

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, December 19, 2022 - 5:00 PM

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

I. Call Public Meeting to Order

II. Executive Session.

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

1. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - specifically the Board of Adjustments (BOA) - pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding legal advice associated with The Shores on Lake Ray Hubbard homeowners association (HOA) regulations, pursuant to Section 551.071 (Consultation with Attorney).

III. Adjourn Executive Session

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

V. Invocation and Pledge of Allegiance - Councilmember Campbell

VI. Proclamations / Awards / Recognitions

1. Recognition of outgoing Councilmember, Place 5 - Dana K. Macalik

VII. Open Forum

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

VIII. Take any Action as a Result of Executive Session

IX. Consent Agenda

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

1. Consider approval of the minutes from the December 5, 2022 regular City Council meeting, and take any action necessary.
2. Consider approval of the minutes from the December 14, 2022 Special City Council Meeting, and take any action necessary.
3. Consider bid award to Caldwell Country Chevrolet in the amount of \$36,275 for a new Police CID vehicle and authorize City Manager to execute associated purchase order, and take any action necessary.
4. Consider authorizing the City Manager to execute an agreement with Rockwall County for Municipal Court Judge services associated with upcoming 'No Refusal Weekends,' and take any action necessary.

5. Consider approval of HOT subcommittee recommendations for Texas K9 Conference (\$22,400), RHS Wrestling Program state-wide championship (\$18,000), Rockwall Historical Foundation (\$5,249) and Rockwall Summer Musicals (\$5,000); authorize the City Manager to execute funding agreements and take any action necessary.

X. Appointment Items

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

XI. Public Hearing Items

If you would like to speak regarding an item listed below, please turn in a (yellow) "Request to Address City Council" form to the City Secretary either before the meeting or as you approach the podium. The Mayor or Mayor Pro Tem will call upon you to come forth at the proper time. Please limit your comments to no more than three minutes.

1. **Z2022-051** - Hold a public hearing to discuss and consider a request by Mariel Street on behalf of Cathy Strother for the approval of an **ordinance** for a *Zoning Change* from an Agricultural (AG) District to a Commercial (C) District for a two (2) acre parcel of land identified as Lot 1, Block A, Roadside Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 2410 S. Goliad Street [SH-205], and take any action necessary **(1st Reading)**.
2. **Z2022-054** - Hold a public hearing to discuss and consider a request by Scott Clements on behalf of Dana Moffatt for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* allowing the construction of a single-family home on a 0.1837-acre parcel of land identified as Lot 7, Block B, North Towne Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 211 Jacob Crossing, and take any action necessary **(1st Reading)**.
3. **Z2022-055** - Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates on behalf of Ryan Lewis and Scott Sutton of Crosspoint Community Church for the approval of an **ordinance** for a *Zoning Change* amending Planned Development District 87 (PD-87) [*Ordinance No. 18-46*] being a 16.26-acre tract of land identified as a Lot 1, Block 1, Indalloy Addition and Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 87 (PD-87) for Single-Family 10 (SF-10) District, General Retail (GR) District and Light Industrial (LI) District land uses, located on the southside of E. Washington Street east of the intersection of Park Place Boulevard and E. Washington Street, and take any action necessary **(1st Reading)**.

XII. Action Items

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

1. Discuss and consider adoption of an **ordinance** authorizing the issuance and sale of City of Rockwall, Texas, Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2023; levying an annual ad valorem tax and providing for the security for and payment of said certificates; approving the official statement; providing an effective date; and enacting other provisions relating to the subject.
2. Discuss and consider adoption of an **ordinance** authorizing the issuance and sale of City of Rockwall, Texas General Obligation Refunding and Improvement Bonds, Series 2023; levying an annual ad valorem tax and providing for the security for and payment of said bonds; approving the official statement; providing an effective date and enacting other provisions relating to the subject.
3. Discuss and consider adoption of a resolution setting solid waste collection rates, and take any action necessary.

XIII. Executive Session.

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

1. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - specifically the Board of Adjustments (BOA) - pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding legal advice associated with The Shores on Lake Ray Hubbard homeowners association (HOA) regulations, pursuant to Section 551.071 (Consultation with Attorney).

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

XV. Adjournment

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

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

I, Kristy Teague, 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 Dec., 2022 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

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

Date Removed



Proclamation

Whereas, Dana K. Macalik is a fifth generation Rockwall resident with deep roots in the community and a genuine love for our city; and

Whereas, Dana has a history of service to the community, both in her volunteer roles and professional capacities; and

Whereas, Dana previously served as President of the Rockwall Area Chamber of Commerce and helped establish the Rockwall Visitors Bureau; and

Whereas, Dana has served as former President and Assistant District Governor of the Rockwall Rotary Club and has helped many residents and businesses with their real estate needs through her prior service as CEO of the largest real estate firm in Rockwall; and

Whereas, in her tenure on the Rockwall City Council, Dana has consistently supported lowering the effective tax rate, helping consistently reduce the tax burden on Rockwall residents on an ongoing, annual basis.

Now, Therefore, I, Kevin Fowler, Mayor of the City of Rockwall, Texas, do hereby proclaim **December 19, 2022** as

Dana K. Macalik Appreciation Day

in the City of Rockwall, and urge all citizens to join us in thanking Dana for her numerous contributions to the Rockwall community and to wish her well in her future role as Rockwall County Commissioner, Precinct 2.

In Witness Whereof, I hereunto set my hand and official seal this 19th day of December, 2022.

A handwritten signature in black ink, appearing to read "Kevin Fowler", is written over a horizontal line.

Kevin Fowler, Mayor

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, December 05, 2022 - 5:00 PM

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

I. CALL PUBLIC MEETING TO ORDER

Mayor Fowler called the meeting to order at 5:00 p.m. Present were Mayor Kevin Fowler, Mayor Pro Tem Trace Johannesen, and Councilmember Clarence Jorif, Dana Macalik, Anna Campbell, Bennie Daniels and Mark Moeller. Also present were City Manager Mary Smith and Assistant City Manager Joey Boyd. City Attorney Frank Garza joined Executive Session remotely.

II. EXECUTIVE SESSION.

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

1. Discussion regarding filling vacancy for City Council Member Place 5, pursuant to Section 551.074 (Personnel Matters) and Section §551.071 (Consultation with Attorney)
2. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - specifically the Board of Adjustments (BOA) - pursuant to Section 551.074 (Personnel Matters)

III. ADJOURN EXECUTIVE SESSION

Council adjourned from Ex. Session at 5:25 p.m.

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

Mayor Fowler reconvened the meeting at 6:00 p.m.

V. INVOCATION AND PLEDGE OF ALLEGIANCE - MAYOR FOWLER

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

VI. OPEN FORUM

Mayor Fowler explained how Open Forum is conducted; however, no one indicated a desire to come forth and speak. So, he closed Open Forum.

VII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

No action was taken as a result of Ex. Session.

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the November 21, 2022 regular city council meeting, and take any action necessary.
2. **Z2022-047** - Consider a request by Javier Silva and JMS Custom Homes, LLC for the approval of an ordinance for a Zoning Change from Agricultural (AG) District to a General Retail (GR) District for a 1.837-acre tract of land identified as Tract 6 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, generally

located on the east side of FM-1141 south of the intersection of Waters Edge Drive and FM-1141, and take any action necessary **(2nd Reading)**.

3. **Z2022-049** - Consider a request by Deanna Welch-Williams of Sheldon Custom Homes on behalf of Kenneth and Debbie Wade for the approval of an **ordinance** for a Specific Use Permit (SUP) for Residential Infill Adjacent to an Established Subdivision for the purpose of constructing a single-family home on a 0.3080-acre parcel of land identified as Lot 6, Block A, Eagle Point Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, situated within the Scenic Overlay (SOV) District, addressed as 1505 S. Alamo Street, and take any action necessary **(2nd Reading)**.
4. **Z2022-050** - Consider approval of an **ordinance** for a Text Amendment to Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] for the purpose of making minor changes to Subsection 06.16, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, and take any action necessary **(2nd Reading)**.
5. **P2022-057** - Consider a request by Jeff Kilburg of Apex Design Build on behalf of Chad Capps of CMH Real Estate, LLC for the approval of a Replat for Lot 12, Block B, Horizon Ridge Addition being a 1.253-acre parcel of land identified as Lot 5, Block B, Horizon Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, situated at the northwest corner of the intersection of Rockwall Parkway and Summer Lee Drive, and take any action necessary.
6. Consider approval of a 12 month service agreement with Fidelis Security in the amount of \$48,000 for cybersecurity consulting to be funded by the Information Technology Department Operating Budget, and authorize the City Manager to execute the agreement, and take any action necessary.
7. Consider approving and authorizing the City Manager to execute a contract with Riverstone Fence Co. for installation of 800 linear feet of wrought iron perimeter fence at the 66 cemetery in the amount of \$44,250.00 to be funded by the Cemetery Fund, and take any action necessary.

Councilmember Jorif moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, and 7). Councilmember Moeller seconded the motion. The ordinance captions were read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 22-60**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A GENERAL RETAIL (GR) DISTRICT FOR A 1.837-ACRE TRACT OF LAND IDENTIFIED AS TRACT 6 OF THE M. B. JONES SURVEY, ABSTRACT NO. 122, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* AND *EXHIBIT 'B'* 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.

**CITY OF ROCKWALL
ORDINANCE NO. 22-61
SPECIFIC USE PERMIT NO. S-290**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL ADJACENT TO AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.3080-

ACRE PARCEL OF LAND, IDENTIFIED AS LOT 6, BLOCK A, EAGLE POINT ESTATES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 22-62

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE 05, *DISTRICT DEVELOPMENT STANDARDS*, AS DEPCITED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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

IX. APPOINTMENT ITEMS

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

No representative was present, so this agenda item was not addressed.

X. PUBLIC HEARING ITEMS

1. **Z2022-048** - Hold a public hearing to discuss and consider a request by Bryan Cook for the approval of an ordinance for a *Specific Use Permit (SUP)* for a *Guest Quarters/Secondary Living Unit/Detached Garage/Carport* on a one (1) acre parcel of land identified as Lot 13, Block A, Saddlebrook Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 2348 Saddlebrook Lane, and take any action necessary (**1st Reading**).

The applicant is requesting to construct a 30'x52' or 1,560 SF metal Guest Quarters/Detached Garage. The Guest Quarters/Detached Garage will have 1,200 SF of enclosed area and a 360 SF outdoor living area and a carport. According to the applicant, the structure will be constructed of metal and used as a garage; however, there will be a bathroom, which is one element of a dwelling unit qualifying this request as a Guest Quarters/Secondary Living Unit. On October 20, 2022, staff mailed 24 notices to property owners and occupants within 500-feet of the subject property. Staff also sent a notice to the Stoney Hollow Homeowners Association (HOA), which is the only HOA or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. At the time this report was drafted, staff had received the following: (1) Two property owner notifications from within the 500-foot buffer in favor of the applicant's request and (2) Three property owner notifications from within the 500-foot buffer in opposition of the applicant's request. Mr. Miller went on to share that the City's Planning & Zoning Commission met and reviewed this case and has made a recommendation to deny this

request. In addition, a super majority vote of Council is required in order for this case to receive approval from Council this evening.

Mayor Fowler opened the public hearing, but no one indicated a desire to speak. So the public hearing was closed.

Councilmember Daniels then moved to deny Z2022-048. Councilmember Jorif seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XI. ACTION ITEMS

1. **Z2019-027** - Discuss and consider a request by Raymond Jowers of Jowers, Inc. for the extension of Ordinance No. 20-01 (S-212) allowing outside storage in conjunction with an existing trailer and parts sales and service facility (*Big-Tex Trailers*) on a 4.4317-acre tract of land identified as Tract 22-01 of the R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2260 E. IH-30, and take any action necessary.

Mr. Miller provided background information concerning this agenda item. The location is along IH-30 (on the South side) just to the East of IH-30 and Corporate Crossing (SH-549). On February 3, 2020, the City Council approved Ordinance No. 20-01 (S-212) allowing outside storage of trailers for Big-Tex Trailers on the subject property at 2260 E. IH-30. This Specific Use Permit (SUP) was an extension of a previously granted SUP that was originally adopted on August 4, 2008, extended on April 1, 2011 and April 7, 2014, and amended on February 14, 2017. A case memo for (previous) Case Z2019-027 has been provided to Council in tonight's meeting packet for a complete history of the subject property. As with the previous ordinances, Ordinance No. 20-01 included an operational condition that stated the following: The Specific Use Permit (SUP) shall be valid for a period of three (3) years from the date of the approval of this ordinance. If an extension of the SUP is necessary, the owner shall submit a request in writing to staff no less than 90 days prior to the expiration of the SUP. Upon receipt of the request, the City Council shall review the SUP and determine if an extension of the SUP is permitted based on the development of FM-549 and the IH-30 overpass construction and/or other development activity in the area.

In accordance with this operational condition, the property owner -- Raymond Jowers of Jowers, Inc. -- submitted a development application and letter on October 28, 2022 requesting to extend the Specific Use Permit (SUP). Based on this request, staff is bringing the case forward to the City Council for consideration of an extension. Staff noted that there are currently three (3) projects that have been approved on adjacent properties in the area. These include: [1] a sports complex (i.e. Fit Sport Life), which is currently under construction; [2] a Golf Driving Range (i.e. the Texas Wedge), which was granted a Specific Use Permit (SUP) on October 3, 2022; and [3] two (2) Warehouse/Distribution Facilities off Data Drive, which are currently nearing completion of civil engineering plans. In addition, since Ordinance No. 20-01 was approved, the FM-549 overpass construction was completed, and the City has completed the utility relocations for the IH-30 improvements. The IH-30 project was also let on November 2, 2022. For the City Council's reference, staff has included a map showing the subject property in relation to the location of each of these projects. Should the City Council choose to grant the extension of the Specific Use Permit (SUP) for a period not to exceed three (3) years, no additional approvals or process will be necessary. If the City Council chooses to extend the Specific Use Permit (SUP) for a period in excess of three (3) years, staff will be required to advertise the case in accordance with the requirements of the Unified Development Code (UDC) and bring a revised ordinance forward to the Planning and Zoning and City Council for public hearing and action. If the City Council chooses not to grant the extension request, the Specific Use Permit (SUP) will expire in accordance with the operational conditions contained in Ordinance No. 20-01, and all outside storage activities on the site will be required to cease.

Mayor Fowler then called forth the applicant to speak.

Raymond Jowers
3290 Anna Cade Circle
Rockwall, TX

Applicant's representative (from "Big-Tex Trailers" but name was indistinguishable)
A St. Louis, MO address was given.

The applicant and his representative came forth and shared that they have been at this location since 2008. Also, the Big-Tex company has 63 retail locations nationwide and six manufacturing facilities. In addition to manufacturing and selling trailers, they also now 'up-fit' and enhance trucks (a business within Big Tex named "Truck Fitters"). The representative expressed that having an SUP granted for only three years is concerning to him and his employees, so they would really prefer to be able to obtain an SUP for a longer period of time if that is possible.

Councilmember Daniels asked for clarification regarding alternatives to granting the requested extension. Mr. Miller shared that the Council can grant up to a three-year extension. Anything more than 3 years would require the applicant to have to go back through the SUP process because it would be considered more of a substantial change. In addition, they would have to change the outside storage associated with their current SUP. They will potentially need to come back once every three years to re-up the SUP. Clarification was given regarding changing the current draft ordinance and what would necessitate the applicant having to go back through the entire SUP process (or not). Questions and answers ensued pertaining to the existing ordinance (Ord. 20-01, S-212) that is in place, specifically related to possible screening requirements associated with this property on the SUP that's currently in place. Mr. Miller shared that, although screening requirements were mentioned in a memo associated with a previous SUP case for Big-Tex, that verbiage did not actually make it into the language of that previously adopted SUP ordinance (that council is now being asked to consider extending).

Following additional discussion, Councilmember Daniels moved to approve Z2019-027. Councilmember Macalik seconded the motion. Additional dialogue ensued between Councilmembers and the applicant, and the motion to approve eventually passed by a vote of 7 ayes to 0 nays.

2. **MIS2022-023** - Discuss and consider a request by Patricia Mejia on behalf of the Children's Advocacy Center of Rockwall County for the approval of a *Miscellaneous Case* for an *Exception* to the *Street Improvement Requirements* contained in the Municipal Code of Ordinances for a 7.497-acre tract of land identified as Tract 68 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, generally located northwest of the curve connecting Airport Road and E. Washington Street, and take any action necessary.

Mr. Miller, Planning Director, provided background information pertaining to this agenda item. This property is currently vacant, and the applicant is requesting exceptions to the city's current street improvement-related requirements. The applicant plans to build and establish a 31,500 square foot service provider type facility at this location. According to the applicant, adhering to the city's requirements will result in an unnecessary hardship on the part of the applicant.

Based on this requirement, the President and CEO of the CACRC -- Patricia Mejia -- has submitted a letter requesting an exception to the construction of the roadway and sidewalks for E. Washington Street. The

letter indicates a willingness to provide the necessary right-of-way for the future roadway. So the applicant is only requesting the exception for the street improvements. As stated in the letter, this request is predicated on the CACRC's plans to not take access off of E. Washington Street and to reduce the costs associated with this street on this Social Service Provider. Based on Section 38-19 of the Municipal Code of Ordinances, the City Council has the ability to grant an exception to the street improvement requirements, as it states, "(w)here in its judgement the public convenience and welfare will be substantially served and the appropriate use of the neighboring property will not be substantially injured upon recommendation by the City Planning and Zoning Commission, the City Council may, in specific cases, at a regular meeting of the City Council, and subject to appropriate conditions and safeguards, authorize special exceptions to these regulations in order to permit reasonable to these regulations in order to permit reasonable development and improvement of property where the literal enforcement of these regulations would result in an unnecessary hardship." In this case, granting this exception does not appear to change the essential character of the area, nor would it substantially injure any adjacent properties; however, this request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. Based on this, staff brought the case forward to the Planning and Zoning Commission on November 30, 2022 for a recommendation, and after deliberation the Planning and Zoning Commission has recommended approval of this request by a vote of 6-0.

Patricia Mejia from the Child Advocacy Center of Rockwall County then came forth and briefly addressed the Council. She generally expressed that this organization was formed about four years ago, and it is the only organization of its kind in the County. The organization provides a collaborative response to child victims of abuse and their non-offending family members. She went on to explain that the Council's decision this evening will directly impact whether or not the organization is able to build a facility that is able to adequately accommodate the volume that is currently being experienced in the County.

Mayor Pro Tem Johannesen moved to approve MIS2022-023. Councilmember Campbell seconded the motion, which passed by a vote of 7 ayes to 0 nays.

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

1. Building Inspections Department Monthly Report - October 2022
2. Fire Department Monthly Report - October 2022
3. Parks & Recreation Department Monthly Report - October 2022
4. Police Department Monthly Report - October 2022
5. Sales Tax Historical Comparison
6. Water Consumption Historical Statistics

Brief comments were made related to this past weekend's Kiwanis Christmas parade, the city's Christmas tree lighting event and other downtown-related holiday events that were held, all of which were successful. The mayor thanked the city's staff, specifically the Parks Department, as well as all organizations who were involved in making the various events successful.

XIII. EXECUTIVE SESSION.

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

1. Discussion regarding filling vacancy for City Council Member Place 5, pursuant to Section 551.074 (Personnel Matters) and Section §551.071 (Consultation with Attorney)
2. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - specifically the Board of Adjustments (BOA) - pursuant to Section 551.074 (Personnel Matters)

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

Council did not reconvene in Ex. Session following the close of the public meeting agenda.

XV. ADJOURNMENT

Mayor Fowler adjourned the meeting at 6:40 p.m.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS 19th
DAY OF DECEMBER, 2022.**

KEVIN FOWLER, MAYOR

ATTEST:

KRISTY TEAGUE, CITY SECRETARY

ROCKWALL CITY COUNCIL SPECIAL MEETING

Wednesday, December 14, 2022 - 5:00 PM

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

I. CALL PUBLIC MEETING TO ORDER

Mayor Fowler called the meeting to order at 5:00 p.m. Present were Mayor Kevin Fowler, Mayor Pro Tem Trace Johannesen, and Councilmembers Clarence Jorif, Dana Macalik, Bennie Daniels, Mark Moeller and Anna Campbell. Also present were City Manager Mary Smith and Assistant City Manager Joey Boyd. City Attorney, Frank Garza joined (for Executive Session) remotely via video teleconference (ZOOM).

II. OPEN FORUM

No one came forth to speak during Open Forum, so Mayor Fowler moved to the next item.

Mayor Fowler read the below-listed discussion item into the record before recessing the public meeting to go into Executive Session at 5:01 p.m.

III. EXECUTIVE SESSION.

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

1. Discussion regarding filling City Council Member Place 5 vacancy, including holding applicant interviews, pursuant to Section 551.074 (Personnel Matters) and Section §551.071 (Consultation with Attorney)

IV. ADJOURN EXECUTIVE SESSION

Council came out of Executive Session at 7:09 p.m.

V. RECONVENE PUBLIC MEETING

Mayor Fowler reconvened the public meeting at 7:09 p.m.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Trace Johannesen moved to appoint applicant Dennis Lewis to fill the upcoming Place 5 city council member vacancy that will result upon Dana Macalik's resignation on December 31, 2022, noting that Lewis will be sworn in at the Tuesday, January 3 city council meeting. Councilmember Bennie Daniels seconded the motion, which passed unanimously of Council (7 ayes to 0 nays).

VII. ADJOURNMENT

Mayor Fowler adjourned the meeting at 7:10 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON
THIS 19th DAY OF DECEMBER, 2022.

KEVIN FOWLER, MAYOR

ATTEST:

KRISTY TEAGUE, CITY SECRETARY



MEMORANDUM

TO: Mary Smith, City Manager
CC: Honorable Mayor and City Council
FROM: Misty Farris, Purchasing Agent
DATE: December 19, 2022
SUBJECT: PURCHASE OF POLICE CID VEHICLE

Attachments

Summary/Background Information

Approved in the Police CID operating budget is \$33,000 to purchase a new vehicle. As in the past, City vehicles have been ordered using the Texas Association of School Boards' Buy Board purchasing cooperative contract for vehicles. As a member and participant in this cooperative, the City has met all formal bidding requirements pertaining to the purchase of each vehicle.

A Chevrolet SUV will be purchased from Caldwell Country Chevrolet in the amount of \$36,275. This vehicle cost is over budget, so the auction proceeds of the SUV that is being replaced will offset the cost difference.

Action Needed

Council is asked to consider approving the new vehicle order to Caldwell Country Chevrolet and authorize the City Manager to execute a purchase order for this new vehicle.



MEMORANDUM

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Kristy Teague, City Secretary/Asst. to the City Mgr.

DATE: December 19, 2022

SUBJECT: ILA WITH RCK. CO. FOR 'NO REFUSAL WEEKENDS'

Attachments

No Refusal Agreement

Summary/Background Information

This is a standard agreement that the City of Rockwall has entered into annually with Rockwall County for several years now. The key holiday weekends mentioned in the agreement include New Year's, Memorial Day, Independence Day, and Labor Day.

Action Needed

Council is asked to consider authorizing the City Manager to execute the Interlocal Agreement (ILA) on behalf of City of Rockwall.

**INTERLOCAL COOPERATION AGREEMENT BETWEEN ROCKWALL COUNTY
AND THE CITY OF ROCKWALL REGARDING MUNICIPAL JUDGE SERVICES**

THIS INTERLOCAL COOPERATION AGREEMENT is made and entered into by and between Rockwall County, Texas, a political subdivision of the State of Texas (*hereinafter referred to as "COUNTY"*), and the City of Rockwall, a municipal corporation of the State of Texas (*hereinafter referred to as "CITY."*)

WHEREAS, the CITY is located within the COUNTY and its citizens are represented by the Rockwall County Criminal District Attorney in criminal matters; and

WHEREAS, both the CITY and the COUNTY seek to protect their citizens from harm and damage to property; and

WHEREAS, the COUNTY through the Rockwall County Criminal District Attorney intends to hold multiple "No Refusal Weekends" during the course of the year wherein warrants will be sought to draw blood from individuals suspected of driving while intoxicated who have refused to provide a breath or blood sample; and

WHEREAS, the CITY through its municipal court has the authority to issue evidentiary warrants in the State of Texas under certain conditions; and

WHEREAS, the CITY desires to make a municipal judge available to review, consider and sign, if appropriate, evidentiary warrants to obtain blood samples from individuals in Rockwall County suspected of driving while intoxicated during the periods set forth in this Agreement; and

WHEREAS, it is in the best interest of the citizens of Rockwall County to hold "No Refusal Weekends"; and

WHEREAS, both the COUNTY and CITY desire to enter into an Interlocal Cooperation Agreement, pursuant to chapter 791 of the Texas Government Code, whereby the COUNTY and the CITY will agree upon the terms of said written agreement;

NOW, THEREFORE, the COUNTY and the CITY mutually agree as follows:

**I.
TERM OF AGREEMENT**

- A. The COUNTY and the CITY mutually agree that the term of this Agreement shall be for one (1) year commencing on the date it is formally and duly executed by both the COUNTY and the CITY.
- B. During the term of this Agreement the COUNTY shall perform the "No Refusal Weekend" on four occasions as follows:

- (1) New Year's Day – 12:01 a.m. December 29, 2022 through 5:00 p.m. January 2, 2023;
- (2) Memorial Day – 12:01 a.m. May 26, 2023 through 5:00 p.m. May 30, 2023;
- (3) Independence Day – 12:01 a.m. June 30, 2023 through 5:00 p.m. July 5, 2023; and
- (4) Labor Day – 12:01 a.m. September 1, 2023 through 5:00 p.m. September 5, 2023.

