Corp. for a Final Plat of Village of Caruth Lake Phase II located on the east side of SH-205, north of Harris Height Addition

94-18-PP A request from Whittle Development for an amendment to PD-5 changing the Land Use from GR to SF-6 and a Preliminary Plat for Quail Run Valley Addition located on the east side of SH-205, south of Quail Run Road

94-19-CUP A request from James Helwig & Sons Inc. for a Conditional Use Permit to allow for a temporary guard house for property located at 2670 S Goliad

94-20-RP A request from David Abshire for a replat of lots 1,2, & part of 3, Block C, of the Wade Addition. 202 Joe White

94-21-PP A request from Neil Jones for a Preliminary Plat for the Sanctuary At Chandlers Landing

III. ADJOURNMENT

**MINUTES OF THE ROCKWALL CITY COUNCIL
JUNE 20, 1994**

5 **Call to Order**

Mayor Alma Williams called the meeting to order at 7:00 p.m. with the following Council Members present: Dale Morgan, Pat Luby, George Hatfield and Nell Welborn. Todd White and Bob Wilson were absent. Invocation and pledge of allegiance was lead by George Hatfield.

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Consent Agenda

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- a) Approval of Minutes of June 6, 1994
- b) Discuss and Consider Scheduling First Council Meeting in July to July 5th

Welborn made a motion to schedule the first meeting in July for Monday, July 11 at regular scheduled time. Luby seconded the motion which passed unanimously.

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Welborn made a motion to approve the minutes with corrections stated. The motion was seconded by Morgan and passed unanimously.

25 **Appointments/Plats/Plans**

Appointment with Representative of North Texas Municipal Water District Regarding History of the District

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Brett Hall and Larry Parks presented each Council Member with a book regarding the history of The North Texas Municipal Water District and its service to the Rockwall and surrounding areas.

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Appointment with Capital Improvement Program Chairman Regarding Presentation of CIP Report and Take Any Necessary Action

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Greg Caffarel, spokesman for the CIP Task Force, presented the report to Council. He outlined the report and indicated that each project had written recommendations which the Task Force felt adequately supported the project. Mr. Caffarel pointed out the recommendation to hold a \$6.8 million bond election in late summer in order to provide funding for the necessary projects. In closing, Mr. Caffarel expressed an interest in scheduling a meeting with the CIP Task Force and City Council to further discuss the projects and their impact on Rockwall.

45 Following Council discussion and their expression of the appreciation and commendation for work of the Task Force it was the consensus of Council to schedule a date in July for a worksession to further review the report with the Task Force.

Appointment with Rockwall 4th Fest, Inc. Representatives Regarding Request for City Services and Take Any Necessary Action

50 Paul Morelan addressed Council and requested certain in-house services to be provided by the City at the July 4th event including traffic control, mowing, and police assistance. These services provided would be recognized as the City's participation under the platinum sponsorship. Welborn inquired about the costs of the services being requested. Hatfield made a motion to authorize the approval of City "in-house" services to be provided at the Rockwall 4th Fest, Inc. event subject to the final approval of the City Manager. Morgan seconded the motion which passed unanimously.

Appointment with Planning and Zoning Commission Chairman

60 Ross Ramsay addressed Council regarding the cases before Council this evening. He was available to answer questions.

P&Z 94-10-FP/RP Hold Public Hearing and Consider Approval of a Request from Kent McKinney for Final Plat/Replat of Lots 30 & 31, Block A, High Ridge Estates

70 Couch indicated to Council that this request was a replat for joining two adjacent lots into one lot for a residential dwelling with the recommendation that the existing 5' easement continue along the adjacent lots.

75 Mayor Williams opened the public hearing. Lou Horn, surveyor for the property, addressed Council to make himself available for any questions. No one else appeared before Council. Mayor Williams closed the public hearing.

Hatfield made a motion to approve the request from Kent McKinney for final plat/replat of Lots 30 & 31, Block A, High Ridge Estates. The motion was seconded by Luby and passed unanimously.

