

Table of Contents

Agenda	5
Bullying Prevention Month Proclamation	
Proc.	10
Blank Page	11
Consider approval of the minutes from the October 5, 2015 regular city council meeting, and take any action necessary.	
10/05 cc mins	12
Blank Page	22
Consider authorizing a change order to Hill & Wilkinson Construction Group in the amount of \$75,587.79 to be funded from the 2008 water and Sewer Revenue bonds to replace the sanitary sewer line along Kaufman Street from San Jacinto Street to Fannin Street, and take any action necessary.	
City Manager Memo.	23
Change Order Number Two.	24
Blank Page	25
Consider awarding a bid to Holt CAT and authorizing the City Manager to execute a Purchase Order for a new Backhoe in the amount of \$127,320 to be funded out of the Water and Sewer Fund, Water Operations Budget, and take any action necessary.	
memo	26
Blank Page	27
Consider awarding a bid to Holt CAT and authorizing the City Manager to execute a Purchase Order for a new Skid Steer Loader in the amount of \$37,568 to be funded out of the General Fund Streets Operations Budget, and take any action necessary.	
memo	28
Blank Page	29
Consider awarding a bid to CUES and Caldwell Country Chevrolet and authorizing the City Manager to execute Purchase Orders for a new CCTV Inspection Van totaling \$219,855 to be funded out of the Water and Sewer Fund, Sewer Operations Budget, and take any action necessary.	
memo	30
Blank Page	31
Consider award a bid to Freightliner/CLS and authorizing the City Manager to execute a Purchase Order for a new VACCON Truck in the amount of \$317,257.75 to be funded out of the Water and Sewer Fund, Sewer Operations Budget, and take any action necessary.	
memo	32
Blank Page	33
Consider authorizing the city manager to execute a Construction Manager at Risk contract with Dean Construction for construction associated with the Park at Stone Creek, with grant matching funds being provided by developer contributions in that park district, and take any action necessary.	

Staff Memo	34
Dean Construction Proposal	36
RFQ - CMatR Park Construction	67
Blank Page	81
Consider approval of a resolution supporting Statewide Proposition 7 for increased state funding for transportation in Texas, and take any action necessary.	
Memo - Mayor's request	82
Attachments (RTC)	83
Resolution.	85
Blank Page	86
Appointment with Kim Lovett, Marketing Director, and Silvana Garcia, Property Manager, for The Harbor Rockwall to hear request concerning hosting of a Fox 4 Toys For Tots televised donation event at The Harbor on December 4th, and take any action necessary.	
Harbor Appt Request	87
Blank page	90
Z2015-025 - Hold a public hearing to discuss and consider a request by Bill K. Ryan for the approval of an ordinance for a zoning change from an Agricultural (AG) District to a Single Family One (SF-1) District for a 1.02-acre tract of land identified as Tract 11-2 of the D. Harr Survey Abstract, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 770 Davis Drive, and take any action necessary (1st Reading).	
Z2015-025	91
Blank Page	104
Z2015-026 - Hold a public hearing to discuss and consider a request by Randy Kopplin of Stone Creek Real Estate Partners, LLC on behalf of the owner Arkoma Development, LLC for the approval of an ordinance amending Planned Development District 65 (PD-65) [Ordinance No. 08-02] to allow for a ~74,000 SF Assisted Living Facility to be established on a 5.507-acre portion of a larger 11.723-acre tract of land identified as Tract 5 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, located west of the intersection of N. Goliad Street [SH-205] and Pecan Valley Drive, and take any action necessary (1st Reading).	
Z2015-026	105
Blank Page	131
Discuss and consider authorizing the city manager to execute an agreement with Paul Davis for through-the-fence access from private property onto the Ralph M. Hall / Rockwall Municipal Airport, and take any action necessary.	
Memo and agreement.	132
Blank Page	141

SP2015-022 - Discuss and consider a request by Jonathan Hake of Cross Engineering on behalf of the owner Kenneth R. Smith of K. R. Smith Holdings, LLC for the approval of an exception to allow tilt-wall construction and variances to the articulation, architectural and material requirements for an approved site plan for an indoor/outdoor baseball training facility on a six (6) acre tract of land identified as Tract 4-07 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 By-Pass Corridor Overlay (SH-205 BY-OV) District, located on the north side of Airport Road west of the intersection of Airport Road and John King Boulevard, and take any action necessary.

SP2015-022 142
 Blank Page 152

Discuss and consider a request by Michael M. Caffey 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 311 S. Fannin Street, further identified as Lot 9 & 10, Block C of the Eppstein 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.

Memorandum 153
 Blank Page 175

Discuss and consider various zoning provisions pertaining to Planned Development District 75 (PD-75) including sections dealing with consideration of special requests, and take any action necessary.

Memo (PD 75) 176
 Task Force 177
 PZ Work Session 178
 PZ Public Hearing 181
 City Public Hearing 187
 Blank Page 190

Discuss and consider potential regulation of non-emergency ambulance (transport) service providers operating within the city, and take any action necessary.

Memo_Townsend request 191
 Blank Page 192

Discuss and consider approval of an ordinance amending the Code of Ordinances in Chapter 12. Businesses & Sales, Article XII. Ambulance Service by adding and amending Sections 12-1250 through 12-1253 regulating ambulance services and providers in the City, and take any action necessary. (2nd reading)

Ord (2nd reading)_10/05 version 193
 Blank Page 196

Discuss and consider approval of a policy for seasonal outside storage of shipping containers and/or similar storage containers for commercial land uses, and take any action necessary.

Memorandum 197

AGENDA
ROCKWALL CITY COUNCIL
Monday, October 19, 2015
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

1. Hold work session with the Rockwall Housing Development Corporation (RHDC) to discuss development-related issues in Planned Development 75 (PD-75), 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 Economic Development prospects pursuant to Section 551.087 (Economic Development)
2. Discussion regarding legal matters related to land lease operations at Ralph Hall Municipal Airport pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding appointments to city regulatory boards, commissions, or committees - interview candidates: Planning & Zoning Commission vacancy - pursuant to Section 551.074 (personnel matters)
4. Discussion regarding process associated with City Manager performance evaluation pursuant to Section 551.074 (personnel matters)

IV. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, October 19, 2015
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. PROCLAMATIONS / AWARDS

- p.10** 1. Bullying Prevention Month Proclamation

IX. OPEN FORUM

X. CONSENT AGENDA

- p.12** 1. Consider approval of the minutes from the October 5, 2015 regular city council meeting, and take any action necessary.

- p.23** 2. Consider authorizing a change order to Hill & Wilkinson Construction Group in the amount of \$75,587.79 to be funded from the 2008 water and Sewer Revenue bonds to replace the sanitary sewer line along Kaufman Street from San Jacinto Street to Fannin Street, and take any action necessary.

- p.26** 3. Consider awarding a bid to Holt CAT and authorizing the City Manager to execute a Purchase Order for a new Backhoe in the amount of \$127,320 to be funded out of the Water and Sewer Fund, Water Operations Budget, and take any action necessary.

- p.28** 4. Consider awarding a bid to Holt CAT and authorizing the City Manager to execute a Purchase Order for a new Skid Steer Loader in the amount of \$37,568 to be funded out of the General Fund Streets Operations Budget, and take any action necessary.

- p.30** 5. Consider awarding a bid to CUES and Caldwell Country Chevrolet and authorizing the City Manager to execute Purchase Orders for a new CCTV Inspection Van totaling \$219,855 to be funded out of the Water and Sewer Fund, Sewer Operations Budget, and take any action necessary.

- p.32** 6. Consider award a bid to Freightliner/CLS and authorizing the City Manager to execute a Purchase Order for a new VACCON Truck in the amount of \$317,257.75 to be funded out of the Water and Sewer Fund, Sewer Operations Budget, and take any action necessary.

- p.34** 7. Consider authorizing the city manager to execute a Construction Manager at Risk contract with Dean Construction for construction associated with the Park at Stone Creek, with grant matching funds being provided by developer contributions in that park district, and take any action necessary.
- p.82** 8. Consider approval of a resolution supporting Statewide Proposition 7 for increased state funding for transportation in Texas, and take any action necessary.

XI. APPOINTMENTS

- 1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.
- p.87** 2. Appointment with Kim Lovett, Marketing Director, and Silvana Garcia, Property Manager, for The Harbor Rockwall to hear request concerning hosting of a Fox 4 Toys For Tots televised donation event at The Harbor on December 4th, and take any action necessary.

XII. PUBLIC HEARING ITEMS

- p.91** 1. **Z2015-025** - Hold a public hearing to discuss and consider a request by Bill K. Ryan for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Single Family One (SF-1) District for a 1.02-acre tract of land identified as Tract 11-2 of the D. Harr Survey Abstract, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 770 Davis Drive, and take any action necessary **(1st Reading)**.
- p.105** 2. **Z2015-026** - Hold a public hearing to discuss and consider a request by Randy Kopplin of Stone Creek Real Estate Partners, LLC on behalf of the owner Arkoma Development, LLC for the approval of an **ordinance** amending Planned Development District 65 (PD-65) [Ordinance No. 08-02] to allow for a ~74,000 SF Assisted Living Facility to be established on a 5.507-acre portion of a larger 11.723-acre tract of land identified as Tract 5 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, located west of the intersection of N. Goliad Street [SH-205] and Pecan Valley Drive, and take any action necessary **(1st Reading)**.

XIII. ACTION ITEMS

- p.132** 1. Discuss and consider authorizing the city manager to execute an agreement with Paul Davis for through-the-fence access from private property onto the Ralph M. Hall / Rockwall Municipal Airport, and take any action necessary.

- p.142** 2. **SP2015-022** - Discuss and consider a request by Jonathan Hake of Cross Engineering on behalf of the owner Kenneth R. Smith of K. R. Smith Holdings, LLC for the approval of an exception to allow tilt-wall construction and variances to the articulation, architectural and material requirements for an approved site plan for an indoor/outdoor baseball training facility on a six (6) acre tract of land identified as Tract 4-07 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Bypass Corridor Overlay (SH-205 BY-OV) District, located on the north side of Airport Road west of the intersection of Airport Road and John King Boulevard, and take any action necessary.
- p.153** 3. Discuss and consider a request by Michael M. Caffey 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 311 S. Fannin Street, further identified as Lot 9 & 10, Block C of the Eppstein 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.
- p.176** 4. Discuss and consider various zoning provisions pertaining to Planned Development District 75 (PD-75) including sections dealing with consideration of special requests, and take any action necessary.
- p.191** 5. Discuss and consider potential regulation of non-emergency ambulance (transport) service providers operating within the city, and take any action necessary.
- p.193** 6. Discuss and consider approval of an **ordinance** amending the Code of Ordinances in Chapter 12. Businesses & Sales, Article XII. Ambulance Service by adding and amending Sections 12-1250 through 12-1253 regulating ambulance services and providers in the City, and take any action necessary. **(2nd reading)**
- p.197** 7. Discuss and consider approval of a policy for seasonal outside storage of shipping containers and/or similar storage containers for commercial land uses, and take any action necessary.

XIV. EXECUTIVE SESSION

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

1. Discussion regarding Economic Development prospects pursuant to Section 551.087 (Economic Development)
2. Discussion regarding legal matters related to land lease operations at Ralph Hall Municipal Airport pursuant to Section 551.071 (Consultation with Attorney).

3. Discussion regarding appointments to city regulatory boards, commissions, or committees - interview candidates: Planning & Zoning Commission vacancy - pursuant to Section 551.074 (personnel matters)
4. Discussion regarding process associated with City Manager performance evaluation pursuant to Section 551.074 (personnel matters)

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

XVI. ADJOURNMENT

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

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.074 (Personnel Matters) and § 551.086 (Economic Development)

I, Kristy 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 16th day of October, 2015 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

Rockwall,



Texas

Proclamation

Whereas, bullying is physical, verbal, sexual, or emotional harm or intimidation intentionally directed at a person or group of people; and

Whereas, bullying may occur in neighborhoods, playgrounds, schools, and through technology, such as the internet and cell phones; and

Whereas, various researchers have concluded that bullying is the most common form of violence, affecting millions of American children and adolescents annually, including many living right here in Rockwall; and

Whereas, studies show that targets of bullying are more likely to acquire physical, emotional, and learning problems, and students who are repeatedly bullied often fear activities such as riding the bus, going to school, and attending community activities; and

Whereas, children who bully are at greater risk of engaging in more serious violent behaviors, and those whom they bully often feel less secure, more fearful, and intimidated.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim the month of **October, 2015** as

BULLYING PREVENTION MONTH

in the City of Rockwall and urge all citizens to support awareness and prevention activities designed to make our city safer for all children and adolescents and to join our city's Youth Advisory Council and me in encouraging kindness and respect towards others.

In Witness Whereof, I hereunto set my hand and official seal this 19th day of October, 2015.




Jim Pruitt, Mayor

THIS PAGE INTENTIONALLY LEFT BLANK

MINUTES
ROCKWALL CITY COUNCIL
Monday, October 05, 2015
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

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

II. WORK SESSION

1. Hold work session to discuss preliminary planning associated with the design of S. Lakeshore / Summit Ridge roadway improvements, and take any action necessary.

Mr. Crowley began discussion of this work session item. This particular, upcoming project will involve improvements to S. Lakeshore and Summit Ridge from SH-66 to FM-740. He indicated that traffic calming devices such as road humps and other pavement markings and signage have been added over the years in an effort to slow traffic and reduce the volume of traffic in these areas. He explained that gleaning feedback, first from those who live along the roadway and then perhaps broadening the scope of input sought, is likely a viable place to start before moving forward with preliminary design of the roadway. He explained that staff will begin with mailing a survey to those who live along the roadway. Also, he indicated that he may employ an engineer to evaluate some aspects of how sidewalks may be worked in with a narrowed roadway and what the costs would be, as well as what affect it would have on 'traffic calming' through the neighborhood. He understands that this stretch of road is often utilized as a cut through from Ridge Road over to SH-66 for many drivers, including those who do not live on this road or within the neighborhood at all. Mr. Crowley explained that the possibility of narrowing the roadway and adding sidewalks has been discussed in the past.

City Engineer Tim Tumulty indicated that over the years, some residents have been in favor of the traffic humps, while others have wanted them to be removed. General discussion took place regarding what options may be possible regarding re-doing this stretch of road and what the associated goals may be (i.e. discouraging its utilization as a 'cut through,' making it safe, slowing driving speeds down, and making the roadway look good). Mayor Pruitt expressed concern about school buses currently having to stop on the road itself to let out children, who then walk in the street because there are no sidewalks.

Mr. Crowley expressed that he would like to know if city council members have any negative feelings regarding the possibility of reducing the width of the roadway and adding sidewalks. It was clarified that it is possible that S. Lakeshore would be narrowed to be the same width as Summit Ridge. Mayor Pro Tem Lewis indicated that he likes the idea of narrowing the roadway and putting in sidewalks. No one on Council seemed to express any opposition to this idea at this time.

51 Mr. Crowley shared that attendance at city council meetings held years ago when road
52 humps were discussed was in the 100's.

53
54 Mayor Pruitt then read the below listed items into the public record before recessing the
55 meeting into Executive Session at 4:21 p.m.

56
57 **III. EXECUTIVE SESSION.**

58
59 **THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS**
60 **THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT**
61 **CODE:**

- 62
63 1. Discussion regarding process and appointment to Rockwall Central Appraisal District Board
64 pursuant to Section 551.074 (personnel matters)
- 65 2. Discussion regarding appointments to city regulatory boards, commissions, or committees -
66 interview candidates: Planning & Zoning Commission vacancy - pursuant to Section
67 551.074 (personnel matters)
- 68 3. **From Public Meeting Agenda – Action Item #7:** Discuss and consider approval of an
69 ordinance amending the Code of Ordinances in Chapter 12. Businesses & Sales, Article
70 XII. Ambulance Service by adding and amending Sections 12-1250 through 12-1253
71 regulating ambulance services and providers in the City, and take any action necessary.
72 (1st reading)

73
74 **IV. ADJOURN EXECUTIVE SESSION**

75
76 **Executive Session was adjourned at 5:55 p.m.**

77
78 **V. RECONVENE PUBLIC MEETING**

79
80 **Mayor Pruitt reconvened the public meeting at 6:00 p.m. with five of the seven council**
81 **members being present. Kevin Fowler and John Hohenshelt were absent.**

82
83 **VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

84
85 **Mayor Pro Tem Lewis made a motion to approve Resolution #15-27 concerning submission**
86 **of names for board member nominations to the Rockwall Central Appraisal District Board**
87 **for 2016. Councilmember White seconded the motion, which passed by a vote of 5 ayes to**
88 **0 nays with 2 absent (Fowler and Hohenshelt).**

89
90 **VII. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRUITT**

91
92 **Mayor Pruitt delivered the invocation and led the Pledge of Allegiance.**

93
94 **VIII. PROCLAMATIONS / AWARDS**

- 95
96 1. Proclamation - Hispanic Heritage Month

97
98 **Mayor Pruitt called a few citizens forward. He then read and presented a proclamation**
99 **declaring October 2015 as Hispanic Heritage Month.**

100
101
102

103 **IX. OPEN FORUM**

104
105 **Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to**
106 **come forth and speak at this time.**

107
108 **Pastor Joe Robbins**
109 **St. Paul AME Church**
110 **805 Peters Colony**
111 **Rockwall, TX**

112
113 **Pastor Robbins came forth and indicated that he would like the city council to not approve a**
114 **waiver to the masonry requirements being requested in Action Item #2. He explained that**
115 **notice was not given by the city concerning this agenda item, but he is opposed to it.**
116 **Planning Director Ryan Miller indicated that it is not a zoning case, so no public notice was**
117 **required.**

118
119 **Mitch Ownby**
120 **Rockwall County EMS**
121 **809 S. Goliad**
122 **Rockwall, TX**

123
124 **Mr. Ownby came forth and briefly updated staff and council on the previously “rocky”**
125 **relations with Presbyterian Hospital of Rockwall, generally indicating that he believes**
126 **relations have been improving on an ongoing basis through a series of meetings between**
127 **the two parties.**

128
129 **Reverend George P. Monaghan**
130 **1423 Murphy Road**
131 **Our Lady of the Lake Catholic Church**
132 **1305 Damascus Road**
133 **Rockwall, TX**

134
135 **Father Monaghan came forth and indicated that he represents 3,800 families and over**
136 **14,000 individuals in the parish. In addition, he has over 1,000 students in the school,**
137 **mostly 1st through 12th graders. There are five weekend masses and eight during the week,**
138 **and these do not include other ceremonies such as weddings, funerals, etc. They are**
139 **currently working with an architect to reconfigure the church’s space and add between**
140 **15,000-20,000 square feet. He proceeded to shared comments with the City Council**
141 **concerning the pro rata facilities agreement regarding past improvements the church made**
142 **to Damascus Road. He shared that if the church had not made improvements to the**
143 **roadway when they did, the costs today for the same improvements could have been 50-**
144 **60% more than it cost then. He went on to explain some of the specific terms outlined in the**
145 **existing facilities agreement. He understands that recently there have been some**
146 **discussions, ones he has not been privy to, concerning reassessing the proportional share**
147 **currently mentioned in Section 2 within the facilities agreement. He encouraged the city**
148 **council to move forward with granting an additional five year extension.**

149
150 **Richard Archibald**
151 **(no address given)**

152
153 **Mr. Archibald came forth and indicated that he represents the interests of Heritage Christian**
154 **Academy (HCA). He shared that he recently met with city staff to discuss some of the**

155 issues surrounding the pro rata facilities agreement. He expressed a desire to approach the
156 matter fairly. He explained that the archdiocese constructed the road in accordance with
157 city standards at the time. He explained that an easement that goes through what is now
158 Damascus Road was granted and that the party granting that easement was to not have any
159 associated responsibility. He explained that HCA was operating under that premise when
160 they were asked by the Catholic Church to participate in widening the road, and since they
161 did not have funds at the time to do so, they declined. He understood that there were no
162 conditions as related to any project development. He explained that an exaction was placed
163 upon HCA without a rough proportionality study, which he has come to understand is
164 required under Texas Supreme Court authority. He shared that the study should not be
165 based upon how much property frontage abuts the roadway but rather the impact involved.
166 He said that one was not required, to his knowledge, five years ago, but that a requirement
167 for conducting such study has arisen since that time. He generally encouraged the city to
168 conduct such a study before moving forward with any extension of the pro rata facilities
169 agreement.
170

171 Mayor Pruitt asked if anyone else would like to come forth and speak. There being no such
172 indication, he then closed Open Forum.
173

174 **X. CONSENT AGENDA**
175

- 176 1. Consider approval of the September 21, 2015 City Council minutes, and take
177 any action necessary.
- 178 2. Consider awarding the bid and authorizing the city manager to execute a
179 Purchase Order to Professional Turf Products for the purchase of a Toro
180 Infield Groomer in the amount of \$28,721.32 to be funded out of the General
181 Fund - Parks Operations Budget, and take any action necessary.
- 182 3. Consider authorizing the city manager to execute a professional services
183 contract with Birkhoff, Hendricks and Carter, LLP to perform engineering
184 design services for the Quail Run Gravity Flow Line and the Squabble Creek
185 Lift Station Improvements in an amount of \$220,500.00 to be funded with
186 2015 Water and Sewer Revenue Bonds, and take any action necessary.
- 187 4. Consider authorizing the city manager to execute a professional services
188 contract with Kimley-Horn and Associates, Inc. Consulting Engineers to
189 perform the traffic signal design at the intersection of North Lakeshore Drive
190 and Masters Boulevard in an amount not to exceed \$36,500 to be funded out
191 of the FY2015-16 Street Operations Budget, and take action necessary.
- 192 5. Consider authorizing the City Manager to execute a contract with the Texas
193 Department of Transportation, Aviation Division for participation in the
194 Routine Airport Maintenance Program (RAMP) at the Ralph M. Hall /
195 Rockwall Municipal Airport, with matching funds for the grant to be provided
196 by the Airport Operating Budget, and take any action necessary.
- 197 6. **P2015-037** - Consider approval of a request by Jennifer Garcia of KBGE on
198 behalf of Collins Hartzog of Rockwall Texas 2015, LLC for the approval of a
199 replat for Lot 3, Block 1, HJG Plaza Addition being a 0.91-acre tract of land
200 identified as Lot 2, Block 1, HJG Plaza Addition, City of Rockwall, Rockwall
201 County, Texas, zoned Commercial (C) District, situated within the SH-205
202 Overlay (SH-205 OV) District, located on the east side of SH-205 [S. Goliad
203 Street] north of the intersection of SH-205 and Yellow Jacket Lane, and take
204 any action necessary.

205 7. Consider, accept and authorize the Mayor to execute the Citizen Corps
206 Trailer Grant Agreement, and take any action necessary.

207 **Councilmember White made a motion to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5,
208 6 and 7). Councilmember Townsend seconded the motion, which passed by a vote of 5
209 ayes with 2 absent (Fowler and Hohenshelt).**

210 **XI. APPOINTMENTS**

211
212
213 1. Appointment with the Planning and Zoning Chairman to discuss and answer
214 any questions regarding cases on the agenda and related issues and take
215 any action necessary.

216 **Mayor Pruitt indicated that this item would not be discussed since Chairman Renfro is not
217 present and was unable to attend this evening.**

218
219 **XII. ACTION ITEMS**

220
221 1. Discuss and consider extending the existing Facilities Agreement with the
222 Roman Catholic Diocese of Dallas for a period of ten years regarding pro-
223 rata reimbursement for the construction of Damascus Road, and take any
224 necessary action.

225 **City Engineer Tim Tumulty generally indicated that the issue of proportionality was recently
226 brought up during a meeting between Heritage Christian Academy representatives and the
227 city attorney, Frank Garza. The City Attorney has advised that a proportionality study is
228 now in order, under the circumstances, and considering that one was not conducted back
229 in 2009. It was also explained that a Supreme Court case pertaining to the City of Flower
230 Mound is applicable to this particular circumstance, and that court case transpired after the
231 time that the original facilities agreement was established. Also, after the Flower Mound
232 case, state law changed, so currently, if this same situation were to transpire today, a
233 proportionality analysis would be required. As such, staff, including the city attorney, is
234 recommending this evening that the city council consider extending the existing facilities
235 agreement for a period of 90 days to allow time for a proportionality study to be performed.
236 Mr. Garza further explained that proportionality should be tied to 'usage,' and, since one
237 was never performed prior to the facilities agreement being put in place, it is prudent to
238 conduct one now in order to determine appropriate costs. Mr. Garza went on to explain that
239 these sorts of pro rata facilities agreements are more often than not put in place when a
240 developer needs to build a roadway and additional development is expected to occur along
241 that roadway fairly soon afterwards. Typically, in those situations, these funds are repaid
242 very quickly. However, this case is unique because if HCA never decided to do any
243 improvements on its property such as expanding its parking lot, then HCA would never end
244 up having to repay the funds associated with the roadway improvements. He suggested
245 moving forward with a proportionality study to determine usage and then sit down with both
246 parties to go over it and discuss it.**

247
248 **Councilmember Townsend made a motion to extend the existing facilities agreement for a
249 period of 90 days to allow staff time needed to have a proportionality study performed.
250 Councilmember Milder seconded the motion.**

251
252 **General discussion took place regarding a large piece of the roadway that has abutting
253 property that is not yet developed and how that piece of property would be accounted for in
254 the proportionality analysis. Mr. Crowley explained that the undeveloped property is still**

255 zoned, so that zoning classification would be a driving factor. When asked, indication was
256 given that existing city engineering staff will be conducting the study.
257

258 **The motion passed by a vote of 5 ayes with 2 absent (Fowler and Hohenshelt).**
259

260 **2. MIS2015-007** - Discuss and consider the approval of a special request by
261 Michael Hunter of the Rockwall Housing Development Corporation (RHDC)
262 on behalf of the owner Jacquelyn W. Coleman for an exception to the
263 masonry requirements and a waiver to building setback requirements for the
264 purpose of constructing a duplex on a 0.09-acre parcel of land identified as
265 Lot 1B, Block H, Sanger Addition, City of Rockwall, Rockwall County, Texas,
266 being zoned Multi-Family 14 (MF-14) District, situated within the Southside
267 Residential Neighborhood Overlay (SRO) District, located at the southwest
268 corner of the intersection of Ross Street and Peters Colony, and take any
269 action necessary.

270 **Mr. Miller explained that the property is located on the southwest corner of Peters Colony**
271 **and Ross Street and is zoned multi-family 14 district and is located in the Southside**
272 **Residential Overlay district. Mr. Hunter is proposing to construct a two story duplex**
273 **structure, which is a use that is permitted 'by right' under this zoning. However, he**
274 **generally explained that the lot size is smaller, so the applicant is asking for an exception to**
275 **be granted concerning the 5' side yard setback requirement on Ross Street. He went on to**
276 **explain that the applicant would also like to request a waiver that would essentially allow**
277 **him to utilize 100% hardie plank on the structure in lieu of adding any masonry that would**
278 **otherwise be required. The code does allow waivers to be granted by city council for these**
279 **two issues on a case-by-case basis. He explained that the Planning & Zoning Commission**
280 **recently voted to recommend approval of the waivers by a vote of 4 in favor with 0 against**
281 **(two commissioners absent and one vacant seat).**
282

283 **Mr. Michael Hunter**
284 **Resides at: 220 W. Quail Run Road**
285 **Executive Director of the Rockwall Housing Development Corporation**
286 **(501 c-3 corporation housed at 787 Hail Drive)**
287 **Rockwall, TX**
288

289 **Mr. Hunter came forth and provided various comments related to the proposed design of**
290 **this structure, sharing that whether you look at it from Ross Street or from Peters Colony, it**
291 **will be designed as though the person is viewing the front of the house. He briefly**
292 **mentioned the desired waiver that is being requested related to the side yard setback.**
293 **Furthermore, concerning the masonry waiver, he generally explained that this request is**
294 **being made in an effort to keep the building costs minimal to allow for whoever may rent**
295 **this property in the future to be able to afford to live there by keeping it within their budget.**
296

297 **After additional comments, Councilmember White made a motion to approve MIS2015-007**
298 **related to the setback requirements waiver. Mayor Pro Tem Lewis seconded the motion,**
299 **which passed by a vote of 4 in favor, 1 against (Milder) and 2 absent (Fowler and**
300 **Hohenshelt).**
301

302 **Councilmember White made a motion to approve MIS2015-007 in regards to the masonry**
303 **requirement waiver. There being no second to the motion, the motion died. No further**
304 **motions or action took place concerning this agenda item.**
305

306 3. **MIS2015-008** - Discuss and consider the approval of a special request by
307 Michael Hunter on behalf of the Rockwall Housing Development Corporation
308 (RHDC) for waivers to the requirements stipulated in Exhibit 'C' of Planned
309 Development District 75 (PD-75) [Ordinance No. 09-37] to allow the
310 construction of two (2) single-family attached homes on a 0.27-acre parcel of
311 land identified as Lot 984A of the Rockwall Lake Estates #2 Subdivision, City
312 of Rockwall, Rockwall County, Texas, zoned Planned Development District
313 75 (PD-75) for Single Family-7 (SF-7) District land uses, located at 112 Chris
314 Street, and take any action necessary.

315 **Planning Director Ryan Miller indicated that this property is located with Planned**
316 **Development District 75 within Lake Rockwall Estates. The applicant is requesting to**
317 **subdivide the property into two roughly 5,400 square foot lots and construct two single-**
318 **family, attached units. It is similar to a duplex; however, each lot will be an individual lot,**
319 **they would share a common wall and have single ownership. He indicated that the**
320 **applicant is asking the city council to grant various special exceptions to PD-75 as follows:**

- 321
- 322 1) **Single-Family Attached. The development standards for Area 2 contained in Exhibit**
323 **'C' of Ordinance No. 09-37 require that all property within Area 2 be subject to the**
324 **land uses permitted for a Single-Family 7 (SF-7) District. According to Article IV,**
325 **Permissible Uses, of the Unified Development Code (UDC) a single-family attached**
326 **structure is not a permitted land use within a Single-Family 7 (SF-7) District.**
 - 327
 - 328 2) **Lot Frontage. The development standards for Area 2 contained in Exhibit 'C' of**
329 **Ordinance No. 09-37 stipulates a minimum lot frontage of 50-feet on a public street.**
330 **In this case the applicant is requesting to reduce this to 45-feet.**
 - 331
 - 332 3) **Side Yard Setback. The development standards for Area 2 contained in Exhibit 'C' of**
333 **Ordinance No. 09-37 require a minimum side yard setback of five (5) feet. Since the**
334 **structures will share a common wall the minimum side yard setback will be required**
335 **to be reduced to zero along the property line containing the common wall.**
 - 336
 - 337 4) **Masonry Requirement. According to Section B, Exterior Wall Materials, of Exhibit 'C'**
338 **of Ordinance No. 09-37 all residential buildings 120 SF or more and over ten (10) feet**
339 **in height shall have a minimum of 80% masonry exterior walls, with up to 50% of the**
340 **masonry requirements permitted to be Hardie Board or a similar cementaceous**
341 **material. The applicant is requesting an exception to the masonry requirements for**
342 **the purpose of utilizing**

343

344 **The mayor confirmed with the applicant that this structure would not be a pre-manufactured**
345 **home but, rather, it would be built from the ground up. Also, he confirmed with Mr. Hunter**
346 **that approval of this item would go along with the city council's goal to avoid having**
347 **structures rebuilt within this area after they have previously been flooded (due to heavy**
348 **rainfall). Mayor Pruitt then made a motion to approve MIS2015-008 concerning exception #1**
349 **pertaining to the land use. Mayor Pro Tem Lewis seconded the motion. Councilmember**
350 **Lewis asked some questions related to the two garages that are being proposed.**
351 **Councilmember White shared that he would like to remind the city council that this request**
352 **goes against the intention of the zoning, which is to not turn Lake Rockwall Estates into**
353 **multi-family zoning. He expressed that past public meetings were well attended with**
354 **residents from the neighborhood who expressed opposition to multi-family housing. After**
355 **various comments, the motion failed by a vote of 2 in favor, 3 against (White, Townsend and**
356 **Milder) and 2 absent (Fowler and Hohenshelt).**

357

358 **Mayor Pruitt made a motion to approve the special requests associated with lot frontage,**
359 **side yard setback and masonry standards. The motion passed by a vote of 3 in favor, 2**
360 **against (Townsend and Milder) and 2 absent (Fowler and Hohenshelt).**

361
362 **4. P2015-036 - Discuss and consider approval of a request by Dub Douphrate**
363 **of Douphrate & Associates, Inc. on behalf of the owners Scott and Leslie**
364 **Milder for the approval of a replat for Lot 1, Block A, Our House Addition**
365 **being a 0.75-acre tract of land currently identified as Blocks 24A & 24C,**
366 **Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned**
367 **Development District 50 (PD-50) for Residential-Office (RO) District land**
368 **uses, addressed as 803 N. Goliad Street, and take any action necessary.**

369 **Mayor Pruitt indicated that Councilman Milder has recused himself from this item and has**
370 **filed appropriate paperwork with the City Secretary since he is the property owner**
371 **associated with this case.**

372
373 **Mayor Pro Tem Lewis made a motion to approve P2015-036. Councilmember White**
374 **seconded the motion, which passed by a vote of 4 ayes, 1 recusal (Milder) and 2 absent**
375 **(Fowler and Hohenshelt).**

376
377 **5. Discuss and consider delaying the construction of Harbor Heights Drive**
378 **between Shoreline Drive and Lakefront Trail as a part of the Springhill Suites**
379 **Development in accordance with the conditions established in the Facilities**
380 **Agreement, and take necessary action.**

381 **Mr. Crowley explained that the applicant, Mr. Kirkland recently visited with city staff**
382 **concerning the possibility of delaying construction of this roadway. City Engineer Tim**
383 **Tumulty went on to explain that construction costs have been increasing quite a bit lately.**
384 **So, the applicant has asked the city if it would consider allowing construction of the**
385 **roadway to be delayed for a period of time. Indication was given that staff does not foresee**
386 **any issue with granting said request.**

387
388 **Mayor Pruitt made a motion to approve delay of the construction as requested in**
389 **accordance with the conditions outlined in the facilities agreement. Councilmember White**
390 **seconded the motion, which passed by a vote of 5 ayes with 2 absent (Fowler and**
391 **Hohenshelt).**

392
393 **6. Discuss and consider authorizing the city manager to execute a contract with**
394 **Meals on Wheels Senior Services for certain nutritional and senior service**
395 **programs in the amount of \$30,000.00 to be funded from the Administration**
396 **Department Operating Budget, and take any action necessary.**

397 **Mayor Pruitt indicated that Councilmember White will be recusing himself from this agenda**
398 **item, as he is currently the Chairman of the Meals on Wheels organization.**

399
400 **Councilmember Townsend made a motion to authorize the city manager to execute the**
401 **contract as requested. Mayor Pro Tem Lewis seconded the motion, which passed by a vote**
402 **of 4 ayes, 1 abstention (White) and 2 absent (Fowler and Hohenshelt).**

403
404 **At 7:05 p.m. Mayor Pruitt then read Action Item #7 below into the public record before**
405 **recessing the meeting into Executive Session as authorized by Texas Government Code §**
406 **551.071 (Consultation with Attorney).**

407

408 7. Discuss and consider approval of an **ordinance** amending the Code of
409 Ordinances in Chapter 12. Businesses & Sales, Article XII. Ambulance
410 Service by adding and amending Sections 12-1250 through 12-1253
411 regulating ambulance services and providers in the City, and take any action
412 necessary. **(1st reading)**

413 **Mayor Pruitt reconvened the public meeting at 7:33 p.m. Mayor Pro Tem Lewis made a**
414 **motion to approve the ordinance. Councilmember Milder seconded the motion. City**
415 **Attorney Frank Garza clarified that this ordinance formally repeals exclusivity of non-**
416 **emergency ambulance transport services in the city and stipulates that providers of non-**
417 **emergency transports must meet all state requirements. The ordinance was read as**
418 **follows:**

419 **CITY OF ROCKWALL**
420 **ORDINANCE NO. 15-28**

421 **AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING CHAPTER 12,**
422 **ARTICLE XII, SECTION 12 BY ADDING AND AMENDING SECTIONS 12-1250**
423 **THROUGH 12-1253 OF THE CODE OF ORDINANCES, REGULATING AMBULANCE**
424 **SERVICES IN THE CITY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN**
425 **EFFECTIVE DATE AND PROVIDING FOR RELATED MATTERS.**

426
427
428 **The motion passed by a vote of 5 ayes with 2 absent (Fowler and Hohenshelt).**
429

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

- 432
433 1. Departmental Reports
434 Fire Dept. Monthly Reports - August 2015
435 GIS Department Monthly Report - August 2015
436 Harbor PD Monthly Report - August 2015
437 Internal Operations Department Monthly Report - August 2015
438 Police Department Monthly Reports - August 2015
439 Recreation Monthly Report - August 2015
440 Rockwall Animal Adoption Center Monthly Report - August 2015

441 2. City Manager's Report
442

443 **Mayor Pruitt thanked the city's Parks & Recreation Department for hosting a successful Rib,**
444 **Rub and Run event this past Saturday. Also, over 950 hamburgers were served at the Fire**
445 **Department Open House that took place over the weekend, an event that was also a large**
446 **success. Mr. Crowley reminded everyone that the police department's Texas Night Out is**
447 **scheduled in neighborhoods all around the city tomorrow night.**

448
449 **The city council did not recess into Executive Session following the conclusion of the**
450 **public meeting agenda.**

451
452 **XIV. EXECUTIVE SESSION**

453
454 **THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS**
455 **THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT**
456 **CODE:**

- 457
458 1. Discussion regarding process and appointment to Rockwall Central
459 Appraisal District Board pursuant to Section 551.074 (personnel matters)

460 2. Discussion regarding appointments to city regulatory boards, commissions,
461 or committees - interview candidates: Planning & Zoning Commission
462 vacancy - pursuant to Section 551.074 (personnel matters)

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

464
465 **The city council did not recess into Executive Session following the conclusion of the**
466 **public meeting agenda.**

467
468 **XVI. ADJOURNMENT**

469
470 **The meeting was adjourned at 7:38 p.m.**

471
472
473 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**
474 **THIS 19th DAY OF OCTOBER, 2015.**

475
476
477
478
479
480
481
482

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

THIS PAGE INTENTIONALLY LEFT BLANK



City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Timothy M. Tumulty, Director of Public Works/City Engineer

DATE: October 16, 2015

SUBJECT: Rockwall Downtown Project Change Order Request

As the reconstruction of the Downtown Project nears completion, the Contractor is working on the section of Kaufman Street between San Jacinto Street and Fannin Street. While the engineering/architectural plans do not include replacement of City utilities in this area, the sanitary sewer line is in bad condition and needs to be replaced prior to replacing the concrete pavement over it.