C. Notwithstanding the foregoing, this Agreement may be terminated by either party by giving thirty (30) days' written notice of intent to terminate this Agreement to the other party. Any notice of intent to terminate must be delivered by deposit in the United States mail, certified, return mail receipt requested, to the other party at the addresses set out herein. Upon termination of this Agreement, neither party will have any obligations to the other party under this Agreement, except with respect to payment for services already rendered under this Agreement, but not yet paid.

II. COUNTY RESPONSIBILITIES

The COUNTY will pay the CITY at a rate of \$120.00 an hour for a total amount not to exceed \$2500.00 for each of the aforementioned "No Refusal Weekend" periods, for the services of Judge Scott and/or Judge Lee to review, consider and sign, if appropriate, evidentiary warrants to obtain blood samples from individuals suspected of driving while intoxicated during the "No Refusal Weekend" periods. Payment of the judge's fee is specifically not made contingent upon approval of the warrant by the judge.

III. CITY RESPONSIBILITIES

The CITY through Municipal Judge Scott and/or Judge Lee shall review, consider and sign, if appropriate, evidentiary warrants to obtain blood samples from individuals suspected of driving while intoxicated during the "No Refusal Weekend" periods. The CITY agrees that Judge Scott and/or Judge Lee will be available to provide these services at times to be scheduled at a later date during the "No Refusal Weekend" periods. The CITY further agrees to submit an invoice to the COUNTY (c/o the Rockwall County Auditor) for the services provided by the Judge. Payment shall be made 30 days after receipt of the invoice by the Rockwall County Auditor.

IV. GENERAL PROVISIONS

A. General Administration:

The COUNTY and the CITY will designate their respective representatives for the general administration of this Agreement.

B. Alteration, Amendment or Modification:

This Agreement may not be altered, amended, or modified except in writing signed by all parties to this Agreement.

C. Notice:

All notices sent pursuant to this Agreement will be in writing and must be sent by registered or certified mail, postage prepaid, return-receipt requested.

Notices sent pursuant to this Agreement will be sent to the Rockwall County Judge's Office at the following address:

*County Judge
Rockwall County Judge's Office
101 East Rusk, Room 202
Rockwall, Texas 75087*

Notices sent pursuant to this Agreement may be delivered or sent to the City at the following address:

*Mayor
City of Rockwall
385 South Goliad Street
Rockwall, Texas 75087*

When notices sent pursuant to this Agreement are mailed by registered or certified mail, notices will be deemed effective three (3) days after deposit in a U.S. mail box or at a U.S. postal office.

D. Severability:

If any provision of this Agreement is found to be invalid, illegal, or unenforceable, such invalidity, illegality, or unenforceability will not affect the remaining provisions of this Agreement.

E. Breach:

The failure of either party to comply with the terms and conditions of this Agreement will constitute a breach of this Agreement. Either party will be entitled to any and all rights and remedies allowed under Texas law for any breach of this Agreement by the other party.

F. Non-Waiver:

The waiver by either party of a breach of this Agreement will not constitute a continuing waiver of such breach or of a subsequent breach of the same or a different provision. Nothing in this Agreement is intended by either party to constitute a waiver of any immunity from suit or liability to which it is entitled under applicable law.

G. Entire Agreement:

This Interlocal Cooperative Agreement constitutes the entire Agreement between the COUNTY and the CITY. No other agreement, statement, or promise relating to the subject matter of this Agreement and which is not contained in this Agreement or incorporated by reference in this Agreement will be valid or binding.

H. Terms used in Document:

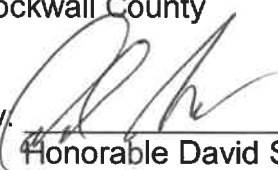
As used in this Agreement, the terms "Interlocal Cooperation Agreement", "Interlocal Agreement", "Agreement", and "Contract" are synonymous.

I. Non-Defined Terms:

If not specifically defined in this Agreement, words and phrases used in this Agreement will have their ordinary meaning as defined by common usage.

EXECUTED THIS 13th day of December 2022.

Rockwall County

By: 

Honorable David Sweet
Rockwall County Judge

EXECUTED THIS _____ day of _____ 2022.

City of Rockwall

By: _____
Mayor Kevin Fowler
City of Rockwall



City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and Council Members

FROM: Hotel Occupancy Tax Sub-committee Members
Mary Smith, city Manager

DATE: December 16, 2022

SUBJECT: Supplemental Requests for HOT Funding

The Subcommittee met to discuss supplemental requests for HOT funding for events in fiscal year 2023. Members Dana Macalik, Anna Campbell, and Bennie Daniels have prepared the following recommendations for funding pending Council’s approval.

The Texas K9 conference has been highly successful for the past two years and attendees say they come specifically because it is excellent training and being held in such a great place. Each year attendance numbers have increased. The subcommittee is recommending \$22,400 for the 2023 conference.

Rockwall High School Wrestling program was the host for the 2022 statewide tournament. Wrestlers and their families traveled from as far as Amarillo and Houston for this two-day meet. The subcommittee recommends funding their full request for \$18,000.

Rockwall Summer Musicals was a previous recipient of funds but was not in the current funding cycle due to changes in leadership roles in the organization. They will be putting on multi-day performances of two different well-known musicals in Summer 2023. The subcommittee recommends \$5,000 for these programs.

The Historical Foundation has requested funds for upgrades to the security at the Museum as well as some small structural fixes to provide greater safety for their visitors. The subcommittee agrees with their request for \$5,249 to make these upgrades.

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

Fund Balance carried forward	\$1,738,734
Budgeted Revenues	1,000,000
Previously Allocated Funding	<u>(1,034,380)</u>
Projected Fund Balance	\$1,707,354

The subcommittee can answer any questions regarding their recommendations. Council is asked to consider approval of the funding amounts and authorize the City Manager to execute contracts with the organizations.



Hotel Occupancy Tax

Program Year 2023

Events held Oct. 1, 2022 - Sept. 30, 2023

Application

MUST BE TYPED or PRINTED

Deliver to:

City of Rockwall Finance Office

Attn: Lea Ann Ewing

385 S. Goliad St., Rockwall, TX 75087

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

Organization Name: Rockwall County Historical Foundation
Name of Event: Updating Safety and Security at the Museum
Date(s) of Event: 2022
Funding Request \$: \$5,249.00
Website Address: rockwallcountymuseum.com
Mailing Address: P.O. Box 916 Rockwall, Texas, 75087
Physical Address: 901 E. Washington Street
Telephone: 972-722-1507 Fax: N/A

Primary Contact Name: Katie Conrad
(Project Director)
Mailing Address: P.O. Box 916
Rockwall, Texas 75087
Email Address: director@rockwallcountymuseum.com
Telephone: 972-722-1507 Fax: N/A

Secondary Contact Name: Sarah Keeney
(President/Board Chairman)
Mailing Address: P.O. Box 916
Rockwall, Texas 75087
Email Address: rockwallhistory@gmail.com
Telephone: 972-750-8809 Fax: N/A

- ▶ COMPLETE AN APPLICATION FOR EACH EVENT/PROGRAM/EXHIBIT REQUESTING FUNDS
- ▶ INCOMPLETE APPLICATIONS WILL NOT BE FORWARDED TO THE COUNCIL SUBCOMMITTEE

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

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

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

Historical **Requested funding amount \$ 5,249.00**
Providing historical restoration, preservation, programs, and encouragement to visit preserved historic sites or museums located in the City of Rockwall.

2. Describe the program or event for the upcoming fiscal year (Oct. 1 2022 – Sept. 30, 2023) that you are requesting Hotel Tax funding. What is your event and why are you having it?

These funds would go towards the purchase of new outdoor security cameras, stronger and safer deadbolts on all buildings, anti-slip tape for the front and rear entrances of the two houses, and solar powered lighting.

We currently use SimpliSafe for our alarm system and Arlo for outdoor security cameras. Our current cameras are battery powered, requiring staff members to get on a ladder multiple times a week to recharge the batteries. These batteries are dying and require a charge more often. These funds would purchase 8 SimpliSafe outdoor cameras and 8 solar panels, replacing our current cameras and adding more lighting and security to our buildings and features.

We would also use these funds to hire a locksmith to rekey existing and install new deadbolts, as well as drill for a lock on an internal door in the Bailey House. We have recently purchased expensive equipment that needs to be secured. We are not here most of the week, so the upgraded security of our recourses is vital.

It has also become clear that we need to install anti-slip tape on the entrances and exits of our buildings and install lighting on the front of the Manson House.

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

With the updated safety and security measures we can ensure that patrons feel safe when visiting and proving that we take security seriously. We are in a high traffic area, but with the added security patrons will feel secure in the fact that their donations are well taken care of. Patrons can spread this knowledge leading towards more visits to the area as well as donations to the Foundation.

4. Is the event/program that the organization is requesting Hotel Tax funds held in/on City-owned property?

Yes X Name location: Rockwall County Historical Foundation Museum

5. Will your organization provide special event insurance coverage for the event/program if held on City property?
Yes X Name of Insurance Company: Chubbs Insurance Company

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

Event	Year	Event Duration (in Days)	Audience Size	# of Attendees in hotel rooms
Museum visitors	2021	144	670	14
Sheri Stodghill Lecture Series	2021	8	127	Unknown
Humanities Texas Temp. Exhibits	2021	109	301	Unknown
Brunch & Minerals Fundraiser	2021	1	85	Unknown
Tenant Cabin Geocachers	2021	365	Unknown	Unknown
Gazebo Rentals	2021	9	Approx. 100	Unknown
Photographers	2021	47	Approx. 313	Unknown
Museum visitors	2020	260	296	8
Sheri Stodghill Lecture Series	2020	5	165	Unknown
Rockwall Art League Exhibit	2020	45	60	Unknown
Humanities Texas Temp. Exhibits	2020	76	150	Unknown
Archaeology Kid's Day in the Park	2020	1	250	Unknown
Tenant Cabin Geocachers	2020	365	8	Unknown
Gazebo Rentals	2020	13	150	Unknown
Bailey House Rental	2020	1	30	Unknown
Photographers	2020	365	Approx. 304	Unknown
Museum visitors	2019	260	455	16
Sheri Stodghill Lecture Series	2019	10	268	Unknown
Tenant Cabin Geocachers	2019	365	74	Unknown
Founder's Day	2019	1	83	Unknown
Archaeology Kid's Day in the Park	2019	1	140	Unknown
"Tomb of the Unknown Soldier" exhibit	2019	30	30	Unknown
"Forty Years of Rockwall Mayors" exhibit	2019	1	45	Unknown
"The Fate Girls"	2019	1	45	Unknown

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

All museum staff, visitors, and community members will benefit from the upgraded safety and security measures. The cameras and lights, especially during the fall and winter, will allow people to visit during the early evenings and not worry about potential dangers. The anti-slip tape will also eliminate potential injury and lawsuits to the Foundation and City of Rockwall.

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

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

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

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

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

President/ Board Chairman: Sarah Keeney

Date 11/21/2022 *Sarah Keeney*

 Signature

Event/Program Director: Katie Conrad

Date 11/21/2022 *Katie Conrad*

 Signature

Both signatures are required for the application to be complete.

EXHIBIT A

**Hotel Occupancy Tax Funding Request
Event/Program Budget - Program Year 2023**

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

Organization Name: Rockwall County Historical Foundation
 Event/Program Name: Updating Safety and Security at the Museum
 Requested Funding: \$ 5,249.00

Expenses (for this project only)		Total Expenses	HOT Funding \$ Request	Additional Justification for HOT Funding Request
1. Personnel	\$			
Administrative				
Artistic				
Technical				
Other personnel				
2. Fees for outside professional services			\$5249.00	This amount is based on quotes direct from the suppliers. We added 20% for unforeseen circumstances with the products prices/manual labor/installation.
Administrative				
Artistic				
Technical				
3. Space Rental				
4. Equipment Rental				
5. Travel/Transportation				
6. Promotion/Printing				
7. Costumes/Royalties				
8. Other (supplies, postage etc.)				
9. Sub -Totals				
10. Total Expenses				

Revenues (for this project only)			Revenue - additional remarks
1. Total Amount of HOT Fund Request	\$		
2. Admissions (ticket and concessions)			
3. Donations			
4. Organizational funds budgeted			
5. Grants (State)			
6. Other (list):			
7. Other (list):			
8. Other (list):			
9. Other (list):			
10. Total income and contributions			
11. Total In-Kind			
12. Total Revenues			

Financial Information (for this project only)		2020 Actual	2021 Actual	2022 Actual	2023 Proposed
Fiscal Year (Oct. 1st - Sept. 30th)					
Total Revenues(including HOT funds)	\$				
Total Expenses	\$				\$5249.00
Total HOT funds awarded	\$				

Exhibits B-F to follow

If you are submitting more than one application (one for each event/program funding) only provide one copy of the following documents/exhibits with your submittal:

- | | |
|-----------|---|
| Exhibit B | Letter of determination certifying federal tax exempt 501(c)(3) status |
| Exhibit D | List members of the governing body including name, position, mailing address and phone number |
| Exhibit E | W-9 Form https://www.irs.gov/pub/irs-pdf/fw9.pdf |
| Exhibit F | Form 1295 https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm |

Exhibit A

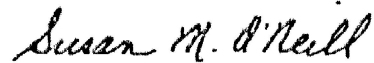
Proposed Budget for RCHF Emergency Grant Application: Updating Safety and Security at the Museum		
Object	Quantity	Price, nearest \$
SimpliSafe Cameras & Solar Panels	8 of each	\$1,965.00
OnTech Installation of SimpliSafe		\$1,164.00
Uline Anti Slip Tape	2 roles	\$189.00
Solar lights	2	\$200.00
Deadbolts (new)	4	\$206.00
Locksmith (installation in interior door, rekeying, installation of new bolts)		\$650.00
Total		\$4,374.00
20% of total costs for inflation/rising costs of supplies	20%	\$875.00
TOTAL		\$5,249.00

0248145604
Dec. 15, 2014 LTR 4168C 0
75-1717062 000000 00
00018803

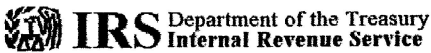
ROCKWALL COUNTY HISTORICAL
FOUNDATION
PO BOX 916
ROCKWALL TX 75087

If you have any questions, please call us at the telephone number
shown in the heading of this letter.

Sincerely yours,



Susan M. O'Neill, Department Mgr.
Accounts Management Operations



Department of the Treasury
Internal Revenue Service

P.O. Box 2508
Cincinnati OH 45201

In reply refer to: 0248145604
Dec. 15, 2014 LTR 4168C 0
75-1717062 000000 00

00018802
BODC: TE

ROCKWALL COUNTY HISTORICAL
FOUNDATION
PO BOX 916
ROCKWALL TX 75087

Employer Identification Number: 75-1717062
Person to Contact: MR. CORDELL
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your Dec. 04, 2014, request for information regarding your tax-exempt status.

Our records indicate that you were recognized as exempt under section 501(c)(3) of the Internal Revenue Code in a determination letter issued in October, 1980.

Our records also indicate that you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section(s) 509(a)(1) and 170(b)(1)(A)(vi).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Please refer to our website www.irs.gov/eo for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file. We will publish a list of organizations whose tax-exempt status was revoked under section 6033(j) of the Code on our website beginning in early 2011.

EXHIBIT C



Rockwall County Historical Foundation

Monthly Lecture Series

2022

Sept 9 - Life and Times of Henry Wade

Oct 14 - Brief History of Bricks in Texas

Nov - To be announced

Dec - To be announced

2023

Jan - No lecture

Feb 10 - J.O. Heath

Mar 10 - Amazing Women of Rockwall County

April 14 - 150 Years of County Judges

May 12 - Rockwall: The Wall

June 9 - 150 Years of Sheriffs

July & August - Summer break!

**All lectures are at Noon in the 3rd floor courtroom
of the Old Rockwall Courthouse.**

Lecture topics are subject to change.

Rockwall County Museum presents,

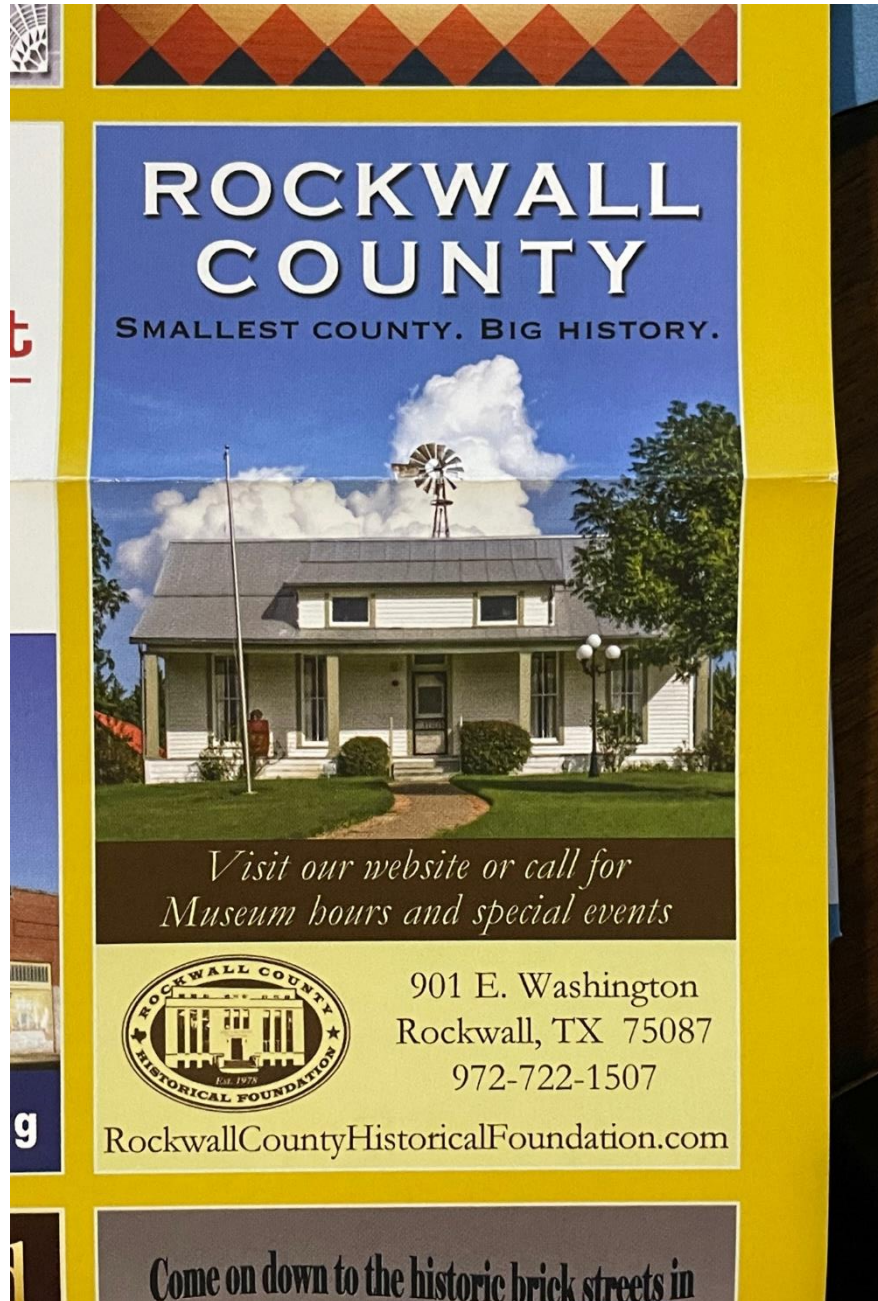
RESTLESS ROCKWALL

Candlelight Cemetery Tour


Please join us as we explore prominent and
controversial citizens of Rockwall's restless past!

Rockwall Memorial Cemetery
December 7, 2022 | 6:00 PM
FREE; REGISTRATION REQUIRED
rockwallcountymuseum.com


EXHIBIT C



ROCKWALL COUNTY
SMALLEST COUNTY. BIG HISTORY.