P&Z 94-12-PP Discuss and Consider Approval of a Request from WPC Acquisition, Inc. for a Preliminary Plat for 86 lots in Chandler's Landing, Phase 15 Located East of FM-740 and North of IH-30

85 Couch explained to Council that the current plat called for 130 zero-lots and that a previous request had been made to amend the plat to allow for approximately 75 single-family lots which was never finalized. She reviewed the current request from WPC Acquisition, Inc. to approve a preliminary plat for 86 lots in Chandler's Landing, Phase 15 meeting all current zoning

90 requirements. Welborn questioned the engineering requirements regarding turning radii within
cul-de-sacs and street widths. Couch indicated that the preliminary plat does meet current
requirements. She indicated that the Council could initiate a study of the design widths and radii
for the City as a whole, if desired. Morgan made a motion to approve the preliminary plat with
the following conditions as recommended by the Commission: 1) the final plat is to be prepared
describing the vacation of the existing plat filed of record, 2) revise the plat to show a 10' utility
95 easement on both sides of the street access easement, 3) relocate the proposed water and sanitary
sewer lines within the center of the proposed utility easements, 4) the existing 6" sanitary sewer
line should be relocated outside of lots 52 & 53, Block A, relocating the line into the existing
Greenbelt Area, 5) the applicant should adjust the alignment of Defender Court cul-de-sac so that
there is no centerline offset from Weatherly Circle cul-de-sac, 6) include the lakes on the
preliminary plat and 7) provide the dimensions of each proposed lot to be platted. Hatfield
100 seconded the motion which passed unanimously.

**P&Z 94-11-PP Discuss and Consider Approval of a Request from Los Prados Development
Company for a Preliminary Plat for Property Located on the North side of Yellowjacket
Lane and the East side of Union Pacific Railroad**

105 Couch reviewed the preliminary plat submitted for review and indicated that there had been
considerable discussion on the Commission level regarding the greenbelt/parkland issue. She
indicated that the Park Board would walk the area soon and submit a recommendation regarding
the dedication of the parkland prior to final platting.

Brad Myers, Carter & Burgess, reviewed the plan and informed Council that the park space
would be staked and walked by the Park Board at their next regularly scheduled meeting. He
indicated that Los Prados would either dedicate the greenbelt area as one lot if selected for a
park site or would incorporate the land into the existing lots if not selected.

115 Following Council discussion regarding general screening and sidewalk requirements, Council
recognized Ross Ramsay, Planning and Zoning Commission spokesman. He expressed concern
regarding the approximately 20 acres of greenbelt area to be dedicated to the City. After further
discussion, Welborn made a motion to approve the preliminary plat for this development subject
120 to the recommended conditions with these changes: 1) that the flume detail statement be
rewritten to show any fences for the individual lots do not encroach, 2) that the preliminary plat
clearly show screening wall along Yellowjacket with construction details submitted along with
the final plat, 3) that the preliminary plat be approved with the greenbelt area platted into one
lot, however, if at time of final platting, the greenbelt is not recommended as dedicated
125 parkland, then the greenbelt is to be replatted into existing individual lots, and 4) that the street
name be changed from Rochelle to Tupalo. The motion was seconded by Morgan and passed
unanimously.

130 **City Manager's Report**

135 Couch indicated to Council that TU Electric requested the establishment of economic development tariffs. She commented that the coalition of cities which was formed to review such requests would meet next week to review the request and an update report would be discussed at the next regularly scheduled Council meeting.

140 Couch also outlined the letter to the state in regards to SH-205. The letter outlined both alternatives to be reviewed by the State. Council questioned the status of the contract with the traffic consultant and the potential time delay of submitting two alternatives. Couch indicated that there should not be a substantial time delay by submitting both plans.

Next, Couch informed Council that the exit ramp accessing Horizon Road which would improve business access along the frontage road is scheduled to be opened around the 27th of the month.