Hill & Wilkinson Construction Group is the contractor for this project. Their subcontractor has quoted a cost of \$75,587.79 to replace this section of sanitary sewer line. Staff requests City Council consideration to approve the charge order in the amount of \$75,587.79 to Hill & Wilkinson Construction Group to replace the sanitary sewer line along Kaufman Street from San Jacinto Street to Fannin Street and take any action necessary. Funding will be taken from the 2008 water and Sewer Revenue bonds.

TMT:em

Attachment

Cc: Mary Smith, Assistant City Manager
Amy Williams, P.E., Assistant City Engineer
File



HILL & WILKINSON
GENERAL CONTRACTORS

Hill & Wilkinson Construction Group
2703 Telecom Parkway, Suite 120
Richardson, TX 75082

Proposed Change Order

Number: **TWO**

Project: Rockwall Downtown
1010 East Rusk
Rockwall, TX 75087

Contract Number: 1036. Rockwall Downtown

Proposed Change Order #: 46-Sanitary Service in Kaufman Crossing Fannin

To (Contractor): Hill & Wilkinson Construction Group
2703 Telecom Parkway, Suite 120
Richardson, TX 75082

Change Order Date : 09/09/15

You are directed to make the following changes in this Contract:

C.O. Item	Change in Days	UM	Description	Unit Price	Amount
1		LS	Sanitary Service in Kaufman Crossing Fannin		67,682.00
Total For Change Order before Add Ons:					67,682.00
Subcontractor Default Ins.					1,015.23
General Liability Insurance					643.01
Builders Risk Ins					45.76
Association Dues					69.39
Maintenance After Completion					114.60
Payroll Burden					0.00
Fee					4,174.20
P&P Bond					1,843.60
Total For Change Order:					75,587.79

Authorized By Owner:

City of Rockwall Texas
385 S. Goliad
Rockwall, TX 75087

Authorized by Architect:

La Terra Studio, Inc.
2109 Commerce Street
Dallas, TX 75201

Authorized by Contractor:

Hill & Wilkinson Construction Group
2703 Telecom Parkway, Suite 120
Richardson, TX 75082

By: _____ **By:** _____ **By:** _____

Date: _____ **Date:** _____ **Date:** _____

2 Hill & Wilkinson Construction Group, Ltd.

09/09/15 02:48:11 PM

CustomPMPendChangeOrderArchSig.rpt

THIS PAGE INTENTIONALLY LEFT BLANK



CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Richard Crowley, City Manager
FROM: Lea Ann Ewing, Purchasing Agent
DATE: October 12, 2015
SUBJECT: Purchase of a New Backhoe Loader for Water Department

Approved in the Water and Sewer Fund, Water Operating budget, is \$148,510 to purchase a new backhoe and trailer.

Budget is adequate to cover the cost of the Caterpillar Backhoe for a total price of \$127,320. Once the Backhoe is delivered, the remaining budget will be used to buy the trailer to haul it.

This equipment is available from Holt CAT through the BuyBoard purchasing cooperative contract #424-13. As a member and participant in this cooperative, the City has met all formal bidding requirements pertaining to the purchase of this new equipment.

For Council consideration is the Backhoe bid award to Holt CAT for \$127,320 and authorizes the City Manager to execute a purchase order for this new equipment.

THIS PAGE INTENTIONALLY LEFT BLANK



CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Richard Crowley, City Manager
FROM: Lea Ann Ewing, Purchasing Agent
DATE: October 12, 2015
SUBJECT: Purchase of a New Skid Steer for Streets Department

Approved in the General Fund Streets Operating budget, is \$38,870 to purchase a new Skid Steer Loader.

Budget is adequate to cover the cost of the Caterpillar Skid Steer for a total price of \$37,568. This equipment is available from Holt CAT through the BuyBoard purchasing cooperative contract #424-13. As a member and participant in this cooperative, the City has met all formal bidding requirements pertaining to the purchase of this new equipment.

For Council consideration is the Skid Steer bid award to Holt CAT for \$37,568 and authorizes the City Manager to execute a purchase order for this new equipment.

THIS PAGE INTENTIONALLY LEFT BLANK



CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Richard Crowley, City Manager
FROM: Lea Ann Ewing, Purchasing Agent
DATE: October 12, 2015
SUBJECT: Purchase of a New CCTV Inspection Van for Sewer Department

Approved in the Water and Sewer Fund, Sewer Operations budget is \$220,000 to purchase a new CCTV Inspection Van. This vehicle/equipment will be used to video and record inside sewer lines to determine pipe condition allowing a preventative maintenance approach.

The Hi-Cube CCTV equipment is available from CUES and the Van from Caldwell Country Chevrolet through the H-GAC purchasing cooperative contracts SC01-15 and VE11-13 respectively. As a member and participant in this cooperative, the City has met all formal bidding requirements pertaining to this purchase.

For Council consideration are bid awards to CUES at \$191,255 and Caldwell Country Chevrolet at \$28,600; total bid award of \$219,855 for the CCTV Van and authorizes the City Manager to execute the purchase orders.

THIS PAGE INTENTIONALLY LEFT BLANK



CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Richard Crowley, City Manager
FROM: Lea Ann Ewing, Purchasing Agent
DATE: October 12, 2015
SUBJECT: Purchase of a New VAC-CON Truck for Sewer Department

Approved in the Water and Sewer Fund, Sewer Operations budget is \$317,260 to purchase a new VAC Truck. This vehicle/equipment unit will be used to clean lift station pumps, perform hydro excavation and unclog lines and drains.

The unit is available from Freightliner/CLS Equipment Company, VAC-CON dealer through the H-GAC purchasing cooperative contract SC01-15. As a member and participant in this cooperative, the City has met all formal bidding requirements pertaining to this purchase.

For Council consideration is the total bid award to Freightliner/CLS of \$317,257.75 for this unit and authorizes the City Manager to execute the purchase order.

THIS PAGE INTENTIONALLY LEFT BLANK



CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Brad Griggs, Assistant City Manager

FROM: Andy Hesser, Parks and Recreation Manager

DATE: October 14, 2015

SUBJECT: CONSTRUCTION MANAGER AT RISK CONTRACT FOR THE PARK AT STONE CREEK

On August 27, 2015, the City issued a public notice for a Request for Qualifications (RFQ) for qualified general contractors to provide Construction Manager at Risk (CMAR) services for the construction of The Park at Stone Creek. The CMAR process is a one that the City has used on many facility and park construction projects and has been very successful.

The total project budget is \$647,800, of which \$400,000 will be reimbursed from the Texas Parks and Wildlife Local Parks Grant funds. The remaining portion is funded by developer contributions in that park district.

The deadline for receiving RFQ responses was on September 11, 2015. The City also sent specific notices or invitations to contractors that we have worked with in the past or that were recommended by the project designer, MHS Planning and Design. At the deadline, the City received one qualified response from Dean Construction. Dean Construction has been in business over 24 years and has an impeccable reputation throughout Texas in the parks and recreation industry.

A copy of the RFQ, project budget and Dean Construction's proposal is included in your packet for review. The RFQ asks for experience on similar projects, references, as well as experience and approach to estimating and scheduling. It also asks for a proposed preconstruction services fee and General Conditions cost.

The Dean Construction proposed a 6% preconstruction services fee that provides scheduling, design and constructability recommendations during the design process and a guaranteed maximum price (GMP) to construct. The proposed general conditions cost is \$42,800. Once a GMP is agreed upon, the contractor will proceed as scheduled.

The City Attorney is currently reviewing a draft of the CMAR contract. If the contractor successfully completes The Park at Stone Creek, the RFQ and contract includes a provision to award future similar projects such as The Park at Breezy Hill under the CMAR format. The timing of the completion of Stone Creek could coincide well with the beginning of The Park at Breezy Hill construction, thereby possibly minimizing mobilization and general conditions costs.

At the October 6th meeting, Park Board voted unanimously to recommend to City Council that they consider authorizing the City Manager to negotiate a Construction Manager at Risk contract with Dean Construction for the construction of The Park at Stone Creek.

Contingent on Council approval, the construction schedule would begin in December and be completed in May or June of 2016, weather permitting.

1	Transmittal Letter
2	Project List Color Coded for Project type
3	Proposed Team Members
4	Project Approach Litigation Disclosure Safety Record
5	References Letters of Reference
6	Estimated Construction Schedule
7	Sample of Cost Estimating
8	General Conditions & Fees
9	Value Engineering Contingencies Savings
10	Conflict of Interest Questionnaire
11	Insurance
12	
13	
14	
15	

September 18, 2015

Lea Ann Ewing
Purchasing Agent
City of Rockwall
385 S. Goliad
Rockwall, TX 75087

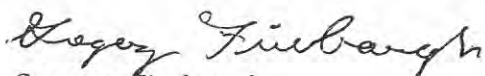
Dear Ms. Ewing,

We are honored to be considered for Construction Manager at Risk for Neighborhood Park Construction.

The proposal and statement of qualifications is offered for your consideration. We are certain you will find Dean Construction meets and exceeds your criteria for selection.

The proposal enclosed will remain in effect for a period of 90 days from September 18, 2015. I am looking forward to the opportunity of working with the City of Rockwall.

Sincerely,


Gregory Firebaugh

President of Dean Electric INC. dba Dean Construction
701 Hall St.
Cedar Hill, TX 75104
Ph: 972-291-7153
Fax: 972-291-7172
Cell: 214-212-6328

Project's in Red font are CMR w/GMP by RFP
Blue font are Design/Build by RFP
Black font are Bid

Bartlett Soccer Complex
550 Summercrest
Burleson, TX 76028
Project under Construction
City of Burleson
141 W. Renfro Dr.
Burleson, TX 76028
Contact: Peter Krause
817-295-8168
Architect: GSBS
817-589-1722
CMR by RFP, Dean Construction
701 Hall Street
Cedar Hill, TX 75104
Construction cost - \$4,652,414.14

Bicentennial Park Phase II
450 W. Southlake Blvd.
Southlake, TX
Project Completed August 2015
City of Southlake
400 N. White Chapel Blvd.
Southlake, TX
Contact: Peter Kao
817-748-8607
Architect: Schrickel Rollins & Associates
817-640-8212
CMR by RFP, Dean Construction
701 Hall Street
Cedar Hill, TX 75104
Construction cost - \$12,320,196.00



Project's in Red font are CMR w/GMP by RFP
Blue font are Design/Build by RFP
Black font are Bid

Roanoke Skate Park
750 Cannon Parkway
Roanoke, TX 76262
Project Completed January 2015
Skate Board Park
City of Roanoke
108 S. Oak St
Roanoke, Tx 76262
Contact: Ronnie Angel
817-491-2411
Architect: Dunkin Sims
214-553-5778
CMR by RFP, Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - \$1,851,869.00



Murphy Community Park Phase I
510 N. Murphy Road
Murphy, TX
Project Completed
Community Park
City of Murphy
206 N. Murphy Road
Murphy TX
Contact: Kim Lenoir
972-468-4068
Architect: Dunkin Sims Stoffels, Inc.
Contact: Bob Stoffels
214-553-5778
CMR by RFP, Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction Cost - \$3,500,000.00

Project's in Red font are CMR w/GMP by RFP
Blue font are Design/Build by RFP
Black font are Bid

High Point/Carpenter Park
6500 Alma Drive, 6701 Coit Road
Plano, TX
Project Completed August 2013
Community Park
City of Plano
1709 K Avenue
Plano, TX 75074
Contact: Kevin Murray
972-941-7168
Architect: LaTerra Studio
Contact: Kris Brown
214-749-0333
General Contractor (bid), Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction Cost - \$2,734,185.00

Gabe Nesbitt
7001 El Dorado Pkwy.
McKinney, Tx
Project Completed May 2013
Skate Park & Ball Fields
City of McKinney
222 N. Tennessee St.
McKinney, Tx
Contact: Patricia Jackson, P.E.
972-547-7439
Architect: LanArc Design, INC
214-733-8805
Design/Build Contractor by RFP: Dean Construction
701 Hall St.
Cedar Hill, Tx
Construction cost - \$3,729,500.00

Project's in Red font are CMR w/GMP by RFP
Blue font are Design/Build by RFP
Black font are Bid

Rockwall Technology Park
2600 Observation Trail
Rockwall, TX
Project Completed February 2013
Linear Park
Rockwall Economic Development Corp.
697 East Interstate 30
Rockwall, TX
Contact: Ken Keeton, Project Manager
972-772-0025
Architect: MHS Planning & Design, LLC
903-597-6606
CMR by RFP, Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - \$198,000.00

Chase Oaks Trail Connector at Rowlett Creek
7300 Central Expressway
Plano, TX
Project completed January 2013
Pedestrian Trail
City of Plano
1520 K Avenue
Plano, TX
Contact: Renee Burke Jordan, Project Manager
972-941-7000
Architect: BW2 Engineers, Inc.
972-864-8200
General Contractor (bid), Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - \$468,243.03



Project's in Red font are CMR w/GMP by RFP
Blue font are Design/Build by RFP
Black font are Bid

Whites Branch Park and Trail
500 Western Center Blvd.
Haltom City, TX
Project completed August 2012
Park and trail
City of Haltom City
5024 Broadway Blvd.
Haltom City, TX
Contact: Tom Henry, Director of Parks & Recreation
817-831-6710
Architect: MHS Planning & Design LLC
903-597-6606
CMR by RFP, Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - \$881,580.76

Hillsboro City Park
200 Milford Road
Hillsboro, TX
Project completed August 2012
Linear Park
City of Hillsboro
214 E. Elm Street
Hillsboro, TX
Contact: John Graham, Parks/Public Works/Streets
254-582-3478
Architect: MHS Planning & Design LLC
903-597-6606
CMR by RFP, Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - \$979,900.00

Project's in Red font are CMR w/GMP by RFP
Blue font are Design/Build by RFP
Black font are Bid

North Park
200 E. Dove Road
Southlake, TX
Project completed July 2012
Community Park
City of Southlake
400 N. White Chapel Blvd.
Southlake, TX
Contact: Peter Kao
817-748-8607
Architect: Schrickel Rollins & Associates
817-640-8212
CMR by RFP, Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Selection by RFP
Construction cost - \$6,631,811.66



Forney Community Amphitheater
241 S. FM 548
Forney, TX
Project completed June 2012
Amphitheater
City of Forney
715 Mulberry
Forney, TX
Contact: Richard Curry, Director of Parks & Recreation
972-564-7300
Architect: Schrickel Rollins & Associates
817-640-8212
General Contractor, Dean Construction
701 Hall Street
Cedar Hill, TX 75104
Design/Build Contractor by RFP
Construction cost - \$2,390,462.00



Project's in Red font are CMR w/GMP by RFP
Blue font are Design/Build by RFP
Black font are Bid

Meadowmere Boat Ramp
3013 Meadowmere Lane
Grapevine, TX
Project completed October 2011
City Park
City of Grapevine
501 Shady Brook Drive
Grapevine, TX
Contact: Doug Evans, Director Parks & Recreation
817-410-3120
Architect: MHS Planning & Design
903-597-6606
CMR by RFP, Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Selection by RFP
Construction cost - \$387,053.55

Rush/Sublett Creek Linear Park
2310 W. Sublett Rd./6727 Big Springs Dr.
Arlington, TX
Project completed October 2011
Linear Park
City of Arlington
717 W. Main Street
Arlington, TX
Contact: Kurt Beilharz, ASLA
817-459-5478
Architect: Schrickel Rollins & Associates
817-649-3216
General Contractor (bid), Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Selection by bid
Construction cost - \$767,952.00

Project's in Red font are CMR w/GMP by RFP
Blue font are Design/Build by RFP
Black font are Bid

B.F. Phillips Community Park Phase 3
3345 4th Army Memorial
Frisco, TX
Project completed September 2011
Dog Park
City of Frisco
6101 Frisco Square Blvd.
Frisco, TX
Contact: Wes Hicks, Parks Project Coordinator
972-292-6516
Architect: Land Design Partners
972-386-0630
General Contractor (bid), Dean Construction
701 Hall Street
Cedar Hill, TX 75101
972-291-7153
Selection by bid
Construction cost - \$520,631.80

Bicentennial Park
450 W. Southlake Blvd.
Southlake, TX
Project completed September 2011
Restroom/concession/tennis courts
City of Southlake
400 N. White Chapel Blvd.
Southlake, TX
Contact: Peter Kao
817-748-8607
Architect: Schrickel Rollins & Associates
817-640-8212
CMR by RFP, Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Selection by RFP
Construction cost - \$10,531,808.27

Project's in Red font are CMR w/GMP by RFP
Blue font are Design/Build by RFP
Black font are Bid

Joshua City Park
831 N. Main Street
Joshua, TX
Project completed October 2010
Community Park
City of Joshua
Contact: Mike Peacock
817-558-7447
Architect: MHS Planning & Design
903-597-6606
CMR by RFP, Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - \$2,336,822.00



Chisenhall Farm Sports Complex
500 Chisenhall Park Lane
Burleson, TX
Project completed August 2010
Sports complex
City of Burleson
Contact: Peter Krause
817-295-8168
Architect: HNTB
214-748-8400
CMR by RFP, Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - \$13,500,000.00



Project's in Red font are CMR w/GMP by RFP

Blue font are Design/Build by RFP

Black font are Bid

Roanoke Soccer Complex
505 Roanoke Road
Roanoke, TX
Project completed July 2010
Soccer Complex
City of Roanoke
Contact: Ronnie Angel
817-837-9930
Architect: Dunkin Sims Stoffels
214-553-5778
CMR by RFP, Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - \$1,934,987.30

Pecan Grove Park Phase II
Canyon Creek Drive
Sherman, TX
Project completed June 2010
Community Park
City of Sherman
Contact: Kevin Winkler
903-892-7313
Architect: Dunkin Sims Stoffels, Inc.
214-553-5778
General Contractor (bid), Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - \$2,168,268.00

Project's in Red font are CMR w/GMP by RFP

Blue font are Design/Build by RFP

Black font are Bid

Forney Community Park

241 FM 548

Forney, TX

Project completed February 2009

Community Park

City of Forney

Contact: Richard Curry

972-552-2823

Architect: Schrickel Rollins & Associates

817-640-8212

CMR by RFP, Dean Construction

701 Hall Street

Cedar Hill, TX 75104

972-291-7153

Construction cost - \$14,399,287.00



McPherson Park Final Phase

240 McDonwell School Road

Colleyville, TX

Project completed April 2009

Community Park

City of Colleyville

Contact: Monica Walsh

817-503-1182

Architect: Newman Jackson Bieberstein

972-233-2033

General Contractor (bid), Dean Construction

701 Hall Street

Cedar Hill, TX 75104

972-291-7153

Construction cost - \$1,600,000.00



Project's in Red font are CMR w/GMP by RFP

Blue font are Design/Build by RFP

Black font are Bid

West Lawther Hike & Bike Trail
3800 Garland Road
Dallas, TX
Project completed July 2009
Public trail for bikes & hikers
City of Dallas
Contact: Richard Stauffer
214-670-4105
Architect: Carter Burgess
214-638-0145
General Contractor (bid), Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - \$4,900,000.00

B.F. Phillips Community Park
3335 Fourth Army Memorial
Frisco, TX
Project completed 2008
Sports complex
City of Frisco
Contact: Dudley Raymond
972-335-5517
Architect: Jacobs Carter Burgess
469-287-5364
General Contractor (bid), Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - \$6,500,000.00

Project's in Red font are CMR w/GMP by RFP

Blue font are Design/Build by RFP

Black font are Bid

Russell Creek Park & Cheyenne Park
2401 Mission Ridge & 3500 McDermot
Plano, TX
Project completed August 2008
Baseball/soccer complex
City of Plano
Contact: Kevin Murray
972-841-7265
Architect: LaTerra Studios
214-749-0333
General Contractor (bid), Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - \$1,600,000.00

Wattley Park
1098 Charleston Street
McKinney, TX
Project completed February 2008
Soccer Refurbish
City of McKinney
Contact: Steve Brainerd
972-542-2675
Architect: LandArc Design
214-733-8805
General Contractor (bid), Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - \$161,000.00

Project's in Red font are CMR w/GMP by RFP

Blue font are Design/Build by RFP

Black font are Bid

Archgate Park
6700 Archgate
Plano, TX
Project completed March 2008
Softball Complex
City of Plano
Contact: Bill Dakin
972-941-7000
Architect: Schrickel Rollins & Associates
817-640-8212
General Contractor (bid), Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - \$7,536,177.00

McPherson Park
240 McDonwell School Road
Colleyville, TX
Project completed February 2008
Community Park
City of Colleyville
Contact: Monica Walsh
817-503-1182
Architect: Newman Jackson Bieberstein
972-233-2033
General Contractor (bid), Dean Construction
701 Hall Street
Cedar Hill, TX 75104
972-291-7153
Construction cost - \$1,926,253.00

Gregory "Greg" Firebaugh
5428 CR 206
Grandview, TX 76050

Professional Experience

President, Estimator, Project Manager – Dean Construction, Cedar Hill, Texas (1993 to Present)

- Off and on-site management from inception to completion for city parks, related facilities and buildings.
- Assist with daily coordination and communication with city representative, architect and all subcontractors.
- Assist with submittals, change orders, subcontracts, schedules and budgets.
- Perform plan take-offs and pricing calculations, bid presentation for approval.
- Identify and recommend time and cost savings options.

Owner, Manager – Fireball Construction, The Colony, Texas (1983 to 1993)

- Owner, Manager of residential and commercial fence installation business.
- Develop company policies and procedures for field and administration. Fully accountable for all management and activities of the business.

Manager, Operator – Panora Ready Mix, Panora, Iowa (1973 to 1983)

- Manage and eventually own family business.
- Drive and operate ready mix concrete trucks.

Professional Qualifications

- Master Electrician, 1999
- Tarrant County Junior College, various construction related classes including Blue Print Reading.
- Graduate, Panora High School, Panora, Iowa

Joseph L. Yentes
2401 Conveyor Dr
Burlison, TX 76028
469-658-2568
joe@dean-construction.com

SURVEYOR • SUPERVISOR

Professionally trained and experienced land surveyor. Provide all land surveying services relating to boundaries, design, construction, and mapping. Typical services include corner searches, parcel maps, subdivisions, lot line adjustments, line staking, easement surveys/analysis, boundary agreements, boundary surveys, topographic mapping, commercial/ industrial surveys, global positioning surveys (GPS), and watercourse boundaries. Interprets blueprints and schematics; maintains impeccable records.

Skilled at supervising and assuring quality work of field surveyors; excellent employee relations.

Computer expertise includes Microsoft Office Suite, TDS Foresight, and Trimble software.

WORK EXPERIENCE

Dean Construction – Cedar Hill, Texas

2007 to Present

Supervisor/Construction Lay-out

Supervise projects on-site; coordinate work assignments with surveyor and subcontractors. Assure accurate measurements and accurate construction work.

Nathan D. Maier Consulting Engineers, Inc. – Dallas, Texas

1997 to 2007

Field Supervisor

Supervised three crews for new construction and addition projects; demonstrated and operated all GPS equipment; set up jobs; coordinated construction site requirements with contractors. Monitor plan preparation and specifications for approximately 30 water Treatment Plants and City Parks projects in Frisco, McKinney, Duncanville, Waxahachie and Colleyville.

Conducted all major boundary work, topographical surveys and construction layouts; monitored plan preparation and specifications for subdivisions, schools and parks.

TRAINING AND CERTIFICATION

Tyler Junior College – Surveyor Course

Victor Del Rio
1508 Lilac LN
Plano, TX 75074

Professional Experience

Construction Supervisor – Dean Construction, Cedar Hill, Texas (2014 to present)

- Schedule and assign personnel to projects.
- Responsible for company policy enforcement and safety procedure implementation.
- Direct and operate as required all construction equipment (backhoes, motor graders, box blades, trackhoe, scrapers, etc...).
- Schedule and order equipment rentals and materials.
- Conduct initial site assessments.
- Coordinate project management meetings.

Foreman – Dean Construction, Cedar Hill, Texas (2006 to 2014)

- Manage construction crews of up to 10 finishers, form setters, concrete place and finishers and other labor personnel.
- Performed all duties of crew supervisor and equipment operation
- Scheduling, instruction and training of all field personnel
- Responsible for company policy enforcement and safety procedure implementation.

Project Approach, Litigation disclosure & Safety record

Dean Construction has over 24 years of experience. Our philosophy is to deliver the highest level of quality within the industry both on-time and within budget, and to assure that the standards of today's construction meet the stringent requirements set forth by the company's founder.

Our pre-construction staff provides clients with a wide variety of services from the earliest design stages through completed project design and beyond. An up-to-date cost database allows our preconstruction staff to develop an accurate project budget early in the design phase and maintain the given budget through design completion. Once plans have reached 50%, 75% and 100% we will provide a detail budget, at those times we will provide any cost saving construction solutions. Utilizing our own in-house expertise, we can also provide systems analysis, value engineering, and detailed document review/coordination to ensure the most cost-efficient and timely design.

Once plans are 100% with an agreeable budget, the next phase will commence. Design team or Dean will draft a bid form for subcontractors to bid on. Dean will advertise with local newspaper for two weeks before distributing plans for a bid. We will also be bidding on portions of the bid items ourselves. This process can save cities thousands of dollars and keep pricing competitive. We prefer and encourage clients to host bid opening at their facility. Once bids are in, the design team & Dean will work together to achieve GMP.

Dean has implemented this same process over 20 times in municipalities in the DFW area with very successful outcomes. We have never failed to reach a GMP or complete a project. We are a recognized leader in park construction and enjoy repeat invitations from the cities where we have previously worked. The municipalities in the DFW area realize building parks is our only business, and welcome our bids and/or proposals.

Dean Construction has never been involved in any litigation, debarment, suits or claims.

Dean Construction's accident frequency rate and modifier is .78 for the past five years. We have not been cited by OSHA or had any deaths.

References

Roanoke Skate Park
Owner: Ronnie Angel
Ph: 817-491-2411
Fax: 817-491-5411
LA: Bob Stoffels
Ph: 214-553-5778
Fax: 214-553-5781

Bicentennial Park Ph. 2
Owner: Peter Kao
Ph: 817-748-8607
Fax: 817-748-8027
LA: James Williams
Ph: 817-640-8212
Fax: 817-649-7645

Please
see
attached
letter

Rush Creek Mitigation
Owner: Kurt Beilharz
Ph: 817-459-5478
Fax: 817-459-5495
LA: Henry Parker
Ph: 817-640-8212
Fax: 817-649-7645

Twin Coves Park Boat Ramp
Owner: David Bauer
Ph: 972-874-6308
Fax: 972-874-6460
LA: William Spencer
Ph: 903-597-6606
Fax: 903-597-0517

Murphy Community Park
Owner: Steven Ventura
Ph: 972-468-4068
Fax: 972-468-4168
LA: Dennis Sims
Ph: 214-553-5778
Fax: 214-553-5781

Bartlett Park Soccer Complex
Owner: Dalan Walker
Ph: 817-295-8168
Fax: 817-447-5338
LA: Sam Jones
Ph: 817-589-1722
Fax: 817-595-2916

Bonding Company – Southwest Assurance Group, INC.
Contact: Steve Rickenbacher
Ph: 214-691-5721
Fax: 214-691-4961

Please
see
attached
letter

CITY OF
SOUTHLAKE



Department of Community Services

September 10, 2015

To Whom It May Concern:

The City of Southlake prides itself on quality throughout all its development projects. That quality starts with the people it employs and the contractors with which it works. I have the utmost respect for Dean Construction. The character of the staff is exceptional. The caliber of their people and thoroughness of the construction crews are outstanding. Dean Construction is very diligent and conscientious in all the work it does. Even when design firms ignore owner recommendations, make serious mistakes, or omit important details, I have confidence the project will be completed successfully when Dean Construction is involved.

Dean Construction has worked on several projects within Southlake and each has resulted in many accolades from the residents. Dean Construction responded quickly to many concerns and provided unique solutions to any issues that arose.

Dean Construction works extremely well with engineers and cooperates very professionally with owners to achieve an excellent project that is within budget.

If you should have any questions regarding the qualifications of Dean Construction, I would be happy to ensure you that they will provide the best work possible.

Sincerely,

A handwritten signature in black ink, appearing to read 'Peter Kao', with a long horizontal flourish extending to the right.

Peter Kao, P.E.
Construction Project Manager
City of Southlake
817-748-8607: Office
214-457-9649: Mobile

1400 Main Street, Southlake, TX 76092, (817) 748-8019

SOUTHWEST ASSURANCE GROUP, INC.

K & S Group, Member

September 1, 2015

To whom it may concern:

We have serviced the bonding requirements of Dean Construction for over 30 years. The company has a well-earned reputation for integrity and quality and has received praise from municipalities, architects and subcontractors for taking the high road in all relationships.

Needless to say, we certainly recommend positive consideration of Dean Construction for your upcoming project.

Very truly yours,



Steve Rickenbacher

Park at Stone Creek, City of Rockwall, TX

Estimated Schedule

Work Element	DEC	JAN	FEB	MAR	APR	MAY
Erosion Control	Yellow					
Tree Protection	Red					
Demo/Tree Removal	Green					
Earthwork	Blue					
Utilities	Purple					
Paving (parking lot)		Yellow				
Flat Work (sidewalk)		Red				
Pavilion		Red				
Pedestrian Bridge		Green				
Fishing Pier		Blue				
Site Electrical		Purple				
Irrigation		Yellow				
Landscape		Red				
Turf establishment						
Site Amenities						
Playground						

95% Budget for Twin Coves Park

Demo, tree removal & earthwork	\$80,000.00
Asphalt removal	\$120,000.00
Utilities	\$845,000.00
Erosion control	\$12,400.00
Cement treated base	\$97,200.00
Street / RV parking	\$475,000.00
Concrete trail	\$28,500.00
Day use parking	\$41,200.00
Striping	\$20,000.00
Trailer pads	\$30,000.00
Masonry retaining walls	\$78,047.00
Irrigation, landscape & turf	\$260,000.00
Stairs	\$27,050.00
Decks	\$2,500.00
H/C Ramps	\$13,975.00
Trash can pads	\$8,824.00
RV patio area / amenities	\$54,000.00
RV underpinning	\$24,900.00
Signage	\$10,000.00
Vinyl coated chain link fence	\$14,000.00
Flexbase yard	\$20,000.00
Hand clearing	\$25,000.00
Turf maintenance	\$25,000.00
Tree protection	\$10,000.00
electrical	\$285,000.00
Power company charges	\$30,000.00
Sub Total	\$2,637,596.00
contingency 5%	\$131,880.00
Sub Total	\$2,769,476.00
General conditions / Fee	\$319,874.00
Total	\$3,089,350.00

Construction Manager A-Risk

Bid Proposal

RFP# Park @ Stone Creek

Item #	Item/Description – Fees	Notes	Total
	Contracting Consultant		
1	Pre-Construction Fee		-0-
2	Construction Services Percentage:		-0-
	- Percentage		6%
	- Amount		\$36,420.00
3	Field & Office Stage		\$33,000.00
4	General Conditions – Lump Sum (from line 53 below)		\$42,800.00
5	Total Cost = (Pre-Construction = Construction Services + Field & Office Staff + General Conditions) =		\$112,220.00
	On-Site Field Staff		
6	Project Manager		\$5,000.00
7	Superintendent		\$22,000.00
8	Project Engineer		\$6,000.00
9	Admin		
10	Other Field Office Staff		
11	Other Field Office Staff		
12	Subtotal – On-site Field Office Staff		\$33,000.00
13	Percentage of time Personnel Dedicated to this Project:		
	Project Manager:		25%
	Superintendent:		100%
	General Conditions		
14	Field Engineer Labor		\$5,000.00
15	Field Engineering Equipment & Supplies		\$3,000.00
16	Field Project Office		\$2,500.00
17	Temporary Fire Extinguishers, Safety Equipment & Labor		\$500.00
18	Office Furniture		-0-
19	Office Supplies		\$500.00
20	Postage/Fed Ex Courier Services		\$150.00
21	Miscellaneous Documents		\$600.00
22	Copy Machine & Paper		-0-
23	Office Equipment		-0-
24	Telephone & Fax Service		\$500.00
25	Janitorial Services		-0-
26	Construction Clean Up		\$4,200.00
27	Miscellaneous Small Tools and Consumables		-0-
28	Vehicle Rental		\$3,000.00
29	Vehicle Fuel, Maintenance and Repair		\$2,000.00

Item #	Item/Description – Fees	Notes	Total
30	Vehicle Insurance		\$500.00
31	All Risk Builders Insurance		-0-
32	General Commercial Liability Insurance		\$300.00
33	All Other Insurance in Addition to CGL Required		\$1,600.00
34	Building Permit Fee		FBO
35	Construction, Equipment Freight & Insurance Charges		-0-
36	Independent Testing & Inspection		FBO
37	Final Clean Up		\$2,800.00
38	Special Testing Equipment		-0-
39	Travel		-0-
40	Temporary Sanitary Facilities		\$800.00
41	Barricades, Protection, Runs, Safety Rails		-0-
42	A & P Equipment Trailer		-0-
43	General Handling & Hoisting, Fuel & Maintenance		-0-
44	Dumpsters (excludes Demo, Masonry, Drywall)		\$2,800.00
45	Computers		-0-
46	Contractor Bond		\$10,650.00
47	Contractor Insurance		\$600.00
48	Other: Job Site Utilities		-0-
49	Other: Scheduling		-0-
50	Other: Securities		-0-
51	Other: Ice/Water		-0-
52	Other: Project Sign		\$800.00
53	Total of General Conditions		\$42,800.00
54	Insurance Rate Modifier		.87
55	Amount of Commercial General Liability		\$2,000,000.00

Value Engineering, Contingencies & Savings

While Dean reviews the plans for budgeting, we will also identify and propose removal of any unnecessary expenditures. Thereby increasing the value for city and/ or the citizens. One of the most common examples of cutting expense is adding two inches of concrete to parking lot in lieu of cement or lime stabilization. By accepting this design change the client general finds themselves saving half the cost of stabilization.

Contingencies are for additional work or changes to the plans only. Any unused contingencies are returned to the Owner.

If any saving is realized during the construction phase of this project, Dean will notify design team and city. We will return any and all funds to the owner.

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor or other person doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session. This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.

A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of person who has a business relationship with local governmental entity.

N/A

2 Check this box if you are filing an update to a previously filed questionnaire.

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

3 Name of local government officer with whom filer has employment or business relationship.

N/A

Name of Officer

This section (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

Yes No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?


Yes No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

Yes No

D. Describe each employment or business relationship with the local government officer named in this section.

4


Signature of person doing business with the governmental entity

9-18-15

Date

Adopted 06/29/2007



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

8/31/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Southwest Assurance Group, Inc. 12201 Merit Drive, Ste 795 Dallas TX 75251	CONTACT NAME: Sherrel Breazeale	
	PHONE (A/C, No, Ext): 214-691-5721 X-105 FAX (A/C, No): 214-691-4961 E-MAIL ADDRESS: sowston@southwestassurance.com	
INSURED Dean Electric, Inc. dba Dean Construction 701 Hall Street Cedar Hill TX 75104	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: Employers Mutual Casualty Co	21415
	INSURER B: Great American Insurance Co.	16691
	INSURER C: Texas Mutual Insurance Co.	22945
	INSURER D: Continental Casualty Insurance	20443
	INSURER E:	
	INSURER F:	

COVERAGES CERTIFICATE NUMBER: 2015/2016 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR			4D17101-16	3/31/2015	3/31/2016	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						
	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> HCPD			4E17101-16 \$1,000 Collision Ded. \$1,000 Comprehensive Ded.	3/31/2015	3/31/2016	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ PIP-Basic \$ 5,000
	SCHEDULED AUTOS NON-OWNED AUTOS						
B	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			SBU596585609	3/31/2015	3/31/2016	EACH OCCURRENCE \$ 3,000,000 AGGREGATE \$ 3,000,000
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			TSF0001178134	3/31/2015	3/31/2016	<input checked="" type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
	Y/N N/A						
D	Builders' Risk Rented/Leased Equip			5084274505	3/31/2015	3/31/2016	Builders' Risk - Limit \$13,000,000 R&L Equip - Each Occurrence \$200,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Blanket Certificate good for all work performed by the named insured. See attached for details regarding additional insured/waiver of subrogation and special forms/coverage.

CERTIFICATE HOLDER**CANCELLATION**

City of Rockwall
Purchasing Department
385 S. Goliad
Rockwall, TX 75087-3737

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

S Rickenbacher/SHEREL

COMMENTS/REMARKS

NAMED INSURED: Dean Electric, Inc. dba Dean Construction
POLICY TERM: March 31, 2015 to March 31, 2016

ADDITIONAL INSURED -

The policies include a blanket automatic additional insured endorsement that provides additional insured status only when there is a written contract that requires such status.

The additional insured status is provided to those parties listed in the contract requiring such. Listed are the forms that are attached to the named insured's policies. Additional Insured coverage is provided per the terms and conditions of these forms.

- General Liability - #CG7482.3 1-08
- Auto Liability - #CA7270 3-07
- Umbrella Liability - #GAI 6079 10 98

WAIVER OF SUBROGATION -

The policies include a blanket automatic waiver of subrogation endorsement that affords a waiver of subrogation only when there is a written contract that requires such status. A waiver of subrogation is afforded to those parties listed in the contract requiring such. Listed are the forms that are attached to the named insured's policies. Waiver of subrogation coverage is provided per the terms and conditions of these forms.

- Workers' Compensation - #WC 42 03 04 A
- General Liability - #CG7555 11-04
- Auto Liability - #CA7218 8-99
- Umbrella Liability - Follow Form

OTHER COVERAGES must be required by a written contract -

- PRIMARY/NONCONTRIBUTORY COVERAGE for ongoing and completed operations per the terms and conditions of #CG7482.3 1-08.
- PER PROJECT GENERAL AGGREGATE LIMIT is provided per the terms and conditions of Form #CG7429 11-98.
- X,C & U (EXPLOSION, COLLAPSE & UNDERGROUND) is not excluded from the General Liability policy and is per the terms and conditions of General Liability Coverage Form #CG 00 01 12 07.