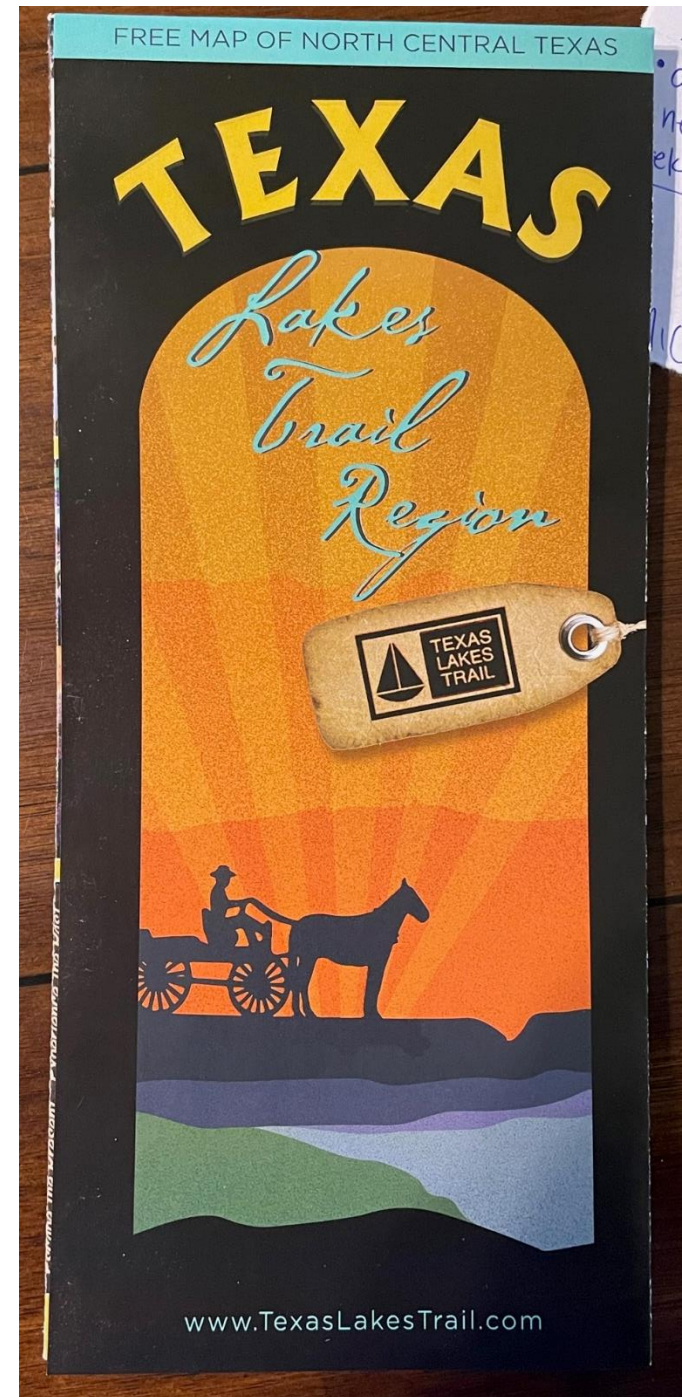


*Visit our website or call for
Museum hours and special events*



901 E. Washington
Rockwall, TX 75087
972-722-1507
RockwallCountyHistoricalFoundation.com



Come on down to the historic brick streets in



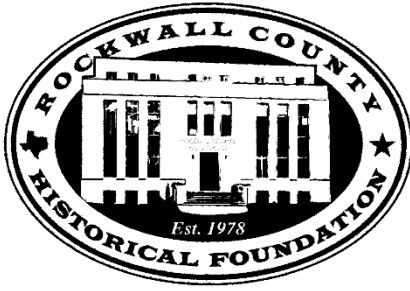
FREE MAP OF NORTH CENTRAL TEXAS

TEXAS

*Lakes
Trail
Region*



www.TexasLakesTrail.com



Rockwall County Historical Foundation

Officers and Board of Directors 2022

President	Sarah Keeney 925 Horton Street Fate, TX 75189 972-750-8809 Sarahkeeney12@gmail.com
President-elect	Evan Tate 13502 S. FM 548 Rockwall, TX 75032 214-325-3210 tatefarms@gmail.com
1 st VP	Jennifer Drake 205 Darrin Dr. Rockwall, TX 75087 214-929-8426 itsjenndrake@gmail.com
2 nd VP	Johnny Myers 280 Myers Rd. Heath, TX 75032 469-569-3816 johnny@jrmserv.com
Treasurer	Position is currently vacant
Recording Secretary	Amanda Ravetta 2555 Ridge Road, Unit 144 Rockwall, TX 75087 214-499-6432 ravettahometeam@gmail.com

**Members at Large
Serving 2-year
terms**

Grace Fowler
2451 N. FM 740
Heath, TX 75032
214-926-6466
Graceannfowler9@gmail.com

Jessica Burgess
985 Lazy Brooke Dr.
Rockwall, TX 75087
623-221-5462
Jsburgess417@gmail.com

Dalton Tasset
1600 Mariah Court
Heath, TX 75032
972-533-0241
daltontasset@icloud.com

Linda de Bree
901 Campton Court
Rockwall, TX 75032
540-842-1156
Pizzagurl999@gmail.com

Ex-Officio

Mark Russo
1519 Barrolo Dr.
Rockwall, TX 75087
241-793-2923
Mark.russo@sbcglobal.net

Request for Taxpayer Identification Number and Certification

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

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

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. Rockwall County Historical Foundation	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____ Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. <input checked="" type="checkbox"/> Other (see instructions) ▶ 501 (c) 3 Foundation	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>
5 Address (number, street, and apt. or suite no.) See instructions. 901 East Washington Street, P.O. Box 916	Requester's name and address (optional)
6 City, state, and ZIP code Rockwall, TX 75087	
7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)																																																			
Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see <i>How to get a TIN</i> , later.																																																			
Note: If the account is in more than one name, see the instructions for line 1. Also see <i>What Name and Number To Give the Requester</i> for guidelines on whose number to enter.	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="10" style="text-align: center;">Social security number</td> </tr> <tr> <td style="width: 25px; height: 20px;"></td> <td style="width: 25px; height: 20px;"></td> <td style="width: 25px; height: 20px;"></td> <td style="width: 25px; height: 20px;"></td> <td style="width: 25px; height: 20px;"></td> <td style="width: 25px; height: 20px;"></td> <td style="width: 25px; height: 20px;"></td> <td style="width: 25px; height: 20px;"></td> <td style="width: 25px; height: 20px;"></td> <td style="width: 25px; height: 20px;"></td> </tr> <tr> <td colspan="10" style="text-align: center;">or</td> </tr> <tr> <td colspan="10" style="text-align: center;">Employer identification number</td> </tr> <tr> <td style="width: 25px; height: 20px; text-align: center;">7</td> <td style="width: 25px; height: 20px; text-align: center;">5</td> <td style="width: 25px; height: 20px; text-align: center;">-</td> <td style="width: 25px; height: 20px; text-align: center;">1</td> <td style="width: 25px; height: 20px; text-align: center;">7</td> <td style="width: 25px; height: 20px; text-align: center;">1</td> <td style="width: 25px; height: 20px; text-align: center;">7</td> <td style="width: 25px; height: 20px; text-align: center;">0</td> <td style="width: 25px; height: 20px; text-align: center;">6</td> <td style="width: 25px; height: 20px; text-align: center;">2</td> </tr> </table>	Social security number																				or										Employer identification number										7	5	-	1	7	1	7	0	6	2
Social security number																																																			
or																																																			
Employer identification number																																																			
7	5	-	1	7	1	7	0	6	2																																										

Part II Certification	
Under penalties of perjury, I certify that:	
1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and 2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and 3. I am a U.S. citizen or other U.S. person (defined below); and 4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.	
Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.	

Sign Here	Signature of U.S. person ▶	Date ▶
------------------	----------------------------	--------

General Instructions

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

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

Purpose of Form

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

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

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

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

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

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

**OFFICE USE ONLY
CERTIFICATION OF FILING**

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Certificate Number:
2022-910420

Rockwall County Historical Foundation
Rockwall, TX United States

Date Filed:
07/14/2022

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

City of Rockwall, TX

Date Acknowledged:

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

HOT2023
Hotel Motel Grant

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

5 Check only if there is NO Interested Party.

6 UNSWORN DECLARATION

My name is _____, and my date of birth is _____.

My address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

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

Executed in _____ County, State of _____, on the _____ day of _____, 20____.
(month) (year)

Signature of authorized agent of contracting business entity
(Declarant)



City of Rockwall
The New Horizon

Hotel Occupancy Tax

Program Year 2023

Events held Oct. 1, 2022 – Sept. 30, 2023

Application

MUST BE TYPED or PRINTED

Deliver to:

City of Rockwall Finance Office

Attn: Lea Ann Ewing

385 S. Goliad St., Rockwall, TX 75087

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

Organization Name: Texas K-9 Conference
Name of Event: 2023 Texas Canine Conference Workshop
Date(s) of Event: September 25 – September 29, 2023
Funding Request \$: \$ 26,400.00
Website Address: <https://texas-k9.com>
Mailing Address: 812 CR 3433, Lampasas, Texas 76550
Physical Address:
Telephone: 214-304-0658 **Fax:**

Primary Contact Name: Sam Stephenson-President
 (Project Director)
Mailing Address: 385 S. Goliad St., Rockwall, Texas 75087

Email Address: mstephenson@rockwall.com
Telephone: 972-772-6423 **Fax:**

Secondary Contact Name: Chris Ford-Treasurer
 (President/ Board Chairman)
Mailing Address: 812 CR3433, Lampasas, Texas 76550

Email Address: txk9conference@gmail.com
Telephone: 512-743-1903 **Fax:**

- ▶ COMPLETE AN APPLICATION FOR EACH EVENT/PROGRAM/EXHIBIT REQUESTING FUNDS
- ▶ INCOMPLETE APPLICATIONS WILL NOT BE FORWARDED TO THE COUNCIL SUBCOMMITTEE

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

Advertising/Tourism Requested funding amount \$ 26,400.00
 Conducting solicitation or promotional programs that encourage tourists and delegates to come to the City of Rockwall.

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

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

2. Describe the program or event for the upcoming fiscal year (Oct. 1 2022 - Sept. 30, 2023) that you are requesting Hotel Tax funding. What is your event and why are you having it?

To train and certify working canines. See Attached.

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

Encourages tourism to the City of Rockwall.

4. Is the event/program that the organization is requesting Hotel Tax funds held in/on City-owned property?

Yes Name location: **Springhill Suites-Rockwall**

5. Will your organization provide special event insurance coverage for the event/program if held on City property?

Yes Name of Insurance Company: **NAPWDA**

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

Event	Year	Event Duration (in Days)	Audience Size	# of Attendees in hotel rooms
Texas Canine Conference-Dallas	2016	5	75	30
Texas Canine Conference-Dallas	2017	5	80	35
Texas Canine Conference-Dallas	2018	5	100	35
Texas Caine Conference-Dallas	2019	5	100	40
Texas Canine Conference-Rockwall	2021	5	75	35
Texas Canine Conference-Rockwall	2022	5	80	35

7. What specific market will you target with the event/program's marketing plan? Attach up to 3 examples and evidence of marketing area and readership (Label Exhibit C).
8. The City of Rockwall must require segregated accounting of its Hotel funds. Organizations must maintain and account for revenue provided from the tax authorized by section 351.101(a) within one of the two options listed below.
- a) Separate checking account without combining with any other revenues or maintained in any other bank account or
 - b) Maintain a line item accounting, whereby the Hotel revenues may not be combined with any other revenues or expenditures. The funds may be maintained in the same bank account, provided they are reported as a separate line item in the organization's budget. Interest earned on the Hotel revenues must be used to support the event/program as well.

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

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

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

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

President/ Board Chairman:
10/07/2022
Date

Sam Stephenson

Print Name

Signature



Event/Treasurer:
10/07/2022
Date

Chris Ford

Print Name

Signature



Both signatures are required for the application to be complete.

EXHIBIT A

**Hotel Occupancy Tax Funding Request
Event/Program Budget - Program Year 2023**

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

Organization Name: Texas Canine Conference
 Event/Program Name: 2023 Texas Canine Conference
 Requested Funding: \$ 26,400.00

Expenses (for this project only)	Total Expenses	HOT Funding \$ Request	Additional Justification for HOT Funding Request
1. Personnel	\$		
Administrative			
Artistic			
Technical			
Other personnel			
2. Fees for outside professional services			
Administrative <u>Advertising</u>	2400.00	2400.00	
Artistic <u>Web Page Update</u>	500.00	500.00	
Technical <u>Participant Lunches</u>	1700.00	1700.00	
3. Space Rental <u>Hotel</u>	5000.00	5000.00	
4. Equipment Rental <u>Benquet</u>	3500.00	3500.00	
5. Travel/Transportation <u>Airfare/Mileage</u>	3500.00	3500.00	
6. Promotion/Printing <u>T-Shirts</u>	3000.00	3000.00	
7. Costumes/Royalties <u>Prizes/Hospitality</u>	4800.00	4800.00	
8. Other (supplies, postage etc.) <u>Per Diem</u>	2000.00	2000.00	
9. Sub-Totals			
10. Total Expenses	26400.00	26400.00	

Revenues (for this project only)		
1. Total Amount of HOT Fund Request	\$ 26400.00	Revenue - additional remarks
2. Admissions (ticket and concessions)	4000.00	<u>Registration Fees (\$100.00 per person)</u>
3. Donations		
4. Organizational funds budgeted		
5. Grants (State)		
6. Other (list):		
7. Other (list):		
8. Other (list):		
9. Other (list):		
10. Total income and contributions		
11. Total In-Kind		
12. Total Revenues	\$ 30,400.00	

Financial Information (for this project only)					
Fiscal Year (Oct. 1st - Sept. 30th)		2020 Actual	2021 Actual	2022 Actual	2023 Proposed
Total Revenues (including HOT funds)	\$		18600.00	24600.00	26400.00
Total Expenses	\$		16742.51	25484.34	26400.00
Total HOT funds awarded	\$		13600.00	20600.00	22400.00

In 2023 it will be our 20th annual Texas K9 conference, and we just completed our 2nd year of hosting the conference in Rockwall. The participants provided positive feedback and those from out of town enjoyed having the Harbor and restaurants in walking distance from where they were staying at the Springhill Suites. Over the past 20 years the conference has grown and has become collaborative effort with the State Fire Marshal's Office, the North American Police Work Dog Association, and the Rockwall Fire Department.

This year we had a total of 80 participants and approximately 42 dog teams from in state, out of state, and out of country. Those from out of town stayed at the Springhill suites, utilizing 31 rooms, which equaled to 144 room nights. This group voted unanimously to come back to Rockwall for this Conference in 2023. The dates of next year will be September 25- September 29th and the Springhill Suites have already been secured to host the event. We are expecting great attendance with closer to 50 canine teams (German Shepherds, Belgian Malinois (like Kenna), Labrador Retrievers, and Blood Hounds). These teams will once again be coming from all over the state, and affiliated with fire departments, law enforcement, and even a few civilian search and rescue teams. We will have 5-6 master trainers that are from the North American Police Work Dog Association (NAPWDA) who will be certifying the dog teams in their respective disciplines. We will be offering certifications and training in police patrol (canine apprehension by police), narcotics, explosives, tracking and trailing, accelerants, wildland, and cadaver searches.

2022 Texas K9 Conference Expenses

Check#	Vendor	Amount
1021	Police K9 Magazine	1200.00
1022	K9 Cop Magazine	1200.00
1023	First Star Tactical	2675.00
1024	Full Moon Design	1800.00
1025	Sam Stephenson Reimburse web page	319.80
1026	Airfare Devaney	187.98
1027	Airfare Raymond	713.97
1028	Airfare Rosenau	427.96
1029	Airfare Foisy	1145.20
1030	Copy Cats – supplies	64.52
1031	RRC Tees	2366.07
1032	Centex Laser	1014.56
1033	instructor Per Diem – meals	1500.00
1034	Hoffpauir Ranch – raffle items	1050.52
1035	Beer Barn	553.48
1036	Costco	676.78
1037	Kelley Stalder – reimbursement supplies	26.75
1038	Airfare – Pleasant	319.96
1039	Sam Reimbursement for meals	1463.99
1040	Springhill Suites	6797.80
	TOTAL	\$25,484.34

Stephenson, Marcus

From: Stephenson, Marcus
Sent: Thursday, August 5, 2021 8:12 AM
To: Stephenson, Marcus
Subject: Screensho.jpg



Sam Stephenson
Arson Investigator/Inspector
Rockwall Fire Department
191 E. Quail Run Road
Rockwall , TX 75087
972-771-7774

This email was scanned by Bitdefender

Texas K9 Conference

2021 Texas Canine Conference.

Thank you City of Rockwall for making this happen!!



Message Share Comment Reply

Texas K9 Conference

Location list

Message button and navigation icons including Home, Messages, Search, and Profile.

SpringHill Suites Dallas Rockwall

Rooming List for NAPG - NO AMERICAN POLICE D, 258Sep22 - 01Oct22

30Sep22 09:22 AM

Sorted by Guest Name

Page 1

Room	Type	Share	Folio	Conf#	Name	Company	Arrive	Depart	Status
202	QQST		85799	90117893	BROWDER/RAYMOND/MR	DOGS	29Sep22	30Sep22	IN
211	KSTE		84995	92670700	COOLEY/THOMAS	DOGTRAINING	25Sep22	30Sep22	CO
111	KSTE		83478	95371415	CUBIT/CARROLL	NO AMERICAN POLICE	25Sep22	30Sep22	IN
227	KSTE		81993	71308706	DEVANEY/MATHEW	NA POLICE WORK DOG ASSN	25Sep22	30Sep22	CO
116	KSTE		85467	76238459	DOWDLE/SANDY	DOG TRAINING	25Sep22	30Sep22	CO
417	KSTE		81995	71308718	FOISY/DWAYNE	NA POLICE WORK DOG ASSN	25Sep22	30Sep22	CO
107	KSTE		85842	91763109	FORD/CHRIS/MR	CANINE CONFERENCE	25Sep22	30Sep22	IN
319	KSTE		84412	71666925	GANZZINO/CHARLES	K9	27Sep22	29Sep22	CO
202	QQST		85252	99272505	GUNTER/RANDY	K9	27Sep22	29Sep22	CO
113	KSTE		80447	93729187	HOWELL/GARY	CANINE CONFERENCE	25Sep22	30Sep22	IN
221	KSTE		84992	92457338	HUBERTUS/TOMMY/MR	DOG TRAINING	25Sep22	30Sep22	IN
213	KSTE		80646	74309136	HULME/RICHARD	DOG TRAINING	25Sep22	01Oct22	IN
104	QQST		85858	92338835	ILSE/ROYCE	TEXAS PARKS & WILDLIFE	25Sep22	30Sep22	CO
330	KSTE		84384	71122153	JOHNSON/TODD/MR	K9	27Sep22	29Sep22	CO
109	KSTE		84990	92389720	LANG/BILLY/MR	DOG TRAINING	25Sep22	30Sep22	CO
106	QQST		84994	92469728	MAHLMANN/HEATH/MR	STATE FIRE MARSHAL	25Sep22	30Sep22	CO
217	KSTE		86175	72049982	MCCLAIN/ROBERT	CANINE CONFERENCE	25Sep22	30Sep22	IN
110	QQST		85368	72523047	MCCUNE/CHAD/MR	PEARLAND FIRE MARSHAL'S OFFICE	25Sep22	30Sep22	IN
112	QQST		85857	92328530	MCMILLEN/DAVID	TEXAS WARDEN	26Sep22	29Sep22	CO
205	KSTE		84575	77101828	OLSEN/SCOTT	K9	25Sep22	30Sep22	CO
219	KSTE		85280	99888913	OWEN/JONI	CANINE CONFERENCE	26Sep22	29Sep22	CO
215	KSTE		81992	71308698	PLEASANT/TOMMY	NA POLICE WORK DOG ASSN	25Sep22	30Sep22	IN
425	KSTE		81996	71308756	RAYMOND/NEIL	NA POLICE WORK DOG ASSN	25Sep22	30Sep22	CO
316	KSTE		81991	71308689	RIVES/DAVID	NA POLICE WORK DOG ASSN	25Sep22	30Sep22	IN
225	KSTE		81990	71308712	RIVESHOSPITALITY/DAVID	NA POLICE WORK DOG ASSN	25Sep22	30Sep22	IN
231	KSTE		80835	83947388	RODGERS/RUSTY	NAPWDA	25Sep22	30Sep22	IN
206	QQST		85805	90671804	ROMERO/AARON	DOG TRAINING	25Sep22	30Sep22	CO
317	KSTE		81994	71308711	ROSENAL/JOE	NA POLICE WORK DOG ASSN	25Sep22	30Sep22	CO
223	KSTE		85537	80996795	STONE/CHRISTOPHER	DOG TRAINING	25Sep22	30Sep22	CO
114	QQST		79200	70121727	SWEENEY/DANIEL	DOGGIE CONFERENCE	25Sep22	30Sep22	CO
103	KSTE		86176	72049935	TESSIER/EDDY	CANINE CONFERENCE	25Sep22	30Sep22	IN
209	KSTE		34675	95946640	WOODWARD/SHANE	NM STATE FIRE MARSHALL	25Sep22	30Sep22	IN

9/25 9/26 9/27 9/28 9/29 9/30
 26 28 31 31 27 1

Total: 144 room nights

MARRIOTT CONFIDENTIAL AND PROPRIETARY INFORMATION The contents of this material are confidential and proprietary to Marriott International, Inc. and may not be reproduced, disclosed, distributed or used without the express permission of an authorized representative of Marriott. Any other use is expressly prohibited.

SPRINGHILL SUITES®
BY MARRIOTT

SPRINGHILL SUITES BY MARRIOTT® / DALLAS ROCKWALL
2601 Lakefront Trail, Rockwall, TX 75032 P 972.961.5100
springhillsuites.com

No American Police D
191 E Quail Run
Rockwall TX 75087
No American Police Dog

Room: GRP
Room Type: HSE
Number of Guests: 0
Rate: \$0.00 Clerk: JJE

Arrive: 25Sep22 Time: Depart: 30Sep22 Time: 12:00PM Folio Number: G1919

DATE	DESCRIPTION	CHARGES	CREDITS
30Sep22	Meeting Room A	600.00	
30Sep22	State Occupancy Tax	36.00	
30Sep22	Meeting Room A	100.00	
30Sep22	State Occupancy Tax	6.00	
30Sep22	Banquet Dinner	2170.00	
30Sep22	Banquet Service Charge	631.40	
30Sep22	Check		6797.80
Charges Transferred FROM 81990 RIVESHOSPITALITY/DAVID			
25Sep22	Room Charge	96.00	
25Sep22	State Occupancy Tax	5.76	
25Sep22	City Tax	6.72	
26Sep22	Room Charge	96.00	
26Sep22	State Occupancy Tax	5.76	
26Sep22	City Tax	6.72	
27Sep22	Room Charge	96.00	
27Sep22	State Occupancy Tax	5.76	
27Sep22	City Tax	6.72	
28Sep22	Room Charge	96.00	
28Sep22	State Occupancy Tax	5.76	
28Sep22	City Tax	6.72	
29Sep22	Room Charge	96.00	
29Sep22	State Occupancy Tax	5.76	
29Sep22	City Tax	6.72	
Total Charges Transferred FROM 81990		542.40	
Charges Transferred FROM 81992 PLEASANT/TOMMY			
25Sep22	Room Charge	96.00	
25Sep22	State Occupancy Tax	5.76	
25Sep22	City Tax	6.72	
26Sep22	Room Charge	96.00	
26Sep22	State Occupancy Tax	5.76	
26Sep22	City Tax	6.72	
27Sep22	Room Charge	96.00	
27Sep22	State Occupancy Tax	5.76	
27Sep22	City Tax	6.72	
28Sep22	Room Charge	96.00	
28Sep22	State Occupancy Tax	5.76	
28Sep22	City Tax	6.72	
29Sep22	Room Charge	96.00	

Operated under license from Marriott International, Inc. or one of its affiliates.

SPRINGHILL SUITES®
BY MARRIOTT

SPRINGHILL SUITES BY MARRIOTT® / DALLAS ROCKWALL
2601 Lakefront Trail, Rockwall, TX 75032 P 972.961.5100
springhillsuites.com

No American Police D Room: GRP
191 E Quail Run Room Type: HSE
Rockwall TX 75087 Number of Guests: 0
No American Police Dog Rate: \$0.00 Clerk: JJE
Arrive: 25Sep22 Time: Depart: 30Sep22 Time: 12:00PM Folio Number: G1919

DATE	DESCRIPTION	CHARGES	CREDITS
29Sep22	State Occupancy Tax	5.76	
29Sep22	City Tax	6.72	
	Total Charges Transferred FROM 81992	542.40	
	Charges Transferred FROM 81993 DEVANEY/MATHEW		
25Sep22	Room Charge	96.00	
25Sep22	State Occupancy Tax	5.76	
25Sep22	City Tax	6.72	
26Sep22	Room Charge	96.00	
26Sep22	State Occupancy Tax	5.76	
26Sep22	City Tax	6.72	
27Sep22	Room Charge	96.00	
27Sep22	State Occupancy Tax	5.76	
27Sep22	City Tax	6.72	
28Sep22	Room Charge	96.00	
28Sep22	State Occupancy Tax	5.76	
28Sep22	City Tax	6.72	
29Sep22	Room Charge	96.00	
29Sep22	State Occupancy Tax	5.76	
29Sep22	City Tax	6.72	
	Total Charges Transferred FROM 81993	542.40	
	Charges Transferred FROM 81994 ROSENAL/JOE		
25Sep22	Room Charge	96.00	
25Sep22	State Occupancy Tax	5.76	
25Sep22	City Tax	6.72	
26Sep22	Room Charge	96.00	
26Sep22	State Occupancy Tax	5.76	
26Sep22	City Tax	6.72	
27Sep22	Room Charge	96.00	
27Sep22	State Occupancy Tax	5.76	
27Sep22	City Tax	6.72	
28Sep22	Room Charge	96.00	
28Sep22	State Occupancy Tax	5.76	
28Sep22	City Tax	6.72	
29Sep22	Room Charge	96.00	
29Sep22	State Occupancy Tax	5.76	
29Sep22	City Tax	6.72	

Operated under license from Marriott International, Inc. or one of its affiliates.

SPRINGHILL SUITES®
BY MARRIOTT
SPRINGHILL SUITES BY MARRIOTT® / DALLAS ROCKWALL
 2601 Lakefront Trail, Rockwall, TX 75032 P 972.961.5100
springhillsuites.com

No American Police Dog Room: GRP
 191 E Quail Run Room Type: HSE
 Rockwall TX 75087 Number of Guests: 0
 No American Police Dog Rate: \$0.00 Clerk: JJE
 Arrive: 25Sep22 Time: Depart: 30Sep22 Time: 12:00PM Folio Number: G1919

DATE	DESCRIPTION	CHARGES	CREDITS
	Total Charges Transferred FROM 81994	542.40	
	Charges Transferred FROM 81995 FOISY/DWAYNE		
25Sep22	Room Charge	96.00	
25Sep22	State Occupancy Tax	5.76	
25Sep22	City Tax	6.72	
26Sep22	Room Charge	96.00	
26Sep22	State Occupancy Tax	5.76	
26Sep22	City Tax	6.72	
27Sep22	Room Charge	96.00	
27Sep22	State Occupancy Tax	5.76	
27Sep22	City Tax	6.72	
28Sep22	Room Charge	96.00	
28Sep22	State Occupancy Tax	5.76	
28Sep22	City Tax	6.72	
29Sep22	Room Charge	96.00	
29Sep22	State Occupancy Tax	5.76	
29Sep22	City Tax	6.72	
	Total Charges Transferred FROM 81995	542.40	
	Charges Transferred FROM 81996 RAYMOND/NEIL		
25Sep22	Room Charge	96.00	
25Sep22	State Occupancy Tax	5.76	
25Sep22	City Tax	6.72	
26Sep22	Room Charge	96.00	
26Sep22	State Occupancy Tax	5.76	
26Sep22	City Tax	6.72	
27Sep22	Room Charge	96.00	
27Sep22	State Occupancy Tax	5.76	
27Sep22	City Tax	6.72	
28Sep22	Room Charge	96.00	
28Sep22	State Occupancy Tax	5.76	

Operated under license from Marriott International, Inc. or one of its affiliates.