145 She mentioned that water tower contracts had begun dirt moving procedures and that a worksession would be scheduled for July to discuss the painting, logo design, and lighting for the new tower.

150 In closing, retreat proposals from both David Tees' and Chris Hartung's organizations were distributed to the Council for review and consideration.

Action/Discussion Items

155 **Discuss and Consider Authorizing City Manager to Enter Into a Contract with Planning Resources Group for Planning Services**

160 Couch indicated that proposals have been submitted for land use plans. Three proposals were received, and two companies were interviewed. Couch recommended awarding the contract to Planning Resources Group based on his proposal. Council inquired as to the ownership of the company and the involvement of all owners. The proposal would update the 1986 land use plan, the 1984 thoroughfare plan, and the impact fee analysis and also provide a facilities plan for the City. Hatfield made a motion to approve the award authorizing the City Manager to enter into a contract with Planning Resources Group (PRG) for planning services. Luby seconded the motion. The motion passed unanimously.

170 **Discuss and Consider Approval of a Resolution Recognizing Commencement of Cable Franchise Renewal Proceedings in Accordance with Section 626 with the Cable Communications Policy Act of 1984, As Amended (47 U.S.C. §§ 521 ET SEQ)**

175 Couch explained to Council that Mission Cable has requested to initiate renewal franchise proceedings. She indicated that this resolution would formally begin the review process. Hatfield made a motion to approve the resolution recognizing commencement of cable franchise renewal proceedings. The motion was seconded by Luby and passed unanimously.

Discuss and Consider Entering Into a Contract for FBO Services at the Rockwall Municipal Airport

180 Couch introduced the proposal for a FBO at the airport. She noted the memorandum from Rick
Crowley which outlined any significant differences between this proposal and the previous FBO
agreement. She indicated that no improvements would be made by the FBO at this time other
185 than the installation of an activated lighting system on the runway. In addition, the current
proposal would allow the City to provide funds to the FBO in order for the FBO to provide
workers' compensation coverage. The City felt this was a potential liability risk that had to be
addressed.

190 Hatfield made a motion to enter into a contract for FBO services at the Rockwall Municipal
Airport. Morgan seconded the motion. After Welborn questioned the need for the City to
provide funds to the FBO for workers' compensation coverage, Welborn offered an amendment
to the motion to omit the City agreeing to pay the FBO an amount equal to the cost of workers
compensation insurance. The amendment died with no second. Mayor Williams called for
votes. The motion passed unanimously.

195 **Hold Executive Session Under Section 551.074 of the Texas
Government Code**

200 The Council convened into executive session at 8:45 p.m. to discuss personnel regarding City
Boards, Commissions, and Task Force and Take Any Necessary Action as a Result of the
Executive Session

205 The Council reconvened into regular session at 9:12 p.m. Mayor Williams announced that no
action would be taken on as a result of executive session.

Adjournment

210 The meeting adjourned at 9:20 p.m.

APPROVED:



Mayor

ATTEST:

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City Secretary

MINUTES OF THE ROCKWALL CITY COUNCIL SEPTEMBER 19, 1994

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Call to Order

Mayor Alma Williams called the meeting to order at 7:00 p.m. with the following Council Members present: Dale Morgan, Pat Luby, Todd White, Bob Wilson, George Hatfield, and Nell Welborn. Invocation and pledge of allegiance was lead by Bob Wilson.

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Consent Agenda

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- a) Approval of Minutes of September 6, 1994
- b) Consider Approval of an Ordinance Approving a Municipal Maintenance Agreement with TxDOT (2nd reading)