CONTRACTUAL LIABILITY coverage is standard and may not cover all liabilities assumed by the named insured under its contract with you and is per the terms and conditions of General Liability Coverage Form #CG 00 01 12 07.

When contract documents are provided for review, only the insurance requirements contained in the contract are reviewed. The scope of our review is to determine if the current insurance program in place for the named insured addresses the types and amounts of insurance coverage referenced by the contract. We identified the significant insurance obligations. Our agency is not providing legal advice or a legal opinion concerning any portion of the contract. In addition, our agency is not undertaking to identify all potential liabilities that may arise under this contract. The review is provided for the information of the named insured and should not be relied upon by third parties. Any descriptions of insurance coverages are subject to the terms, conditions, exclusions and other provisions of the policy and any applicable regulations, rating rules or plans.

CITY OF ROCKWALL
REQUEST FOR QUALIFICATIONS

Construction Manager at Risk for Neighborhood Park Construction

Response Submittal Deadline: September 18, 2015
Prior to 4:00 PM CST

SECTION 1 – Request for Qualifications

PURPOSE

The City of Rockwall (“The City”) a local City of the State of Texas, established under Chapter 379B of the Texas Local Government Code is soliciting Requests for Qualifications (RFQ) under both the Texas Professional Services Procurement Act “TPSPA”, Government Code Chapter 2254 and Texas Government Code Chapter 2269, to qualify contractors for the construction of neighborhood park facilities is being used as the basis for the selection of the Construction Manager at Risk (CM at Risk).

This will be a “**one-step**” procurement pursuant to Texas Government Code Chapter 2269, Sections 2269.253 and 2269.254. It is the sole initial intent of this RFQ to determine only the most qualified construction firm to which the City could then negotiate with to contract for these varied construction manager-at-risk services for current and future like projects. Qualifications Proposals shall be accepted until September 18, 2015 at the following: City Hall 385 S. Goliad St. Rockwall Texas 75087.

1.1 General Instructions

Request for Qualifications for Construction Manager at Risk for neighborhood park construction services.

The City is requesting responses from qualified General Contractors to provide pre-construction services (i.e., budget estimates, constructability and value engineering suggestions, construction schedules, etc.) during the design phase and, upon completion of the design, provide a Guaranteed Maximum Price (GMP) and act as General Contractor for the construction of an 11 acre neighborhood park.

The awarded firm/team may be required to coordinate with the City and/or its consultants for all project related activities during the various assignments associated with this contract.

A Pre-proposal Conference is scheduled for September 11, 2015, 9:00 AM CST in the Council Conference Room at 385 S. Goliad St. Rockwall Texas. A related site visit will follow the Pre-proposal Conference. Interested Contractors are encouraged to attend.

Responses to this RFQ must be received by the City, Attn: Lea Ann Ewing, PRIOR TO 4:00 PM CST, September 18, 2015. Any Response received after this time shall not be considered and will not be opened. The mailing address is as follows:

**Attn: Lea Ann Ewing, Purchasing Agent
City of Rockwall
385 S. Goliad St.
Rockwall TX, 75087**

Please submit one (1) original and six (6) copies of the RFQ response, and identify each as an original or copy accordingly. Responses sent to the City are subject to disclosure pursuant to the Open Records Act, Government Code, Chapter 552. All timely responses become the property of the City upon receipt and shall not be returned. Any information deemed to be confidential by Respondent should be clearly noted on the page(s) where the confidential information is contained. The City, however, cannot guarantee that it will not be compelled to disclose all or part of any public record under the Texas Public Information Act, since information deemed to be confidential by the Respondent may not be considered confidential under Texas law, or pursuant to a Court Order. The materials submitted must be enclosed in a sealed envelope box or container; the package must show clearly the submittal deadline; and the name and the return address of the Respondent must be clearly visible.

Respondents submitting qualifying responses, including their agents and representatives, shall not lobby or contact any member of the City Council or City Staff except in the course of the City-sponsored inquiries, briefing, interviews and presentations between the qualification statement submission date and award by the City Board of Directors. Questions regarding this solicitation will be directed, in writing only, to the Purchasing Department, and may be submitted by email to: Lewing@rockwall.com; or by Fax to: 972-771-7728. Include the title of this RFQ (Neighborhood Park Construction). Verbal questions are not permitted other than during City-sponsored inquiries, briefings, interviews and presentations. Any violation of this provision may result in disqualification of the submitting firm. Questions concerning the projects included in this RFP are to be submitted in writing no later than 4:00PM CST, September 18, 2015.

Entities submitting qualifying responses shall execute by signature the attached Non-Conflict of Interest and return the signed affidavit with their response.

The selected Firm/Team will be required to execute a Construction Manager at Risk services agreement with the City.

The selected Firm shall carry insurance in the types and amounts specified by the City for the duration of the Agreement, and furnish certificates of insurance along with copies of policy declaration pages and policy endorsements as evidence thereof.

Respondent understands and agrees that this RFQ is issued predicated on anticipated requirements for the *Neighborhood Park Construction*, and that the City has made no representation, written or oral, that any such requirements be furnished under a Contract arising from this RFP. Furthermore, Respondent recognizes and understands that any cost borne by the Respondent which arises from Respondent's performance hereunder shall be at the sole risk and responsibility of Respondent.

1.2 City Rights

- A. If only one or no submittal is received by "submission date", the City has the right to reject, re-propose, accept and/or extend the RFQ by up to an additional two (2) weeks from original submission date.
- B. The right to reject any/or all submittals and to make award as they may appear to be advantageous to the City.

- C. The right to hold any submittals for 90 days from submission date without action, and to waive all formalities in RFQ, and any submittal irregularities.
- D. The right to extend the time for award beyond the original 90-day period, if agreed upon in writing by both parties and if Proposal is held firm.
- E. The right, in any resulting contract, to terminate all or any part of the unfinished portion of any awarded work resulting from this solicitation with advanced thirty (30) days written notice; upon default by the firm, for delay or non-performance by the firm, or if it is deemed in the best interest of City for convenience.
- F. The City reserves the right to request additional information, clarification of information submitted or to meet with representatives from responding organizations to discuss Qualifications after submission, any and all of which may be used in forming a staff recommendation to the Board for selection.

1.3 Addendum

Any City interpretation, correction, or change of the RFQ will be made by ADDENDUM. Changes or corrections will be issued by the Purchasing Agent. Addenda will be emailed to all who have returned the RFQ Acknowledgement Form. Addenda will be issued as expeditiously as possible. It is the responsibility of the proposers to determine whether all addenda have been received. It will be the responsibility of all respondents to contact the City prior to submitting a response to the RFQ to ascertain if any addenda have been issued, and to obtain any and or all addenda(s), execute them, and return addenda with the response to the RFQ.

Section 1.4 The City's Approach

The Neighborhood Park Construction project is being used as the basis for the selection of the CM @ Risk. However, it is the City's intention to give the selected CM @ Risk the opportunity to participate in a similar role on similar types of projects.

The following steps will be taken if the CM @ Risk is selected based upon the criteria stated in Section 4:

1. The initial project budget will be established using the funds available for each neighborhood park construction project.
2. The CM @ Risk will continue to provide preconstruction services (i.e., budget estimates, value engineering, constructability reviews, etc.) through the Design Development and Construction Document Phases to keep the project within the established budget.
3. Upon completion of the bid documents, the CM @ Risk will bid out, with the City's oversight, the costs of the work to subcontractors in accordance with Government Code Section 2269.255.
4. Upon identification of the qualified bidder for each trade package, the CM@R will total up the costs of the work, add in the predetermined general conditions costs and apply the CM@R's predetermined fee.
5. Exhibit A – Site Plan
6. Exhibit B – Project Budget

SECTION 2 - Notice to Respondents

City is accepting proposals from qualified firms in accordance with the terms, conditions and requirements set forth in this Request for Qualifications ("RFQ"). This RFQ provides sufficient information for interested parties to prepare and submit responses for consideration by the City. All provisions in Respondent's qualifications statement, shall remain valid for ninety (90) days following the deadline for submissions or, if a response is accepted, throughout the entire term of the contract.

RESPONDENTS ARE CAUTIONED TO READ THE INFORMATION CONTAINED IN THIS RFP CAREFULLY AND TO SUBMIT A COMPLETE RESPONSE TO ALL REQUIREMENTS AND QUESTIONS AS DIRECTED.

SECTION 3 – Commitment

Respondent understands and agrees that this RFQ is issued predicated on anticipated requirements for the CM @ Risk and that the City has made no representation, written or oral, that any such requirements be furnished under a Contract arising from this RFQ. Furthermore, Respondent recognizes and understands that any cost borne by the Respondent which arises from Respondent's performance hereunder shall be at the sole risk and responsibility of Respondent.

SECTION 4 – Selection Criteria

4.1 Selection Criteria

The City will conduct a comprehensive, fair and impartial evaluation of all responses received in response to this RFP. Responses will be evaluated by the appropriate City staff for the purpose of seeking the proposal that provides the best overall value to the City. The criteria for evaluation of responses, and selection of the qualified respondent(s), will be based on the factors listed below. If the City elects to conduct interviews, Respondents may be interviewed and re-scored based upon these same criteria. The City may also request additional information from Respondents at any time prior to final approval of a selected Respondent. Respondents are requested to submit a complete response to each of the following Criteria. Responses requiring additional space should be brief and submitted as an attachment to your submittal package. Please reference each response by its corresponding item number. ***City reserves the right to select one or more, or none of the Respondents to provide the services. Final approval of a selected Respondent is subject to the action of the City Council.***

Note: Please divide your proposal into the following sections.

No. 1 - CRITERION: Qualifications and Experience (maximum points – 50)

- a. Within the last seven (7) years, provide list of similar types of projects (i.e. public park construction that generally includes site grading, concrete trails, electrical, picnic structures, playground installation, electrical, irrigation, turf grass, trees and native plant establishment, etc.). Include references with complete contact information of owners, architects, engineers, and size of project.
- b. Provide list of projects in which similar types of Construction Manager at Risk with a Guaranteed Maximum Price service were provided (i.e., estimating, value engineering, constructability reviews, scheduling, etc.). Include references with complete contact information.
- c. Provide list of the proposed Team Members, resumes and length of service with firm. City will evaluate the FIRM's personnel experience of the key management staffing that will be used on this Project as it relates to the FIRM's understanding and capability of successfully staffing and managing the project to completion.
- d. Summarize the project approach used to provide cost effective construction solutions.
- e. Litigation and debarment disclosure.
- f. Safety record.
- g. References. FIRM's submitting a Response shall provide a list of Owner references complete with names and telephone numbers where CM@Risk projects similar to that described herein have been completed. At least five (5) of the Owner references should be from projects listed in the "Past Performance" section of the RFQ. City intends to call some or all of the references submitted.

No. 2 - CRITERION: Estimating and Scheduling Expertise (maximum points – 50)

1. In order to demonstrate the Contractor's expertise in providing cost effective construction of this type of project the following items should be prepared based upon schematic design plans for the Park at Stone Creek:
 - a. Sample of Construction Schedule.
 - b. Sample of Cost Estimates – the intent is to see the nature and format of the cost information provided to the Owner.
 - i. Cost Estimates – provide an example of cost estimates typically prepared during the design phase of a project and the construction phase.
 1. Labor costs should be based upon prevailing wages.
 2. Material costs should exclude sales tax.
 - ii. General Conditions costs based upon project scope and schedule.
 - iii. Fees as a % of total estimated costs.
 - iv. Value Engineering approach including examples proposed for this project or on prior similar projects.
 - v. Contingencies – describe your FIRM's approach for cost contingencies during design and during construction. What is your approach for the disposition of contingency funds after project completion?
 - c. Savings – describe your FIRM's concept for the disposition of savings realized during construction.

A City Selection Review Committee intends to use the qualifications submitted by interested companies to initially pre-qualify not more than five (5) companies for the next interview phase of the Procurement. Based on the submittals and Interviews, the City staff will make a recommendation to the City Council.

City of Rockwall Minimum Insurance Requirements

Requirements

Contractors performing work on City property or public right-of-way for the City of Rockwall shall provide the City a certificate of insurance evidencing the coverages and coverage provisions identified herein. Contractors shall provide the City evidence that all subcontractors performing work on the project have the same types and amounts of coverages as required herein or that the subcontractors are included under the contractor's policy. The City, at its own discretion, may require a certified copy of the policy.

All insurance companies and coverages must be authorized by the Texas Department of Insurance to transact business in the State of Texas and must be acceptable to the City of Rockwall.

Listed below are the types and amounts of insurance required. The City reserves the right to amend or require additional types and amounts of coverages or provisions depending on the nature of the work.

Type of Insurance	Amount of Insurance	Provisions
1. Commercial General (Public) Liability to include coverage for: a) Premises/Operations b) Products/Completed Operations c) Independent Contractors d) Personal Injury e) Contractual Liability	\$500,000 each occurrence, \$1,000,000 general aggregate; Or \$1,000,000 combined single limits	City to be listed as additional insured and provided 30-day notice of cancellation or material change in coverage. City prefers that insurer be rated B+VI or higher by A.M. Best or A or higher by Standard & Poors
1. Business Auto Liability	As required by State of Texas	
Workers' Compensation & Employers' Liability	Statutory Limits \$100,000 each accident	City to be provided a waiver of subrogation

Questions regarding this insurance should be directed to the City of Rockwall Purchasing Department at (972) 772-6418.

A PURCHASE ORDER WILL NOT BE ISSUED OR CONTRACT EXECUTED WITHOUT EVIDENCE OF INSURANCE.

INSURANCE REQUIREMENT AFFIDAVIT
(SUPPLEMENTAL INFORMATION)

(To be completed by appropriate Insurance Agent)

I, the undersigned agent, certify that the insurance requirements contained in this proposal document have been reviewed by me with the below identified vendor. If the below identified vendor is awarded this contract by the City of Rockwall, I will be able, within ten (10) working days after being notified of such potential award, to furnish a valid insurance certificate to the City meeting all of the requirements contained in this proposal.

Agent's Signature

Agent's Name Printed

Name of Insurance Carrier

Address of Agency

City, State, Zip

Phone number where Agent may be contacted

Vendor's Name (please print or type)

SUBSCRIBED AND SWORN to before me by the above named _____

on this the _____ day of _____, 20____.

Notary Public in and for the State of _____.

NOTE TO AGENT:

IF THIS TIME REQUIREMENT IS NOT MET, THE CITY HAS THE RIGHT TO DECLARE THIS VENDOR NON-RESPONSIVE AND AWARD THE CONTRACT TO THE NEXT LOWEST PROPOSER MEETING THE SPECIFICATIONS. IF YOU HAVE ANY QUESTIONS CONCERNING THESE REQUIREMENTS, PLEASE CONTACT THE CITY OF ROCKWALL PURCHASING OFFICE AT 972-772-6418.

City of Rockwall Minimum Bonding Requirements

Contracts for construction work must be accompanied by an approved Bond(s) underwritten by a surety name in the current list of "Surety Companies Acceptable on Federal Bonds" as published in the Federal Register by the Audit Staff Bureau of Accounts, U.S. Treasury Department. Contractor when entering into a Contract will execute Performance, Payment and Maintenance Bonds in 100% of the contract total amount. Contractor shall furnish such bonds as security for the faithful performance, payment and maintenance of all his obligations under the Contract Documents. These Bonds shall be in amounts at least equal to the Contract Price, in such form as set forth in the Contract Documents and with such corporate sureties as are licensed to conduct business in the state where the work is located and are named in the current list of "Surety Companies Acceptable on Federal Bonds" as published in the Federal Register by the Audit Staff Bureau of Accounts, U.S. Treasury Department. The performance, payment and maintenance bonds shall be extended to include any contract extension.

Prior to delivery of the executed Agreement by City to the Contractor, City may require the Contractor to furnish such other Bonds and such additional insurance, in such form and with such sureties or insurers as the City may require.

CONFLICTS OF INTEREST

DISCLOSURE OF CERTAIN RELATIONSHIPS (HB 914). Chapter 176 of the Texas Local Government Code requires that any vendor or person considering doing business with a local government entity disclose in the Questionnaire Form CIQ, the vendor or person's affiliation or business relationship that might cause a conflict of interest with a local government entity. By law, this questionnaire must be filed with the records administrator of the City of Rockwall not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code. A person commits an offense if the person violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor or other person doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session.
This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).
By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.
A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of person who has a business relationship with local governmental entity.

2 Check this box if you are filing an update to a previously filed questionnaire.

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

3 Name of local government officer with whom filer has employment or business relationship.

Name of Officer

This section (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

Yes No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

Yes No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

Yes No

D. Describe each employment or business relationship with the local government officer named in this section.

4

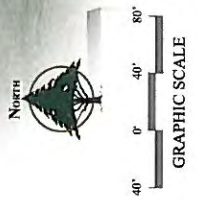
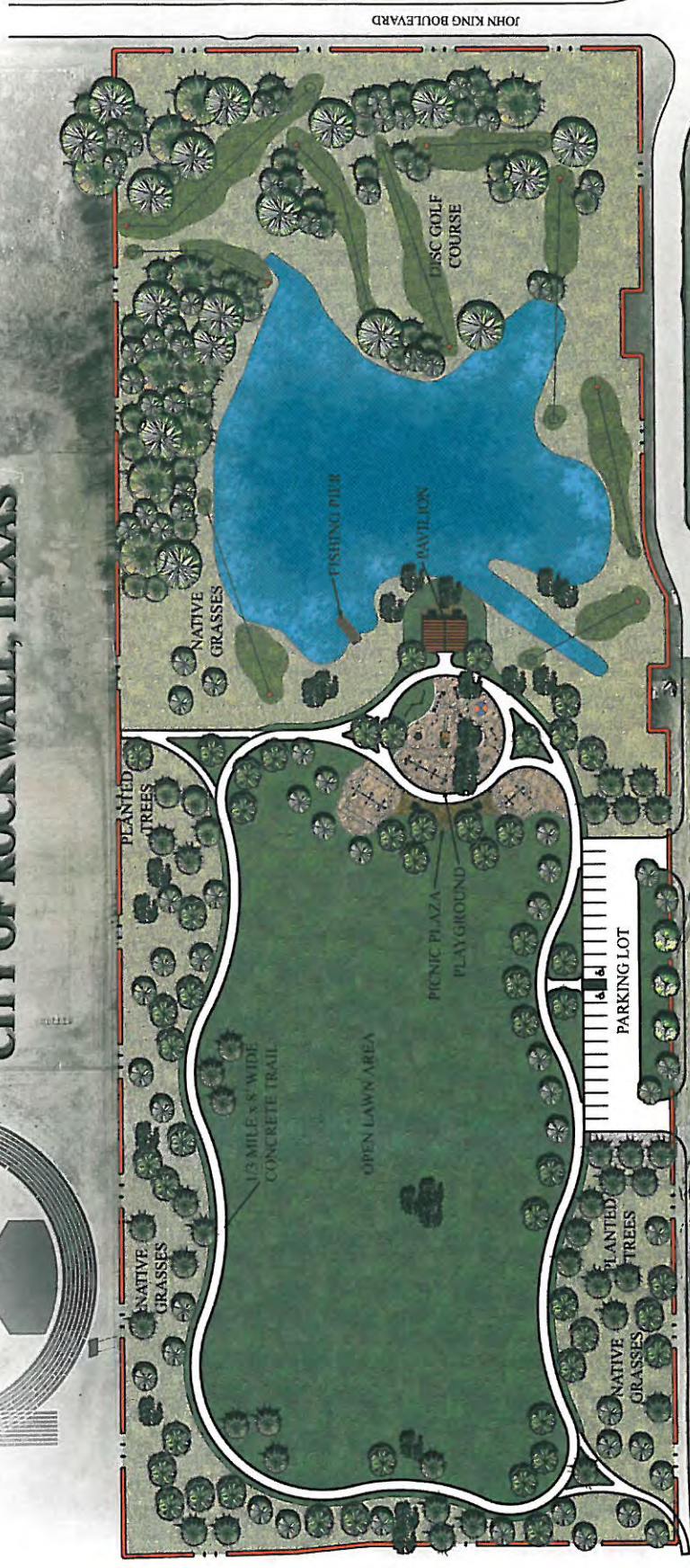
Signature of person doing business with the governmental entity

Date

Adopted 06/29/2007

PARK AT STONE CREEK

CITY OF ROCKWALL, TEXAS



MHS
PLANNING & DESIGN, LLC
212 WEST NINTH STREET
TYLER, TEXAS 75701
PHONE: 903.597.6606
WWW.MHSPLANNING.COM



**City of Rockwall
The Park at Stone Creek
Preliminary Budget**

1. Site Grading (±8,000 cy @ \$5.00 cy)	\$ 40,000
2. Concrete Trail (8' wide - 3,350' long @ \$4.50/sq. ft.)	120,600
3. Site Electrical (allowance)	12,000
4. Playground	100,000
5. Pedestrian Bridge (8' x 30')	7,200
6. Fishing Pier (200 sq. ft.)	12,000
7. Pavilion/Picnic Area	65,000
8. Open Lawn Area (3.4 acres @ \$.50/sq. ft.)	75,000
9. Native Grasses	10,000
10. Parking Lot (10,500 sq. ft. @ \$6.50/sq. ft.)	68,250
11. General Conditions/Erosion Control	60,100
12. Contingency	6,450
13. Design Fees	<u>71,200</u>
Total	\$ 647,800

THIS PAGE INTENTIONALLY LEFT BLANK



City of Rockwall
The New Horizon

MEMORANDUM

TO: Honorable Mayor and City Council Members

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

DATE: October 16, 2015

SUBJECT: Agenda item – resolution of support of Prop. 7 for statewide transportation funding

Mayor Pruitt has requested this agenda item and consideration of the proposed resolution for the October 19th city council meeting.



The Transportation Policy Body for the North Central Texas Council of Governments
(Metropolitan Planning Organization for the Dallas-Fort Worth Region)

TO: County Judges and Commissioners
City Mayors, Administrators, and Managers

DATE: October 9, 2015

FROM: Mark Riley
Chair, Regional Transportation Council
County Judge, Parker County

SUBJECT: Regional Transportation Council Position Statement on Statewide
Proposition 7

Senate Joint Resolution 5, approved by the 84th Texas Legislature, proposes a constitutional amendment that will appear on the November 3, 2015, ballot for voter approval. The proposed amendment, Proposition 7, would result in an additional \$3 billion per year for the State Highway Fund by 2020. Although this would not fully fund the State's overall transportation needs, it would be a key step toward securing critical funding for transportation projects in Texas.

In advance of this election, the Regional Transportation Council (RTC) adopted a position statement expressing support for Proposition 7. A copy of the position statement is enclosed. On behalf of the RTC, please encourage your City Council or Commissioners Court to pass a resolution supporting Proposition 7; a template resolution is enclosed.

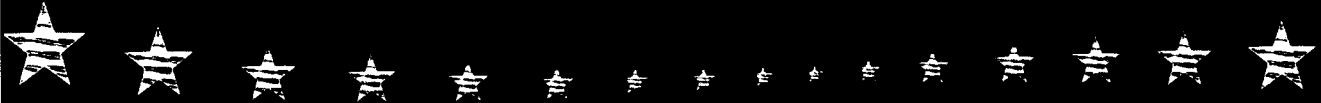
On behalf of the RTC, thank you for being involved with this important transportation issue. If you have any questions or concerns, please feel free to call Michael Morris, P.E., Director of Transportation for the North Central Texas Council of Governments, at (817) 695-9241.

Mark Riley

RH:ch
Enclosures

cc: Michael Morris, P.E., Director of Transportation, North Central Texas Council of
Governments

NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS
Regional Transportation Council



November 3, 2015
Constitutional Amendment Election
Regional Transportation Council Position Statement

Statewide Proposition 7

The constitutional amendment dedicating certain sales and use tax revenue and motor vehicle sales, use, and rental tax revenue to the state highway fund to provide funding for nontolled roads and the reduction of certain transportation-related debt.

The Regional Transportation Council **supports** Proposition 7. If approved by voters, Proposition 7 would require the Comptroller of Public Accounts to deposit portions of the State sales tax revenue and the motor vehicle sales tax revenue that exceed certain amounts to the State Highway Fund to be used for non-tolled roadway projects and to repay principal and interest on general obligation bonds issued by the State. Although this would not fully fund the State's overall transportation needs, it represents a key step toward securing funding for transportation projects in Texas.



**CITY OF ROCKWALL
RESOLUTION NO. 15-28**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF ROCKWALL, TEXAS, EXPRESSING SUPPORT FOR
INCREASED STATE FUNDING FOR TRANSPORTATION
PROJECTS IN TEXAS; PROVIDING FOR AN EFFECTIVE
DATE.**

WHEREAS, the 84TH Texas Legislature authorized a constitutional amendment for increased transportation funding to be on the November 3, 2015, statewide ballot; and

WHEREAS, Proposition 7 is “the constitutional amendment dedicating certain sales and use tax revenue and motor vehicle sales, use and rental tax revenue to the state highway fund to provide funding for non-tolled roads and the reduction of certain transportation-related debt;” and

WHEREAS, if approved by voters, Proposition 7 would result in increased state funding for transportation to be used for non-tolled roadway projects and to replay principal and interest on general obligation bonds issued by the State; and

WHEREAS, although this would not fully fund the state’s overall transportation needs, it would be a key step towards securing funding for transportation projects in Texas.

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

Section 1. the City of Rockwall supports Proposition 7, the proposed amendment to the November 3, 2015 ballot to address Texas’ transportation needs; and

Section 2. this Resolution shall become effective from and after its adoption and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 19th DAY OF October, 2015.

ATTEST:

Jim Pruitt, Mayor

Jacky Casey, Assistant to City Secretary

THIS PAGE INTENTIONALLY LEFT BLANK

Cole, Kristy

From: Kim Lovett
Sent: Friday, October 16, 2015 8:56 AM
To: Cole, Kristy
Cc: sgarcia@ ; Madeline Haddad; Smith, Mary
Subject: RE: Council Presentation

Importance: High

Thanks for getting back to me Kristy.

Basically, we would want to include just general information/key points about the annual Fox 4 Toys For Tots event which includes:

Fox 4's 5th Annual Toys For Tots Donation Drive at The Harbor Rockwall
This is one of Fox 4's most successful stops for their Toys For Tots Drive
It typically runs from 4 pm - 10 pm with broadcasting and interviews during applicable live broadcasts throughout the evening with Heather Hays

This year we would like to increase holiday attractions to make the event more interesting for the broadcast and give Fox 4 some festive items as a backdrop and to talk about. Plus, give patrons holiday fun to enjoy as they come by to drop of their donated items. We want to strive to represent The Harbor in a great way as the broadcast happens, and allow for viewers to see the beauty of the area and get a snapshot of the family friendly atmosphere.

We'd like to include:

Santa on property
Live holiday entertainment, ie. musical entertainment, holiday characters, and Holiday Express train rides, as we've incorporated at Harbor holiday events in the past.

Please let me know if you need any information from me for Monday.

Thanks,

Kim

Kim Lovett

> From: KCole@rockwall.com
> To: [kim](#)
> CC: [sgarcia](#) ; [mhaddad](#) ; MSmith@rockwall.com
> Date: Fri, 16 Oct 2015 08:37:09 -0500
> Subject: Re: Council Presentation
>

> Kim

>

> I was given indication that you do need to appear before city council. I'm happy to place you on the agenda today for Monday's mtg. What, if anything, will you be submitting to me for inclusion today in the council member's informational packet? I'll need it by about noon-1PM if you have anything.

>

> Thanks

> Kristy

>

> Sent from my iPhone

>

> On Oct 16, 2015, at 8:29 AM, Kim Lovett <kim. <<mailto:kim.> >> wrote:

>

> Hi Kristy ~

>

> I didn't hear back from you yesterday on the email below. I wanted to make sure you'd received it.

>

> Please confirm & advise.

>

> Thanks,

>

> Kim

>

>

>

> From: kim

> To: kashberry@rockwall.com<<mailto:kashberry@rockwall.com>>

> CC: sgarcia ; mhaddad

> Subject: Council Presentation

> Date: Thu, 15 Oct 2015 07:52:25 -0500

>

> Good Morning Kristy ~

>

> This is Kim Lovett, Marketing Director for The Harbor Rockwall. I'm reaching out to you to inquire about us getting with the council about additional items that we'd like to add to the annual Fox 4 Toys For Tots televised donation event that is held at The Harbor. This year is it will be held on December 4th.

>

> We want to add more holiday entertainment and attractions to the existing event. It will be a better back drop and a more aesthetically pleasing representation of The Harbor, as Fox 4 broadcasts throughout the evening and it will provide fun family holiday activities as patrons drop off their donations...And we of course want their Rockwall donation point to be their best and look great for viewers! Fox 4 has expressed to us in past years that they prefer that we have additional attractions going on as it allows for a more interesting and entertaining broadcast.

>

> We'd like to have Santa on property, holiday themed entertainment and possibly the Choo Choo Express train running as we've had at past holiday events.

>

> In 2014, we had to appear in front of council at a the council meeting to get approval for Harbor events. So,

my question is, given that this is a Fox 4 event that we are complimenting with additional holiday themed activities & entertainment, would we still indeed need to appear & then proceed through the typical permit process? And if we are required to appear before applying for the permit, we'd like to request to be added to the upcoming Monday's agenda.

>

> Thanks so much for your assistance,

>

> Kim

>

>

> Kim Lovett

> 214-793-6121

>

> _____

> This email contains the thoughts and opinions of the sender and does not reflect official City of Rockwall policies.

>

> Other than the intended recipient, any confidential information contained in this email is prohibited from disclosure or use.

THIS PAGE INTENTIONALLY LEFT BLANK

CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 10/19/2015

APPLICANT: Bill K. Ryan

AGENDA ITEM: Z2015-025; 770 Davis Drive (AG to SF-1)

SUMMARY:

Hold a public hearing to discuss and consider a request by Bill K. Ryan for the approval of a zoning change from an Agricultural (AG) District to a Single Family One (SF-1) District for a 1.02-acre tract of land identified as Tract 11-2 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 770 Davis Drive, and take any action necessary.

PURPOSE:

The subject property is a 1.02-acre tract of land identified as Tract 11-2 of the D. Harr Survey, Abstract No. 102. The applicant, Bill K. Ryan, is requesting to rezone the property from an Agricultural (AG) District to a Single-Family One (SF-1) District for the purpose of allowing a horse to be fenced on the property. According to Section 6-162, *Keeping, Confining and Breeding Regulations*, of Article VI, *Livestock and Other Farm Animals*, of the *Municipal Code of Ordinances*, "(n)o person shall engage in keeping livestock within the corporate limits of the city except on tracts of land five [5] acres and larger, on property zoned agricultural or in accordance with Article IV [*Permissible Uses*], Section 3 of the Unified Development Code," which allows properties within a SF-1 District to keep "... grazing animals 500 pounds or greater including horses and cattle ... [*as long as they*] have a minimum fenced area of 40,000 SF per animal." In this case, the applicant's property would allow them to have one (1) horse or other grazing animal if approved for Single-Family One (SF-1) District zoning. Currently, the subject property has an existing single-family home constructed on it that was annexed into the City on March 16, 1998 by *Ordinance No. 98-10*.

ADJACENT LAND USES AND ACCESS:

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

North: Directly north of the subject property is SH-66, which is identified as a M4D (*minor arterial, four [4] lane, divided roadway*) according to the City's Master Thoroughfare Plan. Beyond this roadway is a 4.07-acre tract of land zoned Agricultural (AG) District that has a single-family home constructed on it.

South: Directly south of the subject property are several tracts of land adjacent to Davis Drive with single-family homes constructed on them. All these properties are zoned Agricultural (AG) District.

East: Directly east of the subject property is a 25.87-acre portion of a larger 66.406-acre tract of land that is vacant and zoned Agricultural (AG) District. Beyond this are several parcels of land zoned Agricultural (AG) District, which front on to FM-3549.

West: Directly west of the subject property is the remainder of the single-family homes that front onto Davis Drive. All these properties are zoned Agricultural (AG) District.

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

The Future Land Use Map, adopted with the Comprehensive Plan, designates the subject property for *Low Density Residential* land uses, which is defined as less than two (2) single-family units per acre. This designation is in conformance with the applicant's request to rezone the subject property to a Single-Family One (SF-1) District.


NOTIFICATION:

On October 29, 2015, staff mailed 25 notices to property owners and residents within 500-feet of the subject property. Additionally, staff posted a sign along *SH-66*, and advertised the public hearings in the Rockwall Harold Banner as required by the Unified Development Code (UDC). At the time this case memo was drafted no responses were received by staff.

PLANNING AND ZONING COMMISSION:

On October 13, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the applicant's request by a vote of 6-0, with one (1) seat vacant.

0 37.5 75 150 225 300 Feet

Z2015-025- 770 DAVIS DR.
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.

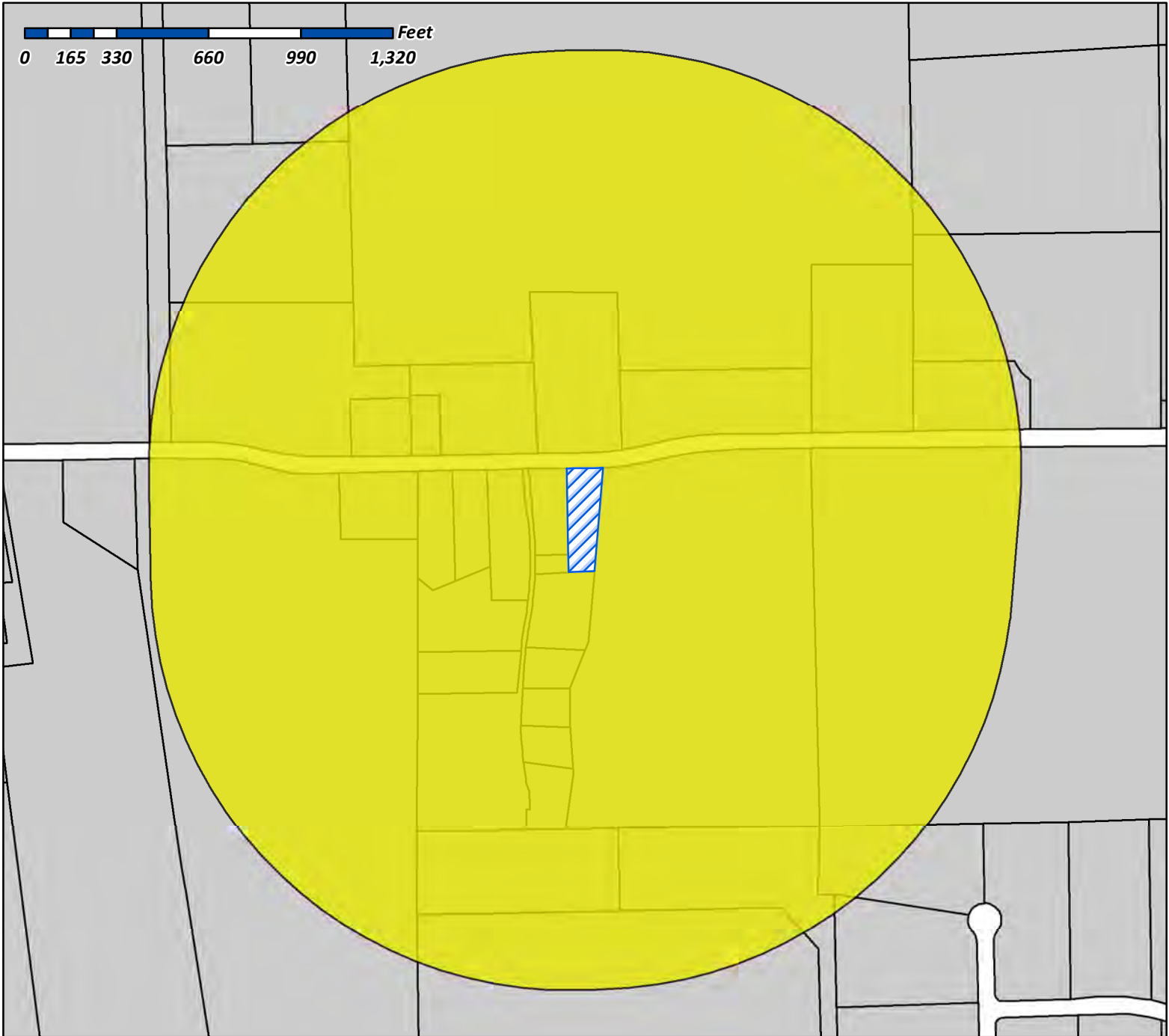




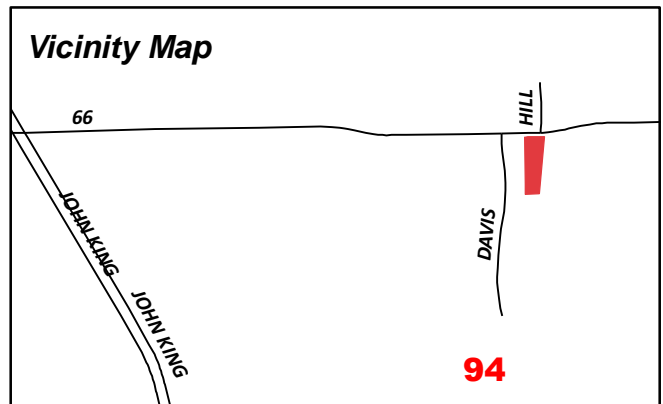
City of Rockwall

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: Z2015-025
Case Name: 770 Davis Dr.
Case Type: Zoning
Zoning: AG to SFE-1
Case Address: 770 Davis Dr.