To plan your next stay, visit springhillsuites.com **48**

SPRINGHILL SUITES®
BY MARRIOTT

SPRINGHILL SUITES BY MARRIOTT® / DALLAS ROCKWALL
2601 Lakefront Trail, Rockwall, TX 75032 P 972.961.5100
springhillsuites.com

No American Police Dog Room: GRP
191 E Quail Run Room Type: HSE
Rockwall TX 75087 Number of Guests: 0
No American Police Dog Rate: \$0.00 Clerk: JJE
Arrive: 25Sep22 Time: Depart: 30Sep22 Time: 12:00PM Folio Number: G1919

DATE	DESCRIPTION	CHARGES	CREDITS
28Sep22		City Tax	6.72
29Sep22		Room Charge	96.00
29Sep22		State Occupancy Tax	5.76
29Sep22		City Tax	6.72
	Total Charges Transferred FROM 81996		542.40
		BALANCE:	0.00

As a Marriott Bonvoy Member, you could have earned points towards your free dream vacation today. Start earning points and Elite status, plus enjoy exclusive member offers. Enroll today at the front desk.

See our "Privacy & Cookie Statement" on Marriott.com.

Operated under license from Marriott International, Inc. or one of its affiliates.

To plan your next stay, visit springhillsuites.com **49**

TEXAS K-9 CONFERENCE



Thank You!



2021 Texas Canine Conference.

Thank you City of Rockwall for making this happen!!



Miranda Stephenson and 12 others

7 Shares

Request for Taxpayer Identification Number and Certification

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

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

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

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

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

Individual/sole proprietor or single-member LLC

C Corporation

S Corporation

Partnership

Trust/estate

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

Other (see instructions) ▶ **Association**

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

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

Exempt payee code (if any) **1**

Exemption from FATCA reporting code (if any) _____

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

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

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

7 List account number(s) here (optional)

Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

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

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

Social security number

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

or

Employer identification number

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

Part II Certification

Under penalties of perjury, I certify that:

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

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

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

General Instructions

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

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

Purpose of Form

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

- Form 1099-INT (interest earned or paid)

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

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

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

Exhibit D

Texas Canine Conference Governing Body

President- Sam Stephenson (Rockwall Fire Department)

17450 Chaparral Trot

Rockwall, Texas 75087

214-304-0658

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

3604 Midwest Drive

Bryan, Texas 77802

979-777-3734

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

812 County Road 3433

Lampasas, Texas 76550

512-734-1903

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

2210 95th Street

Lubbock, Texas 79423

806-773-7217

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

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

**OFFICE USE ONLY
 CERTIFICATION OF FILING**

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

Certificate Number:
 2021-751374

Date Filed:
 05/12/2021

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

Date Acknowledged:

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

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

5 Check only if there is NO Interested Party.

6 UNSWORN DECLARATION

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

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

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

Executed in Rockwall County, State of Texas, on the 12 day of May, 2021.
(month) (year)


 Signature of authorized agent of contracting business entity (Declarant)

2022 Conference Calling Teams

Name (First)	Name (Last)	Agency	Email
Jessica	Donalson	Mesquite PD	jdonalso@mesquitepolice.org
Daniel	Sweeney	Hood County Sheriff's Office	dan14sweeney@gmail.com
Elizabeth	Forbes	Search One Rescue Team	elizabeth.forbes@searchone.org
Joshua	Lane	Hood County Sheriff's Office	jlane@co.hood.tx.us
Susan	Millard	Dallas Police Department	k9millard@sbcglobal.net
Joe	DiGiacomo	City of New York	jocko1001@gmail.com
Ray	Browder	Haltom City Police Department	rbrowder@haltomcitytx.com
Jeremy	Wilemon	Mesquite Police Department	rbaisden@mesquitepolice.org
ROYCE	Ilse	Texas Parks & Wildlife	royce.ilse@tpwd.texas.gov
Sherril	Gladney	Boone County Fire Protection District	sgladney@bcfdmo.com
Aaron	Ross	Kaufman County Precinct 2 Constable Office	aaron.ross@kaufmancounty.net
Adam	Mahlmann	Texas State Fire Marshal	heath.mahlmann@tdi.texas.gov
David	McMillen	Texas Parks and Wildlife Department	david.mcmillen@tpwd.texas.gov
Joni	Owen	Texas Parks and Wildlife Department	joni.owen@tpwd.texas.gov
Chris	Ford	State FMO	chris.ford@tdi.texas.gov
Thomas	Cooley	State Fire Marshal's Office	thomas.cooley@tdi.texas.gov
Tommy	Hubertus	State Fire Marshal	K9boddy@yahoo.com
Billy	Lang	State Fire Marshal's Office	billy.lang@tdi.texas.gov
Jan	Meyer	Gateway Search Dogs, Inc	janmeyer@att.net
Ashley	Bowen	Kaufman County Fire Marshal	jumperash23@yahoo.com
Sandra	Perry	Soltice	dogsearchrescue@yahoo.com
Jacob	Sample	Frisco Fire Department	jsample@friscofire.com
Jason	Crawford	Mesquite	jcrawford@mesquitepolice.org
AARON	ROMERO	SAFD ARSON BUREAU	AARON.ROMERO@SANANTONIO.GOV
Christopher	Stone	Pasco Sheriff's Office	Cstone@pascosheriff.org
Raymond	Browder	Haltom City Police Department	rbrowder@haltomcitytx.com
Daniel	Lemboris	Garland PD	Lemborisd@garlandtx.gov
Robert	McClain	Harris County Fire Marshal's Office	robert.mcclain@fmo.hctx.net
Eddy	Tessier	Harris County Fire Marshal's Office	eddy.tessier@fmo.hctx.net
Laurel	Pitman	Dallas Fire Rescue	laurelpitman@yahoo.com
shane	woodward	New Mexico State Fire Marshal	shane.woodward@state.nm.us
SANDY	DOWDLE	EL RENO POLICE DEPARTMENT	sdowdle@elrenook.gov
Carroll	Cubit	Leander Fire Department	carrollcubit@gmail.com

Justin	Frum	Pasco County	jfrum@pascocountyfl.net
Chad	McCune	Pearland Fire Marshal's Office	cmccune@pearlandtx.gov
Russell	Rodgers	Pasadena Fire Marshal's Office	rrogers@pasadenatx.gov
Sam	Stephenson	Rockwall Fire Department	mstephenson@rockwall.com
Richard	Hulme	Kansas City, MO Police Department	richard.hulme@kcpd.org
Gary	Howell	Travis County Fire Marshal's Office	gary.howell@traviscountytx.gov



City of Rockwall
The New Horizon

Hotel Occupancy Tax

Program Year 2023

Events held Oct. 1, 2022 – Sept. 30, 2023

Application

MUST BE TYPED or PRINTED

Deliver to:

City of Rockwall Finance Office

Attn: Lea Ann Ewing

385 S. Goliad St., Rockwall, TX 75087

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

Organization Name: Rockwall Summer Musicals
Name of Event: 2023 11th Annual Season
Date(s) of Event: May 2023 through August 2023
Funding Request \$: 18,000
Website Address: www.rockwallsummermusicals.org
Mailing Address: P.O. Box 551, Rockwall, TX 75087
Physical Address: 1201 TL Townsend Dr. Rockwall, TX 75087
Telephone: 972-771-3700 Fax:

Primary Contact Name: Alison Reese
 (Project Director)
Mailing Address: 399 Mitchell Drive
 Sunnyvale, TX 75182
Email Address: alwittereese@gmail.com
Telephone: 972-824-7410 Fax:

Secondary Contact Name: Kathleen Danahy
 (President/Board Chairman)
Mailing Address: 1555 Champions Court
 Rockwall, TX 75087
Email Address: kdanahy@charter.net
Telephone: 972-333-7554 Fax:

- ▶ COMPLETE AN APPLICATION FOR EACH EVENT/PROGRAM/EXHIBIT REQUESTING FUNDS
- ▶ INCOMPLETE APPLICATIONS WILL NOT BE FORWARDED TO THE COUNCIL SUBCOMMITTEE

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

Advertising/Tourism Requested funding amount \$ 3,000
Conducting solicitation or promotional programs that encourage tourists and delegates to come to the City of Rockwall.

Arts Requested funding amount \$ 15,000
Providing encouragement, promotion, improvement and application of the arts as it relates to the presentation, performance execution or exhibition of the major art forms in the City of Rockwall

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

2. Describe the program or event for the upcoming fiscal year (Oct. 1 2022 - Sept. 30, 2023) that you are requesting Hotel Tax funding. What is your event and why are you having it?

Each summer Rockwall Summer Musicals produces two fully staged, top quality Broadway musicals. Our productions feature a live orchestra, original costumes and sets and large casts to appeal to all ages. Our productions allow for local talent to be showcased that rival what is produced in Dallas. We continue our mission to further the education of and provide entertainment to our local community in the area of dramatic arts with a specific emphasis on the art of musical theater production. This year, we add specific sponsorships and support to local students interested in furthering their skills in musical theater. We are also making every effort to choose shows that everyone loves and is familiar with in order to provide even more interest in our shows.

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

We continue to encourage participation in our programs across the entire Metro area in addition to advertising and using social media to gain new followers and customers throughout the greater DFW area. In 2022, we brought in college students from across the Texas who wanted to participate in high quality theater for their resumes and experience. Our plan is to increase that recruitment in 2023 and have already started that promotion in local colleges and universities especially.

4. Is the event/program that the organization is requesting Hotel Tax funds held in/on City-owned property?

Yes Name location: Rockwall High School, 901 Yellow Jacket Ln, Rockwall, TX 75087 (note: we are usually in the Utley MS Performing Arts Center, however, in the summer of 2023, they expect to be doing renovations, thus we will need to utilize the RHS theater for this season only.

5. Will your organization provide special event insurance coverage for the event/program if held on City property?

Yes Name of Insurance Company: King Insurance Group

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

Event	Year	Event Duration (in Days)	Audience Size	# of Attendees in hotel rooms
The Sound of Music	2022	6	2538	18
Singin' in the Rain	2022	6	1539	12
Annie	2019	6	2126	20
Thoroughly Modern Millie	2019	6	1298	8
Music Man	2018	6	2498	unknown
Into the Woods	2018	6	1353	unknown

**please note seasons of 2020 and 2021 were canceled due to the COVID-19 Pandemic Closures. RISD did not allow outside entities into their facilities during that time.

7. What specific market will you target with the event/program's marketing plan? Attach up to 3 examples and evidence of marketing area and readership (Label Exhibit C).
We plan to be included in the Trip Advisor calendar of events, Texas Highways, and TravelLens.co "Best things to do in Rockwall, TX." In addition, we are always on the calendar with WFAA television during the weeks of our shows and are included on many travel and theater arts social media channels to promote our shows.
8. The City of Rockwall must require segregated accounting of its Hotel funds. Organizations must maintain and account for revenue provided from the tax authorized by section 351.101(a) within one of the two options listed below.
- Separate checking account without combining with any other revenues or maintained in any other bank account or
 - Maintain a line item accounting, whereby the Hotel revenues may not be combined with any other revenues or expenditures. The funds may be maintained in the same bank account, provided they are reported as a separate line item in the organization's budget. Interest earned on the Hotel revenues must be used to support the event/program as well.

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

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

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

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

President/Board Chairman:
12/13/22

Alison Reese

Date



Signature

Event/Program Director:
12/13/2022
Date

Kathleen Danahy



Signature

Both signatures are required for the application to be complete.

Exhibits B-F to follow

If you are submitting more than one application (one for each event/program funding) only provide one copy of the following documents/exhibits with your submittal:

- | | |
|-----------|---|
| Exhibit B | Letter of determination certifying federal tax exempt 501(c)(3) status |
| Exhibit D | List members of the governing body including name, position, mailing address and phone number |
| Exhibit E | W-9 Form https://www.irs.gov/pub/irs-pdf/fw9.pdf? |
| Exhibit F | Form 1295 https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm |

Exhibit A

Hotel Occupancy Tax Funding Request
Event/Program Budget - Program Year 2023

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

Organization Name: Rockwall Summer Musicals
Event/Program Name: Rockwall Summer Musicals Presents their 11th Season - Grease and Oklahoma
Requesting Funding: \$18,000

Expenses (for this project only)	Total Expenses	HOT Funding \$ Request	Additional Justification for HOT Funding Request	
1. Personnel				
Administrative	\$2,500.00			
Artistic	\$6,000.00			
Technical				
Other Personnel	\$800.00			
2. Fees for Outside Professional services				
Administrative				
Artistic	\$5,500.00			
Technical	\$12,000.00			
3. Space Rental	\$18,500.00	\$15,000.00		Because we wish to utilize the resources already in Rockwall, we rent space from RISD.
4. Equipment	\$10,500.00			
5. Travel/Transportation				
6. Promotion/Printing	\$10,500.00	\$3,000.00		We spend a great deal of time and money to promote RSM inside and outside of the area.
7. Costumes/Royalties	\$18,965.00			
8. Other (Supplies, postage, etc.)	\$30,500.00			
9. Sub Totals	\$115,765.00			
10. Total Expenses	\$115,765.00	\$18,000.00		
Revenues (for this project only)				
1. Total Amount of HOT Fund Request	\$18,000.00			
2. Admissions (tickets and concessions)	\$78,637.00			
3. Donations	\$16,800.00			
4. Organizational funds budgeted				
5. Grants (state)	\$2,500.00			
6. Other				
7. Other				
8. Other				
9. Other				
10. Total income and contributions				
11. Total in-kind				
12. Total revenues	\$115,937.00			
Financial Information (for this project only)	2018 Actual	2019 Actual	2022 Actual	2023 Proposed
Fiscal Year (Oct 1-Sept 30)				
Total Revenues	\$85,189.00	\$97,037.00	\$98,686.00	\$115,937.00
Total Expenses	\$99,676.00	\$81,454.00	\$104,833.00	\$115,765.00
Total HOT Funds Awarded	\$3,500.00	\$5,000.00	\$0.00	\$18,000.00

Exhibit B

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **AUG 29 2011**

ROCKWALL SUMMER MUSICALS INC
C/O JACOB DANIEL THOMAS
PO BOX 551
ROCKWALL, TX 75087

Employer Identification Number:
45-2247542
DLN:
17053140301041
Contact Person:
KEVIN W PAYTON ID# 31454
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990 Required:
Yes
Effective Date of Exemption:
February 14, 2011
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

-2-

ROCKWALL SUMMER MUSICALS INC

We have sent a copy of this letter to your representative as indicated in your power of attorney.

Sincerely,



Exhibit D

2023 Rockwall Summer Musicals Board of Directors

Name	Position	Mailing Address	City	State	Zip Code	Phone Number
Alison Reese	President Elect	399 Mitchell Drive	Sunnyvale	TX	75182	972-824-7410
Kathleen Danahy	Treasurer	1555 Champions Court	Rockwall	TX	75087	972-333-7554
Ken Bender	Secretary	232 River Bend Trail	Combine	TX	75159	214-934-7833
Palmer Ragsdale	VP Marketing	202 North Clark	Rockwall	TX	75087	214-801-5876
Danny Osbourn	Board Member	806 S Lakeshore Drive	Rockwall	TX	75087	214-316-9791
Matt Johnson	Board Member	600 Preston Drive	Royce City	TX	75189	757-297-9598
Mike Senter	Board Member	1409 Phelps Lake Drive	Rockwall	TX	75087	972-679-2511
Julie Roland	VP Education	9021 Woodlake Drive	Rowlett	TX	75088	469-212-6090
Jan Miller	Board Member	8812 Highway 69	Point	TX	75472	214-797-1748
Barbara Doudt	VP Production	604 Highland Drive	Rockwall	TX	75087	214-202-9673
Jacob Thomas	Board Member	2957 Clear Creek Dr	Rockwall	TX	75032	972-365-5917

**Request for Taxpayer
Identification Number and Certification**

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

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

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
Rockwall Summer Musicals, Inc.

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

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

Individual/sole proprietor or single-member LLC C Corporation S Corporation Partnership Trust/estate

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

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

Other (see instructions) ▶ **501(c)(3)**

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):
Exempt payee code (if any) _____
Exemption from FATCA reporting code (if any) _____
(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
P.O. Box 551

6 City, state, and ZIP code
Rockwall, TX 75087

7 List account number(s) here (optional)

Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

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

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

Social security number

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

or

Employer identification number

4	5	-	2	2	4	7	5	4	2
---	---	---	---	---	---	---	---	---	---

Part II Certification

Under penalties of perjury, I certify that:

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

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

Sign Here Signature of U.S. person ▶ *Amor Kemp* Date ▶ 12-13-2023

General Instructions

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

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

Purpose of Form

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

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

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

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

CERTIFICATE OF INTERESTED PARTIES

Exhibit F

FORM 1295

1 of 1

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

**OFFICE USE ONLY
CERTIFICATION OF FILING**

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.
Rockwall Summer Musicals, Inc.
Rockwall, TX United States

Certificate Number:
2022-963171

Date Filed:
12/09/2022

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

Date Acknowledged:

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.
Hotel Occupancy Tax Funding
HOT 2023 Performing Arts Group producing two Broadway musicals each summer.

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

5 Check only if there is NO Interested Party.

6 UNSWORN DECLARATION

My name is Alison Reese, and my date of birth is 01/13/1973.

My address is 399 Mitchell Drive, Sunnyvale, TX, 75182, USA.
(street) (city) (state) (zip code) (country)

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

Executed in Dallas County, State of TX, on the 12 day of Dec, 20 22.
(month) (year)



Signature of authorized agent of contracting business entity
(Declarant)



THE SOUND OF MUSIC

Music by Richard Rogers
Lyrics by Oscar Hammerstein II
Book by Howard Lindsay and Ernest Crouse

August 5-7 and 12-7

Rockwall Performing Arts Center

Friday and Saturday @ 7:30pm

Sunday at 2:00pm

Tickets \$20-25 online or at the door

'SOUND OF MUSIC' COMING TO ROCKWALL TONIGHT

@WFAA

SAMSUNG

HOLIDAY HAPPENINGS



City of Rockwall Visit Rockwall Chamber Visitors Center
Sponsored by: CLAY COOLEY HYUNDAI OF ROCKWALL
Skate the Lake TICKETS
ROCKWALL ON ICE
THE HARBOR
DEC. 2-JAN. 2

SITE SPONSORS



VETERANS OUTPOST
46 Acres Retreat in Greenville, TX
We owe our freedom to our heroes!!
Say thank you by donating to our organization. We provide community and healing to our Veterans and First Responders.
[CLICK HERE TO DONATE \\$25, \\$50, or \\$100 TODAY](#)

Rockwall Summer
Musicals is back with
2nd show of 10th
anniversary season

Posted By Editor On July 30, 2022 10:04 AM



ROCKWALL, TX (July 30, 2022) Back in 2011, Rockwall Summer Musicals launched into the Rockwall County arts scene with their productions of *The Sound of Music* and *Oklahoma!* In honor of this tenth anniversary, they will once again present Rodgers and Hammerstein's classic musical *The Sound of Music* directed by Barbara Doudt. Barbara is a founding member of Rockwall Summer Musicals, and this will be the 12th show she has directed. Join us August 5 – 14, 2022 at the Rockwall Performing Arts Center (1201 T L Townsend Drive, Rockwall, TX 75087).

The Sound of Music is based on the life of Maria von Trapp. Set in Austria on the eve of the Anschluss in 1938, the musical tells the story of Maria, who takes a job as governess to a large family while she decides whether to become a nun. She falls in love with the children, and eventually their widowed father, Captain von Trapp. He is ordered to accept a commission in the German navy, but he opposes the Nazis. He and Maria decide on a plan to flee Austria with the children. You may find yourself humming along to many of the musical's classic songs, including "My Favorite Things", "Edelweiss", "Do-Re-Mi", and of course, "The Sound of Music".

The talented cast of this show includes: Molly Pope as Maria, Eric Segovis as Captain von Trapp, Barbara Doudt as Mother Abbess, Makenna Ostrom as Liesl, Owen Garcia as Fredrich, Emily Duke as Louisa, Ethan Moore as Kurt, AnnaGrace Smith as Brigitta, Bella Brown as Marta, Georgia and Mara Pope as Gretl, Ben Ashcraft as Rolf, Janna Tindall as Elsa, Will Essig as Max, Mike Achacoso as Franz,

Haylee Norris as Frau Schmidt,
Blythe Senkel as Sister Berthe,
Hope Englestad as Sister
Margaretta, Samantha Barron
as Sister Sophia, Maddy
Grimes as Ursula, Matt
Johnson as Herr Zeller, Ken
Bender as Baron Elberfeld,
Zane Shipman as Admiral von
Schrieber and an incredible
ensemble of nuns and dancers.

Join us for this fabulous show:

The Sound of Music
**Rockwall Performing
Arts Center**

**August 5-7 & 12-14,
2022**

**Friday and Saturday
at 7:30 pm**

Sunday at 2:00 pm

\$20-\$25

rockwallsummermusicals.org

Tickets may be purchased
online or at the door.

*Submitted press release, edited
for publication in Blue Ribbon
News.*

THINGS TO DO - 17 MIN READ

15 Fun & Free Things to Do in Rockwall, Texas



TOWN AND TOURIST, UPDATED SEPTEMBER 28, 2022



Disclosure: Town & Tourist may receive a commission for purchases made through links in this article, at no additional cost to you.

The northern Texas city of Rockwall is an incredible place that lives up to its name! This suburb of Dallas has dozens of parks, a beautiful freshwater lake with a harbor that hosts fun activities all summer long, and hiking trails galore.

Even better, it has a mysterious rock wall that has sparked debates for over a century, mainly located on private land. However, efforts are underway to make at least one part open to the public. You can see reallocated portions at the Rockwall County Historical Museum.



Whether you're looking for a kid-friendly adventure, an adrenaline-fueled escapade, or a night out on the town, you'll find it in Rockwall, Texas.

For a more intense experience, you can also check out one of the Urban Trampoline Parks, the Bowlerama, or find out what's happening at the Rockwall Indoor Sports Expo before seeing one of the many Summer Musicals they have lined up at the Rockwall Performing Arts Center.

Contents

Free Things to Do in Rockwall, Texas

- 1. Harry Myers Park
- 2. Lake Ray Hubbard, SH 66 Boat Ramp
- 3. The Trails at Squabble Creek
- 4. Rockwall County Historical Foundation Museum

Fun Things to Do in Rockwall, Texas

- 5. Shenanigans Entertainment Center
- 6. Blase Family Farm
- 7. Lunch and Shopping at The Harbor (Rockwall Harbor)
- 8. Escapology Escape Rooms
- 9. Urban Air Adventure Park
- 10. JungleTrek
- 11. Rockwall Summer Musicals

Things to Do at Night in Rockwall, Texas

- 12. Sail with Scott
- 13. RetroCade
- 14. Painting with a Twist
- 15. Devil's Bowl Speedway





City of Rockwall
The New Horizon

Hotel Occupancy Tax

Program Year 2023

Events held Oct. 1, 2022 - Sept. 30, 2023

Application

MUST BE TYPED or PRINTED

Deliver to:

City of Rockwall Finance Office

Attn: Lea Ann Ewing

385 S. Goliad St., Rockwall, TX 75087

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

Organization Name: Rockwall High School Wrestling Program
Name of Event: 2022 Rumble @ the Rock Wrestling Championships
Date(s) of Event: December 2nd and 3rd 2022
Funding Request \$: \$ 18,000
Website Address: www.rockwallisd.org
www.uiltexas.org
Mailing Address: 901 W. Yellowjacket Ln. Rockwall, TX 75087
Physical Address: 901 W. Yellowjacket Ln. Rockwall, TX 75087
Telephone: 816-726-0081 Fax: 972-772-2099

Primary Contact Name: Cody Johnston
 (Project Director)
Mailing Address: 901 W. Yellowjacket Ln.
 Rockwall, TX 75189
Email Address: cody.johnston@rockwallisd.org
Telephone: 816-726-0081 Fax: 972-772-2099

Secondary Contact Name: Lesli Johnson
 (Treasurer)
Mailing Address: 901 W. Yellowjacket Ln.
 Rockwall, TX 75189
Email Address: lesli95@aggienetwork.com
Telephone: 214-226-4350 Fax: 972-772-2099

- ▶ COMPLETE AN APPLICATION FOR EACH EVENT/PROGRAM/EXHIBIT REQUESTING FUNDS
- ▶ INCOMPLETE APPLICATIONS WILL NOT BE FORWARDED TO THE COUNCIL SUBCOMMITTEE

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

Advertising/Tourism Requested funding amount \$ 18,000
Conducting solicitation or promotional programs that encourage tourists and delegates to come to the City of Rockwall.