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Ordinance No. 94-33

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AN ORDINANCE PROVIDING FOR THE MAINTENANCE OF CERTAIN STATE HIGHWAYS AND/OR PORTIONS OF STATE HIGHWAYS IN THE CITY OF ROCKWALL, COUNTY OF ROCKWALL, TEXAS, HEREBY REFERRED TO AS MUNICIPAL MAINTENANCE PROJECT AND AUTHORIZING THE MAYOR OF THE CITY OR OTHER AUTHORIZED CITY OFFICIAL, TO EXECUTE AND AFFIX THE CORPORATE SEAL AND ATTEST SAME. A CERTAIN AGREEMENT BETWEEN THE CITY AND THE STATE OF TEXAS, PROVIDING FOR THE MAINTENANCE AND USE OF THE SAID MAINTENANCE PROJECT; AND DECLARING AN EMERGENCY AND PROVIDING THAT THIS ORDINANCE SHOULD BE EFFECTIVE FROM AND AFTER ITS PASSAGE.

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White moved to approve the consent agenda. Wilson seconded the motion. The caption was read by Julie Couch. The motion passed unanimously.

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Appointments/Plans/Public Hearings

Appointment with City of Dallas Representative Regarding Lake Ray Hubbard Master Plan Update and Take Any Necessary Action

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Roger Proza, Assistant Director of Operations - Dallas Water Utilities and John King, Project Manager appeared before the Council. Proza provided a short statement regarding the history of the master plan. He stated that the original plan was prepared by Mr. Springer, and the report was updated in 1976. The assumptions of the plan included public access along to the shoreline, a shoreline open to anyone with a park-like setting. The problems that have occurred with the master plan have resulted from the increased operation of lake, a lack of funding

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50 increases for the maintenance of park facilities, and an unachieved vision for the lake development. He indicated that the City of Dallas has obtained the services of Johnson, Johnson, and Roy (JJR) to review the uses of the lake, both existing and future, and make recommendations for alternatives uses. Dallas's goal is for the lake to generate some type of revenue to be used for its maintenance. JJR has been tasked with developing policies relating to the use of the lake. The project study began in April 1994 and is scheduled to be completed in Spring 1995. Erosion control issues are currently being implemented.

55 Mayor Williams questioned Mr. Proza regarding the erosion control for the lake and how it will affect the citizens of Rockwall. Proza stated that the areas of concern include the dam area, the Clements property, and Antiqua Bay. He stressed that the City of Dallas has no immediate concerns regarding erosion. Williams asked what is the current policy in dealing with property owners regarding erosion control. Proza stated that when approached the City of Dallas allows property owners to take erosion control measures. In further discussion, Williams asked Proza about the possibility of private boat dock construction in the future. Proza stated that this is being studied as a part of the master plan update. Proza also related to the Council that the City of Dallas has been approach about the possibilities of casino gambling on the Lake, and that numerous questions have been received regarding the ownership of the lake. Mr. Proza stated that the approval of casino gambling will depend upon legislation passed in Austin. Williams expressed her appreciation of Mr. Proza's report.

70 **Appointment with Municipal Judge to Hear Semi-Annual Status Report on Municipal Court and Take Any Necessary Action**

Williams stated that this item has been moved to next meeting.

Appointment with Planning & Zoning Commission Chairman

75 Van Ewing presented the report of the Planning and Zoning Commission. Welborn questioned why approval of a plat had been denied rather than tabled because the applicant had not been present. It was stated that by state statute action to approve or deny a plat must be completed on items within 30 days.

80 **PZ 94-16-PP/Z Hold Public Hearing and Consider Approval of Ordinances Granting a Request for Homeplace for an Amendment to "PD-3" changing the Land Use from "MF" and "C" to "SF-10" and "SF7.8" and a Zoning Change from "A" to "PD-3" SF-10/SF7.8 for Random Oaks at the Shores, and Approval of a Preliminary Plat/Development Plan**

85 Couch commented that this request is for land currently zoned PD-3 and Agricultural. She indicated that the applicant is requesting a change in land use to single family with a mix of lot sizes from 7,800 square feet minimum to 10,000 square feet maximum. Additionally, the development plan/preliminary plat is attached with staff's recommended suggestions. Mayor Williams opened the public hearing. The applicant's representatives Pat Atkins, with Tipton Engineering, and Mr. Don Bass of Homeplace properties came forward. Mr. Atkins indicated that the property is currently zoned for agricultural, retail and multi-family uses. Discussion was held regarding the proposed location of entry on SH 205. Council raised concerns