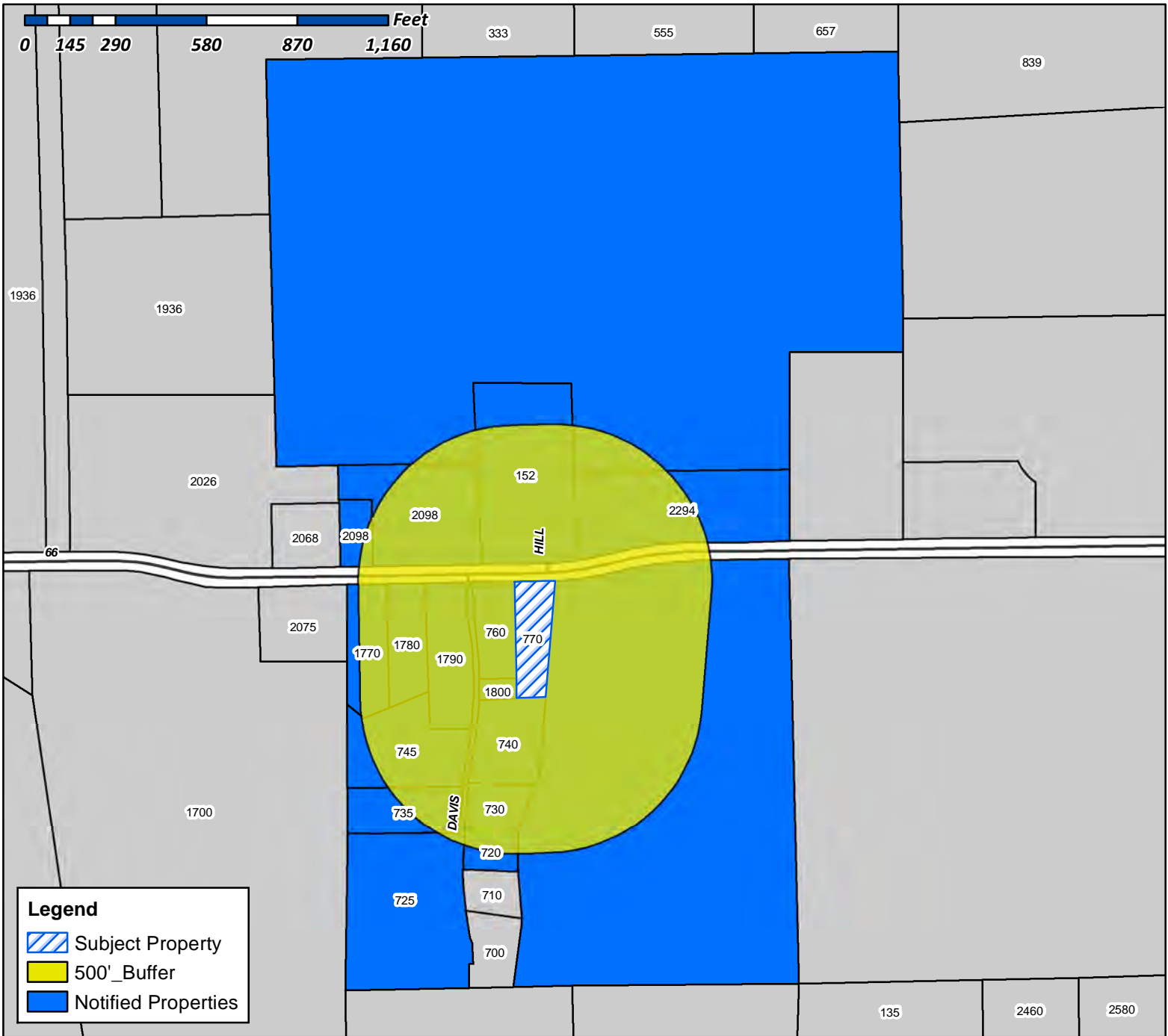
Date Created: 09/29/2015
 For Questions on this Case Call (972) 771-7745



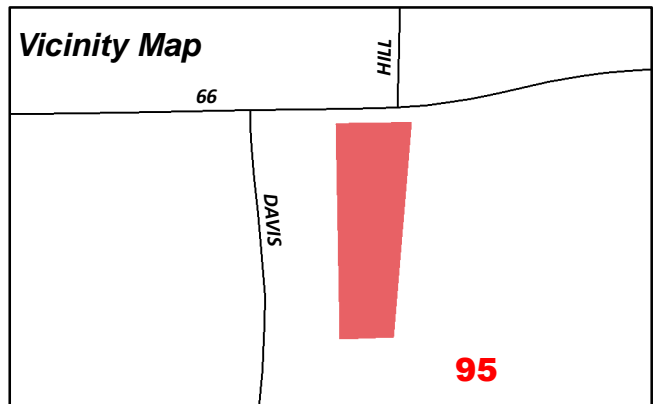
City of Rockwall

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: Z2015-025
Case Name: 770 Davis Dr.
Case Type: Zoning
Zoning: AG to SFE-1
Case Address: 770 Davis Dr.



Date Created: 09/29/2015

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

CONFIDENTIAL
152 HILL LN
ROCKWALL, TX 75087

CURRENT RESIDENT
1770 HWY66
ROCKWALL, TX 75087

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

CURRENT RESIDENT
1790 WILLIAMS ST
ROCKWALL, TX 75087

CURRENT RESIDENT
1800 WILLIAMS ST
ROCKWALL, TX 75087

CURRENT RESIDENT
2098 HWY66
ROCKWALL, TX 75087

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

CURRENT RESIDENT
2294 HWY66
ROCKWALL, TX 75087

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

RYAN WILLIAM K
330 VZ CR 2207
CANTON, TX 75103

RYAN BILL K
330 VZ CR 2207
CANTON, TX 75103

HOLLIMAN ANDREA J
332 SHEPARDS HILL
ROCKWALL, TX 75087

MURPHY DENNIS AND KAY
440 LONE STAR LN
HIDEAWAY, TX 75771

MOVE IN & ON LLC
609 BELHAVEN DR
ALLEN, TX 75013

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

CURRENT RESIDENT
725 DAVIS DR
ROCKWALL, TX 75087

DAILEY MARK L
730 DAVIS DR
ROCKWALL, TX 75087

CURRENT RESIDENT
735 DAVIS DR
ROCKWALL, TX 75087

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

CURRENT RESIDENT
745 DAVIS DR
ROCKWALL, TX 75087

CURRENT RESIDENT
760 DAVIS DR
ROCKWALL, TX 75087

CURRENT RESIDENT
770 DAVIS DR
ROCKWALL, TX 75087

CAIN REVOCABLE FAMILY TRUST AND
CREDIT SHELTER TRUST AND SURVIVORS TRUST
DEWAYNE CAIN TRUSTEE PO BOX 1119
ROCKWALL, TX 75087

CAIN FAMILY PARTNERSHIP LTD
PO BOX 1119
ROCKWALL, TX 75087

RAINES SHERYL
PO BOX 412
ROCKWALL, TX 75087



**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. Z2015-025:

(9/30/2015 11:13 AM LM)

Z2015-025 Change zoning from AG to SF-1

Hold a public hearing to discuss and consider a request by Bill K. Ryan for the approval of a zoning change from an Agricultural (AG) District to a Single Family One (SF-1) District for a 1.02-acre tract of land identified as Tract 11-2 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 770 Davis Drive, 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, 10/13/2015 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 10/19/2015 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by **10/19/2015** 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. Z2015-025:

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: CAIN FAMILY PARTNERSHIP LTD
Address: PO BOX 119 ROCKWALL, TX 75087

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

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

DESCRIPTION

BEING a tract of land situated in the David Harr Survey, Abstract No. 102, Rockwall County, Texas, and being part of a 43.16 acre tract as recorded in Volume 55, Page 325, Deed Records, Rockwall County, Texas, and being more particularly described as follows;

BEGINNING at a point on the South right-of-way line of State Highway No. 66, said point being N. 88 deg. 38 min. 09 sec. E., 405.00 feet from the Northwest corner of said tract recorded in Volume 55, Page 325, Deed Records, Rockwall County, Texas, a $\frac{1}{2}$ inch iron stake set for corner;

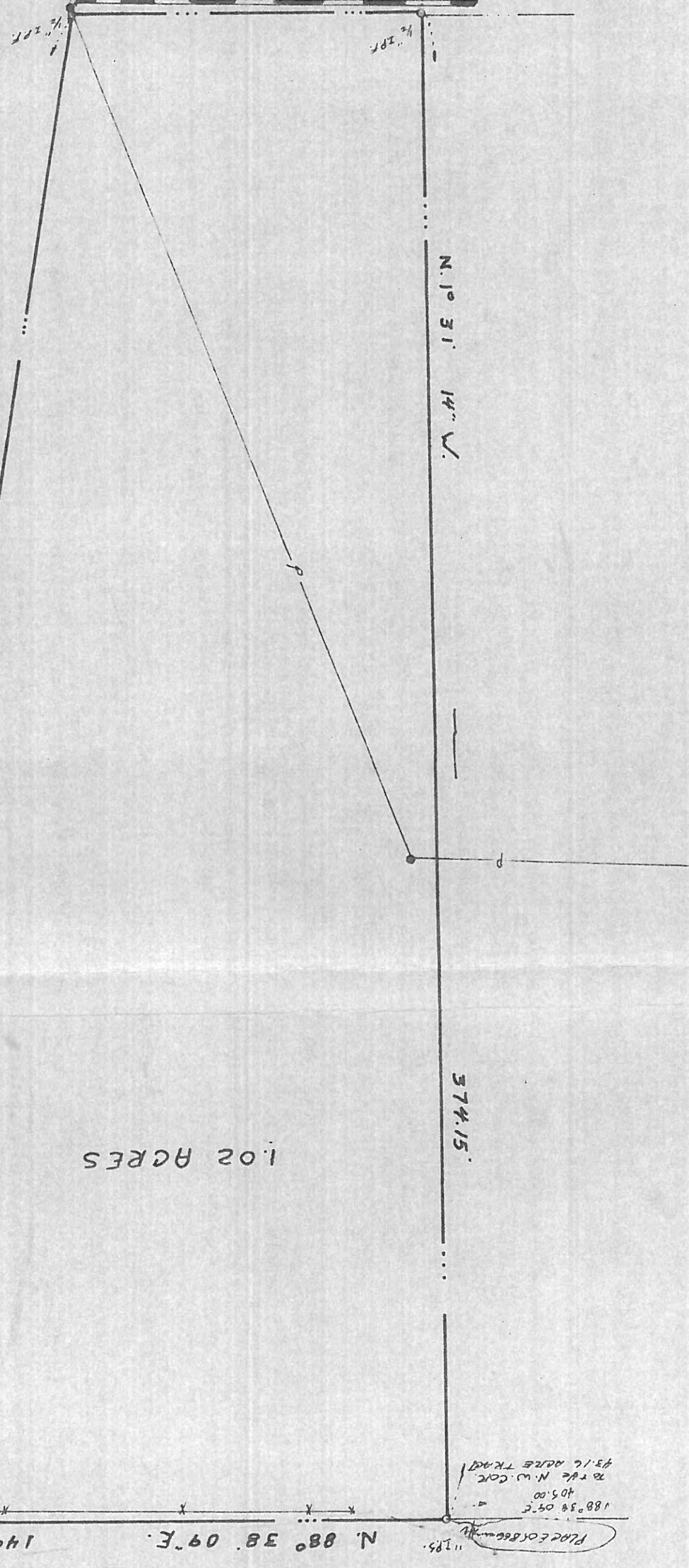
THENCE, N. 88 deg. 38 min. 09 sec. E., along the South right-of-way line of State Highway No. 66, a distance of 149.97 feet to a $\frac{1}{2}$ inch iron stake found for corner;

THENCE, S. 8 deg. 00 min. 31 sec. W., leaving the South right-of-way line of State Highway No. 66, a distance of 380.70 feet to a $\frac{1}{2}$ inch iron stake found for corner;

THENCE, S. 89 deg. 35 min. 13 sec. W., a distance of 86.96 feet to a $\frac{1}{2}$ inch iron stake found for corner;

THENCE, N. 1 deg. 31 min. 14 sec. W., a distance of 374.15 feet to the PLACE OF BEGINNING and containing 1.02 acres of land. This description is based on the Land Title Survey and Plat made by Bob G. Brown, Registered Public Surveyor on March 6, 1980.

S. 89° 35' 13" W. 86.96'



1.02 ACRES

374.15'

380.70'

N. 88° 38' 09" E. 149.97'

11.85' PLACE FOR 8866

188° 38' 09" E
405.00
TO THE N.W. CORN.
#316 ADJACENT TRACT

TELEPHONE
RECORDING

STATE HIGHWAY No. 66



CITY OF ROCKWALL

ORDINANCE NO. 15-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY ONE (SF-1) DISTRICT FOR A 1.02-ACRE TRACT OF LAND IDENTIFIED AS TRACT 11-2 OF THE D. HARR SURVEY, ABSTRACT NO. 102, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Bill K. Ryan for the approval of an amendment to the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall to adopt a change in zoning from an Agricultural (AG) District to a Single-Family One (SF-1) District for a 1.02-acre tract of land identified as Tract 11-2 of the David Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, and more specifically described in Exhibit 'A' of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that 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 Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agriculture (AG) District to a Single-Family One (SF-1) District; and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Single-Family One (SF-1) District* in Section 1.1, "Use of Land and Buildings," of Article IV, "Permissible Uses" and Section 3.2-1, "Single-Family One (SF-1) District", of Article V, "District Development Standards", of the *Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future;

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

Section 4. 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 5. 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 of the City of Rockwall, Texas, 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. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with 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, ON THIS THE 2ND DAY OF NOVEMBER, 2015.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: October 19, 2015

2nd Reading: November 2, 2015

Exhibit 'A':
Legal Description

DESCRIPTION

BEING a tract of land situated in the David Harr Survey, Abstract No. 102, Rockwall County, Texas, and being part of a 43.16 acre tract as recorded in Volume 55, Page 325, Deed Records, Rockwall County, Texas, and being more particularly described as follows;

BEGINNING at a point on the South right-of-way line of State Highway No. 66, said point being N. 88 deg. 38 min. 09 sec. E., 405.00 feet from the Northwest corner of said tract recorded in Volume 55, Page 325, Deed Records, Rockwall County, Texas, a $\frac{1}{2}$ inch iron stake set for corner;

THENCE, N. 88 deg. 38 min. 09 sec. E., along the South right-of-way line of State Highway No. 66, a distance of 149.97 feet to a $\frac{1}{2}$ inch iron stake found for corner;

THENCE, S. 8 deg. 00 min. 31 sec. W., leaving the South right-of-way line of State Highway No. 66, a distance of 380.70 feet to a $\frac{1}{2}$ inch iron stake found for corner;

THENCE, S. 89 deg. 35 min. 13 sec. W., a distance of 86.96 feet to a $\frac{1}{2}$ inch iron stake found for corner;

THENCE, N. 1 deg. 31 min. 14 sec. W., a distance of 374.15 feet to the PLACE OF BEGINNING and containing 1.02 acres of land. This description is based on the Land Title Survey and Plat made by Bob O. Brown, Registered Public Surveyor on March 6, 1980.

THIS PAGE INTENTIONALLY LEFT BLANK



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: October 19, 2015

SUBJECT: Z2015-026; *Stonecreek Assisted Living Facility*

On October 15, 2015, the applicant, Randy Kopplin of StoneCreek Retail Estate Partners, LLC, requested to withdraw *Case No. Z2015-026*. According to Section 5, *Application Withdrawal*, of the Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC), any case that has been published in the paper and notifications of a public hearing sent out must be placed on the public hearing agenda and acted upon by the applicable body.

Exhibit 'A': Applicant's Letter

Miller, Ryan

To: Randy Kopplin
Subject: RE: Project Comments: Z2015-026

From: Randy Kopplin [REDACTED]
Sent: Wednesday, October 14, 2015 8:46 PM
To: Miller, Ryan
Cc: Nick Craig
Subject: Re: Project Comments: Z2015-026

Ryan,

Unfortunately, we made the decision today not proceed with the Oaks at Rockwall Assisting Living Facility. We therefore withdraw our request for the Zoning Change amendment to PD – 65.

We wish to thank you and your staff for all of your help and assistance that you have provided through this process. We hope we are able to work with the City of Rockwall on future projects.

Regards,

Randy Kopplin, AIA
StoneCreek Real Estate Partners, LLC

CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 10/19/2015

APPLICANT: Randy Kopplin, *StoneCreek Real Estate Partners, LLC*

AGENDA ITEM: **Z2015-026**; *Stonecreek Assisted Living Facility*

SUMMARY:

Hold a public hearing to discuss and consider a request by Randy Kopplin of StoneCreek Real Estate Partners, LLC on behalf of the owner Arkoma Development, LLC for the approval of amendments to Planned Development District 65 (PD-65) [*Ordinance No. 08-02*] to allow for a ~74,000 SF Assisted Living Facility to be established on a 5.507-acre portion of a larger 11.723-acre tract of land identified as Tract 5 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, located west of the intersection of N. Goliad Street [*SH-205*] and Pecan Valley Drive, and take any action necessary.

PURPOSE AND CHARACTERISTICS OF THE REQUEST:

The applicant, Randy Kopplin of StoneCreek Real Estate Partners, LLC, is requesting to amend Planned Development District 65 (PD-65) [*Ordinance No. 08-02*] to accommodate the construction of a ~74,000 SF *Assisted Living Facility*. Currently, *Ordinance No. 08-02* allows for the development of a 50,000 SF *Assisted Living Facility (40,000 SF if the structure exceeds 28-feet) by-right* on the subject property. In addition, the concept plan submitted by the applicant shows that Pecan Valley Drive -- which is currently identified as a *Minor Collector* on the City's Master Thoroughfare Plan -- would terminate into a cul-de-sac in front of the subject property. The current concept plan in *Ordinance No. 08-02* shows Pecan Valley Drive extending through the site and connecting with the future extension of Random Oaks Drive (*also identified as a Minor Collector on the City's Master Thoroughfare Plan*). If the applicant's request is approved, Pecan Valley Drive and Random Oaks Drive would need to be removed from the City's Master Thoroughfare Plan. This has been added as a condition of approval of this request.

The building elevations submitted with the concept plan show conformance to the requirements of the Unified Development Code and have been included within the Planned Development District Ordinance. Additionally, conformance to these elevations is a condition of approval for this case. With the exception of the increased building footprint, the use and the building generally meet the intent of the zoning district; however, approval of this request is discretionary to the City Council. *Staff has included a copy of the current concept plan in the attached packet for review in comparison to the concept plan being proposed by the applicant.*

ADJACENT LAND USES AND ACCESS:

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

North: Directly north of the subject property are five (5) single-family homes facing onto W. Quail Run Road and zoned Single Family-10 (SF-10) District. Beyond this is the Random Oaks Subdivision, which is composed of 75 lots on 25.46-acres. The property is zoned Planned Development District 3 (PD-3) for single-family residential land uses.

South: Directly south of the subject property is 8.93-acre vacant tract of land, owned by the City of Rockwall, and zoned Planned Development District 65 (PD-65). Beyond this is a 31.656-acre vacant tract of land zoned Planned Development District 29 (PD-29), which is also owned by the City of Rockwall.

East: Directly east of the subject property is the regional detention pond for the Planned Development District 65 (PD-65) development area. Beyond this are three (3) parcels of land, zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses.

West: Directly west of the subject property is a 25.6-acre vacant tract of land zoned Single Family 10 (SF-10) District.

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

The Future Land Use Map contained within the Comprehensive Plan designates the subject property for *Commercial* land uses. The current zoning -- which allows for an *Assisted Living Facility* on the subject property -- is considered to be conforming with regard to this land use designation. If approved the applicant's request will not change the use or the conformity of the property with the Comprehensive Plan.

NOTIFICATION:

On September 25, 2015, staff mailed 26 notices to property owners and residents within 500-feet of the subject property. Staff also emailed notices to the Stone Creek, Lakeview Summit, Shores at Lake Ray Hubbard and Random Oaks/Shores Homeowner's Associations (HOA's), which are the only HOA's located within 1,500 feet of the subject property. Additionally, staff posted a sign in front of the subject property at the end of Pecan Valley Drive, and advertised the public hearings in the Rockwall Harold Banner as required by the Unified Development Code (UDC). At the time this case memo was drafted no responses were received by staff.

RECOMMENDATIONS:

If the Planning and Zoning Commission recommends approval of the applicant's request to amend Planned Development District 65 (PD-65) [*Ordinance No. 08-02*] then staff would propose the following conditions of approval:

- 1) The applicant shall be responsible for maintaining compliance with the conditions contained within the Planned Development District ordinance;
- 2) The proposed development shall generally be in accordance with the *Planned Development Concept Plan* and the *Concept Building Elevations* contained within the Planned Development District ordinance;
- 3) The City's Master Thoroughfare Plan should be revised to reflect the changes proposed by the *Planned Development District Concept Plan* (*i.e. remove Pecan Valley Drive and Random Oaks Drive*);
- 4) That any development of the subject property shall first require approval of a *PD Site Plan* that is reviewed by the Architectural Review Board (ARB), Planning and Zoning Commission and City Council [*if necessary*]; and
- 5) Any construction resulting from the approval of this *zoning amendment* shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On October 13, 2015, the Planning and Zoning Commission approved a motion to recommend approval of the applicant's request per staff's recommendations by a vote of 6-0, with one (1) seat vacant.



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.

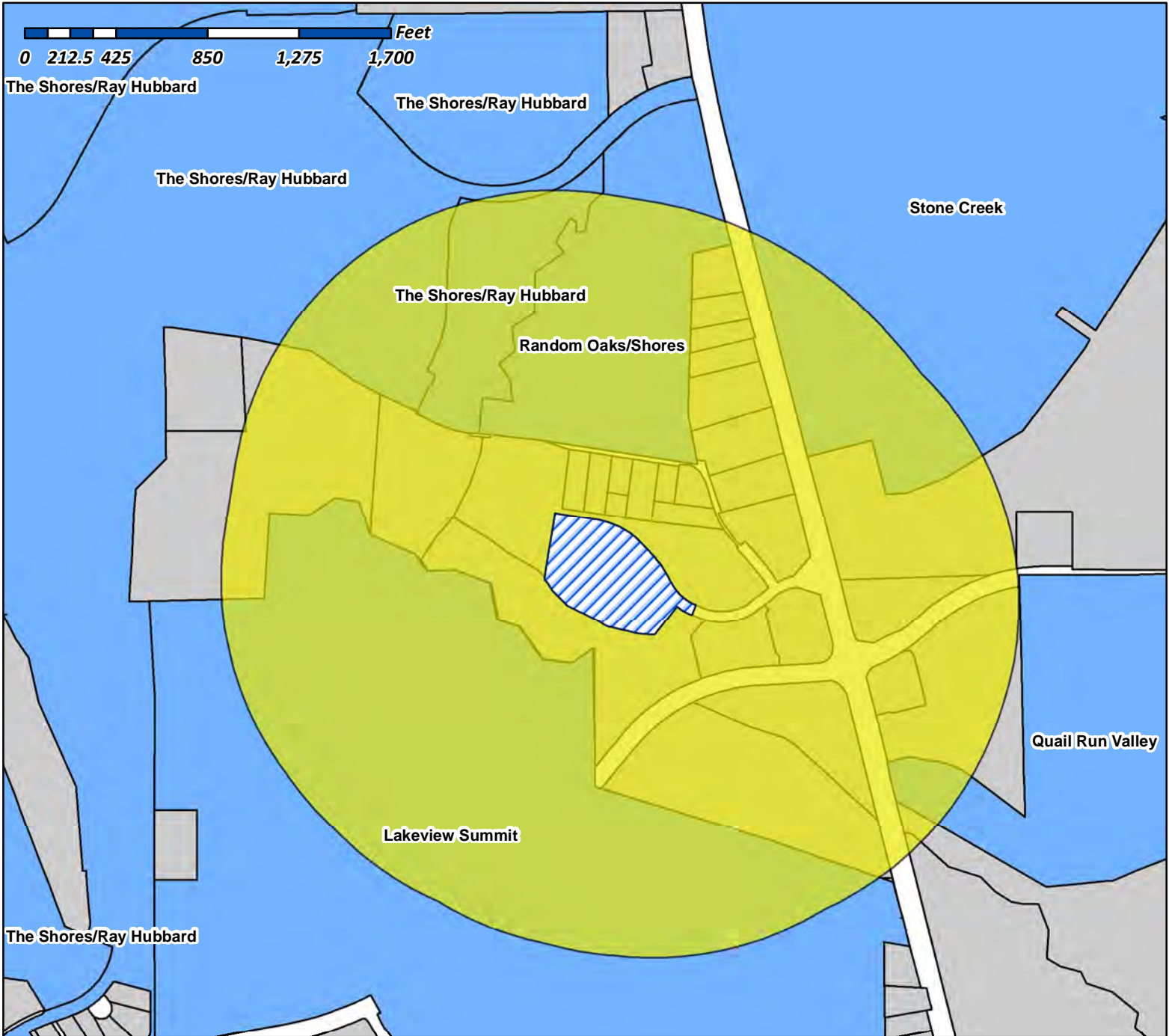
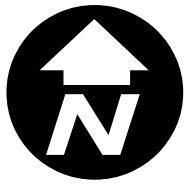




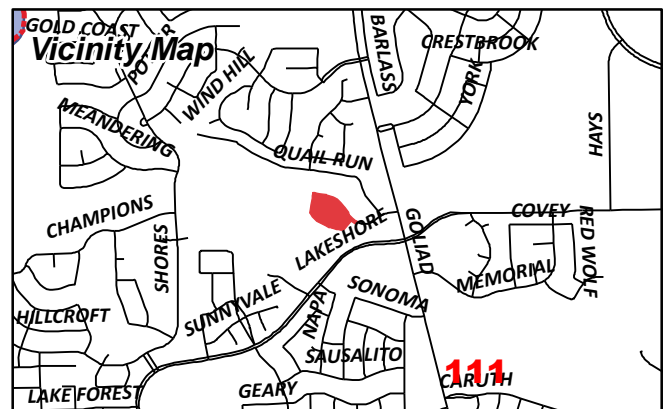
City of Rockwall

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: Z2015-026
Case Name: Stonecreek Assisted Living
Case Type: Zoning
Zoning: PD-65 Amended
Case Address: NW of Quail Run and Pecan Valley Dr



Date Created: 09/23/2015

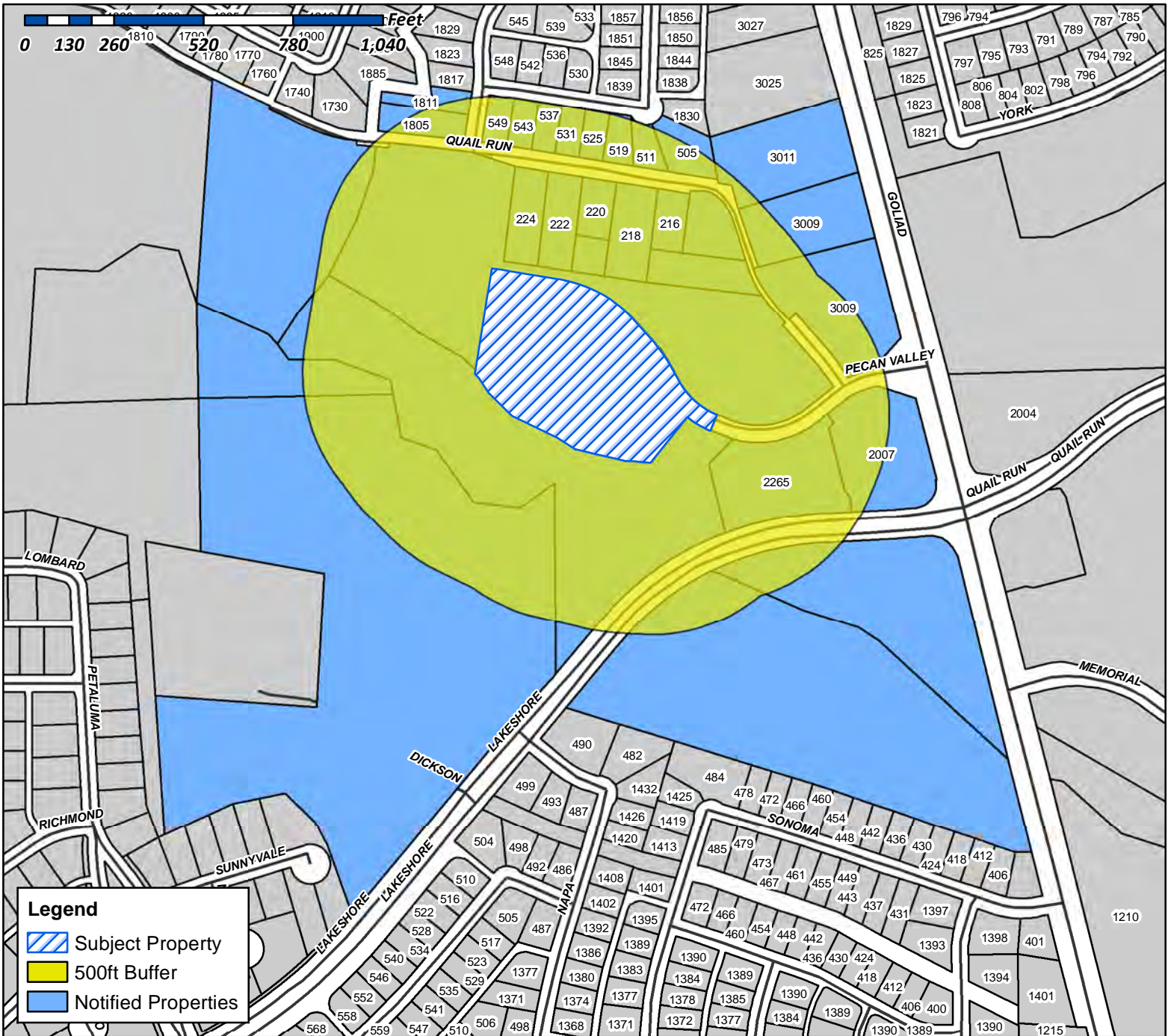
For Questions on this Case Call (972) 771-7745



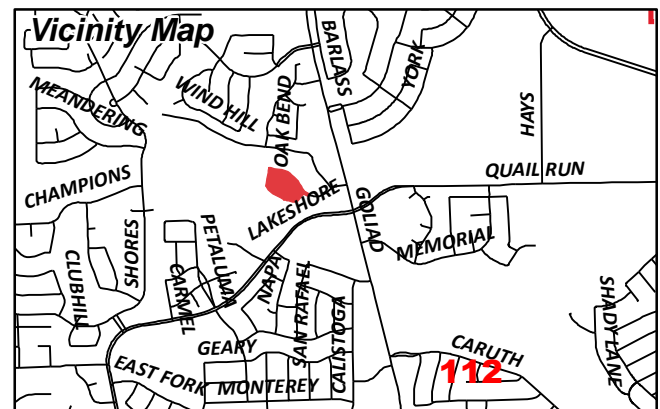
City of Rockwall

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: Z2015-026
Case Name: Stonecreek Assisted Living
Case Type: Zoning
Zoning: PD-65 Amended
Case Address: NW of Quail Run and Pecan Valley Dr



Date Created: 09/23/2015

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

M REA PROPERTIES 2 LLC
1234 TRALEE LN
GARLAND, TX

PETTINGER WESLEY & HEDWIG A
1501 BANBURY CT
RICHARDSON, TX

WRIGHT MELINDA M
1805 RANDOM OAKS DR
ROCKWALL, TX

MORRELL NEELEY A
1811 RANDOM OAKS DR
ROCKWALL, TX

CURRENT RESIDENT
2007 N GOLIAD
ROCKWALL, TX 75087

ARKOMA DEVELOPMENT LLC
203 E INTERSTATE 30
ROCKWALL, TX

DEAN LANTY W & MARY F
216 W QUAIL RUN RD
ROCKWALL, TX

HYDE TRENT D & DEBRA A
218 W QUAIL RUN RD
ROCKWALL, TX

HUNTER MICHAEL B & VICKIE D
220 W QUAIL RUN RD
ROCKWALL, TX

CANADA CECILIA A
222 W QUAIL RUN RD
ROCKWALL, TX

OEXMAN ALVIN H ET UX
224 W QUAIL RUN RD
ROCKWALL, TX

CURRENT RESIDENT
2265 NORTH LAKESHORE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
3009 N GOLIAD ST
ROCKWALL, TX 75087

CURRENT RESIDENT
3011 N GOLIAD ST
ROCKWALL, TX 75087

COLE HC ROCKWALL TX LLC
3150 HORIZON RD
ROCKWALL, TX 0

DEWOODY GEORGE ESTATE
411 BUCKINGHAM RD #1316
RICHARDSON, TX 0

ARRIAGA HENRY
505 HIDDEN OAK LN
ROCKWALL, TX

JASMAN JAMES BLAKE
511 HIDDEN OAK LN
ROCKWALL, TX

MURRAY NANCY J
519 HIDDEN OAK LN
ROCKWALL, TX

FITZGERALD GLORIA J MCWHIRTER & DON
525 HIDDEN OAK LANE
ROCKWALL, TX 0

HANKINS ANGELA &
531 HIDDEN OAK LN
ROCKWALL, TX

COLE MARK A
537 HIDDEN OAK LN
ROCKWALL, TX

CURRENT RESIDENT
543 HIDDEN OAK LN
ROCKWALL, TX 75087

GURSS JACK AND TAMERA
549 HIDDEN OAK LN
ROCKWALL, TX 0

REBAC OF ROCKWALL, LLC
6000 UNIVERSITY AVE 0
WEST DES MOINES, IA

JENKINS BENJAMIN M & ANGELA K
P O BOX 2172
ROCKWALL, TX

Curve	Radius	Length	Delta	Chord	Chord Bear.
C 1	275.00'	78.45'	16°20'41"	78.18'	N 59°23'12" W
C 2	375.00'	255.73'	39°04'23"	250.81'	S 61°14'03" E
C 3	425.00'	111.71'	15°03'37"	111.39'	S 34°10'03" E
C 4	225.00'	160.70'	40°55'19"	157.31'	S 47°05'53" E

Course	Bearing	Distance
L 1	N 85°27'52" W	78.82'
L 2	N 76°44'54" W	144.35'
L 3	N 57°21'09" W	60.80'
L 4	N 63°58'26" W	146.84'
L 5	N 45°32'48" W	94.99'
L 6	N 32°32'55" W	52.94'
L 7	N 47°01'28" W	16.40'
L 8	S 41°41'51" E	80.58'
L 9	S 26°38'14" E	16.01'
L 10	S 22°26'27" W	50.00'

DESCRIPTION

All that certain lot, tract or parcel of land situated in the J.H.B. Jones Survey, Abstract No. 124 and the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, and being part of that tract of land described in a Deed from Arkoma Realty, Ltd., to Arkoma Development, L.L.C., as recorded in Volume 4247, Page 95 of the Real Property Records of Rockwall County, Texas (hereinafter called Subject Tract), and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "STOVALL & ASSOC." set (hereinafter called 1/2" iron rod set) for corner in a North line of that tract of land described as Tract 2 in a Deed from Arkoma Development, L.L.C., to the City of Rockwall, Texas, as recorded in Volume 5670, Page 162 of the Real Property Records of Rockwall County, Texas (hereinafter called The City Tract), at a West corner of the Final Plat of North Lakeshore Valley, Lots 1 & 2, Block B, an Addition to the City of Rockwall, according to the Plat thereof recorded in Cabinet G, Slide 281 of the Plat Records of Rockwall County, Texas, said point also being at the beginning of a curve to the right, said point also being at the Southwest corner of Pecan Valley Drive (50' right-of-way per plat recorded in Cabinet G, Slide 281, Plat Records of Rockwall County, Texas);

THENCE in a Northwesterly direction with a North line of The City Tract and with said curve to the right having a central angle of 16 deg. 20 min. 41 sec., a radius of 275.00 feet, a chord bearing of N. 59 deg. 23 min. 12 sec. W., a chord distance of 78.18 feet and an arc length of 78.45 feet to a 1/2" iron rod set for corner at a North corner of The City Tract;

THENCE in a Westerly direction with the North line of The City Tract the following:
 S. 38 deg. 47 min. 07 sec. W. a distance of 169.83 feet to a 1/2" iron rod set for corner;
 N. 85 deg. 27 min. 52 sec. W. a distance of 78.82 feet to a 1/2" iron rod set for corner;
 N. 76 deg. 44 min. 54 sec. W. a distance of 144.35 feet to a 1/2" iron rod set for corner;
 N. 57 deg. 21 min. 09 sec. W. a distance of 60.80 feet to a 1/2" iron rod set for corner;
 N. 63 deg. 58 min. 26 sec. W. a distance of 146.84 feet to a 5/8" iron rod found for corner;
 N. 45 deg. 32 min. 48 sec. W. a distance of 94.99 feet to a 1/2" iron rod set for corner;
 N. 32 deg. 32 min. 55 sec. W. a distance of 52.94 feet to a 5/8" iron rod found;
 N. 47 deg. 01 min. 28 sec. W. a distance of 16.40 feet to a 1/2" iron rod set for corner;

THENCE N. 09 deg. 13 min. 46 sec. E. leaving the North line of The City Tract, a distance of 310.04 feet to a 1/2" iron rod set for corner;

THENCE S. 80 deg. 46 min. 14 sec. E. a distance of 197.67 feet to a 1/2" iron rod set for corner at the beginning of a curve to the right;

THENCE in a Southeasterly direction with said curve to the right having a central angle of 39 deg. 04 min. 23 sec., a radius of 375.00 feet, a chord bearing of S. 61 deg. 14 min. 03 sec. E., a chord distance of 250.81 feet and an arc length of 255.73 feet to a 1/2" iron rod set for corner;

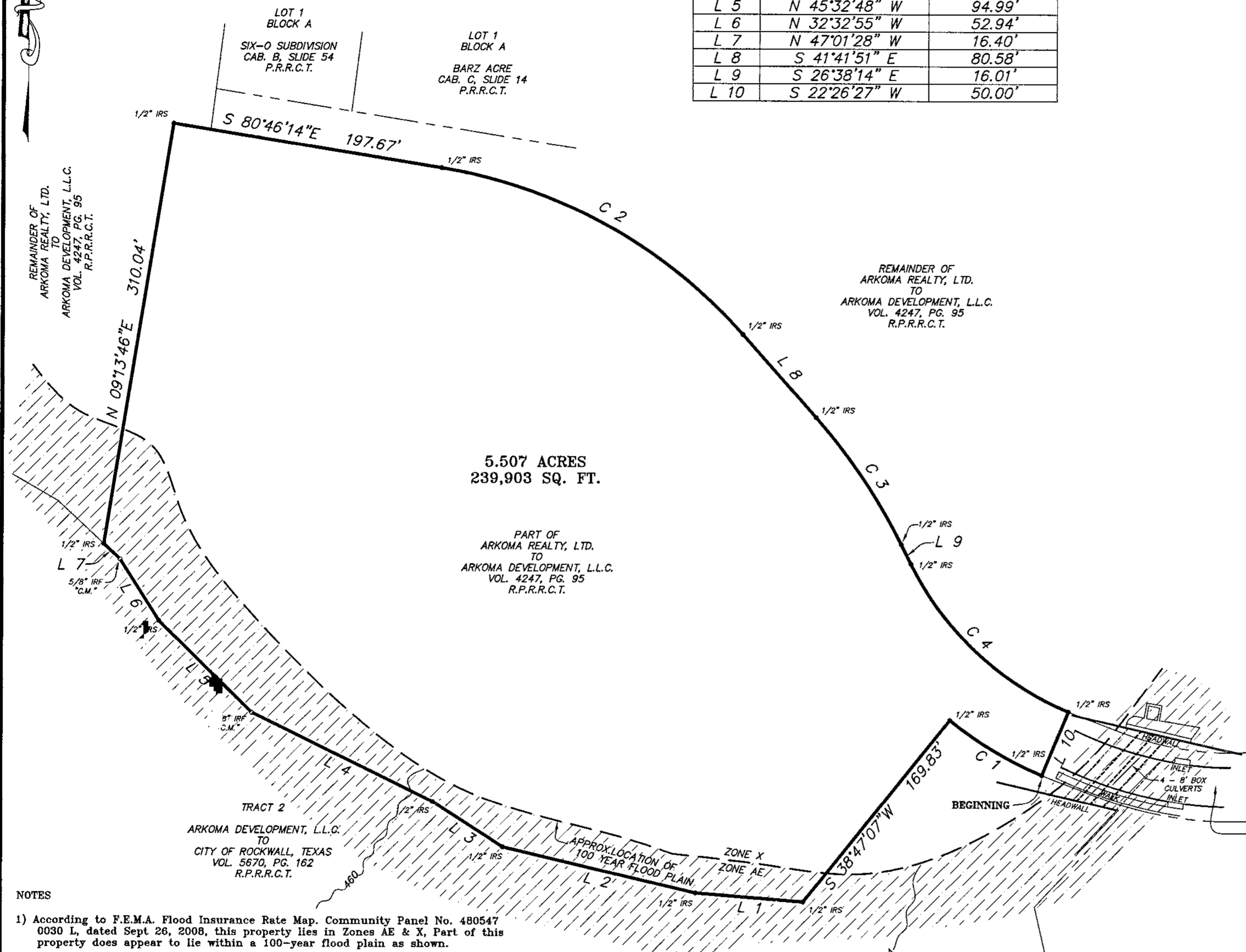
THENCE S. 41 deg. 41 min. 51 sec. E. a distance of 80.58 feet to a 1/2" iron rod set for corner at the beginning of a curve to the right;

THENCE in a Southeasterly direction with said curve to the right having a central angle of 15 deg. 03 min. 37 sec., a radius of 425.00 feet, a chord bearing of S. 34 deg. 10 min. 03 sec. E., a chord distance of 111.39 feet and an arc length of 111.71 feet to a 1/2" iron rod set for corner;

THENCE S. 26 deg. 38 min. 14 sec. E. a distance of 16.01 feet to a 1/2" iron rod set for corner at the beginning of a curve to the left;

THENCE in a Southeasterly direction with said curve to the left having a central angle of 40 deg. 55 min. 19 sec., a radius of 225.00 feet, a chord bearing of S. 47 deg. 05 min. 53 sec. E., a chord distance of 157.31 feet and an arc length of 160.70 feet to a 1/2" iron rod set for corner at a Northwest corner of Pecan Valley Drive;

THENCE S. 22 deg. 26 min. 27 sec. W. with the West line of Pecan Valley Drive a distance of 50.00 feet to the POINT OF BEGINNING and containing 5.507 acres or 239,903 square feet of land.