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

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

2. Describe the program or event for the upcoming fiscal year (Oct. 1 2022 - Sept. 30, 2023) that you are requesting Hotel Tax funding. What is your event and why are you having it?

2022 Rumble @ Rockwall is a wrestling tournament that is ran yearly by the Rockwall High School Wrestling program. We currently have 33 Varsity Men's Teams, 28 Varsity Women's Teams and 16 Junior Varsity teams for a grand total of 77 different teams competing at RHS over two days. We have teams traveling from Amarillo, Houston, Austin, Fort Worth, and other distances from across our state. This two-day tournament is ran during the first weekend of December every year and is held inside the Rockwall High School varsity gymnasium and indoor football facilities.

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

The Rumble @ The Rock will bring over 2,000 parents, coaches, officials, wrestlers, and athletic trainers to stay in hotels, eat at our restaurants, visit and shop at our local stores, and finally purchase fuel to get them back home. Spectators will be in to watch their son or daughter compete for a short period of time, and then back out in the community to see what it has to offer. Most teams that travel in from Amarillo, Houston, Austin, and even Fort Worth will arrive in Rockwall by Thursday afternoon to check into their hotels. They will stay the duration of the weekend, utilizing the community hotel, food, and gas options until the conclusion of the tournament late Saturday afternoon.

4. Is the event/program that the organization is requesting Hotel Tax funds held in/on City-owned property?

No Name location: Rockwall High School

5. Will your organization provide special event insurance coverage for the event/program if held on City property?

Yes Name of Insurance Company: Rockwall ISD

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

Event	Year	Event Duration (in Days)	Audience Size	# of Attendees in hotel rooms
Rumble @ the Rock	2018	2 Days	1700	
Rumble @ the Rock	2019	2 Days	1950	
Rumble @ the Rock	2021	2 Days	2050	

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

Target group is 9th - 12th grade male and female wrestlers, wrestling coaches, athletic trainers, and parents. Our social media platforms (Facebook, Twitter) as well as a website wrestlingtexas.com provide advertising for our meet. In addition, our reputation for a well ran and one of the toughest tournaments in the area brings many people in to watch. We will be displaying our sponsor’s advertisement as well at our meet through banners and meet programs. This is one of the most competitive meets in all of Texas all season long. This year (2022), WrestlingTexas has documented The Rumble @ Rockwall is set to be one of only two tournaments in which 6 of the top 10 ranked teams will be in attendance. This includes teams ranked #1, 3, 5, 8, 9, and 10.

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

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

Yes

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

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

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

President/ Board Chairman:
11/28/22
Date

Lesli Johnson

Print Name

Signature



Event/Program Director:
11/28/22
Date

Cody Johnston

Print Name

Signature



Both signatures are required for the application to be complete.

EXHIBIT A

**Hotel Occupancy Tax Funding Request
Event/Program Budget Program Year 2023**

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

Organization Name: Rockwall High School Wrestling
 Event/Program Name: 2022 Rumble at Rockwall
 Requested Funding: \$ 18,000

Expenses (for this project only)	Total Expenses	HOT Funding \$ Request	Additional Justification for HOT Funding Request
1. Personnel	\$		
Administrative (Referees/Director)	\$ 8,200		
Artistic (Awards/Banners)	\$ 2,296		
Technical (Track Wrestling)	\$ 900		
Other personnel (Custodial)	\$ 1,000		
2. Fees for outside professional services			
Administrative			
Artistic			
Technical			
3. Space Rental			
4. Equipment Rental			
5. Travel/Transportation			
6. Promotion/Printing			
7. Costumes/Royalties			
8. Other (supplies, postage etc.) (Food)	\$ 5,700		
9. Sub-Totals			
10. Total Expenses	\$ 18,096		

Revenues (for this project only)		
1. Total Amount of HOT Fund Request	\$ 18,000	Revenue - additional remarks
2. Admissions (ticket and concessions)	\$ 4,000	
3. Donations		
4. Organizational funds budgeted		
5. Grants (State)		
6. Other (list): Entry Fees	\$ 8,500	
7. Other (list):		
8. Other (list):		
9. Other (list):		
10. Total income and contributions		
11. Total In-Kind		
12. Total Revenues	\$ 12,500 30,500	

Financial Information (for this project only)				
Fiscal Year (Oct. 1st - Sept. 30th)	2020 Actual	2021 Actual	2022 Actual	2023 Proposed
Total Revenues (including HOT funds)	\$			30,500
Total Expenses	\$			18,096
Total HOT funds awarded	\$			18,000

**2022 Rumble at Rockwall
Tournament Budget
Estimated Expenses**

(#) Judges, (#) Coaches, (#) Wrestlers, (#) Trainers, Food

Referees (12)	(\$7,000)
- Cost per referee- \$583.33	
Food:	(\$5,700)
- Hospitality suite for Coaches and Trainers (catered twice per day for 95 coaches/staff).	
- Breakfast and Lunch provided both days (380 meals).	
- 380 meals X \$15	
Creation/Printing:	(\$1,226)
- Team Sponsorship Banners: 7 company banners X \$18.00	
- Participant Banners (Bob Woodford Photography \$1,200)	
Tournament Director:	(\$1,200)
- Track Wrestling Operator	
Technology & Rental Fees:	(\$1,900)
- Track Wrestling Tournament Host Fee	
- Custodial Fee (\$1,000)	
Participant Awards:	(\$1,070)
- Medals for individual 1 st -4 th Place winners	
- Top Four Team place winners	
- Most Outstanding participant awards	
Total Estimated Cost:	(\$18,096)

Exhibits B-F to follow

If you are submitting more than one application (one for each event/program funding) only provide one copy of the following documents/exhibits with your submittal:

- Exhibit B Letter of determination certifying federal tax exempt 501(c)(3) status
- Exhibit D List members of the governing body including name, position, mailing address and phone number
- Exhibit E W-9 Form <https://www.irs.gov/pub/irs-pdf/fw9.pdf>
- Exhibit F Form 1295 https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm

EXHIBIT C

Target group is 9th – 12th grade male and female wrestlers, wrestling coaches, athletic trainers, and parents. Our social media platforms (Facebook, Twitter) as well as a website wrestlingtexas.com provide advertising for our meet. In addition, our reputation for a well ran and one of the toughest tournaments in the area brings many people in to watch. We will be displaying our sponsor's advertisement as well at our meet through banners and meet programs. This is one of the most competitive meets in all of Texas all season long. This year (2022), WrestlingTexas has documented The Rumble @ Rockwall is set to be one of only two tournaments in which 6 of the top 10 ranked teams will be in attendance. This includes teams ranked #1, 3, 5, 8, 9, and 10.

EXHIBIT D

Rockwall High School Wrestling Governing Board

Tournament director/Coach:

Cody Johnston 901 W. Yellowjacket Ln. Rockwall, TX 75087

Joe Roland 901 W. Yellowjacket Ln. Rockwall, TX 75087

Chase Brennan 901 W. Yellowjacket Ln. Rockwall, TX 75087

Board Member (Treasurer)

Lesli Johnson 901 W. Yellowjacket Ln. Rockwall, TX 75087

Secretary

Nancy Goellner 901 W. Yellowjacket Ln. Rockwall, TX 75087

Request for Taxpayer Identification Number and Certification

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

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

Print or type.
 See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. JACKET BACKER BOOSTER CLUB	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input checked="" type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____ <small>Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.</small> <input type="checkbox"/> Other (see instructions) ▶ _____	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>
5 Address (number, street, and apt. or suite no.) See Instructions. 901 YELLOWJACKET LANE	Requester's name and address (optional)
6 City, state, and ZIP code ROCKWALL, TX 75087	
7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

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

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

Social security number											
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border: 1px solid black; width: 25px; height: 25px;"></td> <td style="border: 1px solid black; width: 25px; height: 25px;"></td> <td style="border: 1px solid black; width: 25px; height: 25px;"></td> <td style="border: 1px solid black; width: 25px; height: 25px;"></td> <td style="border: 1px solid black; width: 25px; height: 25px;"></td> <td style="border: 1px solid black; width: 25px; height: 25px;"></td> <td style="border: 1px solid black; width: 25px; height: 25px;"></td> <td style="border: 1px solid black; width: 25px; height: 25px;"></td> <td style="border: 1px solid black; width: 25px; height: 25px;"></td> <td style="border: 1px solid black; width: 25px; height: 25px;"></td> </tr> </table>											or
Employer identification number											
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border: 1px solid black; width: 25px; height: 25px; text-align: center;">4</td> <td style="border: 1px solid black; width: 25px; height: 25px; text-align: center;">5</td> <td style="border: 1px solid black; width: 25px; height: 25px; text-align: center;">-</td> <td style="border: 1px solid black; width: 25px; height: 25px; text-align: center;">5</td> <td style="border: 1px solid black; width: 25px; height: 25px; text-align: center;">1</td> <td style="border: 1px solid black; width: 25px; height: 25px; text-align: center;">5</td> <td style="border: 1px solid black; width: 25px; height: 25px; text-align: center;">8</td> <td style="border: 1px solid black; width: 25px; height: 25px; text-align: center;">1</td> <td style="border: 1px solid black; width: 25px; height: 25px; text-align: center;">5</td> <td style="border: 1px solid black; width: 25px; height: 25px; text-align: center;">5</td> </tr> </table>	4	5	-	5	1	5	8	1	5	5	
4	5	-	5	1	5	8	1	5	5		

Part II Certification

Under penalties of perjury, I certify that:

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

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

Sign Here	Signature of U.S. person ▶	Date ▶ 1/31/19
------------------	----------------------------	----------------

General Instructions

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

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

Purpose of Form

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

- Form 1099-INT (interest earned or paid)

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

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

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

Jacket Backer Booster Club

501(c)(3) Charitable Organization

901 Yellowjacket Lane
Rockwall Texas 75087
EIN: 45-5158155

Our Mission

The association membership donates time to solicit donations, solicit memberships, organize athletic banquets, manage and distribute athletic scholarships, and support individual sports programs by participating in activities designed to raise funds for those specific sports sponsored by Rockwall High School. When the need arises, the association will also support our athletes through community service.

What We Need

All types of sponsorships are appreciated. Your donation enables us to support student athletes in a multitude of ways, promoting the development of good character, high morale, maximum effort, the highest standards of sportsmanship, competitive spirit, pride, and community service.

All donations are tax deductible. There are no administration fees.

Thank You So Much for Your Support!

Jacket Backer Booster Club sincerely thanks you for supporting Rockwall High School student athletes.

Board of Director Signature: Cody Johnston Date: 11/26/12

Donation Information

Donor Name: _____
Street Address: _____
City: _____ State: _____

Donation Description: _____

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

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

OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business,
Rockwall High School Jacket Backers
Rockwall, TX United States

Certificate Number:
2022-958926

Date Filed:
11/28/2022

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

Date Acknowledged:

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

City of Rockwall
The Rumble @ Rockwall will bring over 2,000 parents, coaches, officials, wrestlers, & athletic trainers to stay in hotels, eat at our restaurants, visit and shop at our local stores, and purchase gas.

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Johnston, Cody	Rockwall, TX United States	X	

5 Check only if there is NO Interested Party.

6 UNSWORN DECLARATION

My name is _____, and my date of birth is _____.

My address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

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

Executed in _____ County, State of _____, on the ____ day of _____, 20____.
(month) (year)

Signature of authorized agent of contracting business entity
(Declarant)



MEMORANDUM

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: December 19, 2022

SUBJECT: Z2022-051; ZONING CHANGE FROM AGRICULTURAL (AG) DISTRICT TO COMMERCIAL (C) DISTRICT

Attachments

Case Memo
Development Application
Location Map
HOA Notification Map
Neighborhood Notification Email
Property Owner Notification Map
Property Owner Notification List
Public Notice
Property Owner Notifications
Subdivision Plat
Comprehensive Plan Excerpts
Permitted Use Charts for the Commercial (C) District
Draft Ordinance

Summary/Background Information

Hold a public hearing to discuss and consider a request by Mariel Street on behalf of Cathy Strother for the approval of an **ordinance** for a *Zoning Change* from an Agricultural (AG) District to a Commercial (C) District for a two (2) acre parcel of land identified as Lot 1, Block A, Roadside Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 2410 S. Goliad Street [*SH-205*], and take any action necessary (**1st Reading**).

Action Needed

The City Council is being asked to approve, approve with conditions, or deny the proposed Zoning Change.



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council
DATE: December 19, 2022
APPLICANT: Mariel Street
CASE NUMBER: Z2022-051; *Zoning Change from Agricultural (AG) District to Commercial (C) District*

SUMMARY

Hold a public hearing to discuss and consider a request by Mariel Street on behalf of Cathy Strother for the approval of a Zoning Change from an Agricultural (AG) District to a Commercial (C) District for a two (2) acre parcel of land identified as Lot 1, Block A, Roadside Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 2410 S. Goliad Street [SH-205], and take any action necessary.

BACKGROUND

The subject property was annexed by the City Council on May 19, 1986 by *Ordinance No. 86-37 [Case No. A1986-005]*. According to the Rockwall Central Appraisal District (RCAD), currently situated on the subject property are a ~3,520 SF bar/tavern, a 6,800 SF storage warehouse, and a 6,600 SF industrial building. All of these structures were constructed in 1975. The City's historic zoning map indicates the subject property was zoned Commercial (C) District and Agricultural (AG) District as of December 7, 1993. On February 7, 2022, the City Council approved a *Final Plat [Case No. P2022-002]* that established the subject property as Lot 1, Block A, Roadside Addition. No other changes have been made to the property since its annexation.

PURPOSE

On November 14, 2022, the applicant -- *Mariel Street*-- submitted an application requesting to change the zoning of the *subject property* from an Agricultural (AG) District to a Commercial (C) District.

ADJACENT LAND USES AND ACCESS

The subject property is addressed as 2410 S. Goliad Street. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is a mini-warehouse facility (*the Vault*), a carwash (*Hacienda Carwash*), and a strip commercial/retail center on two (2) parcels of land (*i.e. Lot 1, Block B, Rockwall Business Park East Phase 2 Addition and Lot 1, Block C, Rockwall Business Park East Addition*) that are zoned Commercial (C) District. Beyond this is the intersection of E. Ralph Hall Parkway and S. Goliad Street [SH-205]. Both of these roadways are designated on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040, with E. Ralph Hall Parkway being designated as a M4D (*i.e. major collector, four [4] lane, divided roadway*) and S. Goliad Street being designated a P6D (*i.e. principal arterial, six [6] lane, divided roadway*).

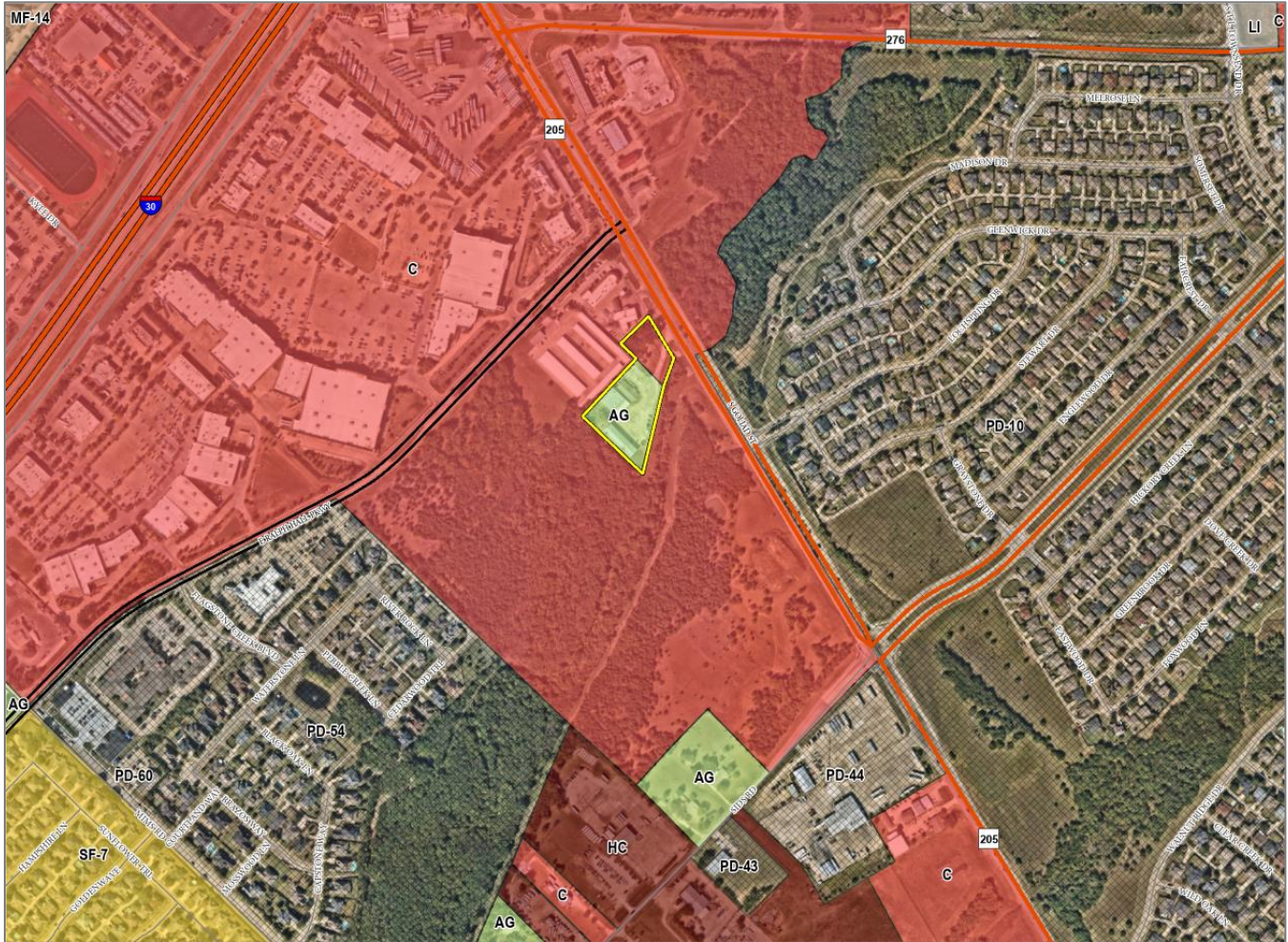
South: Directly south of the subject property are two (2) vacant tracts of land (*i.e. Tract 18 of the J. D. McFarland Survey, Abstract No. 145 and Lot 1, Block A, Rockwall Hospital Addition*) zoned Commercial (C) District. Beyond this are two (2) tracts of land developed with single-family homes and zoned Agricultural (AG) District.

East: Directly east of the subject property is S. Goliad Street [SH-205], which is identified as a P6D (*i.e. principal arterial, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is Phase 1 of the Meadowcreek Subdivision, which was established on June 8,

1999 and consists of 157 residential lots. This subdivision is zoned Planned Development District 10 (PD-10) for single-family land uses.

West: Directly west of the subject property is a 6.036-acre parcel of land (*i.e. Lot 1, Block C, Rockwall Business Park East Addition*) zoned Commercial (C) District. Beyond this is E. Ralph Hall Parkway, which is identified as a M4D (*i.e. major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Following this is a 30.891-acre parcel of land developed with a large Commercial/Retail Shopping Center (*i.e. the Plaza at Rockwall*) that is zoned Commercial (C) District.

MAP 1: LOCATION MAP
YELLOW: SUBJECT PROPERTY



CHARACTERISTICS OF THE REQUEST

The applicant is requesting to rezone the two (2) acre parcel of land from an Agricultural (AG) District to a Commercial (C) District. The applicant has indicated to staff that the intent of the zoning change is to allow *Food Trucks/Trailers* on the subject property. This is an allowed *by-right* land use in the Commercial (C) District pending conformance with the *Conditional Land Use Standards* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC).

CONFORMANCE WITH THE CITY'S CODES

According to Subsection 04.05, *Commercial (C) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), "(t)he Commercial (C) District is the proper zoning classification for most types of commercial development (*e.g. larger shopping centers at major intersections, commercial strips along arterial roadways, etc.*).” This section goes on to state that “(a)reas should not be zoned to Commercial (C) District unless they are located on or close to an arterial or major collector that is capable of carrying the additional traffic generated by land uses in this district.” The standards for a

Commercial (C) District are defined in Subsection 07.03, *Non-Residential District Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) and are summarized as follows:

TABLE 1: COMMERCIAL (C) DISTRICT STANDARDS

Minimum Lot Area	10,000 SF
Minimum Lot Width	60'
Minimum Lot Depth	100'
Minimum Front Yard Setback ^{(1) & (2)}	15'
Minimum Side Yard Setback ⁽³⁾	10'
Minimum Rear Yard Setback ⁽³⁾	10'
Minimum Between Buildings ⁽³⁾	15'
Maximum Building Height ⁽⁴⁾	60'
Maximum Lot Coverage	60%
Minimum Landscaping	20%

General Notes:

- 1: From future right-of-way as shown on the adopted Master Thoroughfare Plan or as actually exists, whichever is greater.
- 2: Parking should not be located between the front façade and the property line.
- 3: The setback can be reduced to zero (0) feet with a fire rated wall.
- 4: Building height may be increased up to 240-feet if approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

All adjacent properties are zoned Commercial (C) District, and -- based on this -- the requested zoning change does appear to conform to the surrounding area. Staff should note that there are several legally non-conforming buildings on the subject property (*i.e. buildings that do not conform to the current standards of the Unified Development Code [UDC]*), and if this zoning change is approved these non-conforming structures may remain in place as they are today. Only future development will be required to conform to the Commercial (C) District standards of the Unified Development Code (UDC); however, if the legally non-conforming structures are substantially changed, the City may require these buildings be brought into conformance with the City's current regulations in accordance with Section 06, *Non-Conforming Uses, Structures, and Sites*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC).

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the OURHometown Vision 2040 Comprehensive Plan, the subject property is located within the Southwest Residential District and is designated for Commercial/Retail land uses. The *Land Use Designations* section of the plan states that the Commercial/Retail "... areas should be protected from the encroachment of incompatible land uses (*i.e. residential land uses -- higher density or otherwise*). This should protect the businesses that currently exist in these areas." Since the proposed zoning change conforms to the *Land Use Designation* of the *Future Land Use Map* and does not propose any substantial changes to the property, the applicant's zoning request conforms to the Comprehensive Plan.