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5 regarding the screening requirements along adjacent roadways. The applicant stated that this screen is in concurrence with Planning and Zoning Commission's comments. The applicant stated that there is no screening along Quail Run because the patter established along Quail Run had not provided for such screening. He did indicate that there would be no driveway access from those lots backing to Quail Run and that they would be fenced by the builder. Todd White, referenced a concern cited in the minutes of P&Z meeting regarding a signal light at Ridge Road West and SH-205. Couch commented that conditions under the "PD" establish requirements for a signal at that intersection based on a certain number of lots within "PD-3" and that this development did not exceed the allowable lots. In addition she stated that traffic numbers must be present for the state to warrant the inclusion of a traffic signal. White expressed his desire to further examine the need for a signal and requested the State review. William closed public hearing.

105 Welborn requested further information regarding the fencing along Quail Run, and the means of how the City will ensure that it is placed properly. Couch stated that it could be made a condition of the plat. The applicant was questioned regarding the impact the appearance of the fencing will have on the entire area. The applicant stated that the fence will be located along the property line which should place the fence 10-12 feet from the future curb. The applicant indicated that they are committed to providing landscaping but no specific plans have been made at this time. Couch recommended that as a condition of approval the applicant submit a landscaping screening plan with the final plat.

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1 Welborn made a motion for approval for Homeplace to amend the development, to approve the zoning change from agricultural to planned development, and to approve the preliminary plat with the following conditions: the plat is to reflect a drainage right-of-way along the drainway, the applicant will be required to design and construct a deceleration/left turn lane on SH-205, the applicant will be required to escrow funds to improve 1/2 of Quail Run which fronts the proposed development, the applicant will be required to upgrade the undersized drainage structures under Quail Run in order to handle increased runoff caused by the development, the applicant will be required to pay a portion of a pro-rata water line agreement, the applicant shall provide a masonry screening wall along Ridge Road West and SH-205 and adding the conditions that no lots backing to Quail Run shall have drive access to Quail Run Road and that builders on those lots shall be required to construct fences along Quail Run, and a landscape/screening plan for adjacent right-of-way on SH-205 and Ridge Road West shall be submitted with the final plat. The motion was seconded by Dale Morgan. In further discussion, White requested information be gathered regarding a traffic signal for the area. As an amendment to the motion, White added that the traffic flow should be reviewed to determine the need for signalization in the area. George Hatfield questioned whether or not final approval of the application would be hinged on the completion of such a study. Couch stated that it would not. Couch read the ordinance. The motion passed unanimously.

135 **PZ 94-19 CUP Hold Public Hearing and Consider Approval of an Ordinance Granting a Request from James Helwig & Sons Inc. for a Conditional Use Permit to Allow for a Temporary Guard House for Property Located at 2670 S. Goliad**

140 Couch indicated that Mr. Helwig has previously appeared before the council. The building for
which he is requesting the CUP will be a temporary, portable building for a guard house facility.
The Planning and Zoning Commission recommended approval of the permit with several
conditions. Mayor Williams opened the public hearing. The applicant came forward, James
Helwig 2670 South Garland Road. He stated that the growth of operation and several break ins
145 had lead to this request. He would like to protect the truckers belongings, but does not have
insurance to cover these expenses. Welborn asked what type of building is to be constructed
and what size will it be. Helwig stated that whatever is necessary to met the conditions of the
CUP. Helwig stated that hours will be 6 to 6, and the building will be placed far enough back
from the roadway to allow two trucks entry into the truck yard. Welborn asked if Mr. Helwig
was in agreement with the P&Z Commission regarding the conditions of approval. He stated
150 that he was in agreement. No additional comments were received from the public. Williams
closed the public hearing. Council held discussion. Hatfield motioned to approve the ordinance
granting a request from James Helwig & Sons Inc. for a Conditional Use Permit to allow for
a temporary guard house at 2670 S. Goliad. White seconded. Couch read caption. The motion
passed unanimously.