5.507 ACRES
239,903 SQ. FT.

PECAN VALLEY DRIVE
50' RIGHT-OF-WAY DEDICATION
CAB. G, SLIDE 281
P.R.R.C.T.

- NOTES
- 1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 480547 0030 L, dated Sept 26, 2008, this property lies in Zones AE & X, Part of this property does appear to lie within a 100-year flood plain as shown.
 - 2) BEARING SOURCE: A SOUTH LINE OF PLAT RECORDED IN CAB. G, SLIDE 281 P.R.R.C.T.
 - 3) ALL IRON RODS SET ARE CAPPED WITH PLASTIC CAPS STAMPED "STOVALL & ASSOC."
 - 4) SURVEY PREPARED WITH BENEFIT OF TITLE COMMITMENT, G.F. NO. 1002-151716-RTT EFFECTIVE DATE JUNE 18, 2015, PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY.
 - 5) "C.M." = CONTROL MONUMENT
 - 6) THE FOLLOWING EASEMENTS DO NOT LIE ON THIS TRACT: (i) VOL. 38, PG. 98, D.R.R.C.T. (ii) VOL. 33, PG. 611, D.R.R.C.T. (iii) VOL. 45, PG. 167, D.R.R.C.T. (iv) VOL. 197, PG. 526, R.P.R.R.C.T. (v) VOL. 63, PG. 263, D.R.R.C.T. (vi) VOL. 66, PG. 612, D.R.R.C.T. (vii) VOL. 81, PG. 89, D.R.R.C.T. (viii) VOL. 197, PG. 529 (ix) VOL. 197, PG. 532 (x) VOL. 358, PG. 62, R.P.R.R.C.T. (xi) VOL. 380, PG. 314, R.P.R.R.C.T. (xii) VOL. 258, PG. 620, R.P.R.R.C.T. (xiii) VOL. 5090, PG. 233, O.P.R.R.C.T. (xiv) VOL. 5162, PG. 182, O.P.R.R.C.T. (xv) VOL. 5199, PG. 158, O.P.R.R.C.T. (xvi) VOL. 5318, PG. 89, O.P.R.R.C.T. (xvii) VOL. 5368, PG. 8, O.P.R.R.C.T. (xviii) VOL. 5368, PG. 13, O.P.R.R.C.T. (xix) VOL. 5368, PG. 23, O.P.R.R.C.T. (xx) VOL. 5368, PG. 28, O.P.R.R.C.T. (xxi) VOL. 5368, PG. 38, O.P.R.R.C.T. (xxii) VOL. 5368, PG. 43, O.P.R.R.C.T. (xxiii) VOL. 5583, PG. 183, O.P.R.R.C.T. (xxiv) VOL. 2765, PG. 106, R.P.R.R.C.T. (xxv) VOL. 3828, PG. 49 R.P.R.R.C.T. (xxvi) VOL. 3228, PG. 31 D.R.R.C.T. (xxvii) VOL. 2817 PG. 70, D.R.R.C.T. (xxviii) VOL. 2563, PG. 37 D.R.R.C.T. (xix) VOL. 45, PG. 516 D.R.R.C.T. (xxx) VOL. 81, PG. 97 D.R.R.C.T.

To BT Investments, LLC, First American Title Insurance Company:
 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, and includes Items 1, 2, 3, 4, 7(a), 8, 9 and 11 of Table A thereof. The fieldwork was completed on August 31, 2015.
 Date of Plat or Map: August 31, 2015

"PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE"
 Bobby W. Stovall, R.P.L.S. No. 3703

STOVALL & ASSOCIATES SURVEYORS
 FIRM LICENSE NO. 10079000

LEGEND		SCALE: 1" = 60'	DATE: AUG. 31, 2015
● GAS	○ I.R.S.	— BRICK WALL	— CONCRETE
● GAS METER	○ IRON ROD FOUND	— FENCE	— BOUNDARY LINE
▼ ELEC	● I.R.S.	— CROSS TIE WALL	— ASPHALT
● ELECTRIC METER	● IRON ROD SET	— ELEC SERVICE	— ROCK WALL
		— L.I.N.T.	— A.R.
			— B.W.S.

P.O. BOX 202 • GREENVILLE, TEXAS 75403 • PHONE (903) 450-1120 • FAX (903) 450-1119 • Info@stovallassociates.com

The Oaks at Rockwall



Rockwall, TX





Renderings

Stone Creek



06/23/2015

Rockwall, TX

3

CITY OF ROCKWALL

ORDINANCE NO. 15-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] AND PLANNED DEVELOPMENT DISTRICT 65 (PD-65) OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO AMEND PLANNED DEVELOPMENT DISTRICT 65 (PD-65) [ORDINANCE NO. 08-20] TO ALLOW A 74,000 SF ASSISTED LIVING AND MEMORY CARE FACILITY ON A 5.507-ACRE PORTION OF THE LARGER 11.723-ACRE TRACT OF LAND IDENTIFIED AS TRACT 5 OF THE S. KING SURVEY, ABSTRACT NO. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* & *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, the City has received a request by the Randy Kopplin of Stone Creek Real Estate Partners, LLC on behalf of the owner Arkoma Development, LLC for an amendment to Planned Development District 65 (PD-65) [Ordinance No. 08-20] to allow for a 74,000 SF Assisted Living and Memory Care Facility on a 5.507-acre portion of a larger 11.723-acre tract of land identified as Tract 5 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, further identified as *Parcel 2* in Ordinance No. 08-20, and more fully described in *Exhibits 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 65 (PD-65) [Ordinance No. 08-20] 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 *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance, Planned Development District 65 (PD-65) [Ordinance No. 08-20], 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 2. That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan* and the *Concept Building Elevation*, described in *Exhibit 'B'* & *'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'* & *'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

Section 3. That the development of the *Subject Property* shall require a *PD Site Plan* to be approved by the Planning and Zoning Commission upon recommendation by the Architectural Review Board (ARB). All variances, waivers and exceptions will require approval by the City Council upon recommendation by the Planning and Zoning Commission.

Section 4. That the *Subject Property* shall be developed in accordance to the standards provided for in *Section 4.1, "General Commercial District Standards," Section 4.4, "General Retail (GR) District,"* and *Section 6.11, "North SH-205 Corridor Overlay (SH-205 BY-OV) District,"* of *Article V, "District Development Standards,"* of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

Section 5. That the official zoning map of the City be corrected to reflect the changes in zoning described in this Planned Development District Ordinance.

Section 6. 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 7. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

Section 8. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

Section 9. 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 2ND DAY OF NOVEMBER, 2015.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Ashberry, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: October 19, 2015

2nd Reading: November 2, 2015

DRAFT
ORDINANCE
10.13.2015

Exhibit 'A':
Legal Description & Survey

All that certain lot, tract or parcel of land situated in the J.H.B. Jones Survey, Abstract No. 124 and the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, and being part of that tract of land described in a Deed from Arkoma Realty, Ltd., to Arkoma Development, L.L.C., as recorded in Volume 4247, Page 95 of the Real Property Records of Rockwall County, Texas (hereinafter called Subject Tract), and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "STOVALL & ASSOC." set (hereinafter called 1/2" iron rod set) for corner in a North line of that tract of land described as Tract 2 in a Deed from Arkoma Development, L.L.C., to the City of Rockwall, Texas, as recorded in Volume 5670, Page 162 of the Real Property Records of Rockwall County, Texas (hereinafter called The City Tract), at a West corner of the Final Plat of North Lakeshore Valley, Lots 1 & 2, Block B, an Addition to the City of Rockwall, according to the Plat thereof recorded in Cabinet G, Slide 281 of the Plat Records of Rockwall County, Texas, said point also being at the beginning of a curve to the right, said point also being at the Southwest corner of Pecan Valley Drive (50' right-of-way per plat recorded in Cabinet G, Slide 281, Plat Records of Rockwall County, Texas);

THENCE in a Northwesterly direction with a North line of The City Tract and with said curve to the right having a central angle of 16 deg. 20 min. 41 sec., a radius of 275.00 feet, a chord bearing of N. 59 deg. 23 min. 12 sec. W., a chord distance of 78.18 feet and an arc length of 78.45 feet to a 1/2" iron rod set for corner at a North corner of The City Tract;

THENCE in a Westerly direction with the North line of The City Tract the following:

S. 38 deg. 47 min. 07 sec. W. a distance of 169.83 feet to a 1/2" iron rod set for corner;
N. 85 deg. 27 min. 52 sec. W. a distance of 78.82 feet to a 1/2" iron rod set for corner;
N. 76 deg. 44 min. 54 sec. W. a distance of 144.35 feet to a 1/2" iron rod set for corner;
N. 57 deg. 21 min. 09 sec. W. a distance of 60.80 feet to a 1/2" iron rod set for corner;
N. 63 deg. 58 min. 26 sec. W. a distance of 146.84 feet to a 5/8" iron rod found for corner;
N. 45 deg. 32 min. 48 sec. W. a distance of 94.99 feet to a 1/2" iron rod set for corner;
N. 32 deg. 32 min. 55 sec. W. a distance of 52.94 feet to a 5/8" iron rod found;
N. 47 deg. 01 min. 28 sec. W. a distance of 16.40 feet to a 1/2" iron rod set for corner;

THENCE N. 09 deg. 13 min. 46 sec. E. leaving the North line of The City Tract, a distance of 310.04 feet to a 1/2" iron rod set for corner;

THENCE S. 80 deg. 46 min. 14 sec. E. a distance of 197.67 feet to a 1/2" iron rod set for corner at the beginning of a curve to the right;

THENCE in a Southeasterly direction with said curve to the right having a central angle of 39 deg. 04 min. 23 sec., a radius of 375.00 feet, a chord bearing of S. 61 deg. 14 min. 03 sec. E., a chord distance of 250.81 feet and an arc length of 255.73 feet to a 1/2" iron rod set for corner;

THENCE S. 41 deg. 41 min. 51 sec. E. a distance of 80.58 feet to a 1/2" iron rod set for corner at the beginning of a curve to the right;

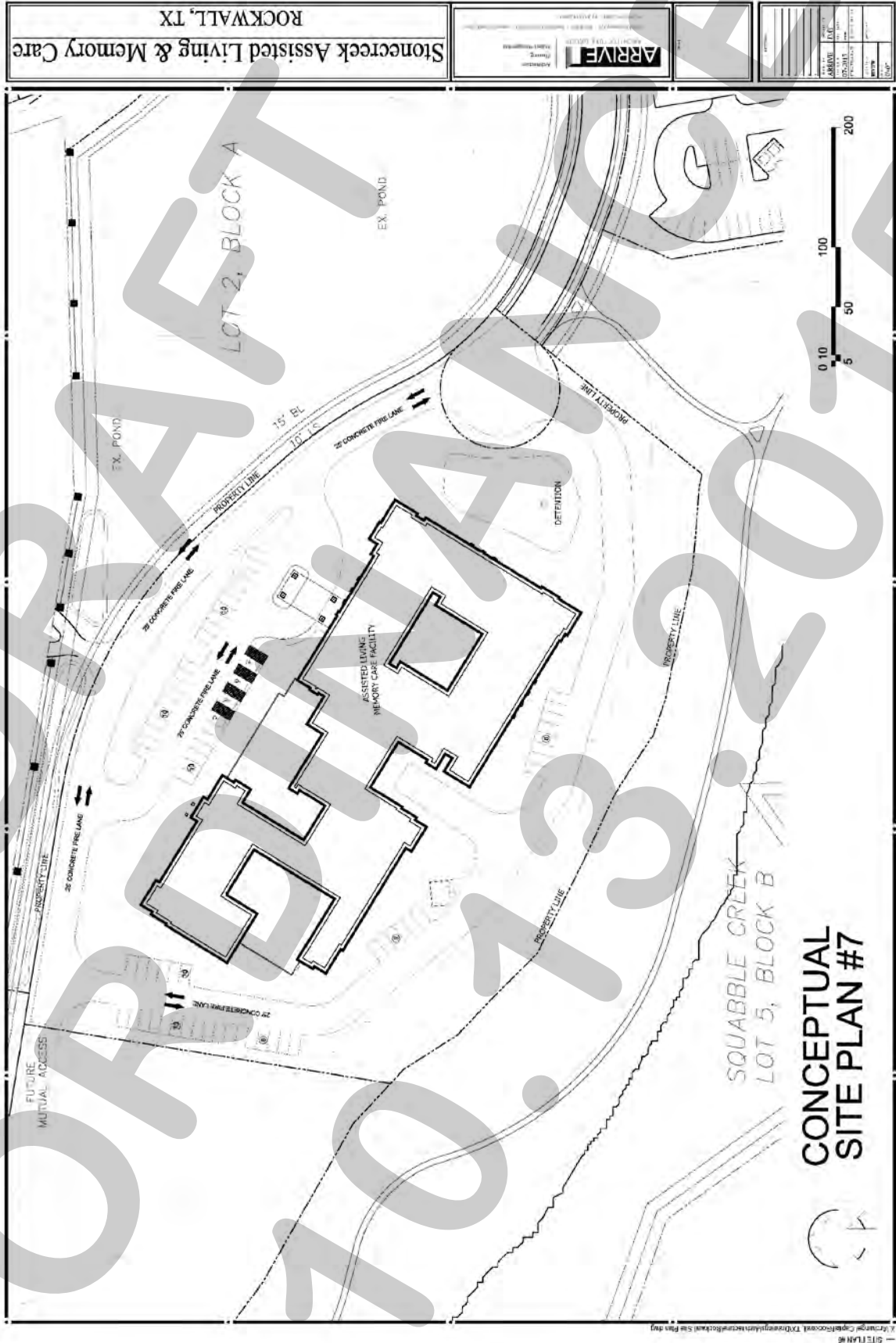
THENCE in a Southeasterly direction with said curve to the right having a central angle of 15 deg. 03 min. 37 sec., a radius of 425.00 feet, a chord bearing of S. 34 deg. 10 min. 03 sec. E., a chord distance of 111.39 feet and an arc length of 111.71 feet to a 1/2" iron rod set for corner;

THENCE S. 26 deg. 38 min. 14 sec. E. a distance of 16.01 feet to a 1/2" iron rod set for corner at the beginning of a curve to the left;

THENCE in a Southeasterly direction with said curve to the left having a central angle of 40 deg. 55 min. 19 sec., a radius of 225.00 feet, a chord bearing of S. 47 deg. 05 min. 53 sec. E., a chord distance of 157.31 feet and an arc length of 160.70 feet to a 1/2" iron rod set for corner at a Northwest corner of Pecan Valley Drive;

THENCE S. 22 deg. 26 min. 27 sec. W. with the West line of Pecan Valley Drive a distance of 50.00 feet to the POINT OF BEGINNING and containing 5.507 acres or 239,903 square feet of land.

Exhibit 'B':
Planned Development Concept Plan



Stonecreek Assisted Living & Memory Care ROCKWALL, TX		<table border="1"> <tr> <td>DATE:</td> <td>05-20-2015</td> </tr> <tr> <td>PROJECT:</td> <td>STONECREEK ASSISTED LIVING & MEMORY CARE</td> </tr> <tr> <td>SCALE:</td> <td>AS SHOWN</td> </tr> <tr> <td>DRAWN BY:</td> <td>...</td> </tr> <tr> <td>CHECKED BY:</td> <td>...</td> </tr> <tr> <td>APPROVED BY:</td> <td>...</td> </tr> </table>	DATE:	05-20-2015	PROJECT:	STONECREEK ASSISTED LIVING & MEMORY CARE	SCALE:	AS SHOWN	DRAWN BY:	...	CHECKED BY:	...	APPROVED BY:	...
DATE:	05-20-2015													
PROJECT:	STONECREEK ASSISTED LIVING & MEMORY CARE													
SCALE:	AS SHOWN													
DRAWN BY:	...													
CHECKED BY:	...													
APPROVED BY:	...													

**Exhibit 'C':
Concept Building Elevations**

The Oaks at Rockwall

Rockwall, Texas

ARRIVE! ARCHITECTURE GROUP
Project Management
Address:
Phone:
Email:
www.arrive.com

1 CONCEPTUAL SOUTH ELEVATION

2 CONCEPTUAL SOUTH ELEVATION

3 CONCEPTUAL SOUTH ELEVATION

4 CONCEPTUAL WEST ELEVATION

5 CONCEPTUAL COURTYARD ELEVATION

6 CONCEPTUAL COURTYARD ELEVATION

7 KEY PLAN

8 CONCEPTUAL SOUTH ELEVATION

9 CONCEPTUAL SOUTH ELEVATION

10 CONCEPTUAL SOUTH ELEVATION

11 CONCEPTUAL SOUTH ELEVATION

12 CONCEPTUAL SOUTH ELEVATION

13 CONCEPTUAL SOUTH ELEVATION

14 CONCEPTUAL SOUTH ELEVATION

15 CONCEPTUAL SOUTH ELEVATION

16 CONCEPTUAL SOUTH ELEVATION

17 CONCEPTUAL SOUTH ELEVATION

18 CONCEPTUAL SOUTH ELEVATION

19 CONCEPTUAL SOUTH ELEVATION

20 CONCEPTUAL SOUTH ELEVATION

21 CONCEPTUAL SOUTH ELEVATION

22 CONCEPTUAL SOUTH ELEVATION

23 CONCEPTUAL SOUTH ELEVATION

24 CONCEPTUAL SOUTH ELEVATION

25 CONCEPTUAL SOUTH ELEVATION

26 CONCEPTUAL SOUTH ELEVATION

27 CONCEPTUAL SOUTH ELEVATION

28 CONCEPTUAL SOUTH ELEVATION

29 CONCEPTUAL SOUTH ELEVATION

30 CONCEPTUAL SOUTH ELEVATION

31 CONCEPTUAL SOUTH ELEVATION

32 CONCEPTUAL SOUTH ELEVATION

33 CONCEPTUAL SOUTH ELEVATION

34 CONCEPTUAL SOUTH ELEVATION

35 CONCEPTUAL SOUTH ELEVATION

36 CONCEPTUAL SOUTH ELEVATION

37 CONCEPTUAL SOUTH ELEVATION

38 CONCEPTUAL SOUTH ELEVATION

39 CONCEPTUAL SOUTH ELEVATION

40 CONCEPTUAL SOUTH ELEVATION

41 CONCEPTUAL SOUTH ELEVATION

42 CONCEPTUAL SOUTH ELEVATION

43 CONCEPTUAL SOUTH ELEVATION

44 CONCEPTUAL SOUTH ELEVATION

45 CONCEPTUAL SOUTH ELEVATION

46 CONCEPTUAL SOUTH ELEVATION

47 CONCEPTUAL SOUTH ELEVATION

48 CONCEPTUAL SOUTH ELEVATION

49 CONCEPTUAL SOUTH ELEVATION

50 CONCEPTUAL SOUTH ELEVATION

51 CONCEPTUAL SOUTH ELEVATION

52 CONCEPTUAL SOUTH ELEVATION

53 CONCEPTUAL SOUTH ELEVATION

54 CONCEPTUAL SOUTH ELEVATION

55 CONCEPTUAL SOUTH ELEVATION

56 CONCEPTUAL SOUTH ELEVATION

57 CONCEPTUAL SOUTH ELEVATION

58 CONCEPTUAL SOUTH ELEVATION

59 CONCEPTUAL SOUTH ELEVATION

60 CONCEPTUAL SOUTH ELEVATION

61 CONCEPTUAL SOUTH ELEVATION

62 CONCEPTUAL SOUTH ELEVATION

63 CONCEPTUAL SOUTH ELEVATION

64 CONCEPTUAL SOUTH ELEVATION

65 CONCEPTUAL SOUTH ELEVATION

66 CONCEPTUAL SOUTH ELEVATION

67 CONCEPTUAL SOUTH ELEVATION

68 CONCEPTUAL SOUTH ELEVATION

69 CONCEPTUAL SOUTH ELEVATION

70 CONCEPTUAL SOUTH ELEVATION

71 CONCEPTUAL SOUTH ELEVATION

72 CONCEPTUAL SOUTH ELEVATION

73 CONCEPTUAL SOUTH ELEVATION

74 CONCEPTUAL SOUTH ELEVATION

75 CONCEPTUAL SOUTH ELEVATION

76 CONCEPTUAL SOUTH ELEVATION

77 CONCEPTUAL SOUTH ELEVATION

78 CONCEPTUAL SOUTH ELEVATION

79 CONCEPTUAL SOUTH ELEVATION

80 CONCEPTUAL SOUTH ELEVATION

81 CONCEPTUAL SOUTH ELEVATION

82 CONCEPTUAL SOUTH ELEVATION

83 CONCEPTUAL SOUTH ELEVATION

84 CONCEPTUAL SOUTH ELEVATION

85 CONCEPTUAL SOUTH ELEVATION

86 CONCEPTUAL SOUTH ELEVATION

87 CONCEPTUAL SOUTH ELEVATION

88 CONCEPTUAL SOUTH ELEVATION

89 CONCEPTUAL SOUTH ELEVATION

90 CONCEPTUAL SOUTH ELEVATION

91 CONCEPTUAL SOUTH ELEVATION

92 CONCEPTUAL SOUTH ELEVATION

93 CONCEPTUAL SOUTH ELEVATION

94 CONCEPTUAL SOUTH ELEVATION

95 CONCEPTUAL SOUTH ELEVATION

96 CONCEPTUAL SOUTH ELEVATION

97 CONCEPTUAL SOUTH ELEVATION

98 CONCEPTUAL SOUTH ELEVATION

99 CONCEPTUAL SOUTH ELEVATION

100 CONCEPTUAL SOUTH ELEVATION

THIS PAGE INTENTIONALLY LEFT BLANK



City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council
FROM: Joey Boyd, Director of Internal Operations
DATE: October 16, 2015
SUBJECT: Through The Fence Agreement

Paul Davis has privately owned the property adjacent to the Ralph M. Hall / Rockwall Municipal Airport on the northwest corner for many years. (two north buildings with white roofs). See attached aerial.

Mr. Davis' hangars have access from a common taxiway onto the runway. David Block has the same access point from his two hangars (silver roof and blue roof). Mr. Block has a formal through-the-fence agreement with the City but a review of our records shows that no formal access agreement exists between the City and Mr. Davis, nor the previous owner of the property to use this access point to get onto public property.

Attached for the City Council's consideration is a through-the-fence agreement that formalizes the access between the two parties. The City Council is asked to authorize the City Manager to execute the agreement between the City of Rockwall and Paul Davis.

Through The Fence Agreement

This agreement is for a through-the-fence taxiway access from private property to the Rockwall Municipal Airport.

STATE OF TEXAS)
)
CITY OF ROCKWALL) KNOW ALL PERSONS BY THESE PRESENTS:

This agreement is entered into this 14th day of October, 2015, between the City of Rockwall, which is the owner of the Rockwall Municipal Airport, hereinafter referred to as the "Owner", hereinafter referred to as "Airport" and Texas Specialty Underwriters, Inc., Paul Davis and/or PSB Family Trust and/or its assignee (a corporation, partnership, or sole proprietor), hereinafter referred to as "User" who covenant and agree as follows:

WHEREAS, Owner and User are committed to the proper operation, improvement, and continued development of the airport; and

WHEREAS, User is the owner of real property immediately adjacent to the physical property of the Airport and has owned and operated that property for aviation purposes since September 1994 (and before that time by the previous owners) with full agreement of the Owner for a total of more than thirty-five years on which basis the User is declared to be and remain a "Grandfathered" User; and further that User agrees to future annual "Use" payments as indicated below of \$600.00.

WHEREAS, User has, with full knowledge and agreement of the Owner, made taxiway improvements for ingress and egress to the Airport and continues to be one of the largest purchasers of fuel and services from the Airport; and

WHEREAS, Owner deems it advantageous to itself and to the operation of the Airport to continue to allow User certain taxiway access;

NOW THEREFORE, in consideration of the terms, considerations, and privileges listed herein, Owner and User covenant and agree as follows:

Definitions.

Taxiway Access – means an aircraft taxiway, further described and defined below as the Land, located on private property owned by Owner adjacent to the Rockwall Municipal Airport that connects or feeds into a taxiway on the Airport and that is constructed for or intended use for the principal purpose of allowing aircraft to taxi between the Airport and one or more private properties owned by User off site, and is approved as an existing and continuing access taxiway by the City of Rockwall.

Airport – means the area known as the Ralph Hall, Rockwall Municipal Airport.

Section 1. USED Area

Owner does hereby enter into formal agreement to acknowledge and continue the Grandfathered lease or rights of use to User, effective on the date above stated, the existing Taxiway between the current property owned by User adjacent to the Airport for the sole purposes of aircraft taxi “through-the-fence” to the Airport and to the runways and taxiway system of the Airport.

Section 2. Term

This agreement shall be for the term of thirty (30) years, and may be extended for additional thirty year terms after the initial term upon giving of written notice by User to Owner not more than one hundred eighty (180) nor less than sixty (60) days prior to the expiration of the preceding 30 (thirty) year lease term under the terms specified in the next section of this agreement.

Section 3. Consideration

- A. In consideration for the lease or use of the Land as referenced herein, Owner acknowledges the substantial revenue that User has and will continue to generate to the Owner in the form of purchased fuel, property taxes, and further that User agrees to future annual “Use” payments of \$600.00. The first of these annual payments will be due within five (5) days of the effective date of this agreement and thereafter on the yearly anniversary of the effective date of this agreement.
- B. User agrees that he will at all times refrain from littering on or wasting the premises of the taxiway access and will not place trash, litter, junked automobiles, or scrap aircraft parts on the taxiway access. User shall abide by all applicable rules and recommendations of the Environmental Protection Agency, the Texas Commission on Environmental Quality, the Texas Department of Agriculture, the Texas Department of Transportation, and any other public agency concerning the use, storage, and disposal of hazardous chemicals, fuel, and/or oil on the Land. User further agrees to abide by the manufacturer’s directions in regards to the use, storage, and disposal of all pesticides, herbicides, and other chemicals plus their containers used at the airport on the land. Should User fail to keep the leased area free of hazards caused or created by User, Owner may, after 30 days written notice, arrange for the cleanup of the littered of hazardous area. Such cleanup, to the extent caused or created by User, shall be charged to User and payable on demand. Failure to render proper payment for such cleanup and/or general disregard for the considerations and restrictions listed in this lease agreement are grounds for Owner to terminate this lease as provided herein.

- C. Taxes, Fees, Insurance, and Bond – User shall be liable for all taxes and fees owed on or by his personal business or himself. Under no circumstances shall Owner be liable for or be required to pay any tax or fee owned by User, nor shall User be liable for taxes or fees relating to the Land or Airport. User should provide his own insurance coverage for any personal property located in or on the leased area.
- D. All improvements made by the User on the Airport property shall become property of the City of Rockwall at the time of expiration or termination of this agreement unless otherwise approved in writing by the City Manager. The City shall not be required to pay the User for any such improvements made unless specifically stated in writing by the City Manager.

Section 4. Permitted Use

All uses otherwise permitted by existing zoning ordinances within the boundaries of the existing airport Overlay District and as it may be amended in the future, except where there is a conflict between the Airport Overlay District and existing zoning ordinances. Where the provisions of the Airport Overlay district are more restrictive, the provisions of the Airport Overlay District shall govern.

Section 5. Restricted Use

- A. User agrees that he/she will not store or permit the storage of any fuel or hazardous, volatile, and/or dangerous chemicals on the taxiway access except as generally allowed for and/or associated with the uses of the Land and Airport authorized herein without the written consent of Owner.
- B. User agrees not to make any additions or modifications to the taxiway access except as agreed upon by both parties in writing. In the case of such consent and unless agreed to the contrary in writing, all improvements or modifications shall be made at the expense of User and, at the expiration of this Lease and any extensions to this lease, shall become the property of the Owner.
- C. User agrees that he will access any and all hangers located on his private property from public access from Williams Road off of Airport Road.

Section 6. Unrestricted Uses

The following uses of the Land and User's adjacent property shall be unrestricted by Owner: personal aeronautical use; flight school training; fly for hire; fuel storage for personal use; purchase, sale and/or lease of aircraft and aeronautical equipment; maintenance on aircraft and/or aeronautical equipment owned, leased or leasing space from User; sale or lease of User property and/or improvements; constructions, improvement and/or maintenance to the property owned, leased or controlled by the User; and all uses not exclusively reserved by and for the benefit of the Fixed Base Operator for the Airport pursuant to the terms of that FBO/Airport Management Agreement dated March 20, 2014 so long as said agreement is in force and effect and is binding on Owner and after the expiration and/or termination of said FBO/Airport Management Agreement said uses previously exclusively reserved shall also be unrestricted uses hereunder. However, pursuant to the above listed FBO Agreement provisions set forth in in SECTION 1, subsection B.; the property that is the subject matter of this Agreement also falls within the Exhibit B designation and has no less rights and uses than those provided to David Block and referenced in above referenced Section 1 and as referring to Exhibit B in that Agreement.

Section 7. Sublease, Assignment, or Sale

The User may sublease, assign, sell or transfer User's property adjacent to the taxiway access and/or User's rights and obligations given by this agreement upon 15 days written notice to Owner and in such case the assignor shall be relieved of liability for the obligations assumed; provided that User may sublease, assign and/or transfer without notice to any entity owned or controlled by User, a family member, an heir, or a trust created for the benefit of an heir or family member.

Section 8. Termination

- A. This contract agreement may be terminated, prior to its term, by Owner or User if either fails to abide by the material terms and conditions expressed herein and due the complainant and so decreed by a court of competent jurisdiction. In the event User fails to make timely payment as required herein, uses the Airport property or permits the Airport to be used for any illegal or unauthorized purpose, abandons or leaves the property vacant or unoccupied for 180 consecutive days, or violates any of the material terms and conditions of this contract agreement, Owner has the right to terminate this contract agreement and retake possession of any Airport property leased to or under the control of User upon ten (10) days written notice delivered to User; provided that notwithstanding any other provision to the contrary, prior to notice of default and right to termination or exercise of other remedy, Owner shall deliver written notice to User stating with reasonable particularity the facts supporting the claimed

default and actions necessary to cure same and User shall have thirty (30) days opportunity to cure said default. In the event that said default cannot reasonably be cured within said cure period but User is acting with reasonable diligence to accomplish such said cure, said cure period shall be extended another thirty (30) days.

- B. User agrees and understands that Owner reserves the right to further expand, develop, or improve the airport, including the termination or modification of this lease agreement, in such instance that the continued leasing of the taxiway access would prevent any proposed development or improvements at the Airport; provided that in determining whether this lease agreement would prevent any proposed development or improvements at the Airport, all development and improvement alternatives shall be taken into consideration; and further provided that in any event this Lease Agreement may not be terminated for the cause outlined in this sentence prior to the thirtieth year after this lease agreement is signed. In the event that termination is authorized by the preceding sentence, this contract agreement may be terminated regardless of the desires, wishes, or views of User and without interference or hindrance from User, but only so long as such expansion, development, or improvements are shown on a Texas Department of Transportation and/or FAA approved Airport Layout Plan or Master Plan and in a manner consistent with the preceding sentence and upon reasonable written notice given the circumstances and investment of User.
- C. This contract may be prematurely terminated by mutual agreement and consent of both parties in writing. Such termination by mutual agreement shall cause both Owner and User to be free of any and all requirements of this contract, and neither Owner nor User shall have any derogatory remarks or entries made upon their resumes or upon any public or private records, which would indicate failure to successfully fulfill the conditions of this contract.
- D. At the termination of this contract agreement consistent with the provisions herein, either by normal expiration, premature termination, or mutual agreement, User shall peaceably surrender this agreement.

Section 9. Hold Harmless

User agrees to save, hold harmless and indemnify Owner and its agents, servants, and employees of and from any and all liabilities, expenses, causes of action, or damages, resulting from any negligent act or omission of User or User's agents, servants, or employees on the Land as defined herein.

Section 10. Maintenance of Landing Area

User understands and agrees that Owner reserves the right, but not the obligation, to maintain the Airport to at least the minimum standards as recommended by the FAA and/or the Texas Department of Transportation. Such right includes the right to maintain and keep in repair all

public use areas at the Airport and the right to direct and control all activities as necessary at the Airport.

Section 11. Miscellaneous

- A. This contract agreement and the exhibits referenced herein embraces the entire lease agreement of the parties mentioned herein pertaining to the taxiway access and no statement, remark, agreement, or understanding, either oral or written, not contained herein or in an exhibit hereto shall be recognized or enforced as it pertains to the lease or use of the taxiway access, except that this contract agreement may be modified by written addendum agreed to and signed by all pertinent parties and attached hereto.
- B. For the purpose of this contract agreement, the singular number shall include the plural and the masculine shall include the feminine and vise-versa, whenever the context so admits or requires.
- C. The "Section" captions and headings are inserted solely for the convenience of reference and are not part of nor intended to govern, limit, or aid in the construction of any provision hereof.
- D. The parties to this contract agreement hereby acknowledge and agree that they are the principals to the contract agreement and have the power, right, and authority to enter into this contract agreement and are not acting as an agent for the benefit of any third party, except that the Owner is acting on behalf of the City of Rockwall.
- E. This contract agreement shall be governed by the laws of the State of Texas and construed thereunder and venue of any action brought under this contract agreement shall be in Rockwall County, Texas.
- F. If any section, paragraph, sentence, or phrase entered in this contract agreement is held to be illegal or unenforceable by a court of competent jurisdiction, such illegality or unenforceability shall not affect the remainder of this contract agreement and, to this end, the provisions of this contract agreement are declared to be severable.
- G. User also understands that this lease does not obligate the Owner to continue operating the Airport as an airport. Further, User understands and agrees that if the Owner decides to close the Airport then User will not be entitled to any damages or monies or other compensation from the Owner as a result of this Agreement.

Section 12. Notification

Any notice given by one party to the other in connection with this agreement shall be in writing and shall be delivered (and shall be deemed delivered three days after deposit with the U.S. Mail service with proper postage if sent certified mail, return receipt requested) to:

Owner:
Rockwall City Hall
Attn: City Manager
385 S. Goliad Street
Rockwall, Texas 75087

User:
Texas Specialty Underwriters, Inc., Paul Davis
and/or PSB Family Trust
510 Turtle Cove Blvd., Suite 200
Rockwall, Texas 75087

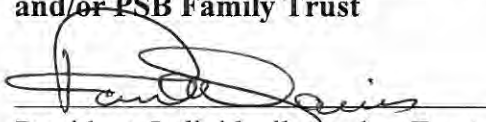
Section 13. Effective Date

This agreement is executed by the parties on the dates indicated below to be EFFECTIVE on the 14th day of October, 2015.