NOTIFICATIONS

On November 18, 2022, staff notified 17 property owners and occupants within 500-feet of the subject property. Staff also notified the Flagstone Estates, Meadowcreek Estates, and the Hickory Ridge Homeowners Associations (HOAs), which are the only Homeowner's Associations (HOAs) or Neighborhood Groups within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was written, staff had received one (1) notice from a property owner opposed to the applicant's request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request to rezone the subject property from an Agricultural (AG) District to a Commercial (C) District, then staff would propose the following conditions of approval:

- (1) Any construction resulting from the approval of this Zoning Change 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 December 13, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the Zoning Change by a vote of 7-0.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE)¹
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE)^{1 & 2}
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE)¹

OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00)²

NOTES:

¹: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.
²: A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 2410 S. Goliad St

SUBDIVISION _____

LOT _____

BLOCK _____

GENERAL LOCATION _____

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING AGRICULTURAL

CURRENT USE COMMERCIAL

PROPOSED ZONING COMMERCIAL

PROPOSED USE COMMERCIAL

ACREAGE 2 acres

LOTS [CURRENT] _____

LOTS [PROPOSED] _____

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

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

OWNER CATHY STROTHER

APPLICANT [Signature]

CONTACT PERSON C. Strother

CONTACT PERSON MARIEL STREET

ADDRESS 8935 CR 589

ADDRESS 6716 CHURCHILL WAY

CITY, STATE & ZIP Nevada, Tx. 75113

CITY, STATE & ZIP DALLAS TX 75230

PHONE 469-576-6094

PHONE 214 500 2417

E-MAIL _____

E-MAIL _____

NOTARY VERIFICATION [REQUIRED]

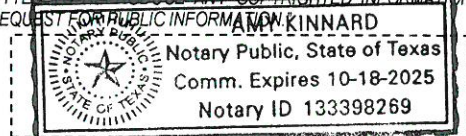
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Cathy Strother [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 230. TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 10th DAY OF Nov, 2022 BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

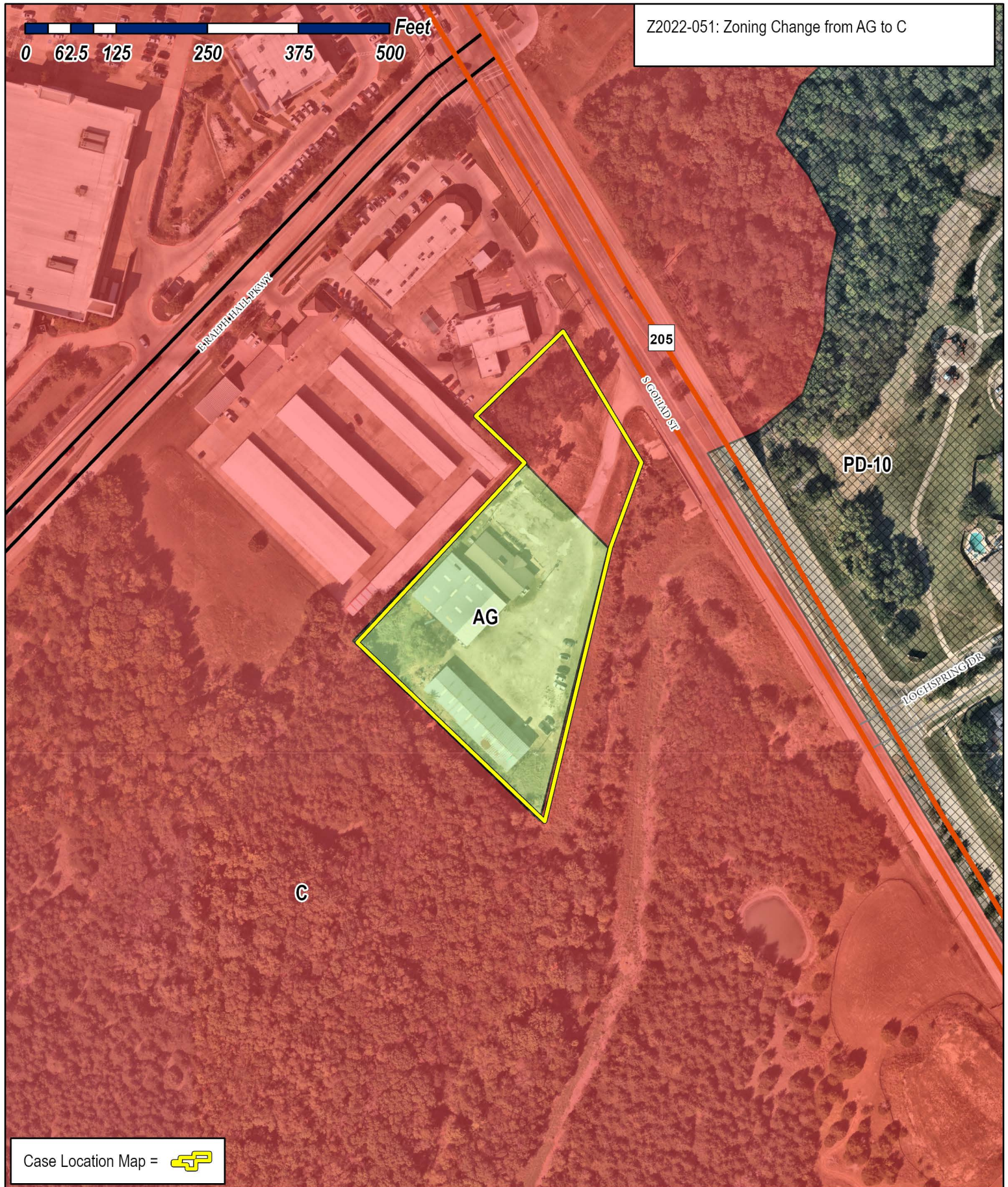
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 10th DAY OF November, 2022

OWNER'S SIGNATURE C. Strother

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Amy Kinnard



MY COMMISSION EXPIRES 10-18-2025



Z2022-051: Zoning Change from AG to C

0 62.5 125 250 375 500 Feet

BRADPHILLAVERBURY

205


S GOLIAD ST

PD-10

HOCHSPRING DR

AG

C

Case Location Map = 



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.

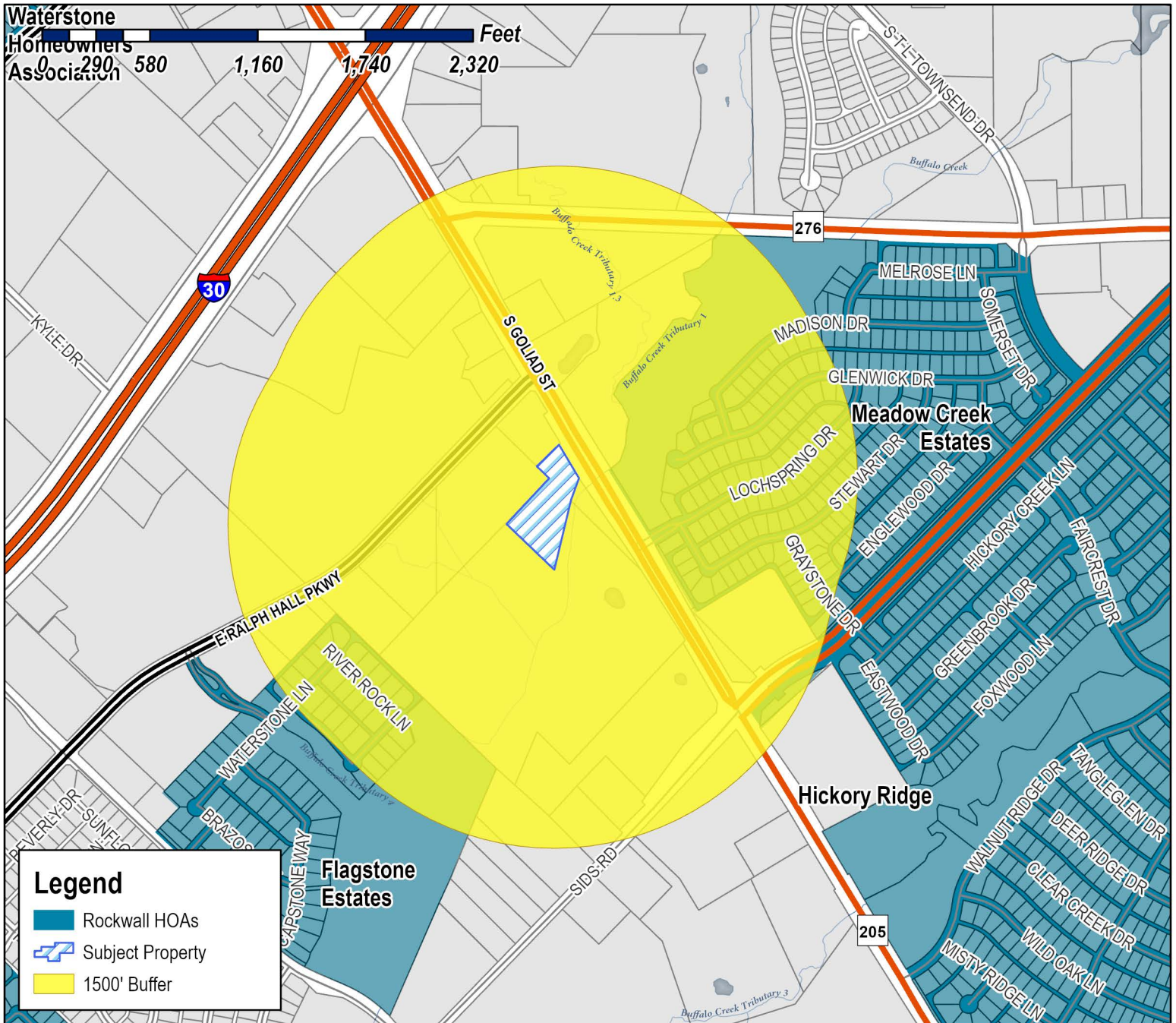




City of Rockwall

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: Z2022-051
Case Name: Zoning Change from AG to C
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 2410 S. Goliad Street

Date Saved: 11/15/2022
 For Questions on this Case Call (972) 771-7745



Lee, Henry

From: Guevara, Angelica
Sent: Friday, November 18, 2022 8:52 AM
Cc: Miller, Ryan; Ross, Bethany; Lee, Henry; Chapin, Sarah
Subject: Neighborhood Notification Program [Z2022-051]
Attachments: HOA Map Z2022-051.pdf; Public Notice Z2022-051.pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *November 18, 2022*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, December 13, 2022 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, December 19, 2022, 2022 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to Planning@rockwall.com at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website: <https://sites.google.com/site/rockwallplanning/development/development-cases>.

Z2022-051: Zoning Change from AG to C

Hold a public hearing to discuss and consider a request by Mariel Street on behalf of Cathy Strother for the approval of a Zoning Change from an Agricultural (AG) District to a Commercial (C) District for a two (2) acre parcel of land identified as Lot 1, Block A, Roadside Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 2410 S. Goliad Street [SH-205], and take any action necessary.

Thank you,

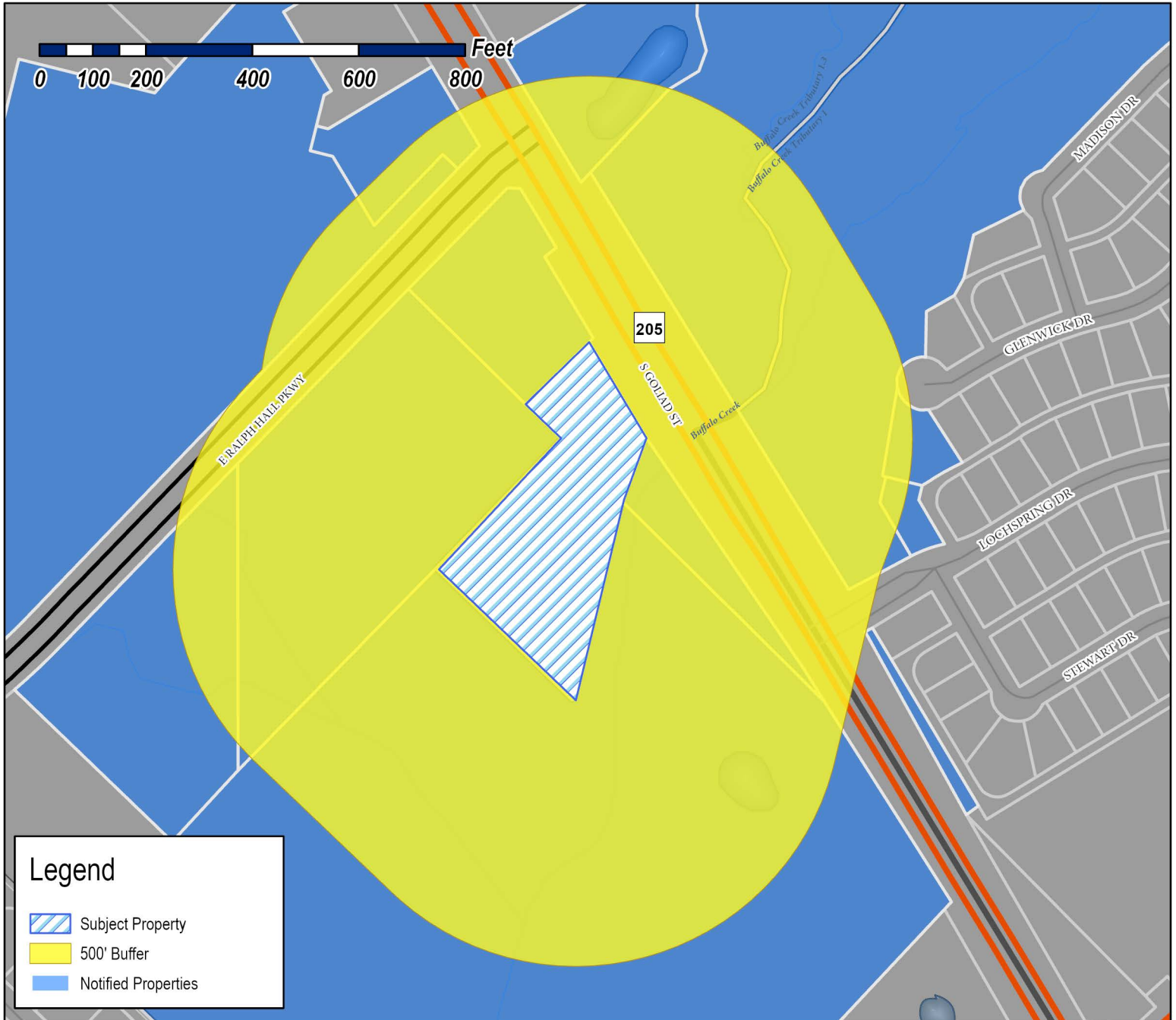
Angelica Guevara
Planning Technician
City of Rockwall Planning & Zoning
385 S. Goliad Street
Rockwall, TX 75087
Office: 972-771-7745
Direct: 972-772-6438



City of Rockwall

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

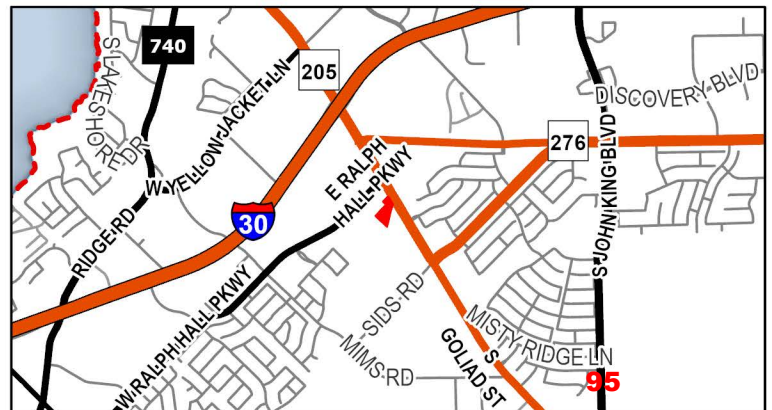
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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



Case Number: Z2022-051
Case Name: Zoning Change from AG to C
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 2410 S. Goliad Street

Date Saved: 11/11/2022

For Questions on this Case Call: (972) 771-7746



EXCEL ROCKWALL LLC
EXCELL ROCKWALL LLC
10920 VIA FRONTERA SUITE 220
SAN DIEGO, CA 92127

DALLAS EAST
ATTN; JIM VAUDAGNA
1280 E RAPLPH HALL PKWY
ROCKWALL, TX 75032

PITT EMERIC & KHADIJA
1379 GLENWICK DR
ROCKWALL, TX 75032

<Null>
1380 LOCHSPRING DR
ROCKWALL, TX 75032

CITY OF ROCKWALL
1430 MADISON DR
ROCKWALL, TX 75032

DALLAS EAST
ATTN; JIM VAUDAGNA
1445 W SAN CARLOS ST
SAN JOSE, CA 95126

DALLAS EAST
ATTN; JIM VAUDAGNA
1445 W SAN CARLOS ST
SAN JOSE, CA 95126

MEADOWCREEK ESTATES HOMEOWNERS ASSOC
INC
1800 PRESTON PARK BLVD STE 101
PLANO, TX 75093

ROBERTS MARLYN & BARBARA
2325 S GOLIAD
ROCKWALL, TX 75032

REA-TRA LLC
2380 S GOLIAD SUITE 100
ROCKWALL, TX 75032

DALLAS EAST
ATTN; JIM VAUDAGNA
2400 S GOLIAD
ROCKWALL, TX 75032

STROTHER, CATHY
2410 S GOLIAD
ROCKWALL, TX 75032

HOWELL MTN RE LLC
2560 TECHNOLOGY DRIVE SUITE 100
PLANO, TX 75074

ROBERTS MARLYN & BARBARA
323 JULIAN DRIVE
ROCKWALL, TX 75087

ROBERTS MARLYN & BARBARA
323 JULIAN DRIVE
ROCKWALL, TX 75087

STROTHER, CATHY
8935 CR 589
NEVADA, TX 75173

BUFFALO COUNTRY PROPERTIES LLC
P.O. BOX 260288
PLANO, TX 75026

PUBLIC NOTICE



CITY OF ROCKWALL
PLANNING AND ZONING DEPARTMENT
PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

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

Z2022-051: Zoning Change from AG to C

Hold a public hearing to discuss and consider a request by Mariel Street on behalf of Cathy Strother for the approval of a Zoning Change from an Agricultural (AG) District to a Commercial (C) District for a two (2) acre parcel of land identified as Lot 1, Block A, Roadside Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 2410 S. Goliad Street [SH-205], 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, December 13, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, December 19, 2022 at 6:00 PM. 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:

Henry Lee
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 Monday, December 19, 2022 at 4:00 PM 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 AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2022-051: Zoning Change from AG to C

Please place a check mark on the appropriate line below:

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

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

Name: _____
Address: _____

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

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

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-051: Zoning Change from AG to C

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

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

Respondent Information

Please provide your information.

First Name *

Kimberly

Last Name *

Pfahning

Address *

1508 Glenwick Dr

City *

Rockwall

State *

Tx

Zip Code *

75032

Please check all that apply: *

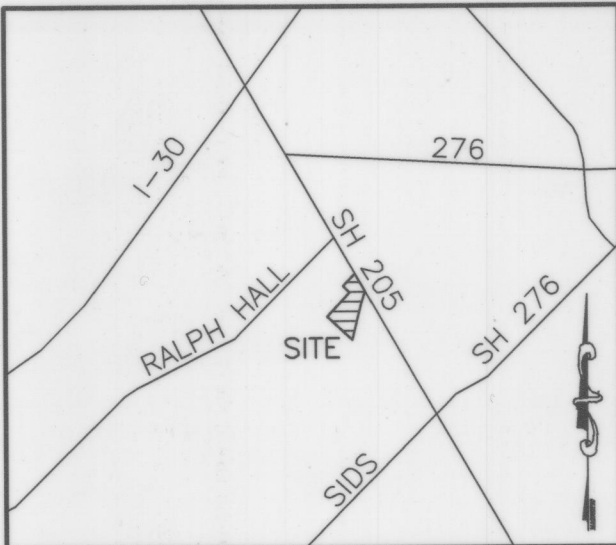
- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

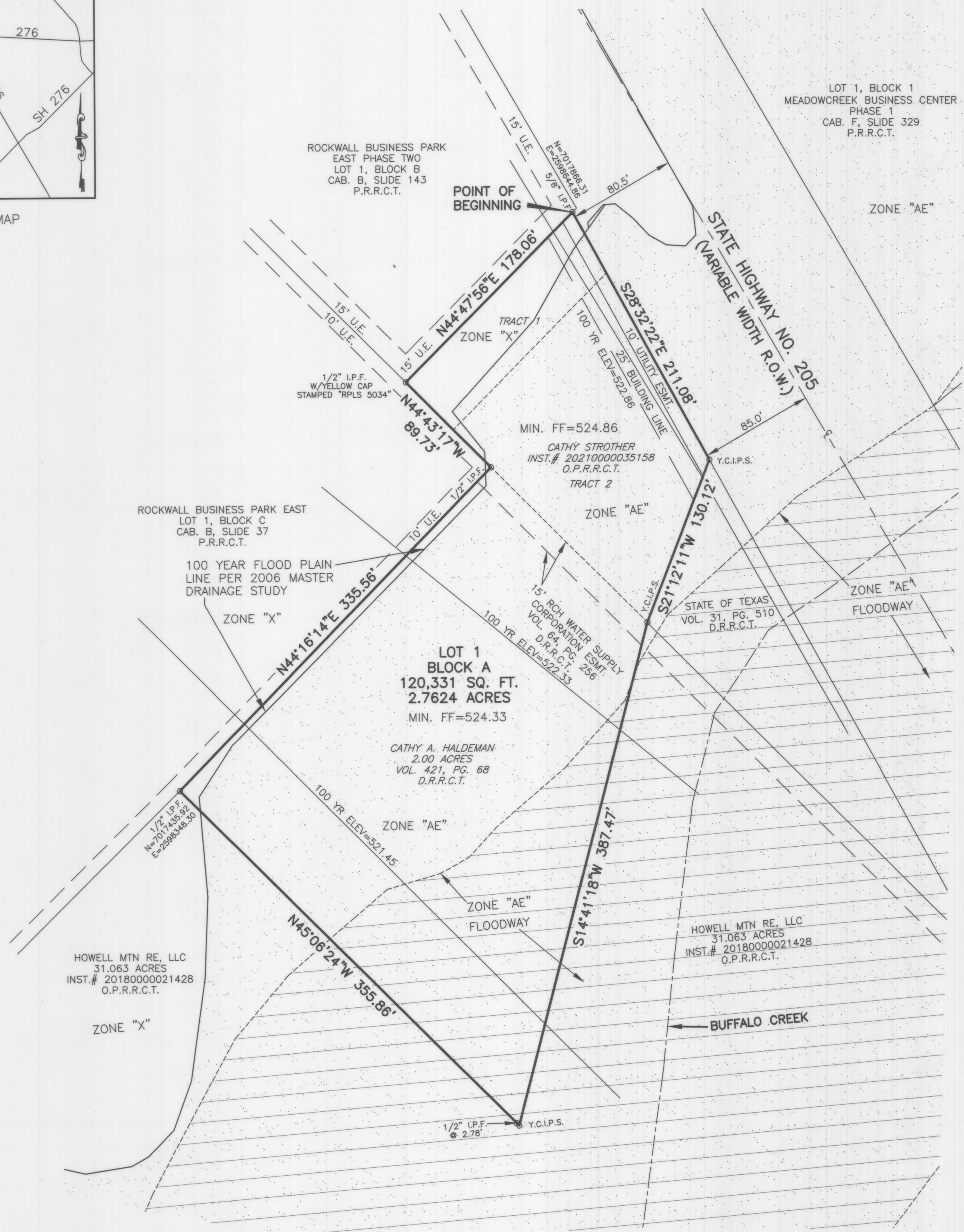
- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other:

This content is neither created nor endorsed by Google.

Google Forms



LOCATION MAP (N.T.S.)



NOTES:

1. Located in the City of Rockwall, Texas
2. It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.
3. Property owner shall be responsible for maintaining, repairing, and replacing all systems within the drainage and detention easements.
4. Bearings based on the southeast line of Rockwall Business Park East Phase Two, Cabinet B, Slide 143 (N44°47'56"E)
5. State plain coordinates based on NAD 83, Texas North Central 4202, US Survey Feet.

Notice: Selling a portion of this addition by metes and bounds is a violation of City ordinance and State law, and is subject to fines and withholding of utilities and building permits.

FLOOD NOTE:

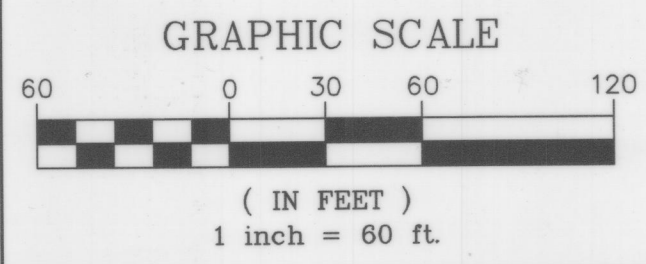
ACCORDING TO MY INTERPRETATIONS OF COMMUNITY PANEL NO. 48397C0040L, DATED SEPTEMBER 26, 2008, OF THE NATIONAL FLOOD INSURANCE RATE MAPS FOR ROCKWALL COUNTY, TEXAS, A PORTION OF THE SUBJECT PROPERTY LIES WITHIN ZONE "AE" (SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD; BASE FLOOD ELEVATIONS DETERMINED), A PORTION LIES WITHIN THE FLOODWAY AREA IN SAID ZONE "AE" AND A PORTION LIES WITHIN ZONE "X" AND IS NOT SHOWN TO BE WITHIN A SPECIAL FLOOD HAZARD AREA. THIS STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

FINAL PLAT
ROADSIDE ADDITION
LOT 1, BLOCK A

Being 2.7624 Acres or 120,330.144 Square Feet

Situated within
Tract 25-1 of the J. Cadle Survey, Abstract No. 65 and
Tract 17 of the J.D. McFarland Survey, Abstract No. 145
City of Rockwall, Rockwall County, Texas

Case No.: P2022-002



LEGEND

I.P.F.	- IRON PIN FOUND
D.R.R.C.T.	- DEED RECORDS, ROCKWALL COUNTY, TEXAS
O.P.R.R.C.T.	- OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
Y.C.I.P.S.	- 1/2" IRON PIN SET WITH YELLOW CAP STAMPED "CCG INC RPLS 5129"

THE PURPOSE OF THIS PLAT IS TO COMBINE TWO TRACTS INTO ONE PLATTED LOT.