155 **PZ 93-51-FP** Discuss and Consider Approval of a Request from Kirby Albright for a Final
Plat for the Benton Woods addition located on the East Side of FM-740, South of
Shadeydale Lane.

160 Hatfield exited the room citing a potential conflict of interest. Applicant, Kirby Albright was
present and available for questions. Couch commented on the request, Couch stated that there
were several conditions recommended by the Commission. Couch indicated that the required
deceleration lane will be constructed concurrently, and that the cost will be born by the
applicant. Welborn asked for clarification of conditions. Couch mentioned that questions have
165 been raised regarding drainage issues, and that these issues will be reviewed as part of the final
engineering review. Following council discussion, White made a motion to approve the request
of Kirby Albright for a final plat for the Benton Woods addition located on the East side of FM-
740, South of Shadeydale Lane subject to conditions. Seconded by Dale Morgan. Luby asked
if all conditions are acceptable to Mr. Albright. Mr. Albright stated the he was in agreement.
170 Bob O'Brien came forward to discuss an advisement letter he had submitted to the City
Manager. Mr. O'Brien expressed his concerns that the grading plan is inadequate and that he
was concerned about potential flooding. Mr. O'Brien stated that he has made six suggestions
regarding drainage. Ms. Couch indicated that these issues are engineering issues and that they
will be reviewed. Couch recommended approval subject to final engineering review. Mr.
175 O'Brien stated that he does not believe that the drainage problems had been acceptably
addressed. White emphasized that approval is contingent upon approval of the City Engineer.
The motion passed unanimously. George Hatfield returned to the meeting.

180 **PZ 94-11-FP** Discuss and Consider Approval of a Request from Los Prados Development
for a Final Plat for Waterstone Estates Located on the North Side of Yellowjacket Lane,
South of the Union Pacific Railroad

Couch indicated that the Planning and Zoning Commission recommended approval of the request
with the outlined conditions. A representative from Los Prados was available for questions.

187 There was discussion regarding the screening wall and the clearing of the park land to be
dedicated. Morgan made a motion to approve the request of Los Prados Development for a final
190 plat for Waterstone Estates located on the North Side of Yellowjacket Lane, south of the Union
Pacific Railroad with conditions. Welborn seconded. Luby stated that he is not happy with this
development. Council discussion followed. The motion passed with six votes with Luby voting
abstaining.

**PZ 94-17-FP Discuss and Consider Approval of a Request from Caruth Lake Development
Corp. for a Final Plat of Village of Caruth Lake
Phase II located on the East side of SH-205, North of Harris Height Addition**

Couch indicated that City staff recommended approval of this request with the outlined
conditions. Harold Evans, a representative for Caruth Lake Development Corp. was available
for questions if needed. Welborn made a motion to approve the request from Caruth Lake
200 Development Corp. for a final plat of Village of Caruth Lake Phase II provided that the City's
recommended conditions are met. Morgan seconded. Following council discussion, the motion
passed unanimously.

City Manager's Report

Couch reported on the status of the of FM740. She stated that the City has been notified by
TxDOT that they will add \$1 million from rehabilitation funds to be used for construction of
210 improvements of FM740 which will allow for a decrease in the requested amount to be funded
through bonds. She indicated that \$1,000,000 in STP funds already allocated for the project
can now be used for right-of-way acquisitions assuming final approval by the Regional
Transportation Council.

She indicated that modeling information regarding SH205 from the Council of Governments
215 should be available in the next few days. With this information, the State will be able to finalize
their comments on the options sent to them for consideration. These events should take place
within the next week and a half. Couch proposed tentative dates to the Council to conduct a
worksession regarding SH205. Wednesday, September 28 or Thursday, September 29 were
220 proposed. Wilson commented that he will not be available. A worksession was tentatively
scheduled for September 28 at 7:00 p.m.