Owner:
City of Rockwall

User:
Texas Specialty Underwriters, Inc., Paul Davis
and/or PSB Family Trust

City Manager



President, Individually, and as Trustor

Date: _____

Date: October 14, 2015



Google

THIS PAGE INTENTIONALLY LEFT BLANK

CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 10/19/2015
APPLICANT: Jonathan Hake of Cross Engineering
AGENDA ITEM: **SP2015-022**; Crush It Sport, *Airport Road*

SUMMARY:

Discuss and consider a request by Jonathan Hake of Cross Engineering on behalf of the owner Kenneth R. Smith of K. R. Smith Holdings, LLC for the approval of an exception to allow tilt-wall construction and variances to the articulation, architectural and material requirements for an approved site plan for an indoor/outdoor baseball training facility on a six (6) acre tract of land identified as Tract 4-07 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 By-Pass Corridor Overlay (SH-205 BY-OV) District, located on the north side of Airport Road west of the intersection of Airport Road and John King Boulevard, and take any action necessary.

PURPOSE:

The applicant is requesting approval of a certain variances as outlined below in conjunction with an approved site plan for the purpose of constructing a 2-story indoor baseball facility that will be approximately 42,077 sq. ft. of gross building area on a six (6) acre tract of land. The site will include an indoor baseball facility, a practice field, and a full sized baseball field that will provide consumer based recreational activities for the public. The indoor facility will be generally equipped with batting cages, practice cages, virtual video cages, concessions, arcade games, a workout facility, a meeting room, a pro shop and business office. The baseball field and practice fields will be available for rental, select team use, and tournament play.

The property is zoned *Commercial (C) District* and has been granted a Specific Use Permit [SUP Ord. No. 15-18] on July 6, 2015 to allow for the development of an indoor/outdoor baseball training facility. The property is also within the *205 By-Pass Corridor Overlay (205 BY-OV) District* and is generally located on the north side of Airport Road, west of the intersection of Airport Road and John King Boulevard, across from the Leon Tuttle Athletic Complex.

VARIANCES AND EXCEPTIONS REQUESTS:

The applicant is requesting variances to the *Unified Development Code (UDC)* for the sections outlined below. As a note, a variance request to the UDC requires passage of a simple majority vote by the City Council for approval; however, a variance to the *205 BY-Pass Corridor Overlay (205 BY-OV) District* requires passage by a $\frac{3}{4}$ majority vote of those City Council members present. The requests are as follows:

- a) *Article V, Section 4.1 General Commercial District Standards* – According to Art. V, Sec. 4.1, A the City Council can grant an exception to allow concrete tilt-up walls on a case-by-case basis after reviewing the building elevations and material samples. In this case the applicant is proposing concrete tilt wall panels that will be visible on all four (4) sides of the structure (*i.e. East: 70%; South: 33%; West: 64%; North: 94%*). **[Simple Majority Vote]**

- b) *Article V, Section 4.1 General Commercial District Standards* – A variance to allow for not meeting the Building Articulation requirements for horizontal and vertical articulation as established in *Art. V, Sec. 4.1, C.1.a. & b. [Simple Majority Vote]*
- c) *Article V, Sec. 6.10 205 By-Pass Corridor Overlay District* – A variance to allow for not meeting the minimum 20% natural or quarried stone requirement for the north and east elevation as established in *Art. V, Sec. 6.10, C.1 (i.e. (i.e. East: 17%; South: 35%; West: 35%; North: 3.8%). [¾ Majority Vote]*
- d) *Article V, Sec. 6.10 205 By-Pass Corridor Overlay District* – A variance to allow for exceeding the maximum 10% secondary materials requirement as established in *Art. V, Sec. 6.10, C.1.b* for the elevations as generally submitted (*i.e. MBCI [Metal Panel] East: 13%; South: 20%; West: 0%; North: 0%). (¾ majority vote)*
- e) *Article V, Sec. 6.10 205 By-Pass Corridor Overlay District* – A variance to allow for not meeting the architectural finishing of all four (4) sides with same materials, detailing, and features as established in *Art. V, Sec. 6.10, C.5* by allowing the elevations as generally submitted. [*¾ majority vote*]

ARCHITECTURAL REVIEW BOARD RECOMMENDATION:

On September 29, 2015, the Architectural Review Board (ARB) reviewed the proposed building elevations for the site. The board expressed concern with the thematic appearance of the structure and site by using “baseball bats” as structural supports for the overhang and large “baseballs” near the entrance. The ARB also requested the applicant include windows or a clerestory for the west elevation along the portion of the building closest to Airport Road. Finally, the ARB recommended the applicant include additional architectural elements for the rear (north) elevation.

The applicant has submitted updated building elevations that show the incorporation of the clerestory along the western elevation and window elements along the northern elevation; however, the revised elevations do not address the boards concerns with regard to the thematic appearance of the structure.

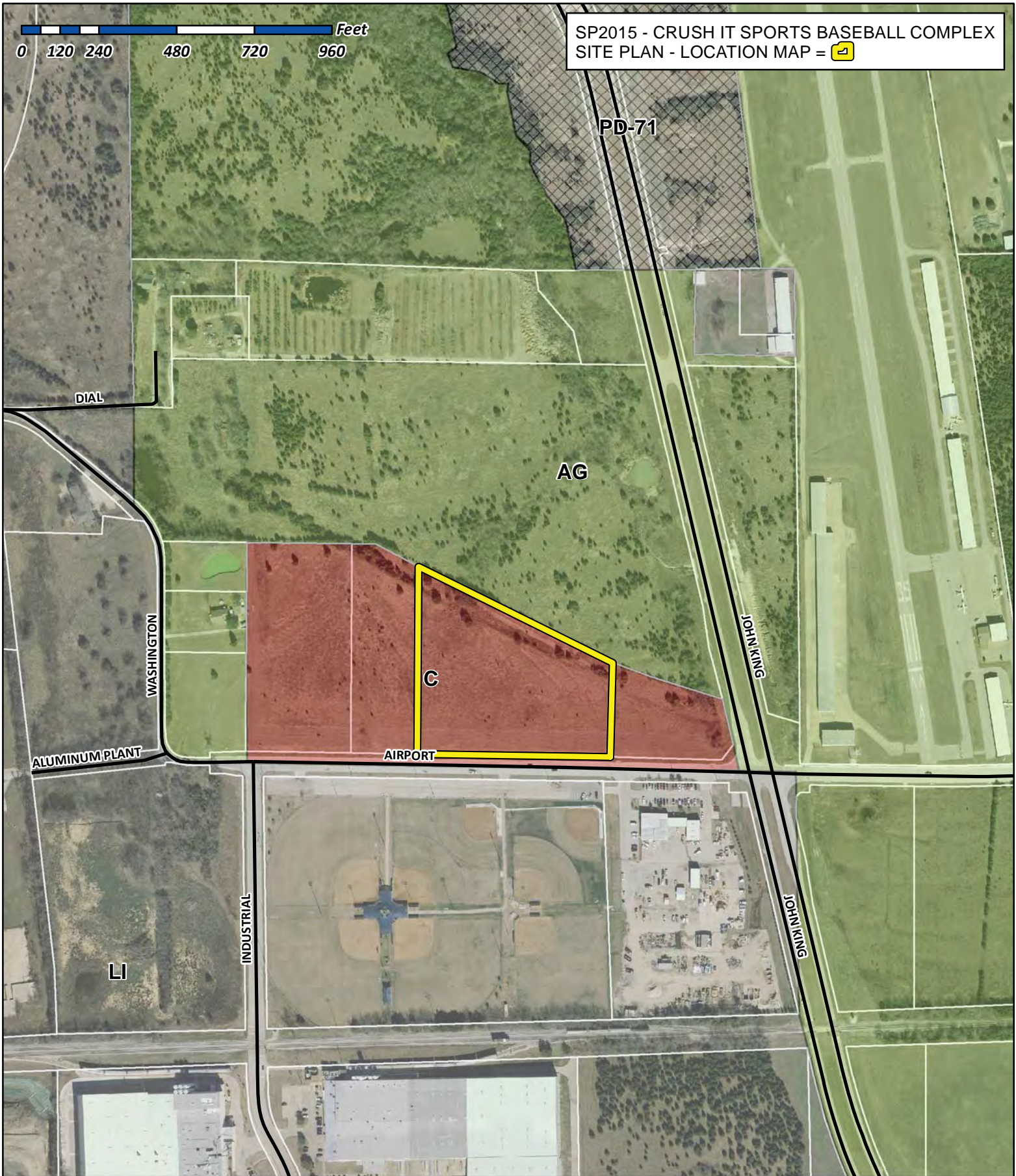
On October 13, 2015, the ARB revisited the appearance of the “baseball bat” supports. After discussing the weathering and maintenance of the supports, the ARB recommended approval of the elevations as presented.

PLANNING AND ZONING RECOMMENDATION:

On October 13, 2015, the Planning and Zoning Commission approved the site plan with ARB recommendations and staff conditions by a vote of 6 to 0 with one vacancy. During the same motion, the Planning Commission also recommended approval of the variances requested to allow for concrete tilt-up wall construction, and for not meeting the architectural and material requirements as outlined in staff’s report.

0 120 240 480 720 960 Feet

SP2015 - CRUSH IT SPORTS BASEBALL COMPLEX
SITE PLAN - 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

Project Number: SP2015-022
Project Name: Crush It Baseball Complex
Owner: K. R. Smith Holdings, LLC
Site Address: 1551 Airport Road, Rockwall, TX 75087
Subdivision: Columbia Park
Tract: 4-6
Lot No.: 4-6
Parcel No.: 0020-0000-0004-06-OR

Response to P & Z and Architectural Review Board Comments

Partners In Architecture will address those items that pertain to the architectural comments only.

Site Plan:

1. *Based on Buildings footprint, the horizontal articulation is not meeting the standards established in the UDC and requires a variance as indicated above.*
Response: Refer to Request for Variance below.
2. *Remove label "Construction Type 2B" from proposed building. Construction type to be approved by the Building Inspection Department at the time of building permit.*
Response: This label has been removed.
3. *Ground mounted units (HVAC) located on the north elevation require screening from adjacent properties. Provide detail of screening mechanism to be used.*
Response: Refer to Landscape Plan L1.01
4. *What is the dashed line with X's along the north boundary? This is not identified on the legend and not labeled.*
Response: Refer to Cross Engineering Site Plan Documents.
5. *Label 24-ft Firelane as "24-ft Firelane and Public Access Easement." Also, where applicable include "Utility Easement."*
Response: Refer to Cross Engineering Site Plan Documents.
6. *Dumpster enclosure wall are to be a minimum of 8-ft with materials to match the primary structure. Provide detail. Also, change label to indicate 8-ft Masonry Dumpster Screen.*
Response: Refer to corrected Site plans provided by Cross Engineering and details attached.

7. *Dumpster to include self-latching mechanism, please indicate on plans.*

Response: Refer to attached detail.

8. *Unwritten suggestion by the Architectural Review Committee (9/29/2015). The proposed GFRP (Glass Fiber Reinforced Polymer) "baseball bat" column covers over the tube steel columns are two "themematic"*

Response:

The owner K. R. Smith Holdings, LLC, requested this unique architectural design feature and believes that it represents what his baseball training facility is all about and will bring success to the project as well as recognition for his brand.

Request for Variance

On behalf of the owner K. R. Smith Holdings, LLC, Partners In Architecture request considering for variances to the Architectural Standards as noted below.

1. **Variance to the Vertical & Horizontal Articulation Standards – based on the building's foot print and elevations as submitted are not meeting the minimum standard established in the General Commercial District Standards for articulation.**

Response:

South Wall: Because the wall varies in height from 36' to 40' at the high wall the average height used in the wall calculation is 38'. The total allowable length of wall allowed is $38' \times 3 = 114'$. The total wall length is 91'-5" with 16'-8" portion being at a lower roof level of 24'-0". This elevation complies with the intents of the Standards.

West Wall: The total wall length for this elevation is 189'. Based on the wall height of 38', the total allowable length before an off set is 114'-0". However, a portion of this elevation has a reduced wall height of 24'-0" and is 56'-9" long. The balance of the wall length is 132'-5". While wall length is greater than the allowable length, at the recommendation of the Architectural Review Board, we have added additional stone pilasters at the corners of the high wall and added additional window fenestration on the upper wall above the low wall creating a clear story.

East Wall: The total wall length is 152'-7". The height of the wall is 40'. The total allowable length before an off set is 120'-0". While the length of wall exceeds the allowable, the wall has been broken up with a second story balcony, and a portion of wall that frames a second balcony at the entrance and varies 8' to 11' from the main wall plane. This secondary wall also has a void opening 11'-6" high x 8'-0" wide creating interest and additional views from the entrance balcony. The pairs of diagonal columns supporting the large roof overhand also help break up the expanse of wall.

North Wall: The north wall height is an average of 38'-0" and length is 158'-0". Therefore the allowable length to height ratio is 114'-0". While this wall exceeds the allowable length, at the recommendation of the Architectural Review Board we added the stone pilaster at the corners.

After reviewing the criteria for Vertical and Horizontal Building Articulation and the examples given in the Standards for Commercial Districts, the intent is to break up large expanses of wall that are normally found in “Big Box” and “Life Style” shopping centers where there are multiple tenants. Because Crush It Sports is a single tenant, in the opinion of Partners In Architecture, the spirit and intent of the standard has been met by creating interest in the fenestration, balcony projections, large roof overhangs, diagonal columns, materials and textures.

2. Variance to the Architectural Standards of the 205 By-Pass Corridor Overlay (205 BY-OV) District for the building’s design as follows:

a. *For the building not meeting the masonry requirements as follows:*

1. *to allow for tilt wall construction, and*

Response:

The concept of Crush It Sports is to provide a baseball training facility for youth baseball and potentially other sports. As such, the activities provided inside and outside of the building are focused on the training of the youth in their sport. In door batting cages, pro shop, concession stand and restrooms are on the first floor. Second floor provides for pitching cages, video cages, party rooms, dressing rooms, restrooms a trainer/rehab office and weight, cardio rooms and a coffee area for waiting parents. It is the developer/owner’s desire to provide a facility that was high tech in appearance and visually pleasing by using a variety of materials. The tilt wall construction was chosen as the primary construction method due to its economy of scale, reduced labor costs, lower capital costs, reduced energy costs and lower maintenance costs. With the inclusion of the stone veneer over the concrete panels, the reveals placed in the panels to complement the horizontal storefront mullions and other building projections such as the balconies, the diagonal columns supporting a large roof overhang, the tilt panels are sufficiently broken up to create the interest and high tech appearance desired.

2. *to allow for the east elevation to have less than 20% stone.*

Response:

The east elevation has 17% stone veneer. The height of the stone is 7’-2 ½” with correlates with the horizontal mullions of the storefront and the reveals in the tilt wall panels. The south and west elevations exceed with 20% criteria with 35% stone veneer which is due to the correlation of the existing wall height and added stone pilasters at the corners discussed in the West Elevation above.

3. *to allow for secondary materials to exceed 10% of the masonry standards (i.e. corrugated metal)*

Response:

The corrugated metal panels on the south elevation, over the main entrance balcony and the east entrance balcony facing the game field represent percentages of 20% on the south elevation and 13% on the east elevation. The south elevations % was reduced by 5% from the previous submittal due to inclusion of the material in both the south and east elevations.

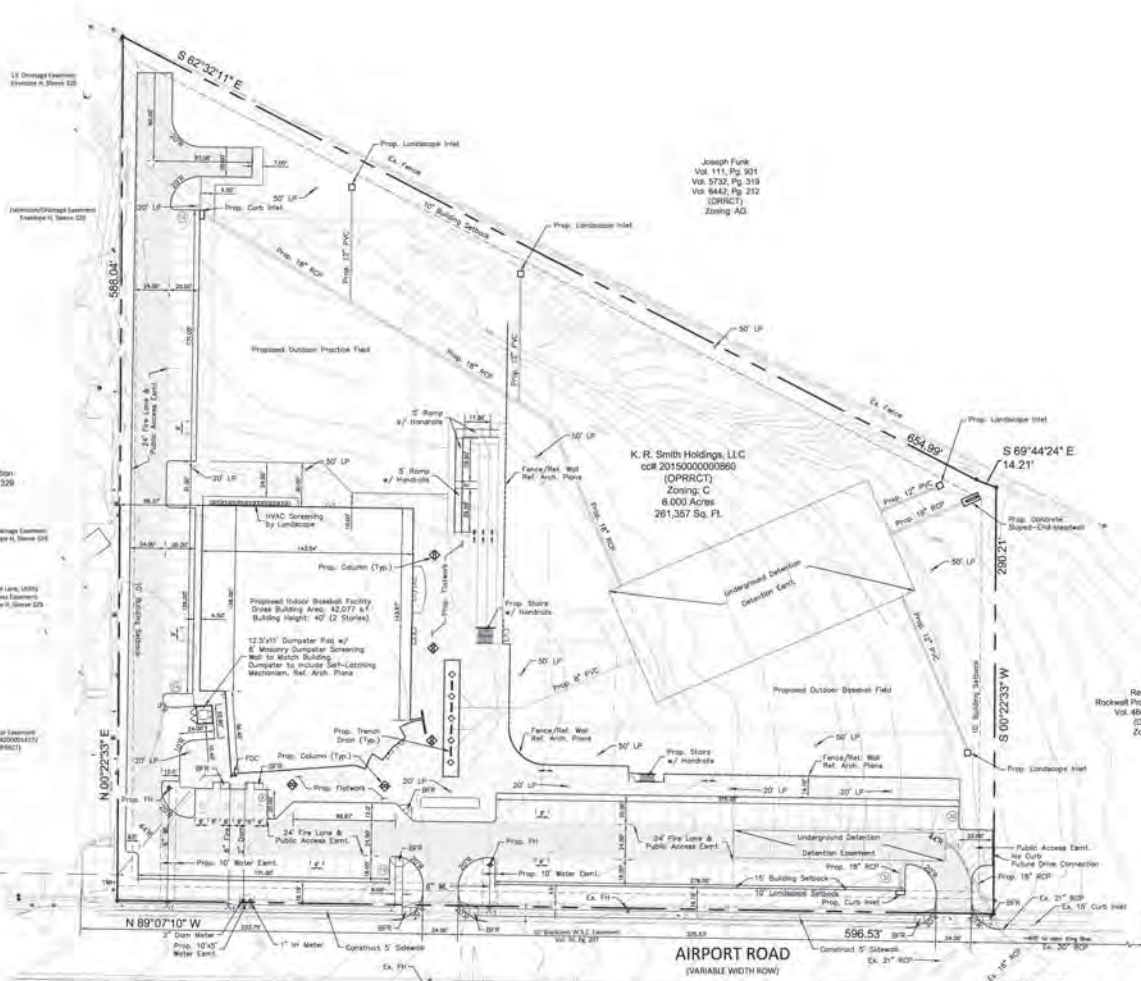
The use of the corrugated metal is to provide an architectural feature high tech in appearance to correspond to the exposed painted steel structure supporting the roof overhang. The metal panels also help provide a contrast between the stone and tilt wall materials.

b. For the building not being architecturally finished on all four sides with the same materials, detailing and features.

Response:

The north elevation is not finished the same as the other three sides because there are only two north facing windows and they did not require a large expanse of roof overhang to protect from the sun. Therefore the pairs of supporting diagonal columns were not necessary. The north wall has a small percentage of stone veneer and fronts the proposed soccer practice field. A stone pilaster was added at the northwest corner as part of the articulation to compliment the west elevation.

John McConnell, AIA
Principal



Joseph Funk
Vol. 111, Pg. 201
Vol. 5732, Pg. 319
Vol. 6442, Pg. 212
(DIRECT)
Zoning AG

K. R. Smith Holdings, LLC
cd# 2015000000860
(OPRRCT)
Zoning C
6,000 Acres
261,357 Sq. Ft.

Remainder
Rockwall Property Corporation
Vol. 4667, Page 101
(DIRECT)
Zoning C



VICINITY MAP
NTS



- LEGEND**
- Concrete Firelane
 - Proposed Sidewalk
 - Proposed Public Access Easement
 - Existing Fire Hydrant
 - Proposed Fire Hydrant
 - Barrier Free Ramp
 - Existing Fence
 - Existing Power Pole
 - Existing Water Valve
 - Existing Water Meter
 - Existing Guy Wire
 - Existing Overhead Line
 - Existing 12" Water Line
 - Existing 8" Water Line
 - Existing 6" Water Line

SYNOPSIS

Zoning:	Commercial
Proposed Use:	Indoor/Outdoor Baseball Facility
Lot Area:	6,000 Acres (261,357 ac)
Building Areas:	1st Floor: 24,270 sq ft 2nd Floor: 12,807 sq ft Gross Bldg Area: 42,077 sq ft
Lot Coverage:	9.28% (Total Bldg Area 24,270 sq ft)
Floor Area Ratio:	0.16 : 1
Building Height:	40'-00" (2 Stories)
Open Space Required:	39,324 sq ft (15%)
Open Space Provided:	150,721 sq ft (38.54%)
Max Allowable Impervious Area:	65% - 90%
Impervious Area Provided:	69.49%
Required Parking:	Prop: (171,003 +/-) 43 Spaces
Parking Required Total:	43 Spaces
Parking Provided Total:	123 Parking Spaces (4 Handicap Spc.)

ARCHITECT:
Partners in Architecture
9601 Winter Rock Trail, #109M
Dallas, Texas 75238
Phone (214) 340-1274
Contact: John McConnell

ENGINEER:
Cross Engineering Consultants, Inc.
131 S. Tennessee St.
McKinney, Texas 75069
Phone (972) 362-4409
Fax (972) 362-4471
Contact: Jonathan Haka, P.E.

OWNER:
K.R. Smith Holdings, LLC
801 Development Drive
Piano, Texas 75074
Phone (872) 278-0505
Contact: Kenneth Smith

NOTE: THIS IS NOT A CONSTRUCTION DOCUMENT.
THIS DOCUMENT IS FOR CONCEPTUAL PLANNING PURPOSES ONLY. CASE NO. SP2015-022 (B) (REV) 72 hours prior to digging.

Issue Date:	Revisions:	Date:
1-05-18-2015	1	
2	2	
3	3	
4	4	
5	5	
6	6	

CROSS ENGINEERING CONSULTANTS
131 S. Tennessee St. McKinney, Texas 75069
972.362.4409
Drawn By: C.E.C.I. Checked By: C.E.C.I. Scale: 1/40

SITE PLAN
CRUSH IT BASEBALL COMPLEX
KR SMITH, HOLDINGS LLC
CITY OF ROCKWALL, TEXAS

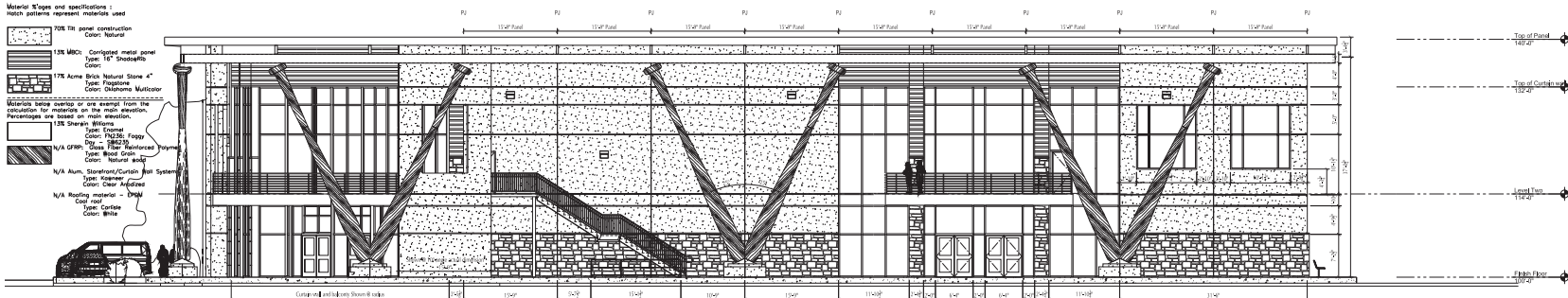
Sheet No:
SP
Project No:
15038



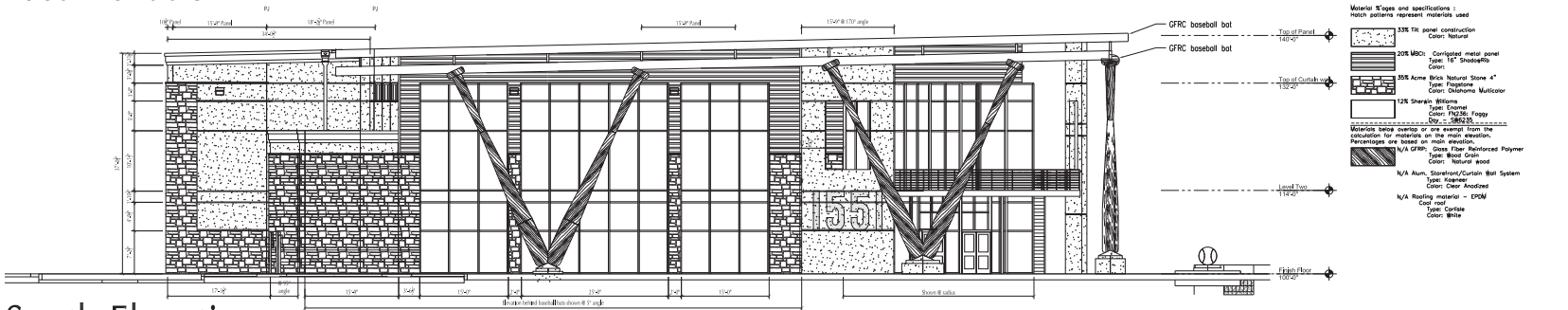
NOTE:

Material types and specifications:
 Hatch patterns represent materials used

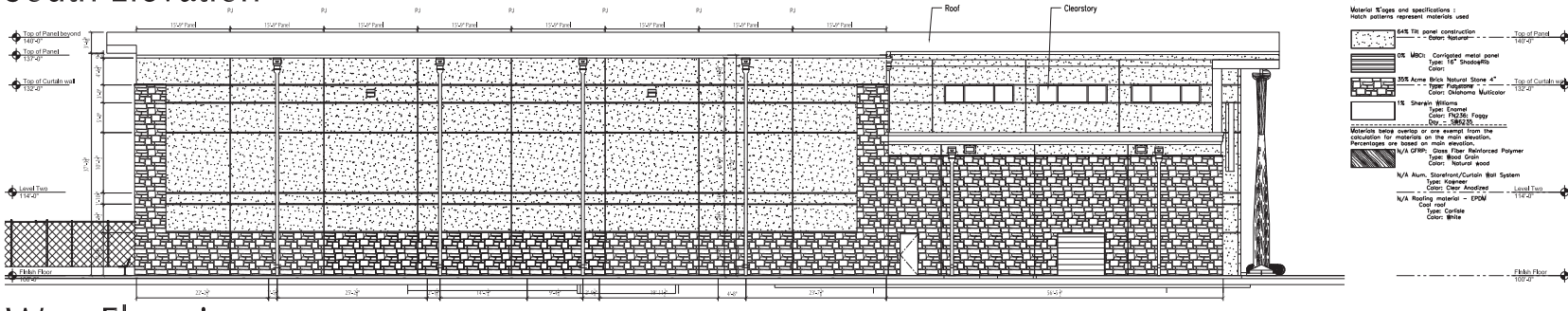
- 3/8" T&I panel construction
 Color: Natural
- 1.3% MCI Corrugated metal panel
 Type: 16" Shoshobito
 Color: Natural
- 1.7% Acme Brick Natural Stone 4"
 Type: Neptone
 Color: Oklahoma Multicolor
- Materials being overlaid or are exempt from the calculation for materials on the main elevation. Percentages are based on main elevation.
- 1.3% Sherwin Williams
 Type: Everest
 Color: Foggy
 SW - 3862.20
- N/A GFRP Glass Fiber Reinforced Polymer
 Type: Wood Grain
 Color: Natural Wood
- N/A Alum. Storefront/Curtain Wall System
 Type: Klear
 Color: Clear Anodized
- N/A Roofing material - EPDM
 Type: Carlsie
 Color: White



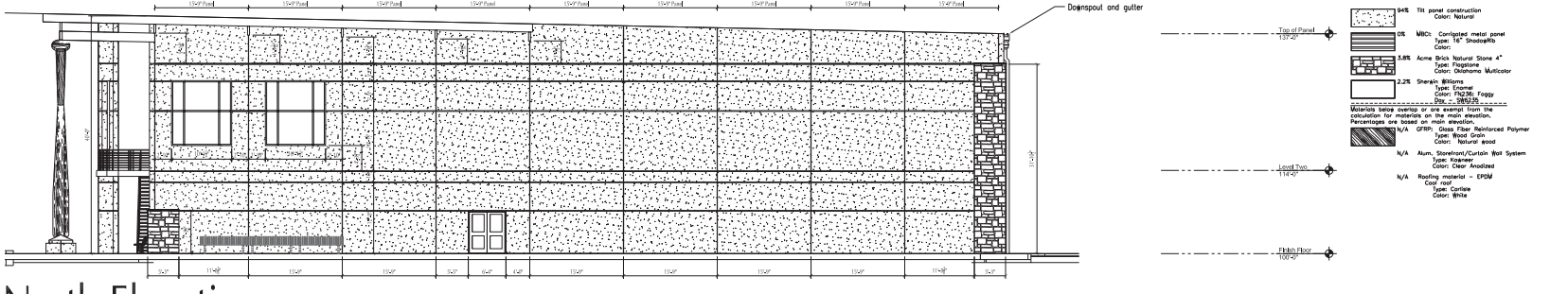
East Elevation



South Elevation



West Elevation



North Elevation

NOTE:

Material types and specifications:
 Hatch patterns represent materials used

- 3/8" T&I panel construction
 Color: Natural
- 2.0% MCI Corrugated metal panel
 Type: 16" Shoshobito
 Color: Natural
- 3.0% Acme Brick Natural Stone 4"
 Type: Neptone
 Color: Oklahoma Multicolor
- 1.2% Sherwin Williams
 Type: Everest
 Color: Foggy
 SW - 3862.20
- Materials being overlaid or are exempt from the calculation for materials on the main elevation. Percentages are based on main elevation.
- N/A GFRP Glass Fiber Reinforced Polymer
 Type: Wood Grain
 Color: Natural Wood
- N/A Alum. Storefront/Curtain Wall System
 Type: Klear
 Color: Clear Anodized
- N/A Roofing material - EPDM
 Type: Carlsie
 Color: White

NOTE:

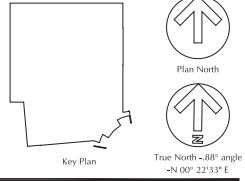
Material types and specifications:
 Hatch patterns represent materials used

- 3/4" T&I panel construction
 Color: Natural
- 0% MCI Corrugated metal panel
 Type: 16" Shoshobito
 Color: Natural
- 3.0% Acme Brick Natural Stone 4"
 Type: Neptone
 Color: Oklahoma Multicolor
- 1% Sherwin Williams
 Type: Everest
 Color: Foggy
 SW - 3862.20
- Materials being overlaid or are exempt from the calculation for materials on the main elevation. Percentages are based on main elevation.
- N/A GFRP Glass Fiber Reinforced Polymer
 Type: Wood Grain
 Color: Natural Wood
- N/A Alum. Storefront/Curtain Wall System
 Type: Klear
 Color: Clear Anodized
- N/A Roofing material - EPDM
 Type: Carlsie
 Color: White

NOTE:

Material types and specifications:
 Hatch patterns represent materials used

- 3/4" T&I panel construction
 Color: Natural
- 0% MCI Corrugated metal panel
 Type: 16" Shoshobito
 Color: Natural
- 3.0% Acme Brick Natural Stone 4"
 Type: Neptone
 Color: Oklahoma Multicolor
- 2.2% Sherwin Williams
 Type: Everest
 Color: Foggy
 SW - 3862.20
- Materials being overlaid or are exempt from the calculation for materials on the main elevation. Percentages are based on main elevation.
- N/A GFRP Glass Fiber Reinforced Polymer
 Type: Wood Grain
 Color: Natural Wood
- N/A Alum. Storefront/Curtain Wall System
 Type: Klear
 Color: Clear Anodized
- N/A Roofing material - EPDM
 Type: Carlsie
 Color: White



Preliminary - Not for Construction

201505 - Rockwall, Tx - CI Sports Indoor Baseball Facility

Kenneth Smith
 601 Development Dr., Ste. 100
 Plano, Texas 75074

Structural Engineer
 RTP Structural, PLLC
 R. Trent Perkins, PE
 3910 Gatewick Drive
 Rockwall, Texas 75087
 214.293.2503

M.E.P. Engineer
 R-Squared Consult. Engrs
 Richard L. Norris, P.E.
 4720 Worchester Lane
 McKinney, Texas 75070
 214.548.5118

Civil
 Cross Engineering
 Consultants, Inc.
 Jonathan Hake
 131 S. Tennessee Street
 McKinney, Texas 75069
 972.562.4409

Landscape
 CDG Landscape Architects
 & Planners
 Gregory Craig
 325 N. St. Paul St. Ste.300
 Dallas, Texas 75201
 972.483.4251

Crush-It Sports
 PARTNERS IN ARCHITECTURE
 www.crushitsports.com
 www.partnersinarchitecture.com
 972.483.4251

File: 201505_A2.01
 Date: 2015.09.05
 Scale:
 Revisions:

Not for regulatory approval, permitting, or construction.

Sheet Name:
 Exterior Elevations

Sheet Number

A2.01



Crush-It Sports

1551 Airport Road
Partners In Architecture

Rockwall, Texas
Dallas, Texas

THIS PAGE INTENTIONALLY LEFT BLANK



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*

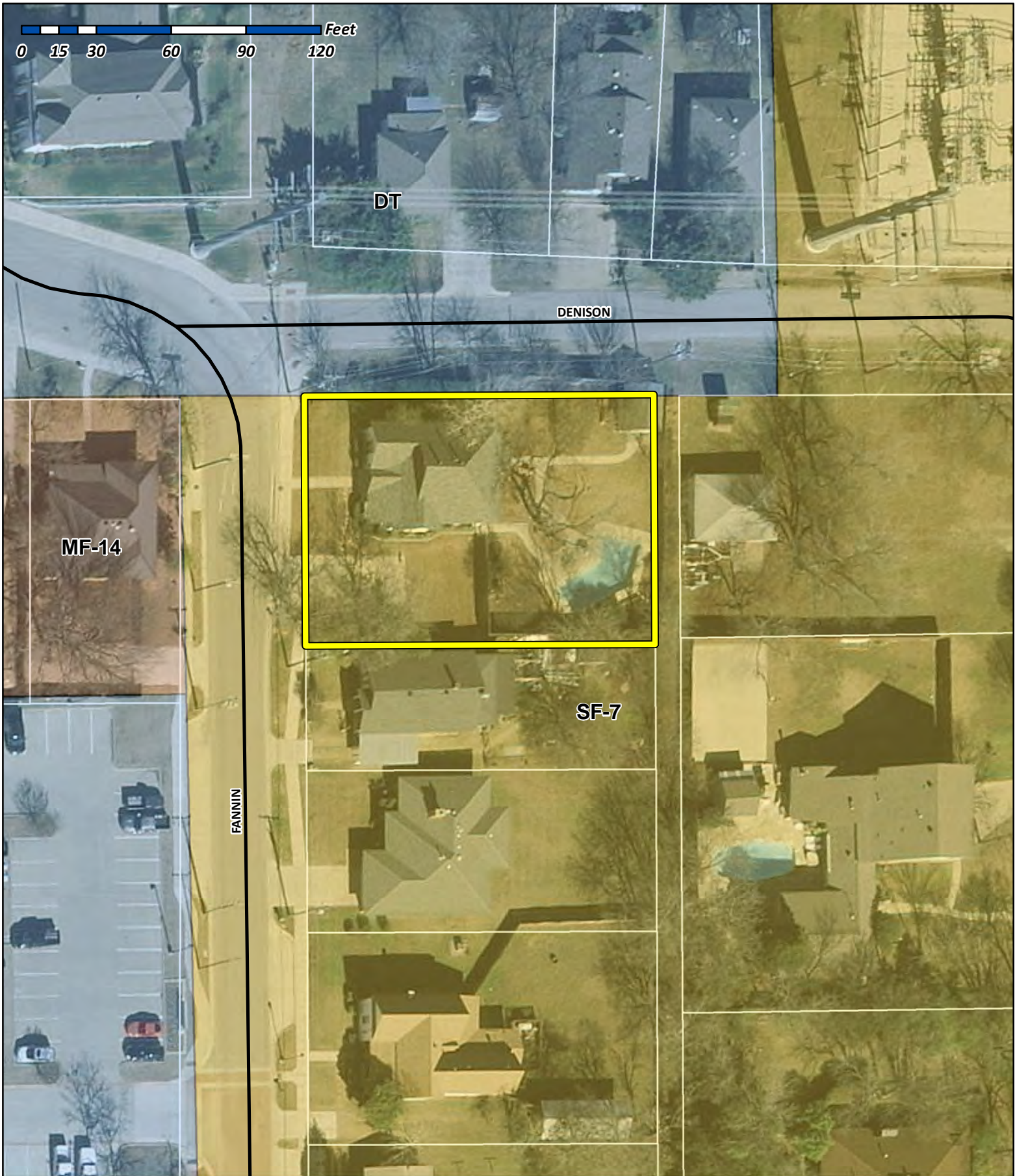
DATE: October 19, 2015

SUBJECT: Structure Preservation Tax Exemption (311 S. Fannin Street)

Ordinance No. 03-28 was drafted in 2003 with the intent of providing an incentive program for redevelopment within the “Old Town” Rockwall (OTR) Historic District, Southside Residential Neighborhood Overlay (SRO) District and designated Landmark properties. In accordance with this ordinance the applicant, Michael M. Caffey, is requesting to have the assessed value for ad valorem taxation “frozen” for a period of seven (7) years on the subject property at 311 S. Fannin Street for the purpose of renovating/rehabilitating the existing single-family home and constructing an addition to the structure. Specifically, the applicant has submitted paper work indicating that an investment of ~\$127,848.73 (*i.e. exterior renovations of ~\$71,774.75 and interior renovations of ~\$56,073.98; plus additional undefined costs*) into the property in order to make the following improvements: 1) renovations to the floors, ceilings, kitchen, bath, electrical and plumbing of the existing single-family home, and 2) construct an ~924 SF addition to the (southern) side of the home (*a complete set of plans has been provided in the attached packet*). On June 18, 2015, the applicant received approval from the Historic Preservation Advisory Board (HPAB) for a Certificate of Appropriateness (COA) [Case No. H2015-005] for the proposed rehabilitation and addition to 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 subject property or its adjacent properties.

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 \$122,940.00 for which the proposed investment represents greater than 100% 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 \$122,940.00 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, an owner’s affidavit, and a tax certificate verifying that all current taxes have been paid. 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.