OWNER:
CATHY STROTHER
A.K.A. CATHY A. HALDEMAN
8935 COUNTY ROAD 589
NEVADA, TEXAS 75173

CARROLL CONSULTING GROUP, INC.			
P.O. BOX 11 972-742-4411 TBPELS REGISTRATION NO.: F-21608			
LAVON, TEXAS 75166 TEXAS FIRM REGISTRATION NO.: 10007200			
JOB No.	SCALE:	DATE PREPARED:	DRAWN BY:
2983-21	1"=60'	JANUARY 24, 2022	CP 101

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

Whereas, Cathy Strother, is the owner of a tract of land situated in the J. Cadle Survey, Abstract No. 65 and in the J.D. McFarland Survey, Abstract No. 145, City of Rockwall, Rockwall County, Texas and being the same Tract 1 and Tract 2 as conveyed to Cathy Strother by deed recorded in Instrument No. 20210000035158, Official Public Records, Rockwall County, Texas and all of a 2.00 acre tract of land as conveyed to Cathy A. Haldeman by deed recorded in Volume 421, Page 68, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

Beginning at a 5/8" iron pin found on the southwest right-of-way line of State Highway No. 205 (variable width R.O.W.) for the north corner of said Tract 1 and being on the southeast line of Lot 1, Block B of Rockwall Business Park East Phase Two, an addition to the City of Rockwall, Texas, according to the plat thereof recorded in Cabinet B, Slide 143, Plat Records, Rockwall County, Texas;

Thence, South 28°32'22" East, along the northeast lines of said Tracts 1 and 2 and the right-of-way line of State Highway No. 205 (variable width R.O.W.), a distance of 211.08 feet to a 1/2" iron pin set with yellow cap stamped "CCG INC RPLS 5129" for the east corner of said Tract 2;

Thence, South 21°12'11" West, along the southeasterly line of said Tract 2, a distance of 130.12 feet to a 1/2" iron pin set with yellow cap stamped "CCG INC RPLS 5129" for the south corner of said Tract 2, the northeast corner of said 2.00 acre tract and the most easterly north corner of a 31.063 acre tract of land conveyed to Howell Mtn RE, LLC by deed recorded in Instrument No. 20180000021428, Official Public Records, Rockwall County, Texas;

Thence, South 14°41'18" West, along the east line of said 2.00 acre tract and a west line of said 31.063 acre tract, a distance of 387.47 feet to a 1/2" iron pin set with yellow cap stamped "CCG INC RPLS 5129" for the south corner of said 2.00 acre tract and a re-entrant corner of said 31.063 acre tract;

Thence, North 45°06'24" West, along the southwest line of said 2.00 acre tract and a northeast line of said 31.063 acre tract, passing at a distance of 2.78 feet a 1/2" iron pin found and continuing for a total distance of 355.86 feet to a 1/2" iron pin found for the west corner of said 2.00 acre tract, the most westerly north corner of said 31.063 acre tract and being on the southeast line of Lot 1, Block C of Rockwall Business Park East, an addition to the City of Rockwall, Texas, according to the plat thereof recorded in Cabinet B, Slide 37, Plat Records, Rockwall County, Texas;

Thence, North 44°16'14" East, along the northwest line of said 2.00 acre tract and the southeast line of said Lot 1, Block C, a distance of 335.56 feet to a 1/2" iron pin found for the north corner of said 2.00 acre tract, the east corner of said Lot 1, Block C and being on the southwest line of said Tract 2;

Thence, North 44°43'17" West, along the southwest lines of said Tracts 1 and 2 and the northeast line of said Lot 1, Block C, a distance of 89.73 feet to a 1/2" iron pin found with yellow cap stamped "RPLS 5034" for the west corner of said Tract 1 and the south corner of said Lot 1, Block B;

Thence, North 44°47'56" East, along the northwest line of said Tract 1 and the southeast line of said Lot 1, Block B, a distance of 178.06 feet to the Point of Beginning and containing 120,331 square feet or 2.7624 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

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

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

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

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

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

WITNESS, my hand, this the 17th day of February, 2022.

C. Strother

Cathy Strother, Owner
a.k.a. Cathy A. Haldeman

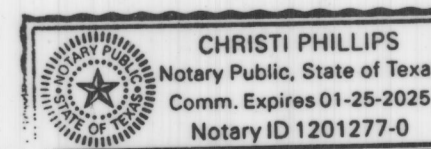
STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas on this date personally appeared Cathy Strother (a.k.a. Cathy A. Haldeman - same person), 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 purpose and considerations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS 17th DAY OF February, 2022.

Christi Phillips

Notary Public for the State of Texas
My Commission expires 02-25-25



Filed and Recorded
Official Public Records
Jennifer Foga County Clerk
Rockwall County, Texas
03/22/2022 01:49:50 PM
\$100.00
20220000006322



Jennifer Foga

SURVEYOR CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, James Bart Carroll, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon as set were properly placed under my personal supervision.

James Bart Carroll
James Bart Carroll
Texas Registered Professional Land Surveyor No. 5129



APPROVED

[Signature]
Planning and Zoning Commission Chairman

3/21/22
Date

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the 7 day of February, 2022.

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

WITNESS OUR HANDS, this 21st day of March, 2022.

[Signature]
Mayor, City of Rockwall

[Signature]
City Secretary

[Signature]
City Engineer



FINAL PLAT

ROADSIDE ADDITION
LOT 1, BLOCK A

Being 2.7624 Acres or 120,330.144 Square Feet

Situated within

Tract 25-1 of the J. Cadle Survey, Abstract No. 65 and
Tract 17 of the J.D. McFarland Survey, Abstract No. 145
City of Rockwall, Rockwall County, Texas

Case No.: P2022-002

Page 2 of 2

CARROLL CONSULTING GROUP, INC.

P.O. BOX 11 972-742-4411 TBPELS REGISTRATION NO.: F-21608
LAVON, TEXAS 75166 TEXAS FIRM REGISTRATION NO.: 10007200

JOB No.	SCALE:	DATE PREPARED:	DRAWN BY:
2983-21	1"=60'	JANUARY 24, 2022	CP 102

OWNER:
CATHY STROTHER
A.K.A. CATHY A. HALDEMAN
8935 COUNTY ROAD 589
NEVADA, TEXAS 75173

18 SOUTHWEST RESIDENTIAL DISTRICT

DISTRICT DESCRIPTION

The *Southwest Residential District* contains a mixture of land uses that include existing medium and low density residential, heavy commercial/retail land uses (i.e. *National Drive, Sids Road, and Mims Road*) and commercial land uses. In the future, this district is expected to continue to function as it does today with additional low-density master planned communities filling in the vacant land remaining in the central and southern areas of the district. In addition, the areas that are in transition are expected to continue to improve adding additional value to the City.

DISTRICT STRATEGIES

The strategies for the *Southwest Residential District* are as follows:

1 Suburban Residential. This district has several large tracts of land that can support highly amenitized master planned communities. Areas adjacent to the Oaks of Buffalo Way Subdivision should utilize larger lots adjacent to the subdivision to transition to a smaller lot sizes; however, these areas should incorporate a mix of larger to mid-sized lots.

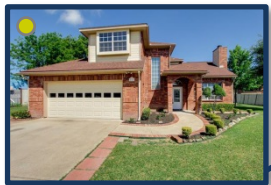
2 Commercial/Industrial Land Uses. The areas around Sids Road, National Drive, and Mims Road are some of the only areas in the City that are designated for *Commercial/Industrial* land uses. As a result, these areas should be protected from the encroachment of incompatible land uses (i.e. *residential land uses -- higher density or otherwise*). This should protect the businesses that currently exist in these areas.

3 Transitional Areas. The areas designated as *Transitional Areas* are currently transitioning from interim land uses and building types to more permanent structures with conforming land uses. These areas should be given special consideration with regard to requests that further the establishment of uses and structures that will improve the property values of the adjacent properties; however, the City should look to continue to discourage uses and structures that are situated within established floodplains.

4 Intersection of SH-276 and S. Goliad Street (Sids Road and S. Goliad Street). The intersection at Sids Road and S. Goliad Street [SH-205] -- also identified as the future intersection of SH-276 and S. Goliad Street -- is anticipated to be a major commercial intersection due to the high traffic volumes carried by both SH-276 and S. Goliad Street [SH-205]. This intersection will most likely have commercial at all four (4) corners and will create a major node along both highways.



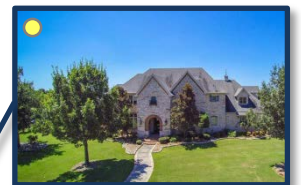
1 Current Suburban Residential



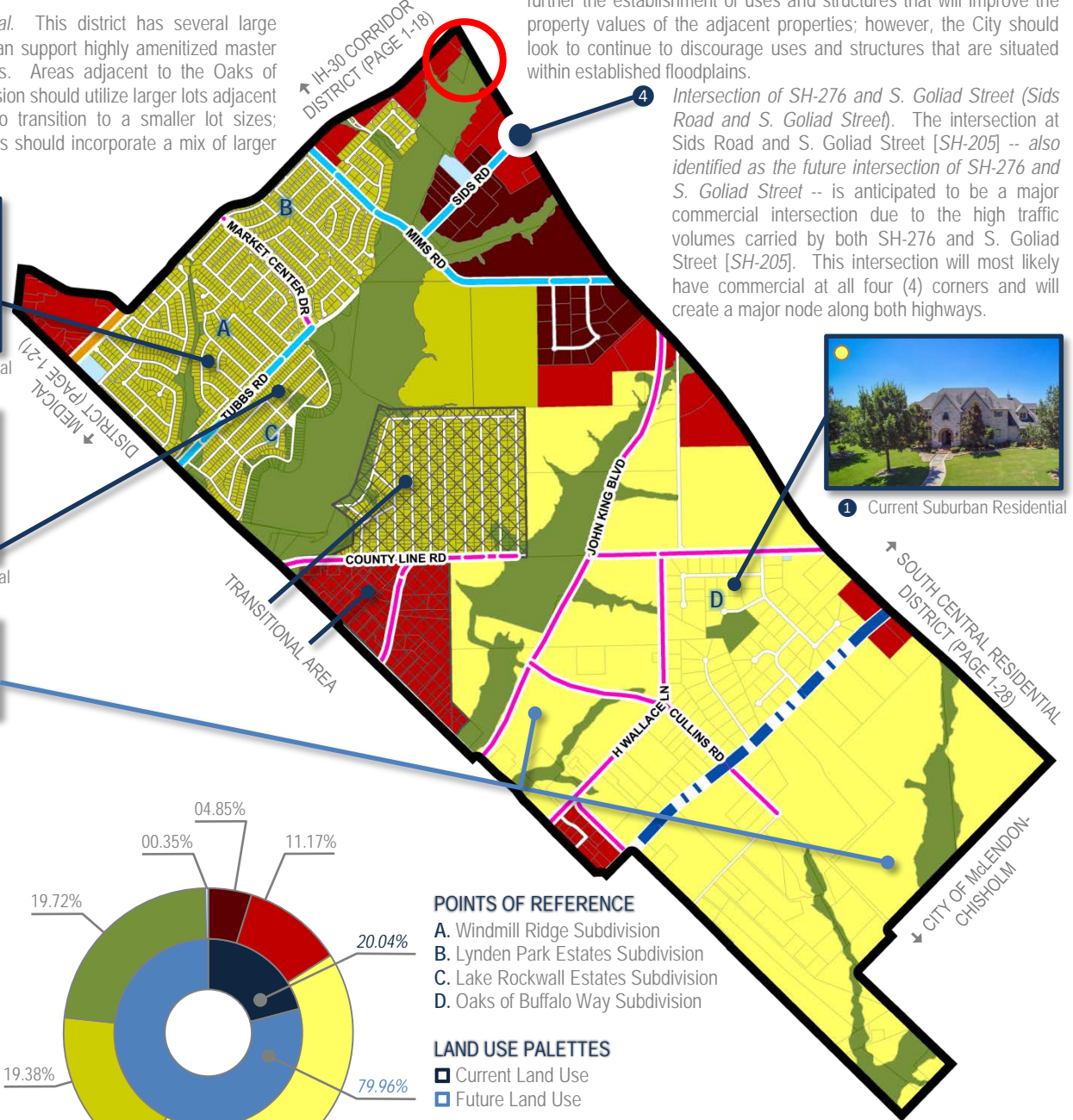
1 Current Suburban Residential



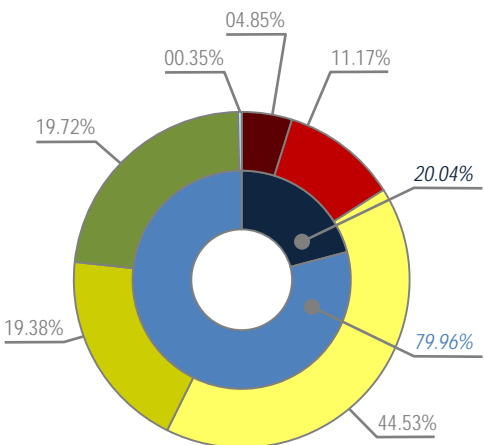
1 Future Suburban Residential



1 Current Suburban Residential



BUILD OUT		4,251
		14,108
% OF ROCKWALL		10.95%
		10.34%
		12.49%
CURRENT		2,190
		188
		7,437



POINTS OF REFERENCE

- A. Windmill Ridge Subdivision
- B. Lynden Park Estates Subdivision
- C. Lake Rockwall Estates Subdivision
- D. Oaks of Buffalo Way Subdivision

LAND USE PALETTES

- Current Land Use
- Future Land Use

	COMMERCIAL/INDUSTRIAL (CI)	120.50-ACRES
	COMMERCIAL/RETAIL (CR)	277.44-ACRES
	LOW DENSITY RESIDENTIAL (LDR)	1,106.20-ACRES
	MEDIUM DENSITY RESIDENTIAL (MDR)	481.39-ACRES
	PARKS AND OPEN SPACE (OS)	489.99-ACRES
	QUASI-PUBLIC (QP)	8.67-ACRES

	COMMERCIAL	20.04%
	RESIDENTIAL	79.96%
	MIXED USE	0.00%
	MINOR COLLECTOR	
	M4D	
	M4U	
	TXDOT 4D	

LEGEND:

	Land Use <i>NOT</i> Permitted
P	Land Use Permitted <i>By-Right</i>
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

PERMITTED LAND USES IN AN COMMERCIAL (C) DISTRICT

LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses]	COMMERCIAL (C) DISTRICT
AGRICULTURAL AND ANIMAL RELATED LAND USES	2.02(A)	2.03(A)	
Agricultural Uses on Unplatted Land	(1)		P
Animal Boarding/Kennel without Outside Pens	(2)	(2)	P
Animal Clinic for Small Animals without Outdoor Pens	(3)	(3)	P
Animal Hospital or Clinic	(4)		S
Community Garden	(11)	(7)	S
Urban Farm	(12)	(8)	S
RESIDENTIAL AND LODGING LAND USES	2.02(B)	2.03(B)	
Caretakers Quarters/Domestic or Security Unit	(3)		P
Convent, Monastery, or Temple	(4)		P
Commercial Parking Garage	(6)		A
Limited-Service Hotel	(10)		S
Full-Service Hotel	(11)	(8)	S
Residence Hotel	(12)		S
Motel	(13)		S
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES	2.02(C)	2.03(C)	
Assisted Living Facility	(1)	(1)	S
Blood Plasma Donor Center	(2)		P
Cemetery/Mausoleum	(3)		P
Church/House of Worship	(4)	(2)	S
College, University, or Seminary	(5)		S
Convalescent Care Facility/Nursing Home	(6)		P
Congregate Care Facility/Elderly Housing	(7)	(3)	S
Daycare with Seven (7) or More Children	(9)	(4)	P
Emergency Ground Ambulance Services	(10)		P
Government Facility	(12)		P
Hospice	(14)		P
Hospital	(15)		P
Public Library, Art Gallery or Museum	(16)		P
Mortuary or Funeral Chapel	(17)		P
Local Post Office	(18)		P
Public or Private Primary School	(21)	(7)	P
Public or Private Secondary School	(22)	(8)	P
Temporary Education Building for a Public or Private School	(23)	(9)	S
OFFICE AND PROFESSIONAL LAND USES	2.02(D)	2.03(D)	
Financial Institution with Drive-Through	(1)	(1)	P
Financial Institution without Drive-Through	(1)		P
Office Building less than 5,000 SF	(2)		P
Office Building 5,000 SF or Greater	(2)		P
RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES	2.02(E)	2.03(E)	

LEGEND:

	Land Use <i>NOT</i> Permitted
P	Land Use Permitted <i>By-Right</i>
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

PERMITTED LAND USES IN AN COMMERCIAL (C) DISTRICT

LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses]	COMMERCIAL (C) DISTRICT
Temporary Carnival, Circus, or Amusement Ride	(1)	(1)	P
Indoor Commercial Amusement/Recreation	(2)	(2)	P
Outdoor Commercial Amusement/Recreation	(3)	(3)	S
Public or Private Community or Recreation Club as an Accessory Use	(4)		P
Private Country Club	(5)		S
Golf Driving Range	(6)		S
Temporary Fundraising Events by Non-Profit	(7)	(4)	P
Indoor Gun Club with Skeet or Target Range	(8)	(5)	P
Health Club or Gym	(9)		P
Private Club, Lodge or Fraternal Organization	(10)	(6)	P
Private Sports Arena, Stadium, and/or Track	(11)		S
Public Park or Playground	(12)		P
Tennis Courts (<i>i.e. Not Accessory to a Public or Private Country Club</i>)	(14)		S
Theater	(15)		P
RETAIL AND PERSONAL SERVICES LAND USES	2.02(F)	2.03(F)	
Antique/Collectible Store	(1)		P
Astrologer, Hypnotist, or Psychic	(2)		P
Banquet Facility/Event Hall	(3)		P
Portable Beverage Service Facility	(4)	(1)	S
Brew Pub	(5)		P
Business School	(6)		P
Catering Service	(7)		P
Temporary Christmas Tree Sales Lot and/or Similar Uses	(8)	(2)	P
Copy Center	(9)		P
Craft/Micro Brewery, Distillery and/or Winery	(10)	(3)	S
Incidental Display	(11)	(4)	P
Food Trucks/Trailers	(12)	(5)	P
Garden Supply/Plant Nursery	(13)		P
General Personal Service	(14)	(6)	P
General Retail Store	(15)		P
Hair Salon and/or Manicurist	(16)		P
Laundromat with Dropoff/Pickup Services	(17)		P
Self Service Laundromat	(18)		P
Massage Therapist	(19)		P
Private Museum or Art Gallery	(20)		P
Night Club, Discotheque, or Dance Hall	(21)		P
Pawn Shop	(22)		S
Permanent Cosmetics	(23)	(7)	A
Pet Shop	(24)		P
Temporary Real Estate Sales Office	(25)		P

LEGEND:

	Land Use <i>NOT</i> Permitted
P	Land Use Permitted <i>By-Right</i>
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

PERMITTED LAND USES IN AN COMMERCIAL (C) DISTRICT

LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses]	COMMERCIAL (C) DISTRICT
Rental Store without Outside Storage and/or Display	(26)	(8)	P
Restaurant with less than 2,000 SF with Drive-Through or Drive-In	(27)	(9)	S
Restaurant with less than 2,000 SF without Drive-Through or Drive-In	(28)		P
Restaurant with 2,000 SF or more with Drive-Through or Drive-In	(27)	(10)	P
Restaurant with 2,000 SF or more without Drive-Through or Drive-In	(28)		P
Retail Store with Gasoline Sales that has Two (2) or less Dispensers (<i>i.e. a Maximum of Four [4] Vehicles</i>)	(29)		P
Retail Store with Gasoline Sales that has more than Two (2) Dispensers	(29)		P
Secondhand Dealer	(30)		P
Art, Photography, or Music Studio	(31)		P
Tailor, Clothing, and/or Apparel Shop	(32)		P
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)	
Bail Bond Service	(1)		S
Building and Landscape Material with Limited Outside Storage	(2)	(2)	P
Building Maintenance, Service, and Sales without Outside Storage	(3)		P
Electrical, Watch, Clock, Jewelry and/or Similar Repair	(6)		P
Furniture Upholstery/Refinishing and Resale	(8)	(4)	S
Rental, Sales and Service of Heavy Machinery and Equipment	(10)	(5)	S
Locksmith	(11)		P
Research and Technology or Light Assembly	(15)		S
Shoe and Boot Repair and Sales	(16)		P
Trade School	(17)		P
Temporary On-Site Construction Office	(18)	(6)	P
AUTO AND MARINE RELATED LAND USES	2.02(H)	2.03(H)	
Minor Auto repair garage	(2)	(2)	S
Automobile Rental	(3)		S
New or Used Boat and Trailer Dealership	(4)	(3)	S
Full Service Car Wash and Auto Detail	(5)	(4)	P
Self Service Car Wash	(5)	(4)	P
New and/or Used Indoor Motor Vehicle Dealership/Showroom	(6)	(5)	S
New Motor Vehicle Dealership-for Cars and Light Trucks	(7)	(6)	S
Used Motor Vehicle Dealership for Cars and Light Trucks}	(7)	(7)	A
Commercial Parking	(8)		P
Non-Commercial Parking Lot	(9)		P
Recreational Vehicle (RV) Sales and Service	(10)		S
Service Station	(11)	(8)	P
INDUSTRIAL AND MANUFACTURING LAND USES	2.02(I)	2.03(I)	
Temporary Asphalt or Concrete Batch Plant	(2)	(2)	P
Mining and Extraction of (Sand, Gravel, Oil and/or Other Materials)	(12)	(5)	S
WHOLESALE, DISTRIBUTION AND STORAGE LAND USES	2.02(J)	2.03(J)	

LEGEND:

	Land Use <i>NOT</i> Permitted
P	Land Use Permitted <i>By-Right</i>
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

PERMITTED LAND USES IN AN COMMERCIAL (C) DISTRICT

LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses]	COMMERCIAL (C) DISTRICT
Mini-Warehouse	(4)	(1)	S
Wholesale Showroom Facility	(8)		S
UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES	2.02(K)	2.03(K)	
Antenna as an Accessory	(2)	(1)	P
Commercial Antenna	(3)	(2)	S
Antenna for an Amateur Radio	(4)	(3)	A
Antenna Dish	(5)	(4)	A
Commercial Freestanding Antenna	(6)	(5)	S
Mounted Commercial Antenna	(7)	(6)	S
Helipad	(9)		S
Utilities (<i>Non-Municipally Owned or Controlled</i>), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	(10)		S
Municipally Owned or Controlled Facilities, Utilities and Uses	(11)		P
Private Streets	(12)		S
Radio Broadcasting	(13)		P
Railroad Yard or Shop	(14)		S
Recording Studio	(15)		P
Satellite Dish	(16)		A
Solar Energy Collector Panels and Systems	(17)	(7)	A
Transit Passenger Facility	(18)		S
TV Broadcasting and Other Communication Service	(20)		S
Utilities Holding a Franchise from the City of Rockwall	(21)		S
Utility Installation Other than Listed	(22)		S
Utility/Transmission Lines	(23)		S
Wireless Communication Tower	(24)		S

CITY OF ROCKWALL

ORDINANCE NO. 23-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A COMMERCIAL (C) DISTRICT FOR A 2.00-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1, BLOCK A, ROADSIDE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* AND FURTHER DEPICTED IN *EXHIBIT 'B'* 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 Mariel Street on behalf of Cathy Strother for the approval of a *Zoning Change* from an Agricultural (AG) District to a Commercial (C) District for a 2.00-acre parcel of land identified as Lot 1, Block A, Roadside Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 2410 S. Goliad Street [*SH-205*], and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] 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 Agricultural (AG) District to a Commercial (C) District;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a Commercial (C) District as stipulated in Section 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*; Section 04.01, *General Commercial District Standards*; Section 04.04, *Commercial (C) District*, of Article 05; and Section 06.02, *General Overlay District Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe 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 (UDC) 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; and

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.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 3rd DAY OF JANUARY, 2023.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: December 19, 2022