Couch also indicated that the state is planning to add shoulders to SH205, north of downtown
and that Mr. Blain had indicated that this project has been scheduled for 1996.

225 Luby requested information regarding the study of the intersection of Horizon Road and FM740
for signalization. Couch stated that the results of study have not been received from TxDOT.

She also stated that the next phase of I-30 will begin in 1995. Phase I will be complete about
the time the second phase is begun.

235 Couch discussed a memorandum from Bob Holliman, Economic Development Commission. She stated that October 6 had been selected as the date for the economic development summit meeting, and that members of the community will be invited, as well as the Council. The summit will be held at the high school in the theater. Facilitators for the meeting are Bob Bolden and Bill Shelton. She indicated that Phase II will after this meeting and that she is in the process of scheduling tentative dates for Cornerstone to meet with the focus groups.

240 Couch indicated a need to formalize a date for the Council retreat and suggested that it be held in the later part of October or November. The only weekend the consultants currently have available is the weekend of the November 6th and 7th. Ms. Couch asked the Council for their preference. Discussion was held among the Council. After a length discussion, the Council indicated that December 4th or 5th or 9th and 10th would be acceptable, but would like to complete the process no later than December 12th. The planning retreat will require significant input regarding the goals and strategies for the City in the coming year.

245 Couch indicated that there has been some community effort taken to obtain a drug patrol dog. Efforts are being made to fund all costs for initial equipment, training, and the dog. The City would be responsible for the ongoing operational cost of the program. Chief Watkins indicated his support of the program.

250 Couch reported on the status of the animal shelter. She indicated that the City was granted an extension to bring the facility into compliance. She also indicated that the staff had identified a cheaper way to cool the facility. She indicated that some additional heating may be needed.

255 Welborn requested an update on the water tower. Couch indicated that the construction process is continuing and that the pedestal is complete. She indicated that the council might begin reconsidering their options for the color of pedestal.

260 **Action/Discussion Items**

265 **Discuss and Consider Approval of Amendment of Contract with City of Heath Regarding Sale of Water and Take Any Necessary Action**

270 Couch indicated that the council has previously have approved the sale of 270,000 gallons of water per day to the City of Heath. She stated that with the addition of the new tower, the City has additional capacity to service the City of Heath. Couch indicated that the City of Heath has requested that the City of Rockwall increase the volume of sales by 137,580 gallons per day for tow additional developments within their City. She indicated the need for further analysis regarding future needs. Hatfield made a motion to approve the amendment of the contract with the City of Heath for the sale of water. Wilson seconded. After some discussion, the motion passed unanimously.

27 **Discuss and Consider Citizen Survey and Take Any Necessary Action**

Couch briefly outlined the changes that had been made in the draft and stated that the survey will be sent out as quickly as possible. After some discussion regarding specific questions and changes to be made, the Council approved the Citizen Survey.

Hear Report on Status of Rockwall Housing Finance Corporation and the Financing of the Meadows Project and Take And Necessary Action

Couch provided the Council with an update on the status of the process. She indicated that the Corporation is waiting on financing documents, HUD documents, and foreclosures to occur. She stated that she expects the process to be finalized towards the end of October.

Discuss and Consider Approval of Contract for Middle School Lift Station Improvements

Couch indicated that bids had been received, and the staff recommended award to low bidder. White made a motion to approve the contract with D.E. Boshart & Assoc. for the Middle School Lift Station for \$14,970.00. Luby seconded. The motion passed unanimously.

Discuss and Consider Approval of Semi-Annual Bid for White Rock Flex Base

Couch indicated that the low bid was made by Norton Crushing for \$3.90 per ton for white rock flex base materials and for \$3.91 per ton by State Wide Trucking for hauling of the materials. Discussion was held regarding the procedures of the bid process. Hatfield made a motion to accept Norton Crushing's bid for \$3.90 per ton for white rock flex base, and State Wide Trucking for hauling of the materials at \$3.91 per ton. Morgan seconded. The motion passed unanimously.