0 15 30 60 90 120 Feet

DT

DENISON

MF-14

FANNIN

SF-7



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

1.1 PROPERTY OWNER INFORMATION [PLEASE PRINT]

OWNER(S) NAME Michael M. Caffrey
ADDRESS 311 S. Fannin
Rockwall, TX 75087
PHONE 214-802-2361
E-MAIL ADDRESS mcaffrey@worksafe-trainers.com

1.2 ADDRESS OF PROPERTY BEING CONSIDERED [PLEASE PRINT]

ADDRESS 311 S. Fannin
Rockwall, TX 75087

1.3 HISTORIC DISTRICT

- [X] OLD TOWN ROCKWALL HISTORIC DISTRICT
[] SOUTH SIDE OVERLAY DISTRICT
[] DESIGNATED LANDMARKED PROPERTY

1.4 STATEMENT OF COST

TOTAL COST FOR THE RESTORATION OR REHABILITATION WORK \$ 110,000.00
NOTE: DOCUMENTATION OF COST SHALL BE SUBMITTED WITH THE SWORN COMPLETION.

1.5 SUBMITTAL CRITERIA CHECKLIST

- [X] 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.

1.6 STATEMENT OF TIME FOR THE RESTORATION OR REHABILITATION

CONSTRUCTION WILL BEGIN ON 11-15-15
CONSTRUCTION WILL BE COMPLETED ON (ESTIMATED) 6-15-16

1.7 SCOPE OF WORK

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.

See attached letter,

1.8 OWNER'S ACKNOWLEDGEMENTS [INITIAL AND SIGN BELOW]

HL 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.

HL 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 [Signature]

DATE 9-23-15

October 1, 2015

Structure Preservation Tax Exemption
Planning and Zoning Department
City of Rockwall, TX
385 S. Goliad
Rockwall, TX 75087

To Whom It May Concern:

I, Michael M. Caffey, are respectfully requesting consideration for structure preservation tax exemption for my property at 311 S. Fannin, Rockwall, TX 75087, Block C, Lot 9 and 10 of the Eppstein Addition. The house in question is considered a high contributing property within the historic district of the City of Rockwall. In order to preserve the integrity of the house and its history, it needs a significant financial commitment to renovation including, floors, ceiling, kitchen, bath, plumbing and electrical. The existing house will undergo upgrades and renovation consistent with the age of the house. We also plan to add an additional 914 square feet as well. The house appearance will be consistent as the addition will not take away from it's appearance. The plan has been approved for construction by the historical advisory board of the city. The project will cost at least \$100,000, and most likely more.

We are ready to break ground upon approval of our tax exempt request. The completion date should be 3-6 months from the beginning of the remodel. Thus, I expect a completion date no later than June 15, 2016. We will be informing the City of Rockwall upon completion and will turn in a signed completion affidavit.

Upon completion of the project, we will be using this property as our primary residence with no intent of selling or moving.

Thank you for your consideration. Feel free to contact me directly if you have any questions or would like more information.

Sincerely,



Michael M. Caffey
311 S. Fannin, Rockwall TX 75087
214-802-2361

Page 2 of Letter to :

Structure Preservation Tax Exemption

Planning & Zoning Department

State of Texas

County of Rockwall

Before me, Cindy A. Kindred, on this day personally appeared Michael M. Caffey, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 9th day of October, 2015.



Cindy Ann Kindred

Notary Public's Signature

SPECIAL WARRANTY DEED

DATE: June 1st, 2004

GRANTOR: Regina Kay Caffey

GRANTOR'S MAILING ADDRESS (INCLUDING COUNTY): 1124 Signal Ridge Place,
Rockwall, Rockwall County, Texas 75032

GRANTEE: Michael Mapes Caffey

GRANTEE'S MAILING ADDRESS (INCLUDING COUNTY): 311 S. Fannin, Rockwall,
Rockwall County, Texas 75087

CONSIDERATION:

The division of property and confirmation of separate property in Cause No.1-04-237, styled "In the Matter of the Marriage of Michael Mapes Caffey, Petitioner, and Regina Kay Caffey, Respondent ," entered in the 382nd Judicial District Court of Rockwall County, Texas, and ten dollars and other valuable consideration paid by Grantee. Grantor assigns to Grantee the casualty insurance policy on the property, all utility deposits for utility service at the property, and all funds held in escrow for payment of taxes and insurance premiums.

PROPERTY (INCLUDING ANY IMPROVEMENTS):

The Property located at 311 S. Fannin, Rockwall County, Rockwall, Texas 75087, known more formally as:

BEING LOT 9, AND LOT 10, BLOCK C, OF EPPSTEIN ADDITION, AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME L, PAGE 386, DEED RECORDS OF ROCKWALL COUNTY, TEXAS.

RESERVATION FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

This deed is subject to all easements, restrictions, conditions, covenants, and other instruments of record.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee all of Grantor's interest in the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors,

00305421

administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, when the claim is by, through, or under Grantor but not otherwise.

When the context requires, singular nouns and pronouns include the plural.

Grantee assumes all ad valorem taxes due on the property for the current year.

Regina Caffey
Regina K. Caffey

This instrument was prepared based on information furnished by the parties, and no independent title search has been made.

STATE OF TEXAS §
COUNTY OF ROCKWALL §

This instrument was acknowledged before me on this 4th day of June, 2004 by Regina K. Caffey.



Suzette Hartberg
Notary Public, State of Texas

Please Return After Filing to:

Michael Mapes Caffey
311 S. Fannin
Rockwall, Texas 75087

Filed for Record in:
Rockwall County

On: Jun 04, 2004 at 10:13A

As a
Recording

Document Number: 00205421

Amount: 18.00

Receipt Number - 118127

By:
PEBBY

STATE OF TEXAS COUNTY OF ROCKWALL

I hereby certify that this instrument was
filed on the date and time stamped hereon by me
and was duly recorded in the volume and page
of the public records of:
Rockwall County
as stamped hereon by me.

Jun 04, 2004

Honorable Paulene Burks, County Clerk
Rockwall County

This document has been received by this Office for
Recording into the Official Public Records. We do
hereby swear that we do not discriminate due to
Race, Color, Sex or National Origin.

Issued By:
ROCKWALL CENTRAL APPRAISAL DISTRICT
841 JUSTIN RD
ROCKWALL, TX 75087

Property Information
Property ID: 16297 Geo ID: 3600-000C-0009-00-0R
Legal Acres: 0.0000
Legal Desc: EPPSTEIN, BLOCK C, LOT 9,10
Situs: 311 S FANNIN ST
DBA:
Exemptions: HS

Owner ID: 87739 100.00%
CAFFEY MICHAEL M
311 S FANNIN ST
ROCKWALL, TX 75087-3745

For Entities **Value Information**
CITY OF ROCKWALL Improvement HS: 97,940
ROCKWALL COUNTY Improvement NHS: 0
ROCKWALL ISD Land HS: 25,000
Land NHS: 0
Productivity Market: 0
Productivity Use: 0
Assessed Value 122,940

Current/Delinquent Taxes

This is to certify that, after a careful check of the tax records of this office, the following delinquent taxes, penalties, interest and any known costs and expenses as provided by Tax Code §33.48, are due on the described property for the following taxing unit(s):

Year	Entity	Taxable	Tax Due	Disc./P&I	Attorney Fee	Total Due
2015	ROCKWALL ISD	97,940	1,410.34	0.00	0.00	1,410.34
2015	ROCKWALL COUNTY	122,940	486.72	0.00	0.00	486.72
2015	CITY OF ROCKWALL	122,940	596.63	0.00	0.00	596.63
Totals:			2,493.69	0.00	0.00	2,493.69

Effective Date: 10/09/2015

Total Due if paid by: 10/31/2015 2,493.69

Tax Certificate Issued for: **Taxes Paid in 2015**
CITY OF ROCKWALL 0.00
ROCKWALL COUNTY 0.00
ROCKWALL ISD 0.00

If applicable, the above-described property has/is receiving special appraisal based on its use, and additional rollback taxes may become due based on the provisions of the special appraisal (Comptroller Rule 9.3040) or property omitted from the appraisal roll as described under Tax Code Section 25.21 is not included in this certificate [Tax Code Section 31.08(b)].

Pursuant to Tax Code Section 31.08, if a person transfers property accompanied by a tax certificate that erroneously indicates that no delinquent taxes, penalties or interest are due a taxing unit on the property or that fails to include property because of its omission from an appraisal roll, the unit's tax lien on the property is extinguished and the purchaser of the property is absolved of liability to the unit for delinquent taxes, penalties or interest on the property or for taxes based on omitted property. The person who was liable for the tax for the year the tax was imposed or the property was omitted remains personally liable for the tax and for any penalties or interest.

A tax certificate issued through fraud or collusion is void.

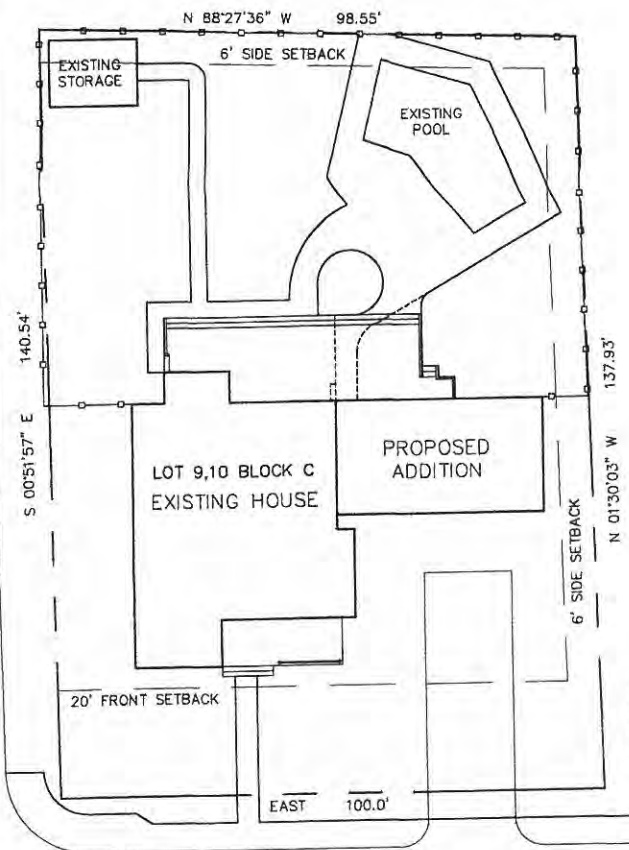
This certificate does not clear abuse of granted exemptions as defined in Section 11.43 Paragraph(1) of the Texas Property Tax Code.

May Be Subject to Court Costs if Suit is Pending


Signature of Authorized Officer of Collecting Office

Date of Issue: 10/09/2015
Requested By: CAFFEY MICHAEL
Fee Amount: 10.00
Reference #:

DENISON ROAD

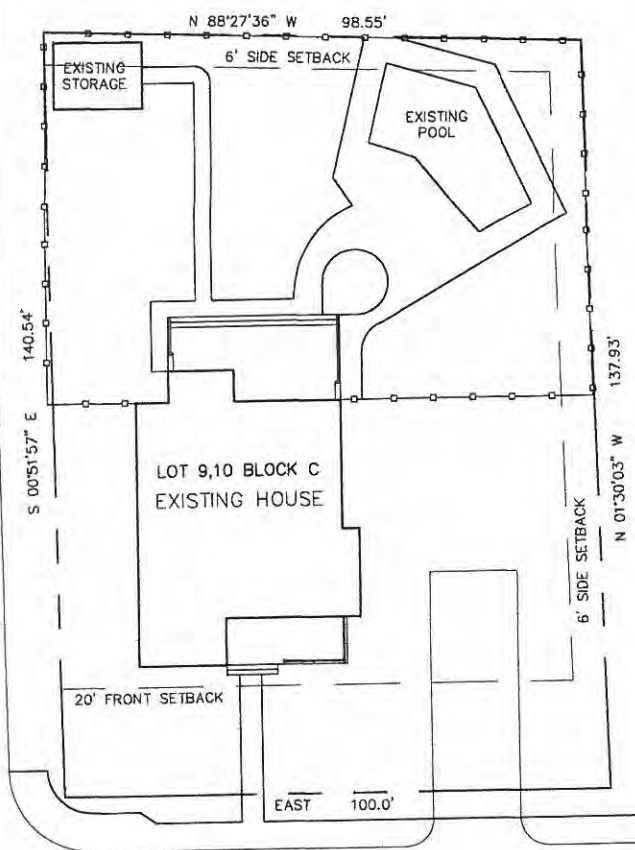


311 S. FANNIN STREET

PROPOSED SITE PLAN

NOTE:
THERE SHALL BE POSITIVE DRAINAGE AWAY FROM THE FOUNDATION WITH A MINIMUM OF 6 INCHES OF FALL WITHIN THE FIRST 10 FEET.

DENISON ROAD



311 S. FANNIN STREET

EXISTING SITE PLAN

CONTRACTOR TO VERIFY PLANS AND TO VISIT SITE AND NOTIFY MERSHAWN ARCHITECTS OF ANY DISCREPANCIES BEFORE CONSTRUCTION.

MERSHAWN ARCHITECTS
RESIDENTIAL RESTAURANTS
INSTITUTIONAL
ARCHITECTS

MERSHAWN ARCHITECTS
MEDICAL COMMERCIAL
CHURCHES
2013 West 100th Ave
Fountain Valley, CA 92708
TEL: 714-944-2000
FAX: 714-944-2001

	By _____
	Architect _____
	Date _____

SITE PLANS

CAFFEY ADDITION
311 S FANNIN ROCKWALL, TX

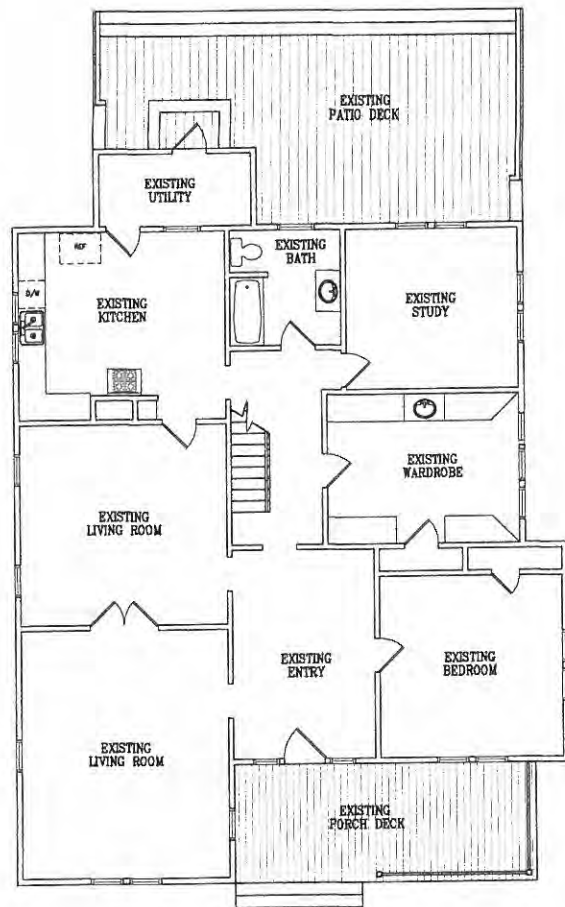
Scale:	1" = 20'-0"
Date:	06/02/15
Project No.:	120023
Designed by:	
Drawn by:	
Checked by:	

SHEET
A1

of

© COPYRIGHT 2015 MERSHAWN ARCHITECTS, INC.
NO PRINTING OR COPYING IS ALLOWED
WITHOUT PERMISSION FROM MERSHAWN

CONTRACTOR TO VERIFY PLANS AND TO VISIT SITE AND NOTIFY MERSHAWN ARCHITECTS OF ANY DISCREPANCIES BEFORE CONSTRUCTION.



RESIDENTIAL RESTAURANTS
 INSTITUTIONAL
MERSHAWN ARCHITECTS
 10000 W. ROCKWALL ROAD
 ROCKWALL, TEXAS 75087
 PHONE: 972-942-2001
 FAX: 972-942-2005

By	
Reviewed	
App. Date	

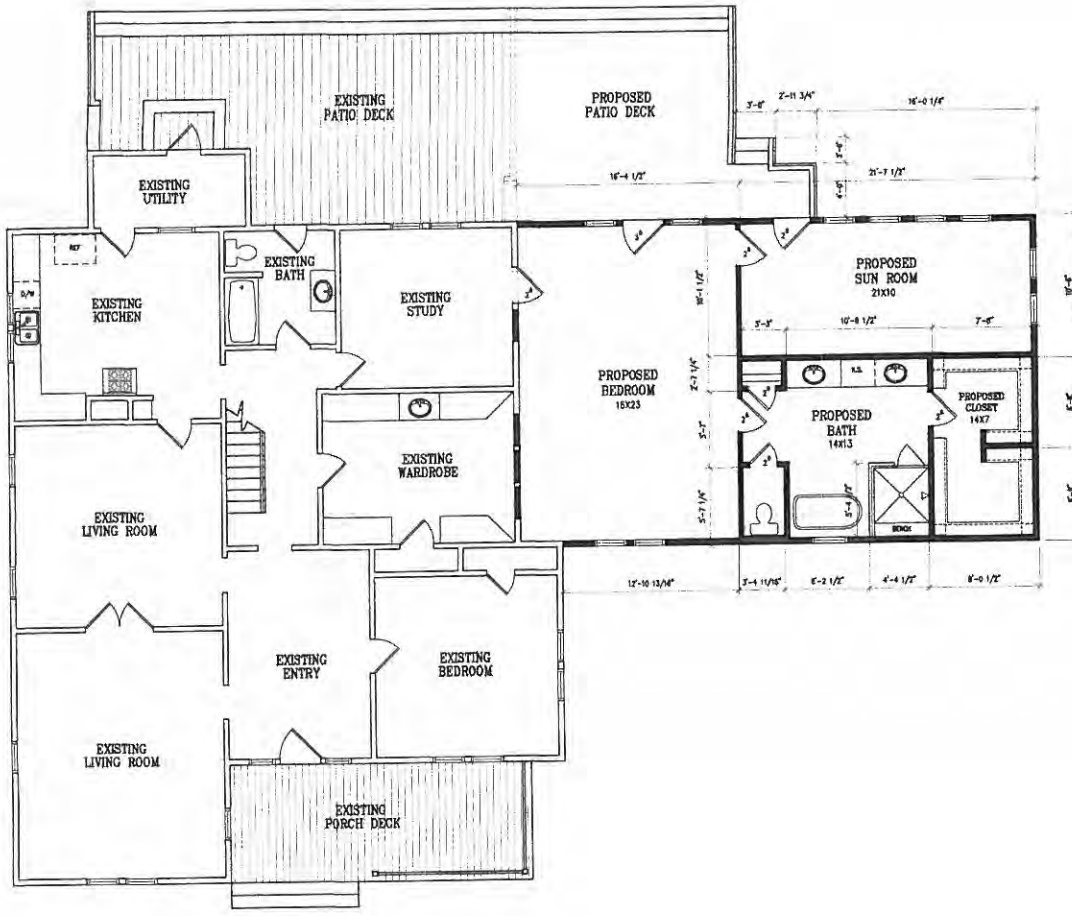
CAFFEY ADDITION
 311 S FANNIN ROCKWALL, TX

EXISTING FLOOR PLAN

Scale	1/4" = 1'-0"
Date	06/05/11
Project No.	10093
Client	FF
Drawn	FF
Checked	FF
SHEET	A2

© COPYRIGHT 2015 MERSHAWN ARCHITECTS, INC.
 NO PRINTING OR COPYING IS ALLOWED
 WITHOUT PERMISSION FROM MERSHAWN.

CONTRACTOR TO VERIFY PLANS AND TO VERIFY SITE AND NOTIFY MERSHAW ARCHITECTS OF ANY DISCREPANCIES BEFORE CONSTRUCTION.



SQUARE FOOTAGE

EXISTING 1ST FLR	1742
PROPOSED ADDITION	914
TOTAL 1ST FLR	2656
DECK ADDITION	249
EXISTING PORCH	192
TOTAL UNDER ROOF	2848

LEGEND

	EXISTING TO REMAIN
	EXISTING TO BE REMOVED
	PROPOSED

© COPYRIGHT 2015 MERSHAW ARCHITECTS, INC.
NO PRINTING OR COPYING IS ALLOWED
WITHOUT PERMISSION FROM MERSHAW.

RESIDENTIAL RESTAURANTS
INSTITUTIONAL
ARCHITECTS

MEDICAL COMMERCIAL
CHURCHES

MERSHAW ARCHITECTS

2323 ROCK ROAD #103
ROCKWALL, TEXAS 75087

PHONE: 972-772-8322
FAX: 972-748-2088

No.	Date	Revision	By

CARREY ADDITION
3111 S FANNIN, ROCKWALL, TX

PROPOSED FLOOR PLAN

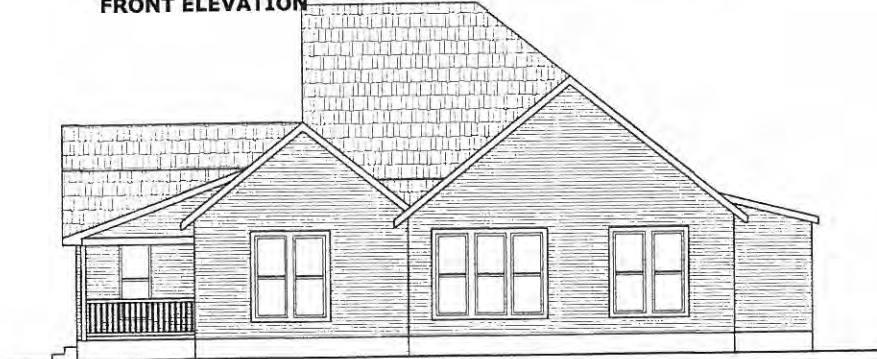
Scale	1/4" = 1'-0"
Date	06/02/17
Project No.	150203
Design	jr
Drawn	at
Checked	wt

SHEET
A3 OF

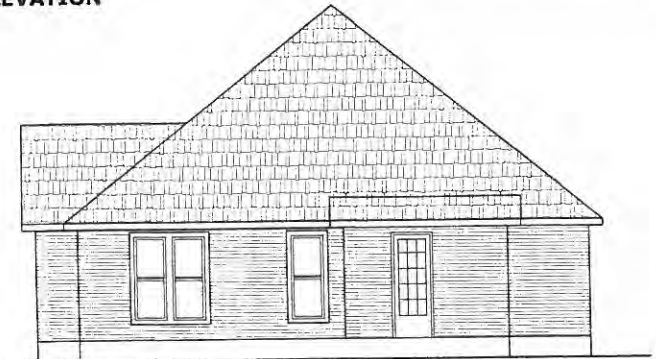
CONTRACTOR TO VERIFY PLANS AND TO MEET SITE AND NOTIFY MERSHAW ARCHITECTS OF ANY DISCREPANCIES BEFORE CONSTRUCTION.



FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION

© COPYRIGHT 2015 MERSHAW ARCHITECTS, INC.
NO PRINTING OR COPYING IS ALLOWED
WITHOUT PERMISSION FROM MERSHAW

RESIDENTIAL RESTAURANTS
INSTITUTIONAL
MERSHAW ARCHITECTS
203 BRICK VILLAGE PLACE
ROCKWALL, TEXAS 75087
PHONE: 972-262-9322
FAX: 972-262-2887

By	
Reviewed	
Scale	
Date	

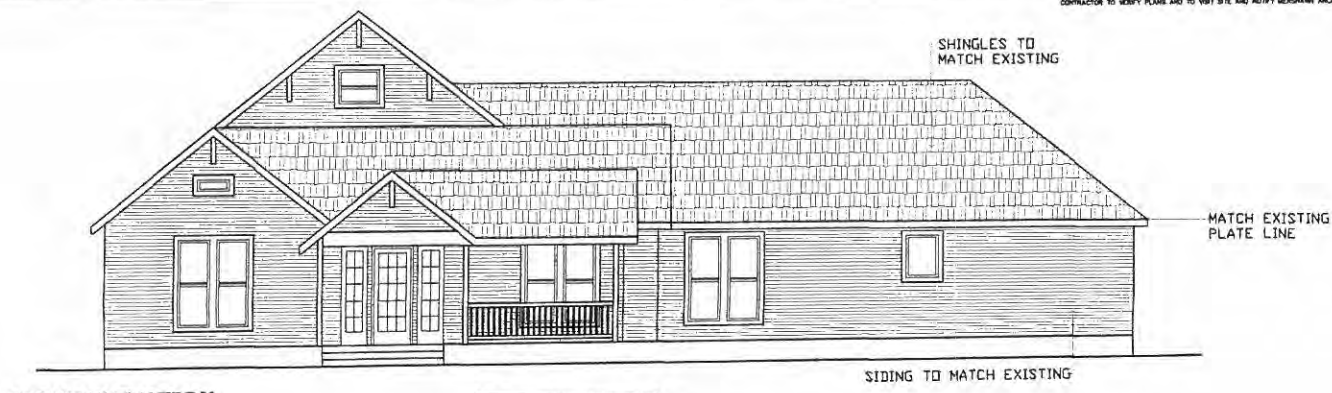
Scale	
Date	

CAFFEY ADDITION
311 S FANNIN ROCKWALL, TX
EXISTING ELEVATIONS

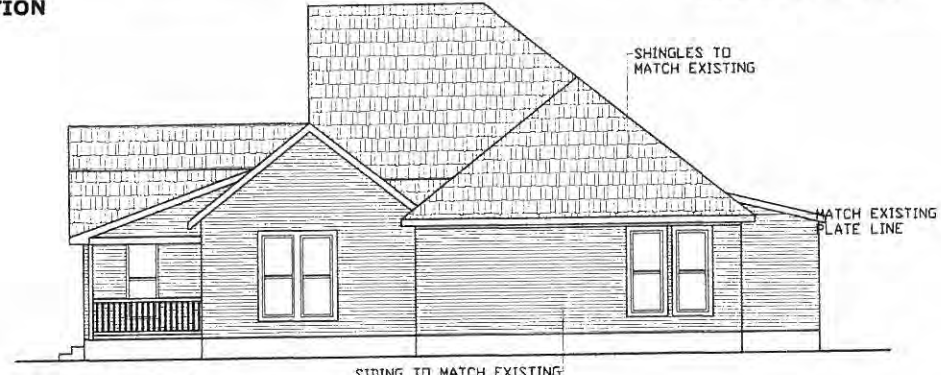
Scale	1/4" = 1'-0"
Date	06/05/21
Project No.	10003
Design	1
Check	1

SHEET
A4

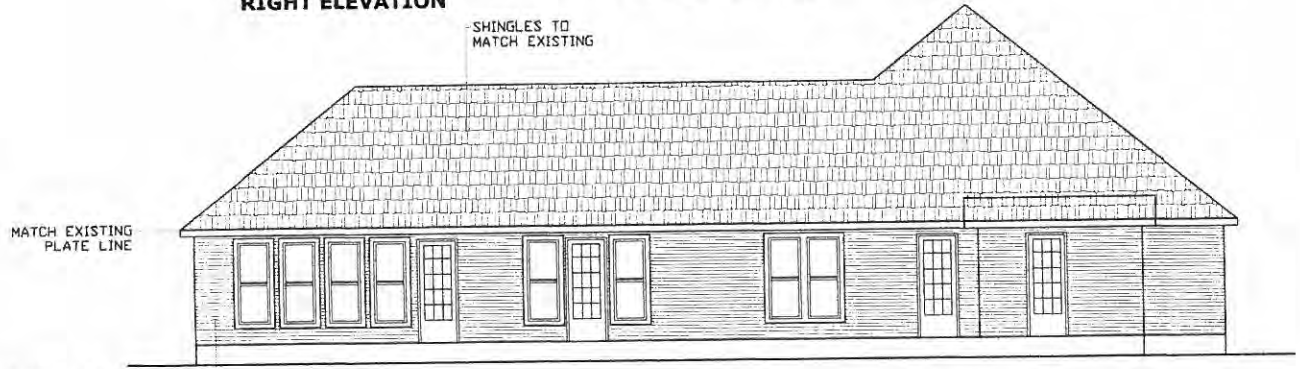
CONTRACTOR TO VERIFY PLANS AND TO VISIT SITE AND NOTIFY MERSHAWN ARCHITECTS OF ANY DISCREPANCIES BEFORE CONSTRUCTION.



FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION

PRICING & CONSTRUCTION

- GENERAL NOTES:**
1. THESE ELEVATIONS ARE DIAGRAMMATIC IN NATURE AND ARE NOT INTENDED TO INDICATE EXACT AND EVERY FITTING, OFFSET, OR OTHER APPEARANCE NECESSARY TO COMPLETE THE SYSTEM.
 2. IT IS THE CONTRACTOR'S RESPONSIBILITY TO REVIEW THE DOCUMENTS AND INCLUDE ALL NECESSARY ITEMS TO PROVIDE A COMPLETE OPERATIONAL SYSTEM.
 3. ANY DISCREPANCIES NOTED BY THE CONTRACTOR SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT IN WRITING BEFORE BEGINS THE PROJECT.
 4. AFTER BIDS ARE TURNED IN, THE CONTRACTOR SHALL COMPLETE THE SYSTEMS AT NO ADDITIONAL COST.

© COPYRIGHT 2018 MERSHAWN ARCHITECTS, INC.
NO PRINTING OR COPYING IS ALLOWED WITHOUT PERMISSION FROM MERSHAWN.

RESIDENTIAL RESTAURANTS
INSTITUTIONAL
ARCHITECTS

MEDICAL COMMERCIAL
CHURCHES

MERSHAWN ARCHITECTS

3243 WOOD ROAD #103
HOUSTON, TEXAS 77057

PHONE: 832-772-8282
FAX: 832-948-0881

By	
Reviewed	
Drawn	
Checked	
No.	
Date	

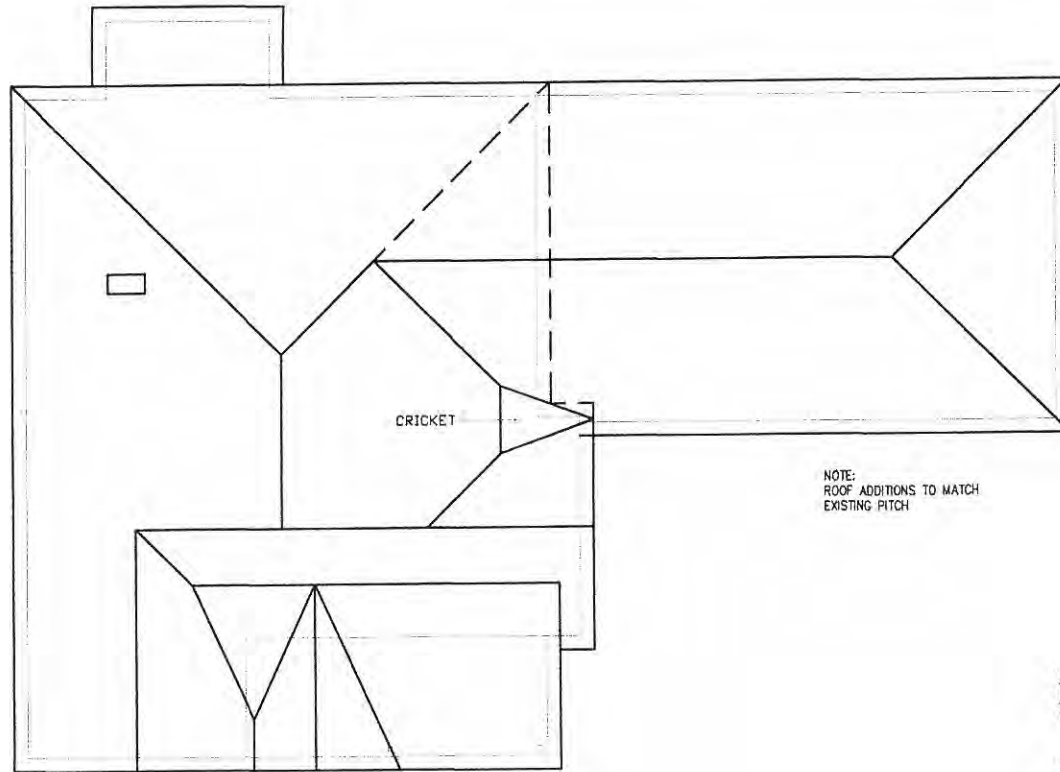
Scale	1/4" = 1'-0"
Date	06/02/21
Project No.	180083
Design	sp
Drawn	ss
Checked	ss

CAFFEY ADDITION
311 S FANNIN, ROCKWALL, TX

PROPOSED ELEVATIONS

SHEET	A5	of
-------	----	----

CONTRACTOR TO VERIFY PLANS AND TO VISIT SITE AND NOTIFY MERSHAWN ARCHITECTS OF ANY DISCREPANCIES BEFORE CONSTRUCTION.



NOTE:
ROOF ADDITIONS TO MATCH
EXISTING PITCH

PRICING & CONSTRUCTION
GENERAL NOTES:

1. THESE DRAWINGS ARE DIAGNOSTIC IN NATURE AND ARE NOT INTENDED TO INDICATE EXACT AND EXACT FITTING, OFFSETS OR OTHER REQUIREMENTS NECESSARY TO COMPLETE THE SYSTEM.
2. IT IS THE CONTRACTOR'S RESPONSIBILITY TO REVIEW THE DOCUMENTS AND INCLUDE ALL NECESSARY ITEMS TO PROVIDE A COMPLETE OPERATIONAL SYSTEM.
3. ANY DISCREPANCIES NOTED BY THE CONTRACTOR SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT OR METHOD BEFORE BEGINS THIS PROJECT.
4. AFTER BIDS ARE TURNED IN, THE CONTRACTOR SHALL COMPLETE THE SYSTEM AT NO ADDITIONAL COST.

© COPYRIGHT 2015 MERSHAWN ARCHITECTS, INC.
NO PRINTING OR COPYING IS ALLOWED
WITHOUT PERMISSION FROM MERSHAWN.

RESIDENTIAL RESTAURANTS
 INSTITUTIONAL
 MEDICAL COMMERCIAL
 CHURCHES
MERSHAWN ARCHITECTS
 ARCHITECTS
 1000 W. 10TH ST. SUITE 200
 ROCKWALL, TEXAS 75087
 TEL: 972-249-2000
 FAX: 972-249-2000

No.	Date	Revision	By

CAFFEY ADDITION
 311 S FANNIN ROCKWALL, TX

PROPOSED ROOF PLAN

Scale	1/4" = 1'-0"
Date	06/02/17
Project No.	150503
Designed by	
Drawn by	
Checked by	

SHEET
A7

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."

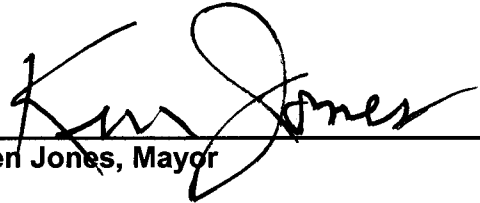
Section 2. That any person who violates any provision of this ordinance shall, upon conviction, be subject to a fine in accordance with the general provisions of the Code of Ordinances, and that each day in violation shall constitute a separate offence.

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.

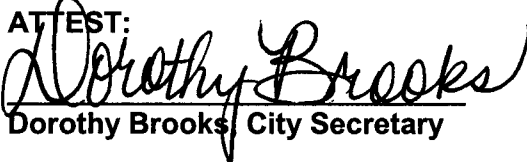
Section 4. That all ordinances or part of ordinances in conflict herewith are repealed to the extent of the conflict only.

Section 5. This ordinance shall become effective from and after its adoption, and it is so ordained.

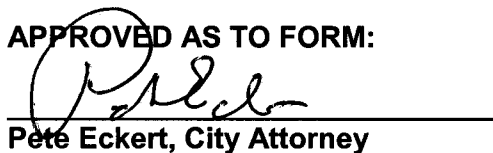
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 2nd day of September, 2003.



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

THIS PAGE INTENTIONALLY LEFT BLANK



City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley – City Manager
FROM: Brad Griggs – Assistant City Manager
DATE: October 14, 2015
SUBJECT: Proposed Recommendation to P & Z regarding PD-75

Councilmember White has submitted an agenda item regarding a potential amendment to PD-75 concerning the “Consideration of Special Request” allowed by the ordinance for properties within the Lake Rockwall Estates subdivision. When the Lake Rockwall Estates area was annexed, a Planned Development district was created after considerable public input. The PD language is based on Single Family detached zoning as SF-7. The public input records clearly demonstrate that the residents had very little, if any interest in any form of MF zoning, single family attached or similar land uses.

When the PD ordinance was passed, there was a section in the zoning that reads as follows:

C. Consideration of Special Request

The City Council may consider special requests in the Lake Rockwall Planned Development District in Areas 1 and 2. Such requests may include, but not necessarily be limited to, the use of building materials not otherwise allowed, authorization of specific land uses not otherwise allowed, or other requests submitted for consideration.

Upon receipt of such special requests, the Planning and Zoning Commission shall review the same and forward its recommendation to the City Council for consideration. The City Council may approve special requests and any such approval shall preempt any other underlying zoning restrictions in the Zoning Ordinance. Such special requests may be denied by the City Council by passage of a motion to deny.

Councilmember White desires to remove the section so that no other land uses can be permitted other than what was intended with the underlying zoning, which is SF-7. If the recommendation is approved by the City Council, staff will prepare an ordinance and forward the recommendation to the Planning and Zoning Commission for public input and a recommendation back to the City Council. The Council would then conduct a public hearing and vote on the proposed changes.

History of LRE Zoning.

Prior to annexation the city of Rockwall formed an Annexation Task Force to address many issues that city would be challenged with once LRE was integrated into city. It was comprised of about 50 people from around the community. The group was divided into various subcommittees, one of which was one to address future zoning.

I along with another resident (James Merkel) served on the zoning subcommittee with about 10 others. The majority of the committee kept pushing for the inclusion of multifamily housing (duplex, triplex, and quadplex). Jim Merkel and I, along with one other member opposed multifamily being considered. Renters and slumlords have not had a good reputation as good neighbors and good stewards. Despite objections, the subcommittee and task force recommended that multifamily be an allowed use.

The city did a series of "town halls" to address annexation concerns. During these meetings, residents objected to multifamily being an allowed use. No resident ever spoke in favor. These meetings attracted 50+ each time.

During a work session on 7-28-09 at Planning and Zoning, The Director of Planning and zoning echoed the concerns of residents and stated residents only wanted single family homes. One commissioner stated support for multifamily.

At the Public Hearing on 8-11-09 the Planning Director noted the opposition by residents to anything other than single family detached. Staff kept multifamily in proposed zoning because the council subcommittee (absent public input) and task force recommended it.

During public comment, citizens spoke in opposition to any multifamily housing.

After discussion among commissioners, the ordinance was approved 7-0 with the provision to "Remove all other housing types" other than single family detached.

On 9-9-2009, City Council held final public hearing. The Director of Planning explained the process and feedback of the zoning, but still staff recommended allowing multifamily housing "with approval of a Specific Use Permit (SUP)". Again, multiple residents again spoke in opposition to multifamily.

During discussion it was stated by council that "multifamily zoning is not wanted in LRE." The motion to approve with "all staff and P&Z recommendations and with no multifamily components to zoning" passed 7-0. ***A provision to grant council authority to grant any type of land use without public input was never openly discussed.***

The adopted ordinance was either intentionally or erroneously passed with a loophole allowing for multifamily housing. At best, staff recommendation requiring an SUP (and public hearing) was left out of ordinance. In the interest of open, transparent and ethical government, the ordinance should be changed to reflect the will of the people who live there with the expectation of maintaining LRE as a single family detached housing neighborhood.

David White, Councilman Place 1

2 **Discuss and consider a request by Heritage Christian Academy for approval of a Specific Use**
4 **Permit (SUP) to allow for "Private School Temporary Education Buildings" within the (MF-14)**
6 **Multi-Family Residential district on Lot 1, Block A, Heritage Christian Academy Addition, being**
8 **6.64-acres and located at 1408 South Goliad.**

10 Hampton gave a brief outline of the request, and explained the previous Conditional Use Permits
12 that were approved for the property for the existing temporary portable buildings. The applicant
14 was not present at the work session, and the Commission directed staff to communicate to the
16 school that they would like information about their school's long-range plans. Hampton stated he
18 would contact the applicant and let them know to be prepared to address the Commission's
20 questions at the August 11th public hearing.

22 5. **P2009-015**

24 **Discuss and consider a request by Austin J. Bedford of AJ Bedford Group, Inc., for approval**
26 **of a replat of Lots 5 and 6, Block 1, Rockwall Centre Corners Addition, being 3.734-acres**
28 **zoned (C) Commercial district and situated at the southeast corner of SH 205 and IH-30.**

30 Spencer briefly discussed that staff had forwarded comments to the applicant, primarily relating to
32 technical corrections to the plat. The Commission has approved a site plan for this site earlier this
34 year.

36 6. **P2009-016**

38 **Discuss and consider a request by Adam Crump of Douphrate & Associates, Inc., for approval**
40 **of a replat of Lot 1, Block A, Quail Run Retail Addition, being 11.2825-acres zoned (PD-5)**
42 **Planned Development No. 5 district and situated along the east side of SH 205 (North Goliad),**
44 **south of Quail Run Road and north of Memorial Drive.**

46 Spencer briefly discussed that staff had forwarded comments to the applicant, and also discussed
48 the facilities agreement that will be required for the detention structures and tree mitigation
50 requirements affiliated with the project. The Commission approved a site plan for a 10,000-sf
52 medical facility on this property earlier this year.

54 7. **P2009-017**

56 **Discuss and consider a request by Todd Winters of Engineering Concepts & Design for**
58 **approval of a replat of Lots 4 and 5, Block A, Presbyterian Hospital of Rockwall Addition,**
60 **being 2.253-acres zoned (PD-9) Planned Development No. 9 District and situated along the**
62 **southwest side of FM 3097 (Horizon Road) north of Tubbs Road.**

64 Gonzales briefly outlined the replat request and discussed the needed revisions that the applicant
66 will be making before the next meeting on August 11th.

68 8. **Z2009-008**

70 **Discuss and consider a City-initiated request for a change in zoning from (Ag) Agricultural**
72 **district to (PD) Planned Development district on approximately 329.53-acres known as "Lake**
74 **Rockwall Estates," located along the south side of Tubbs Road, east side of Horizon Road (FM**
76 **3097), and north side of County Line Road.**

78 LaCroix gave the background of the subcommittee meetings and the public meetings that have
80 taken place regarding the rezoning of Lake Rockwall Estates. He stated that one of the biggest
82 issues for the residents is their water bill through Aqua Source. LaCroix further stated that multi-
84 family housing is a big concern for the residents. He stated that the impact on density and
86 parking that multi-family housing would bring is a concern to the residents. LaCroix stated that
88 the residents would like only to see single-family housing allowed.

90 LaCroix discussed the lot size that would be needed for multi-family housing. He stated the way
92 it is now, density is an issue because there are multiple structures or homes on single lots.

2 LaCroix further stated that with the way the city zoning is now it may create less density with
4 multi-family homes due to the requirement of the lot size.

6 LaCroix listed the zoning requirements in Lake Rockwall Estates for the new Planning and Zoning
8 Commission members that were present. He described, using a map, where Areas I, II and III
10 are located. LaCroix discussed Phase II and the proposal from the subcommittee and staff for
12 the proposed requirements or multi-family homes. LaCroix stated Area I is proposed to be single-
14 family zoning. LaCroix further explained that Area III is floodplain and cannot be built in.

16 LaCroix stated that Area II is predominantly mobile homes or manufactured homes. LaCroix
18 discussed a previous case that came in requesting the replacement of a manufactured home. He
20 discussed the special exception that the applicant was allowed to request to the masonry
22 requirements and other standards that went along with that case. LaCroix discussed in detail the
24 requirements for replacing a manufactured home. LaCroix discussed the front yard fence
26 requirements.

28 Bricker inquired about a traffic-impact study. LaCroix stated that it is not warranted and it would
30 not be informative for the area. There was discussion regarding cementitious siding versus vinyl
32 siding. There was discussion regarding a garage requirement on multi-family homes. Bricker
34 stated that he is in favor of the multi-family units because he feels that it would be an upgrade to
36 the community. LaCroix stated that anything larger than a duplex would require fire protection to
38 be installed.

40 There was discussion regarding the floodplain and commercial zoning. Hunter clarified that there
42 is commercial use in the area now. LaCroix stated that that came in prior to the annexation into
44 the city and that they will become nonconforming uses. Hunter inquired whether there could be
46 manufactured housing duplexes. LaCroix stated if they meet the requirements they can. There
48 was further discussion regarding the zoning for duplexes and triplexes with manufactured
50 buildings. There was discussion regarding the population in Area I, Area II and Area III.

52 Milner commented on the water situation with Aqua Source and inquired how long it will take for
54 the city to take over the water service. LaCroix stated that that is a negotiation situation. He
56 stated that it could take years to resolve. Milner stated if a developer comes in, the city needs to
hold them to a standard and make sure that they build to a standard that Rockwall requires. He
encouraged the board to hold the developer to a certain standard and to do it right.

58 Hunter inquired whether there is a maximum size house that can be built. LaCroix stated the
60 house size can take up to 45% of the lot size. Hunter inquired whether a two-story manufactured
62 home is okay. LaCroix stated if it met the height requirements, yes. There was discussion on the
64 fence requirement. LaCroix stated if there is a repair made to a fence, it can be repaired with the
66 same material. He further stated if they replace the fence, it has to meet the fence standard for
68 the city. LaCroix discussed the other standards and other exceptions for front yard fences.

70 There was discussion regarding drainage issues and the maintenance of the streets. LaCroix
72 stated that the streets will be maintained like any other street in Rockwall. He stated that there
74 are other places in the city with older streets and those streets are patched when there is an
76 issue with the road.

78 Hunter inquired whether Aqua Source has to meet city standards for water pressure and the other
80 standards that the city has. LaCroix stated that they do not have to meet any city standards, but
82 they do have to meet whatever state standards are in place. There was discussion regarding fire
84 protection.

86 Buchanan inquired about code enforcement and the area coming into compliance. He inquired
whether anyone has contacted other cities to find out how they were successful with transition
with an annexation of this kind. LaCroix stated that he has not contacted any other cities. He

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38

stated that this area has a multitude of challenges with the density of the area and the floodplain that he has never dealt with before. He stated that they are just going to work through it.

Milner inquired about the insurance rating for the city with the challenges for fire protection. LaCroix stated he does not know how it will impact our rating as a city. He stated that the Fire Chief would have to be asked that question.

Bricker stated that other cities have duplexes and single family homes coexisting. He stated the conditions in the code that would make it difficult to have a manufactured duplex or triplex and meet the code. Bricker stated that, under those circumstances, he thinks bringing in duplexes and triplexes into the area would increase its value. He stated that he is in favor of multi-family living. Bricker discussed the impact fees that will come into the city with new development versus replacement of existing homes.

LaCroix clarified that the Commission is asking for attached garages to be required on any multi-family structures. Bricker stated that, yes that is what they are suggesting.

Milner said good-bye.

Bricker said good-bye.

ADJOURNMENT

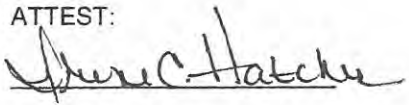
The meeting adjourned at 8:59 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 25th day of August, 2009.



Michael Hunter, Chairman

ATTEST:



2 3. All building and fire code requirements shall be met prior to occupancy of the portable
4 buildings.

6 Dean Cathey, 3066 Rochelle Rd (applicant representative), was present to answer questions.

8 Herbst asked what the school's plans were for finishing out the existing building. Mr. Cathey
10 replied that the plan is basically year-to-year. He stated that one of the buildings was on the property
12 when the school bought the property, but was moved to the back to get it out of the firelane.

14 Hunter opened the public hearing at 6:17 pm.

16 There being no public input, the public hearing was closed at 6:17 pm.

18 Herbst stated he was still uncomfortable with uncertainty of the school's future plans.

20 Minth asked if and how the requirement for the skirting can be tied to permit. Hampton replied
22 that it would be a requirement that staff or building inspectors would look for before the building was
24 approved for occupancy.

26 Buchanan asked if the SUP could be tied to the occupancy of the 2-story building. That is, the
28 SUP be good for 3 years or upon completion of the 2nd floor, whichever were to occur first. LaCroix
30 stated it would be better to include the time frame in the SUP, and hopefully that would be incentive
32 enough for the school to work towards finishing out the 2nd floor.

34 Jackson stated that most of the public school sites in the community have these types of
36 buildings, and that the current economy is tough, so she is in favor of the three year SUP.

38 Mr. Cathey stated they have estimated that finishing out the 2nd floor would be around
40 \$600,000, which the school simply does not have available. However, there is a need for extra
42 classroom space to accommodate a new learning lab.

44 **After further discussion, Commissioner Herbst made a motion to approve Z2009-015, a
46 request by Heritage Christian Academy for approval of a Specific Use Permit (SUP) to
48 allow for "Private School Temporary Education Buildings" within the (MF-14) Multi-
Family Residential district on Lot 1, Block A, Heritage Christian Academy Addition,
being 6.64-acres and located at 1408 South Goliad, with staff recommendations.**

50 **Commissioner Jackson seconded the motion.**

52 **It was voted on and passed 7 to 0.**

54 **5. Z2009-008**

56 **Hold a public hearing and consider a City-initiated request for a change in zoning from (Ag)
Agricultural district to (PD) Planned Development district on approximately 329.53-acres
known as "Lake Rockwall Estates," located along the south side of Tubbs Road, east side of
Horizon Road (FM 3097), and north side of County Line Road, and take any action necessary.**

*Note: Enid Reyes (from Lakepointe / Lake Rockwall Estates Community Center) was present to translate
the staff's presentation for Spanish-speaking members in the audience.*

LaCroix outlined that the City has drafted a Planned Development district ordinance as a
zoning proposal for the area commonly known as Lake Rockwall Estates. A copy of the proposed
zoning map exhibit was shown. The PD is divided into Area 1 (west side of Lake Rockwall comprised
mostly of "stick-built" SF housing); Area 2 (east side of Lake Rockwall comprised of mixture of
housing types including manufactured and mobile homes); and Area 3 (open space and drainage

2 areas). The proposed plan for the area is for a Single-Family residential zoning. No Commercial
4 zoning is proposed for the PD.

6 The underlying zoning for the area is the (SF-7) Single Family Residential district. Staff has
8 proposed that a minimum lot size of 5,000-sf be utilized to accommodate the typical lot patterns that
10 exist in both Areas 1 and 2. The masonry standards for Areas 1 and 2 are proposed to be the same
12 as the rest of the City, including a minimum 80% masonry requirement and a maximum 50% of
14 cementaceous materials (e.g. stucco, Hardiboard, etc). The staff has proposed that the PD include
provisions for front yard fences that would not require City Council approval unless an exception is
requested. There is also a provision for owners to make an exception request to City Council about
such things as building setbacks, lot frontage or depth requirements, use of building materials not
otherwise allowed, and other special requests.

16 The proposed PD standards also include special provisions for Area 2. First, the PD proposal
18 allows for up to 250 overall units of alternative housing types – including duplex, triplex, fourplex,
20 townhomes and zero-lot line development. A builder/developer would have to seek approval of a
Specific Use Permit (SUP) from the Planning Commission and City Council to construct these units.
Additionally, there are higher standards for these types of units such as larger lot size requirements,
minimum garage requirements, minimum unit sizes and masonry construction requirements.

22 An additional proposal for Area 2 is the one-time replacement clause for manufactured
24 housing. Under the proposal, existing mobile homes or manufactured homes in Area 2 could be
replaced one time provided that the following conditions are met:

- 26 • Home must be permanently attached to an engineered, concrete foundation
- 28 • Primary roof pitch must be at least 3:12 inches.
- 30 • Minimum 90% masonry requirement, which can be met with Hardiboard lap siding,
"Cemplank" lap siding or a similar cementaceous lap siding material
- Replacement home shall be a HUD-code manufactured home that is newer and at least
as large in living space as the prior home

32 Area 3 is restricted to open space, and because of floodplain this area

34 LaCroix also reported that during public meetings held at both City Hall and the Lake
36 Rockwall Estates Community Center, many residents have voiced various concerns about allowing
38 for additional housing types beyond detached single-family housing. However, staff has kept the
40 proposal intact since the subcommittee and task force recommended it. We also feel consideration of
42 some (if not all) of these housing types should be given to allow for some flexibility and potential
incentives for redevelopment of vacant or abandoned properties. The controls are in the PD
standards that would ensure that these housing types – if approved by an SUP – are of high quality.
We also feel like the proposal fits the guidelines of the City's Comprehensive Plan, particularly those
that call for a mixture of housing types.

44 In accordance with State law, staff has mailed notices of the P&Z public hearing to property
46 owners both within the proposed PD (1085 owners) and within 200-ft of the proposed PD (73
owners). As of the meeting, staff has received the following responses:

48 Within proposed PD

50 13 "in favor"
52 5 notices "in opposition"

54 Within 200-ft of proposed PD

56 4 "in favor"
0 "in opposition"

Buchanan inquired about how the other housing types were counted – for example, if a fourplex
counted as four units or one unit. LaCroix stated a fourplex would count as four (4) units.

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44
46
48
50
52
54
56

Herbst inquired about the availability of sewer in Area 2. LaCroix stated there are some streets (e.g. Renee, Nicole, etc) that do not have sewer service. Herbst asked for clarification on the restrictions against new development on lots without sewer. LaCroix stated new septic systems are not being permitted on vacant, single lots. LaCroix stated the County is doing the inspections/permitting for septic systems. Buchanan asked about the State requirements for septic systems. LaCroix believes the state requirement is 1/2-acre, and the County and City requires 1 ½ acres. Two lots in this area do not typically result in ½ acre, but he believes the County has approved these in the past.

Hunter asked for clarification on the 250-unit maximum. LaCroix stated all of the proposed housing types would count towards the 250 count. He added that since the last work session a requirement for garages has also been added for duplexes, triplexes and quadplexes. Hunter clarified that garages are not required for single-family housing, which LaCroix replied is correct.

Hunter clarified that if any other housing types were requested, there would be another public hearing required. LaCroix stated that with the SUP requirement, there are public hearings required for the P&Z and City Council.

Minth asked how many units were in the area now. LaCroix stated staff estimates there are 639 units in Area 2, but we do not know exactly what types of units all of these lots have, or how many existing duplexes, etc there are. Herbst stated that his notes from previous meetings showed 640 lots, 429 property owners and 181 vacant lots. In Area 1, there are 443 lots and 68 vacant lots.

LaCroix stated that when you figure in the land area, staff determined there is enough land for almost 1000 single-family lots. Ultimately, staff estimated that 12 to 15% of the total land area could be utilized for the alternative housing types using the 250 maximum count. He further stated that the subcommittee who came up with the 250-unit provision recognized that this could be an incentive for developers to bring in more fire protection, water or sewer service into the area.

Hayes asked for clarification on the 1000 lots. LaCroix stated that staff has calculated there is enough land area in Area 2 to accommodate up to 940 single-family lots, based on an average 6000-sf lot size. This is essentially an increase of 300 of what is out there today, so an increase in density is potential even without the alternative housing types. Staff saw the 250-unit provision as an incentive for more redevelopment to occur.

Hunter opened the public hearing at 7:13 pm.

Norm Mastalarz, 514 Lakeside Dr, addressed the Commission and asked about the floodplain shown on the map. His home is in the floodplain now, but apparently was not at the time it was built. LaCroix stated the Corps of Engineers has adopted the City's recent flood study, which is where these floodplains came from. Mr. Mastalarz also stated concerns about taxes and the need for a special permit for setbacks.

Gigi James, 445 Lakeside Drive, addressed the Commission and stated concerns about her property within Area 3. She owns the property at the corner of Tubbs and Horizon, and pays a lot annually in taxes and maintenance. She is in favor of the proposal overall, but is worried about the no development being allowed on her property shown in Area 3.

James Merkel, 420 Wayne, addressed the Commission and stated he was on the masterplanning task force, during which time he was opposed to the multi-family housing types. He believes the area should be single-family dwellings, and that any existing duplexes were built prior to annexation. Mr. Merkel also stated there are deed restrictions for the neighborhood that are being ignored. He stated he was concerned about the front yard fence restrictions, and would prefer that chain linked fences be considered. Stubbs asked which part of the deed restrictions are in conflict with the proposed requirements.

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44
46
48
50
52
54
56

Mr. Merkel stated the primary thing is that only single-family dwellings are allowed in the Deed restrictions, though it has not been enforced in the past.

John White, 1929 S. Lakeshore Drive, and who owns a company in the area, addressed the Commission and stated he felt like to this point the opposition to multi-family has been unanimous in previous meetings. He stated that chain link is the dominant fence type in the community. The City has done some things to help the community continue its self-renewal such as animal control, code enforcement, etc. He outlined his concerns about the duplexes and other multi-family dwellings such as small unit sizes, impacts on schools, etc.

Mary Garza, 482 Eva Place, addressed the Commission and stated she is also opposed to the multi-family dwellings. The roads are too narrow to accommodate the extra density.

Joan Stanley, 298 Wayne Drive, addressed the Commission and stated she was glad to be annexed, but is opposed to the multi-family units. She said the owners have not been able to enforce the deed restriction because of funding issues. She witnessed a bunch of duplexes being built right before annexation, and hoped that after the annexation the City would put a stop to it.

Stubbs asked if there was any clarifications necessary on the fencing questions posed earlier in the hearing.

Gigi James reappeared and stated she believes the chain-linked fences are used by the residents for safety reasons and to contain their dogs. LaCroix stated the Commission can propose a different requirement for fencing if they see fit.

LaCroix also commented on the proposed alternative housing types, and that the proposal is based on recommendations of the overall Task Force that met and discussed the future land use planning efforts for 12-18 months.

Randolph Sullivan, 186 Chris Drive, addressed the Commission and asked for more clarifications on the fence requirements, specifically what the height and materials requirements are for back yards. LaCroix stated the maximum height for fences is 8-ft.

With no further input, the public hearing was closed at 7:59 pm.

Minth asked if existing fences that do not meet current City requirements would be grandfathered, which LaCroix stated they would be. They could be repaired, but would have to be replaced with a fence that meets City standards.

Herbst stated he believes the multi-family housing types would encourage more investors and rental units, and cannot support this provision.

Hunter called for a 10-minute break at 8:01 pm.

The meeting reconvened at 8:11 pm.

Buchanan clarified if the current proposal was an all or nothing deal. LaCroix stated the Commission and Council can adjust as they see fit. Buchanan stated he was in favor of the annexation from the beginning, and that his idea about what the annexation meant was to improve the area. He feels the multi-family provisions may provide a short-term improvement, but do not offer long term improvements. He is also not in favor of the one-time replacement clause proposed in the PD.

Minth asked if the one-time replacement is a State requirement. LaCroix stated the proposal is based on a State requirement. She also clarified if the parking and driveway requirements, and why a

2 garage is not required on a single-family home in the proposal. LaCroix stated a garage is not
4 required for any of our single-family districts throughout the City, though some of the newer Planned
Developments and/or deed restrictions require garages.

6 Minth also asked about exterior wall materials and for clarification on the 120-sf and 10-ft height
8 requirements. Is this a loophole for an owner to construct a small dwelling unit? Hampton stated all
single-family lots in the City are allowed to have one portable building less than 120-sf, which does
10 not have to be masonry construction. Anything larger – such as an accessory building, detached
garage, etc – must meet the masonry standards. But the minimum housing size is still 1100-sf in the
12 SF-7 zoning district, so any new homes would have to comply with that.

14 Hunter clarified that the City could require a garage for any new single-family district, which LaCroix
stated the Commission could recommend that. On the multi-family piece, Hunter stated there are a
16 couple of things that bother him. One, even if the approved PD for this area does not allow multi-
family, it does not mean there will not be any rental property. If multi-family were allowed, does the
18 City have any rights to inspect rental property to make sure it meets health and safety codes? In other
cities, inspectors go out on an annual basis and inspect multi-family properties. Very few however
inspect single-family rental house. LaCroix stated that the City had never done this to his knowledge.

20 Stubbs asked about what options there are for fence requirements. He stated he thinks that chain
22 linked fences are fairly common in the area, and that it may be worthwhile to consider allowing for
these by right instead of having to set them off all property lines 10-ft or install landscaping to screen
24 them.

26 Buchanan stated the SUP provision would result in some multi-family being approved, and he is
simply against it. Minth agreed, and stated that while she sees some value in having different
28 opportunities available, the City has already heard the outcry from residents opposing such units and
questioned why we would want to have future zoning cases to hear it again if they've already stated
30 their position.

32 Hayes stated he agrees on the Commission's statements thus far about not allowing for the other
housing types. He proposed that a time limit be added to the PD that would allow for replacement of
34 fences for a specific time, and then subsequently everyone must follow current City standards.

36 LaCroix outlined some of staff's concerns about potential issues with businesses and storage yards
that would crop up if we were to be too permissive on the fence requirements, especially in the front
38 yards.

40 Herbst asked if there is a way to differentiate between businesses and residential fences. LaCroix
stated it will be difficult. Herbst clarified at what point you would have to comply with the new
42 standards. LaCroix stated that staff would have to work with residents or contractors to determine
what is considered a repair job versus a replacement, but typically if the entire fence is being
44 removed and replaced they would have to comply with current city standards.

46 Hunter stated that the area has come in, is already developed, and that one of the things we are
trying to do is ensure they have some of the same standards used elsewhere in the City.

48 Herbst stated he is prepared to offer a motion. Hunter asked if the Commission is prepared to vote
50 tonight. Each of the members stated they were prepared to vote on the proposal.

52 **Commissioner Herbst made a motion to approve Z2009-008, a request for a change in
zoning from (Ag) Agricultural district to (PD) Planned Development district on
54 approximately 329.53-acres known as "Lake Rockwall Estates," located along the
south side of Tubbs Road, east side of Horizon Road (FM 3097), and north side of
56 County Line Road, with staff recommendations except for the following changes:**

- 2 1. Remove all other housing types
4 2. Add a provision that would allow chain link fencing along the side and rear property lines.

6 Commissioner Hayes seconded the motion.

8 It was voted on and passed 7 to 0.

10 **ADDITIONAL DISCUSSION ITEMS**

- 12 • Planning Director's Report on the following Planning and Zoning Commission matters that have
14 been recently acted on by City Council:
a) **MIS2009-002:** Planned Development (PD) Review

16 LaCroix updated the Commission about the Council's approval to proceed with a PD
18 amendment to PD-14 and PD-35. These zoning cases will be reviewed over the next cycle.

20 **ADJOURNMENT**

22 The meeting adjourned at 8:54 p.m.

24 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
ROCKWALL, Texas, this 25th day of August, 2009.

26 

28 Michael Hunter, Chairman

30 ATTEST:

32 

A-L P-H

- 246 2. Z2009-008 - Hold a public hearing and consider approval of an
247 ordinance for a City-initiated request for a change in zoning from (Ag)
248 Agricultural district to (PD) Planned Development district on
249 approximately 329.53-acres known as "Lake Rockwall Estates," located
250 along the south side of Tubbs Road, east side of Horizon Road (FM
251 3097), and on the north side of County Line Road, and take any action
252 necessary. (1st Reading)

253 Mayor Cecil offered information to those present related to how the public hearing will be
254 conducted. He also indicated that the purpose of this particular public hearing is to hear
255 commentary related specifically to the zoning of Lake Rockwall Estates (LRE). Planning
256 Director Robert LaCroix then began the discussion by offering background information
257 related to this item. He explained that the area was automatically zoned "Agricultural"
258 when it was annexed into the City. It is now time to establish more specific zoning in
259 LRE. He expressed that LRE has been divided into 3 different areas for the purpose of
260 establishing zoning. LaCroix stated that Single Family Residential zoning is being
261 proposed for LRE at this time and that no commercial zoning is being proposed for this
262 PD. LaCroix indicated that city staff has identified potential businesses in the area that
263 would be considered legal non-conforming uses (will be "Grandfathered") once the
264 zoning is established for the area. LaCroix then offered information related to the
265 requirements associated with minimum lot sizes, set backs, and masonry requirements.
266 He also offered information related to proposed fence requirements for LRE. The
267 Planning & Zoning Commission has recommended that chain link fences be allowed
268 along the side and rear property lines. LaCroix then shared information related to the
269 proposed minimum standards for replacement of manufactured homes. He expressed
270 that staff recommends consideration of allowing additional housing types including zero
271 lot lines, duplexes, triplexes, fourplexes and townhome/single-family attached homes
272 with approval of a Specific Use Permit (SUP) issued by the City Council. Notices were
273 mailed out to property owners within 200 feet of the proposed PD. At the time this report
274 was written, within the PD, 41 responses were received back "in favor" of the zoning
275 change and 10 responses were received back expressing they are "opposed" to the
276 zoning change. Outside of the property but within 200 feet of the proposed PD, 6 notices
277 were returned 'in favor' and 0 were returned 'in opposition.' LaCroix then offered a
278 history of the various meetings, work sessions and public hearings that have taken place
279 related to the proposed zoning of LRE.

280
281 Mayor Cecil then moved to open the Public Hearing to receive comments from those
282 present.

283
284 Joan Stanley
285 298 Wayne Drive

286
287 Ms. Stanley indicated that she moved to LRE in 1969. In general, she expressed that she
288 is not in favor of multifamily housing in the LRE neighborhood. She indicated that
289 allowing multifamily developments would bring more crime and fire related concerns.
290 She encouraged the Council to vote 'no' to multifamily housing in LRE.

291
292 Jim Shields
293 3212 Cantura Drive
294 Mesquite, TX 75181

295

296 Mr. Shields indicated that his property is located in "Area 2," which is mostly mobile
297 homes. Mr. Shields indicated that he is renting his mobile home to a tenant who has
298 lived there since 1986. He asked if there will be any 'special assessments' such as those
299 associated with putting in driveways. Planning Director Robert LaCroix indicated that no
300 assessments are being proposed by the city at this time.

301
302 **Mary Garza**
303 **482 Eva Place**
304 **"Area 2" in LRE**

305
306 Ms. Garza expressed that she was in favor of the City annexing LRE. However, she
307 expressed that she is not favor of allowing multifamily housing in LRE and would like the
308 Council to only allow single family housing in the area.

309
310 **Debbie Adams**
311 **485 Eva Place**

312
313 Ms. Adams expressed that she believes the mobile homes in the area are dilapidated and
314 need to be removed or renovated. In general, she expressed that she is not in favor of
315 allowing multifamily housing in LRE. She is only in favor of single family housing.

316
317 **Marilyn Hays**
318 **303 Tubbs Road**
319 **"Area 1"**

320
321 Ms. Hays indicated that she resides in the housing side of LRE and that she moved to the
322 area from New York City. She expressed that she would like the city to only allow single
323 family housing in the area.

324
325 **Maria Gallegos**
326 **552 Russell Drive**

327
328 Ms. Gallegos moved to LRE nine years ago. She expressed that she would like only
329 single family housing in the area. She believes that multifamily housing would result in
330 more cars and more people living in one unit.

331
332 There being no one else to come forth and speak at the public hearing, Mayor Cecil then
333 closed the public hearing.

334
335 Councilmember Scott expressed that there has been a lot of misinformation going
336 around about this process, including some people stating that there is a 'push' for
337 multifamily housing in Lake Rockwall Estates. Scott then offered some general
338 background information related to the history of annexation of the area and to the
339 Council's desires regarding multifamily and single family development in LRE. Scott
340 indicated that he is personally not in favor of multifamily zoning; however, he may be
341 willing to vote for multifamily zoning in LRE if it is needed and wanted by those who
342 reside there. Scott indicated that he has clearly heard that multifamily zoning is not
343 wanted in LRE.

344
345 Councilmember Scott made a motion to approve Z2009-008 with all staff
346 recommendations and P&Z recommendations and with no multifamily components to the

347 zoning. After some additional, brief comments, Mayor Pro Tem Sweet seconded the
348 motion.
349

350 Councilmember Russo then offered commentary, indicating that he is in support of the
351 LRE area and wants the best for all LRE residents, residents who are now part of the City
352 of Rockwall.
353

354 Councilmember Sevier thanked Margo Nielsen for taking him on a tour to look at
355 multifamily housing throughout the City of Rockwall. Sevier indicated that Nielsen
356 wanted to show him areas of the city where multifamily units fit very well and make
357 sense. Sevier then asked staff for some general clarification related to the recommended
358 masonry requirements.
359

360 Councilmember Farris then offered brief commentary and expressed that he is in support
361 of the motion.
362

363 The ordinance was read as follows:

364 CITY OF ROCKWALL

365 ORDINANCE NO. _____
366

367 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
368 ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT
369 CODE OF THE CITY OF ROCKWALL AS PREVIOUSLY AMENDED
370 SO AS TO APPROVE A CHANGE IN ZONING FROM (AG)
371 AGRICULTURAL DISTRICT TO (PD-75) PLANNED DEVELOPMENT
372 DISTRICT NO. 75, ON A TRACT OF LAND CONTAINING
373 APPROXIMATELY 329.53-ACRE AND KNOWN AS LAKE
374 ROCKWALL ESTATES, LOCATED ALONG THE SOUTH SIDE OF
375 TUBBS ROAD, EAST SIDE OF HORIZON ROAD (FM 3097) AND
376 NORTH SIDE OF COUNTY LINE ROAD ACRES AND MORE
377 SPECIFICALLY DESCRIBED HEREIN AS EXHIBIT "A"; PROVIDING
378 FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO
379 THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;
380 PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A
381 REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.
382
383
384
385

386 The motion passed by a vote of 7 ayes to 0 nays.
387

388 The Mayor then addressed Public Hearing item #1.
389

390 VIII. ACTION ITEMS

- 391
- 392 1. Discuss and consider approval of a setback variance request for a new
393 monument sign to be located at 1005 Ralph Hall Parkway and take any
394 action necessary.

395 Building Official Jeffrey Widmer provided background information related to this item.
396 He described the monument sign and the proposed location of the sign.
397

THIS PAGE INTENTIONALLY LEFT BLANK



City of Rockwall
The New Horizon

MEMORANDUM

TO: Honorable Mayor and City Council Members

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

DATE: October 16, 2015

SUBJECT: Agenda item re: Regulation of non-emergency ambulance service providers

Councilmember Townsend has requested that this discussion item be placed on the meeting agenda prior the city council taking action on 2nd reading of the ambulance-related ordinance on the 10/19 agenda.

THIS PAGE INTENTIONALLY LEFT BLANK

CITY OF ROCKWALL

ORDINANCE NO. 15-28

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING CHAPTER 12, ARTICLE XII, SECTION 12 BY ADDING AND AMENDING SECTIONS 12-1250 THROUGH 12-1253 OF THE CODE OF ORDINANCES, REGULATING AMBULANCE SERVICES IN THE CITY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City of Rockwall (the "City"), a Home Rule City and by State law and City Charter is permitted to establish ordinances to protect the health, safety and general welfare of its residents; and

WHEREAS, the City is a member of the "Sponsoring Local Governments" that established the County of Rockwall Emergency Services Corporation ("ESC") to contract with a provider to provide exclusive emergency ambulance service; and

WHEREAS, the City's current ordinance also provides for exclusive use by the ESC contractor for non-emergency ambulance transports, even though most of the other Sponsoring Local Governments do not require exclusive use of the ESC contractor for non-emergency ambulance transports; and

WHEREAS, the City Council continues to encourage the use of ESC contractor for non-emergency ambulance transports but the Council has determined that allowing residents and health care businesses to utilize their choice for non-emergency transports is necessary to protect the health, safety and general welfare of its residents;

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

SECTION 1. FINDINGS. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2. AMENDMENT. Chapter 12, Article XII, Sections 12-1250 to 12-1253 are hereby amended to Chapter 12 and should read as follows:

ARTICLE XII. AMBULANCE SERVICE

- **Sec. 12-1250. - Definitions.**

- **Ambulance.** Any privately or publicly owned motor vehicle that is specially designed, constructed, or modified and equipped; and is intended to be used for and is maintained or operated, for the transportation, on the streets or highways of this state; of persons who are sick, injured, wounded, or otherwise incapacitated or helpless.
- **Emergency Ambulance Services.** The operation of an ambulance for transportation in response to a 9-1-1 call to transport a sick or injured person in an ambulance after the sudden onset of a medical condition manifesting itself by acute symptoms of such severity that the absence of immediate medical attention could reasonably be expected to result in placing the patient's health in serious jeopardy, serious impairment to bodily functions, or serious dysfunction of any bodily organ.
- **Non-Emergency Ambulance Services.** The operation of an ambulance for any purpose other than providing emergency ambulance services.

-
- **Sec. 12-1251. - Contract required.**

- A. No person shall operate or cause to be operated a vehicle for emergency ambulance purposes nor furnish, conduct, maintain, advertise or otherwise be engaged in the business or service of the transportation of emergency ambulance patients within the city unless such person is the emergency ambulance service provider currently under contract with the County of Rockwall Emergency Services Corporation to provide emergency ambulance service within Rockwall County.
- B. No person shall knowingly solicit ambulance services contrary to the regulations in this article.

-
- **Sec. 12-1252. - Applicability.**
-

The provisions of section 12-1251 shall not apply to:

- A. Rendering assistance to patients in the case of a major catastrophe or emergency with which the contractor's ambulances or approved franchises are insufficient or unable to cope with the major catastrophe or emergency;
- B. Transporting a patient picked up outside of the county, traveling through the city to a destination outside of the county.

Sec. 12-1253. Non-Emergency Ambulance Service.

It shall be unlawful for any person to furnish, operate or otherwise engage in the operation of non-emergency ambulance transfer service from a point originating and ending within the streets of the City without a license or certification as an emergency medical services provider issued by the State of Texas.

SECTION 3 REPEALING ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4 SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void.

SECTION 5 SAVINGS CLAUSE.

All ordinances or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed. The balance of such ordinance is hereby saved from repeal.

SECTION 6. EFFECTIVE DATE. The Ordinance shall become effective on November 1, 2015 following its publication in the local newspaper as required by the Texas Local Government Code.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL TEXAS, THIS THE 19th DAY OF October, 2015.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: 10-05-2015

2nd Reading: 10-19-2015

THIS PAGE INTENTIONALLY LEFT BLANK



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: October 19, 2015

SUBJECT: Policy for the Seasonal Outside Storage of Shipping Containers and/or Similar Storage Containers for Commercial Uses

At the last City Council meeting on September 21, 2015, the City Council directed staff to prepare a policy to address seasonal outside storage of shipping containers and/or similar storage containers. This was in response to a request by the Wal-Mart Supercenter (*on the north side of HI-30 between FM-740 & SH-205*) for the storage of 26 shipping containers between October 1st and January 1st. In response to Council's directive staff has prepared the following policy to address *Seasonal Outside Storage*:

Seasonal Outside Storage Policy

The Director of Planning & Zoning or his designee can grant temporary seasonal outside storage on a case-by-case basis upon the submission and approval of a letter and site plan from the applicant outlining the time period and location for the temporary outside storage. In approving these requests, the Director of Planning & Zoning or his designee shall consider the following:

- 1) The proposed location of the outside storage. All outside storage should be as visibly screened as possible from public rights-of-way and adjacent properties, and should generally be located behind the building unless approved otherwise. Additionally, the storage containers should not be situated on existing utility lines or disrupt the flow of drainage on the site.*
- 2) The time-period of the proposed outside storage. Requests for seasonal outside storage should be of a reasonable time-period not to exceed 75 days.*
- 3) The amount of outside storage being requested. Outside storage shall be limited to 7.5% of the total building area divided by 424 SF (i.e. 53-foot by 8-feet which is the typical SF of a standard truck trailer).*

Should the proposed request not meet the above guidelines or if a request is denied by the Director of Planning & Zoning or his designee the applicant may appeal the decision to the City Council for approval of a waiver to allow the storage to exceed the time-period or quantity allowed by the aforementioned policy.

Considering this policy, staff would be able to administratively approve the Wal-Mart Supercenter for 35 shipping containers (*see formula below*) for a time-period of November 1, 2015 through January 15, 2016.

Formula:

*(Building SF x 7.5%)/424 SF = Number of Shipping Containers
202,607 SF x 7.5% = 15,195.525 SF / 424 SF = 35.8385 or 35 Shipping Containers*

Staff will be available at the meeting to answer any questions or receive further direction from the City Council concerning the proposed policy.

THIS PAGE INTENTIONALLY LEFT BLANK