Discuss and Consider Approval of Semi-Annual Contract for Hot Mix-Cold Laid Asphalt

Couch indicated that the low bid was made by Gohmann Asphalt & Construction of Texas, Inc. for \$27.50 per ton for hot mix-cold laid asphalt. White made a motion to accept Gohmann Asphalt bid at \$27.50 per ton for hot mix-cold laid asphalt. Luby seconded. The motion passed unanimously.

Discuss and Consider Approval of Semi-Annual Contract for Hot Mix Asphalt ...

Morgan made a motion to accept APAC Texas, Inc. bid for \$52,000 for hot mix asphalt. Hatfield seconded. The motion passed unanimously.

Discuss and Consider Approval of Semi-Annual Contract for Cement Treated Base

Hatfield requested explanation for only one bid. Mike Phemister indicated that this is the only known supplier. Welborn made a motion to accept Texas Industries, Inc. bid for \$20.00 per ton for 20 Ton haul delivered and \$21.20 per ton for 12 Ton haul delivered cement treated base. Wilson seconded. The motion passed unanimously.

Discuss and Consider of Interlocal Government Agreement with County of Rockwall Regarding Downtown Parking Lot and Take Any Necessary Action

325 Couch commented that additional language had been added by the County to the proposed contract which was designed to clarify the purpose for the county participation. Couch commented that the County had already executed the agreement and the Council's approval and Mayor's signature were needed to complete this transaction. Wilson made a motion to enter
330 into an interlocal agreement with the County of Rockwall regarding construction of a downtown parking lot. Morgan seconded. In further discussion, Todd White questioned how this parking lot will benefit the City and the need to designate half of the parking spaces for county use. Crowley stated that the County had stipulated that these conditions are included to meet the authority of the County. Welborn, raised questions regarding the ownership of the parking
335 spaces located around the courthouse. She indicated that she would like to see dialogue between the County and the City to set time limits for parking areas close to the courthouse. Following discussion, the motion passed unanimously.

Discuss and Consider Review of Area Requirement in Single Family Residential Zoning Districts and Uses and Instruct Staff and Planning and Zoning Commission to Conduct Studies and Take Any Necessary Action

340 Luby expressed concern regarding lot sizes in residential areas of the City and voiced concern over the varying sizes of lots allowed. It was recommended that a concurrent worksession be scheduled with the planning and zoning commission to further discuss and review these issues. The city attorney indicated that the city should review any proposed changes because land use laws are changing and are coming under more scrutiny. Couch indicated that a worksession would be warranted to review current area requirements within the city and to determine if the city wants to look at possible changes. Following a lengthy Council discussion, it was the
350 consensus of Council to table any action on this item until the next regular scheduled meeting and at that time propose dates for a worksession.

Discuss and Consider Approval of Interlocal Agreement with the Central Appraisal District of Rockwall County Regarding Collection Services and Take An Necessary Action

355 Couch outlined the agreement with the Central Appraisal District and stated that this is an annual agreement. Hatfield made a motion to authorize the City to enter into the agreement with the Central Appraisal District. Luby seconded. The motion passed unanimously.

Hold Executive Session Under Section 551.071 and 551.074 of the Texas Government Code

360
365 The Council convened into executive session at 9:32 p.m. to discuss personnel regarding appointments to City Boards and Commissions, and Committees and to discuss litigation regarding Caughron vs. City of Rockwall.

0 The Council reconvened into regular session at 9:50 p.m. Morgan made a motion to appoint the following to the Service Privatization Advisory Committee:

375 Greg Herring
Carmen Pearce
Frank Miller
Norman Seligman

John Schatz
David Elkins
James (Red) Cecil

The motion was seconded by Luby and passed unanimously.

380 Adjournment

The meeting adjourned at 9:55 p.m.

385 APPROVED:


390 Mayor

395 ATTEST:


400 City Secretary