2nd Reading: January 3, 2023

Exhibit 'B' Zoning Exhibit

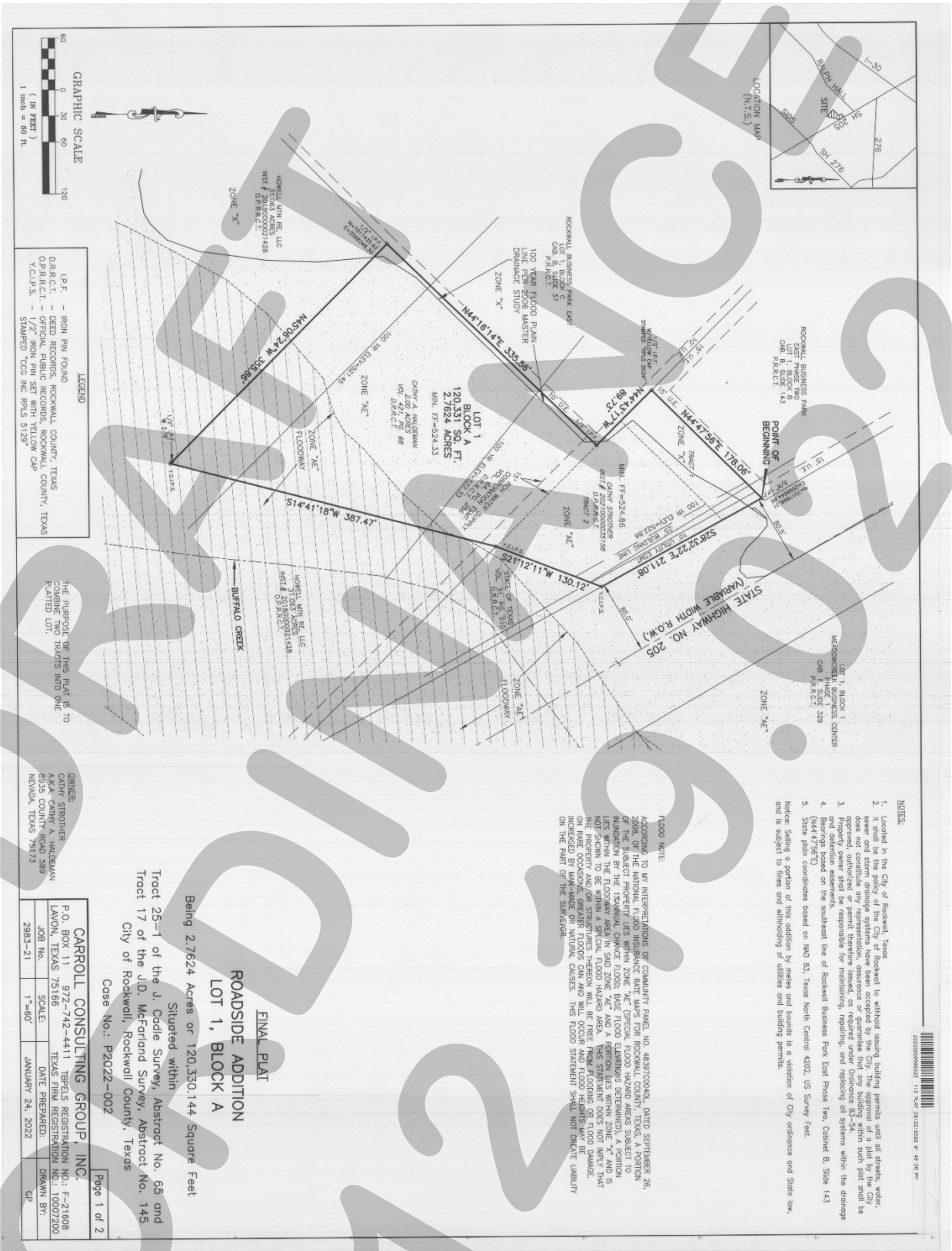


Exhibit 'B'
Zoning Exhibit

STATE OF TEXAS
COUNTY OF ROCKWALL

OWNER'S CERTIFICATE

Minister, Cathy Stricker, is the owner of a tract of land situated in Block 1, South Energy, Rockwell, Texas, as shown on the plat of the same, recorded in the Public Records, Rockwell County, Texas, and being the same Tract 1 and Tract 2 as conveyed to Cathy Stricker, by deed recorded in Instrument No. 202100003156, Official Public Records, Rockwell County, Texas, Volume 421, Page 68, Deed Records, Rockwell County, Texas, and being more particularly described as follows:

Beginning at a 5/8" iron pin found on the southwest right-of-way line of State Highway No. 205 (variable width R.O.W.) for the north corner of said Tract 1 and being on the southeast line of Lot 1, Block 8 of Rockwell Business Park, East Project No., an addition to the City of Rockwell, Texas, to the plat thereof recorded in Instrument No. 20190000431, Public Records, Rockwell County, Texas;

Thence, South 89°22'27" East, along the east line of said Tract 1 and 2 and the north line of said Tract 2, a distance of 387.47 feet to a 1/2" iron pin set with yellow cap stamped "CCS INC 8/15/28" for the east corner of said Tract 2;

Thence, South 14°11'17" West, along the southeast line of said Tract 2, a distance of 130.12 feet to a 1/2" iron pin set with yellow cap stamped "CCS INC 8/15/28" for the south corner of said Tract 2, the northeast corner of said 2.00 acre tract and the east corner of the southeast corner of said 31.083 acre tract;

Thence, North 49°08'24" West, along the southwest line of said 2.00 acre tract and a northeast line of said 31.083 acre tract, passing at a distance of 278 feet a 1/2" iron pin found and continuing for a total distance of 350.86 feet to a 1/2" iron pin found on the southeast corner of the southeast line of Lot 1, Block C of Rockwell Business Park, East, an addition to the City of Rockwell, Texas, according to the plat thereof recorded in Instrument No. 20190000431, Public Records, Rockwell County, Texas;

Thence, North 44°16'14" East, along the northwest line of said 2.00 acre tract and the southeast line of said Lot 1, Block C, a distance of 335.58 feet to a 1/2" iron pin found on the north southwest line of said Tract 2;

Thence, North 44°31'17" West, along the southeast lines of said Tracts 1 and 2 and the southeast line of said Lot 1, Block C, a distance of 89.23 feet to a 1/2" iron pin found with yellow cap stamped "R.S. 5034" for the east corner of said Tract 1 and the south corner of said Lot 1, Block B;

Thence, North 44°47'09" East, along the northwest line of said Tract 1 and the southeast line of said Lot 1, Block B, a distance of 178.06 feet to the Point of Beginning and containing 120,331 square feet or 2,762.4 Acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS,
COUNTY OF ROCKWALL

I, the undersigned owner of the hereinafter described plat, and authorized herein as ROADSIDE ADDITION, hereby certify that the plat of the same, recorded in the Public Records, Rockwell County, Texas, and being the same Tract 1 and Tract 2 as conveyed to Cathy Stricker, by deed recorded in Instrument No. 202100003156, Official Public Records, Rockwell County, Texas, Volume 421, Page 68, Deed Records, Rockwell County, Texas, and being more particularly described as follows:

- (1) No building shall be constructed or placed upon, over, or across the abutting easements as described herein.
- (2) Any public utility shall have the right to remove and keep removed in any or part of any building, fence, trees, shrubs or other growing or improvements shown on any plat of these easements within the right of way of any public utility, and any public utility shall have the right of ingress or egress to, from and upon the said easement strips for purposes of construction, reconstruction, inspection, maintenance, repair, or replacement of any public utility, and the easement strips shall be subject to the necessity of, at any time, preparing the permission of anyone.
- (3) The City and County of Rockwall will not be responsible for any damage of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
- (4) The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
- (5) The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage control such that properties within the drainage area are not adversely affected by storm drainage from the development.
- (6) No house, dwelling unit, or other structure shall be constructed on any lot in this addition by the owner, or any other person, until the developer and/or owner has complied with all requirements in this plat in connection with the plat of the subdivision, including the actual installation of streets with the required base and paving, curbs and gutters, to water and sewer drainage structures, and a final plat of the subdivision, and the developer and/or owner shall be responsible for the cost of such improvements for the easement areas governing the plat of Rockwell County.

I further acknowledge that the dedication and/or easement's made herein are proportional to the interests of the parties and that the public services required in order that the development, will be completed with the present and future growth needs of the County. I, my successors and assigns hereby waive any claim, demand, or cause of action that I may have as a result of the dedication of easements made herein.

WITNESS my hand, this the 17th day of February, 2022.

Cathy Stricker
Cathy Stricker, Owner
c/o: Cathy A. Holdeman

STATE OF TEXAS
COUNTY OF COLLIN

REGORIE ME, the undersigned authority, a Notary Public in and for the State of Texas on this date personally appeared Cathy Stricker (c/o: Cathy A. Holdeman, some person), known and acknowledged to me that he executed the same for the purposes and considerations therein stated. OPEN UNDER MY HAND AND SEAL OF OFFICE, THIS 17th day of February, 2022.

Cathy Stricker
Cathy Stricker, Owner
c/o: Cathy A. Holdeman

Christy Phillips
Christy Phillips
Notary Public for the State of Texas
My Commission Expires 07/25/25

Christy Phillips
Christy Phillips
Notary Public for the State of Texas
My Commission Expires 07/25/25

KNOW ALL MEN BY THESE PRESENTS,
SURVEYOR CERTIFICATE

That I, James Bart Carroll, do hereby certify that I prepared this plat from an actual survey of the same, and that the same is a true and correct representation of the same as set forth in the plat of the same, recorded in the Public Records, Rockwell County, Texas, and being more particularly described as follows:

APPROVED:
James Bart Carroll
James Bart Carroll
Texas Registered Professional Land Surveyor No. 5129

John Meyer
John Meyer
City Secretary

Ornel Williams, PE
Ornel Williams, PE
City Engineer

Mayor, City of Rockwall

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, day of February, 2022, is a true and correct representation of the same as set forth in the plat of the same, recorded in the Public Records, Rockwell County, Texas, and being more particularly described as follows:

WITNESS my hand, this the 17th day of February, 2022.

FINAL PLAT
ROADSIDE ADDITION
LOT 1, BLOCK A
Being 2,762.4 Acres or 120,330.144 Square Feet
Situated within
Tract 25-1 of the J. Cadie Survey, Abstract No. 65 and
Tract 17 of the J.D. McFarland Survey, Abstract No. 145
City of Rockwall, Rockwall County, Texas

Case No.: P2022-002

Page 2 of 2

CARROLL CONSULTING GROUP, INC.
P.O. BOX 11 972-742-4411 TIFELS REGISTRATION NO.: F-21608
LAWON, TEXAS 75166 TEXAS FIRM REGISTRATION NO.: 10007200
JOB No. SCALE DATE PREPARED: DRAWN BY:
2983-21 1"=60' JANUARY 24, 2022 CP



MEMORANDUM

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: December 19, 2022

SUBJECT: Z2022-054; SPECIFIC USE PERMIT (SUP) FOR A RESIDENTIAL INFILL ADJACENT TO AN ESTABLISHED SUBDIVISION AT 211 JACOB CROSSING

Attachments

Case Memo
Development Application
Location Map
HOA Notification Map
Neighborhood Notification Email
Property Owner Notification Map
Property Owner Notification List
Public Notice
Property Owner Notifications
Residential Plot Plan
Building Elevations
Floor Plan
Electrical Plan
Housing Analysis
Draft Ordinance

Summary/Background Information

Hold a public hearing to discuss and consider a request by Scott Clements on behalf of Dana Moffatt for the approval of an **ordinance** for a *Specific Use Permit (SUP) for Residential Infill in an Established Subdivision* allowing the construction of a single-family home on a 0.1837-acre parcel of land identified as Lot 7, Block B, North Towne Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 211 Jacob Crossing, and take any action necessary (**1st Reading**).

Action Needed

The City Council is being asked to approve, approve with conditions, or deny the Specific Use Permit (SUP) request.



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: City Council
DATE: December 19, 2022
APPLICANT: Dana Moffatt
CASE NUMBER: Z2022-054; *Specific Use Permit (SUP) for a Residential Infill Adjacent to an Established Subdivision at 211 Jacob Crossing*

SUMMARY

Hold a public hearing to discuss and consider a request by Scott Clements on behalf of Dana Moffatt for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.1837-acre parcel of land identified as Lot 7, Block B, North Towne Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 211 Jacob Crossing, and take any action necessary.

BACKGROUND

The subject property was annexed on February 6, 1961 by *Ordinance No. 60-01 [Case No. A1960-001]*. At the time of annexation, the subject property was zoned Agricultural (AG) District. According to the City's Historic Zoning Maps, the subject property was rezoned from an Agricultural (AG) District to a Single-Family 3 (SF-3) District sometime between the time the subject property was annexed and January 3, 1972. This zoning designation was changed between January 4, 1972 and May 15, 1983 from a Single-Family 3 (SF-3) District to a Single-Family 7 (SF-7) District based on the May 16, 1983 Zoning Map. On June 16, 1998 a final plat for the North Towne Addition was filed with Rockwall County. This subdivision plat established the subject property as Lot 7, Block B, North Towne Addition. No other changes have been made to the subject property since annexation.

PURPOSE

The applicant is requesting the approval of a Specific Use Permit (SUP) for the purpose of constructing a single-family home on the subject property in accordance with Subsection 02.03(B)(11), *Residential Infill In or Adjacent to an Established Subdivision*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC).

ADJACENT LAND USES AND ACCESS

The subject property is generally located at 211 Jacob Crossing. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are the remaining lots in the North Towne Addition. North of this is Phase 1 of the Harris Heights Subdivision, which was established on February 1, 1970, is zoned Single-Family 7 (SF-7) District, and consists of 58 residential lots. Beyond this is Phase 3 of the Harris Heights Subdivision, which was established on February 11, 1985, is zoned Single-Family 7 (SF-7) District, and consists of 26 residential lots. Beyond this is Phase 1 of the Caruth Lakes Subdivision, which was established on June 10, 1994, is zoned Planned Development District 5 (PD-5) for Single-Family 7 (SF-7) District land uses, and consists of 34 residential lots.

South: Directly south of the subject property are the remaining lots in the North Towne Addition, followed by a 0.1915-acre lot (*i.e. Lot 2, Mclean/Moore Addition*) zoned Single-Family 7 (SF-7) District that is developed with a single-family home. Beyond this is E. Health Street, which is classified as an R2 (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 2.20-acre lot (*i.e. Lot C, Block 124, B.F. Boydston*) that zoned Single Family 7 (SF-7) District. Developed on this property is the *Heath Street Water Pump Station*.

East: Directly east of the subject property are the remaining lots in the North Towne Addition, followed by Phase 2 of the Harris Heights Subdivision. This subdivision was established on February 11, 1985, is zoned Single-Family 7 (SF-7) District, and consists of 15 residential lots. Beyond this is Phase 1 of the Harris Heights Subdivision, which was established on February 1, 1970, is zoned Single-Family 7 (SF-7) District, and consists of 58 residential lots. Beyond that is Wade Subdivision, which was established in 1954, is zoned Single-Family 7 (SF-7) District, and consists of 105 residential lots.

West: Directly west of the subject property is N. Goliad Street [SH-205], which is classified as a M4U-M (*i.e. modified major collector, four [4] lane, undivided highway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 0.257-acre vacant lot (*i.e. Lot 2, Block A, Rakich Addition*), zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses, and addressed as 919 N Goliad Street. Beyond this is a 0.252-acre lot, zoned Single-Family 7 (SF-7) District, and developed with a single-family home. Beyond that is N Alamo Road, which is classified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

CHARACTERISTICS OF THE REQUEST AND CONFORMANCE TO THE CITY'S CODES

Article 13, *Definitions*, of the Unified Development Code (UDC) defines *Residential Infill in or Adjacent to an Established Subdivision* as "(t)he new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out." An *established subdivision* is further defined in Subsection 02.03(B)(11) of Article 04, *Permissible Uses*, of the UDC as "...a subdivision that consists of five (5) or more lots, that is 90% developed, and that has been in existence for more than ten (10) years." The subject property is part of the North Towne Addition Subdivision, which has been in existence since 1998, consists of 41 residential lots, and is considered to be more than 90% developed. The *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the UDC, requires a Specific Use Permit (SUP) for *Residential Infill in or Adjacent to an Established Subdivision* in all single-family zoning districts, the Two-Family (2F) District, the Downtown (DT) District, and the Residential-Office (RO) District.

In addition, Subsection 02.03(B)(11) of Article 04, *Permissible Uses*, of the UDC states that, "...the Planning and Zoning Commission and City Council shall consider the proposed size, location, and architecture of the home compared to the existing housing ... [and] (a)ll housing proposed under this section [*i.e. Residential Infill in or Adjacent to an Established Subdivision*] shall be constructed to be architecturally and visually similar or complimentary to the existing housing ..." The following is a summary of observations concerning the housing on Jacob Crossing, Cody Place, and Chad Way compared to the house proposed by the applicant:

Housing Design and Characteristics	Existing Housing on Jacob Crossing, Cody Place, and Chad Way	Proposed Housing
Building Height	One (1) & Two (2) Story.	Two (2) Story
Building Orientation	Most of the homes are oriented towards their front property line.	The front elevation of the home will face onto Jacob Crossing
Year Built	1998-2003	N/A
Building SF on Property	1,667 SF – 2,177 SF	3,341 SF
Building Architecture	Traditional Brick Suburban Residential	Craftsman
Building Setbacks:		
Front	The front yard setbacks appear to conform to the required 20-foot front yard setback along Jacob Crossing and the 15-foot front yard setback along Chad Way established within the North Towne Addition Subdivision Plat.	15-Feet
Side	The side yard setbacks appear to conform to the required six (6) foot side yard setback.	6-Feet
Rear	The rear yard setbacks appear conform to the required ten (10) feet rear yard setback.	10-Feet
Building Materials	Combination of Brick and Siding	Stone and Siding
Paint and Color	Pink, Red, White	White

Roofs	Composite Shingles	Composite Shingle
Driveways	Driveways are all in the front with the orientations being 'J' or traditional swing entry.	The garage will be situated on the rear elevation and be accessed by the alley.

The proposed single-family home meets all of the density and dimensional requirements for a property situated within a Single-Family 7 (SF-7) District as stipulated by the Unified Development Code (UDC). For the purpose of comparing the proposed home to the existing single-family housing located adjacent to or in the vicinity of the subject property, staff has provided photos of the properties along Jacob Crossing, Cody Place, and Chad Way as well as the proposed building elevations in the attached packet. The approval of this request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission and a finding that the proposed house will not have a negative impact on the existing subdivision.

NOTIFICATIONS

On November 17, 2022, staff mailed 129 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Caruth Lakes and the Preserve Homeowner’s Associations (HOAs), which are the only Homeowner’s Associations (HOAs) or Neighborhood Organizations within 1,500 feet of the subject property. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was written, staff has received two (2) notices in favor of the applicant’s request.

CONDITIONS OF APPROVAL

If City Council chooses to approve of the applicant’s request for a Specific Use Permit (SUP) for *Residential Infill Adjacent to an Established Subdivision*, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
 - (a) Development of the *Subject Property* shall generally conform to the Residential Plot Plan as depicted in *Exhibit ‘B’* of the draft ordinance.
 - (b) Construction of a single-family home on the *Subject Property* shall generally conform to the Building Elevations depicted in *Exhibit ‘C’* of the draft ordinance; and,
 - (c) Once construction of the single-family home has been completed, inspected, and accepted by the City, the Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.
- (2) Any construction resulting from the approval of this Specific Use Permit (SUP) 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 December 13, 2022, the Planning and Zoning Commission approved a motion to approve the Specific Use Permit by a vote of 7-0.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

22022-054

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ^{1 & 2}
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²

NOTES:

¹: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.
²: A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 211 Jacob Crossing Rockwall TX
 SUBDIVISION North Town Addition LOT 7 BLOCK B
 GENERAL LOCATION Jacob Crossing and Chadway

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING SF-7 CURRENT USE Vacant
 PROPOSED ZONING SF-7 PROPOSED USE Residential
 ACREAGE 0.1837 LOTS [CURRENT] 1 LOTS [PROPOSED] 1

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

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

OWNER Dana moffatt APPLICANT
 CONTACT PERSON Scott Clements CONTACT PERSON
 ADDRESS Po Box 609 ADDRESS
 CITY, STATE & ZIP Royce city TX 75189 CITY, STATE & ZIP
 PHONE 469 853 7952 PHONE
 E-MAIL Scott@sclements homes.com E-MAIL

NOTARY VERIFICATION [REQUIRED]

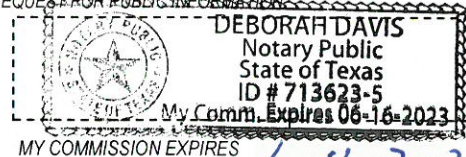
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____ [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 10 DAY OF Nov, 2022
OWNER'S SIGNATURE Dana moffatt

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

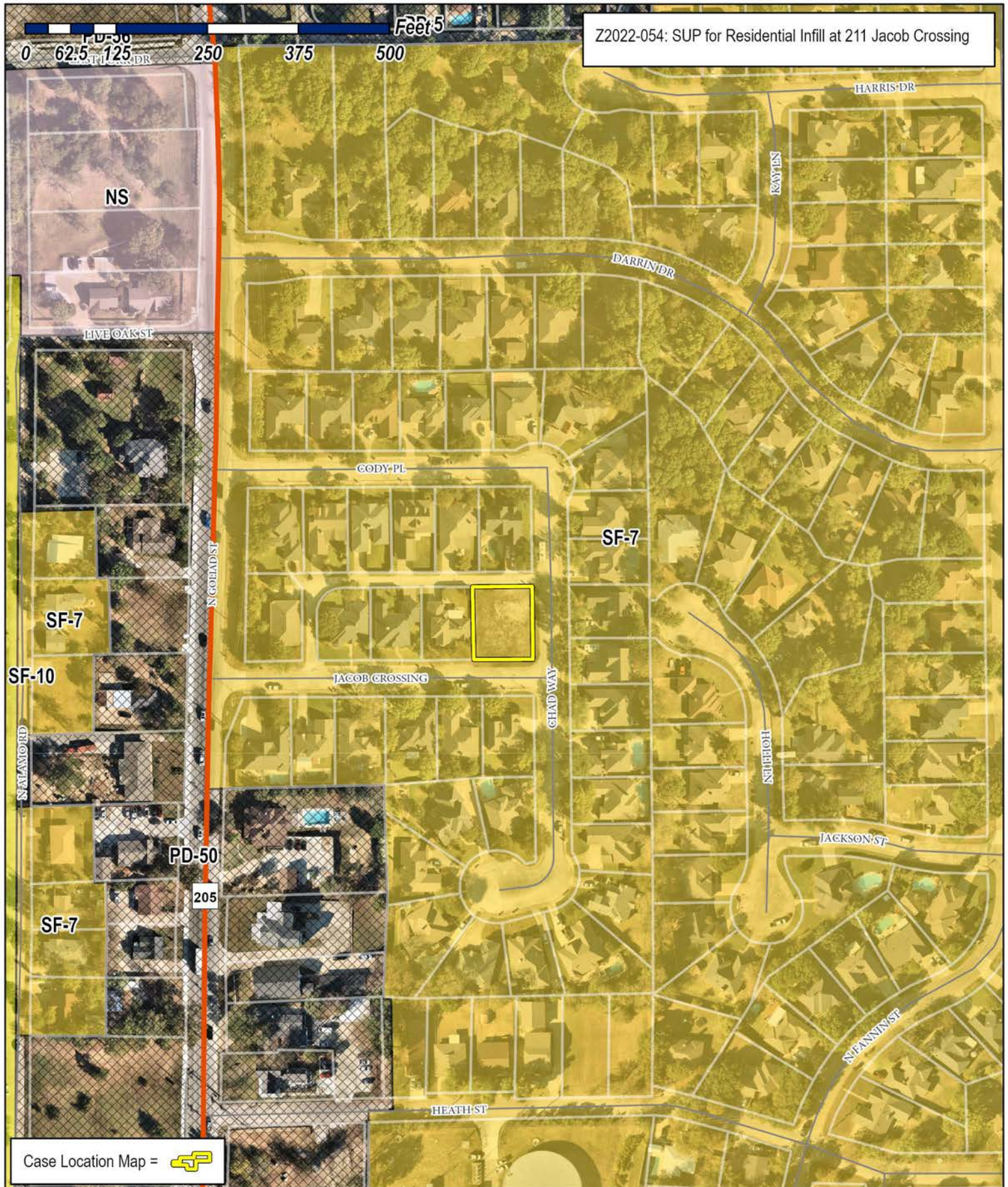
Deborah Davis




MY COMMISSION EXPIRES 6-16-2023

Feet 5

0 62.5 125 250 375 500



Case Location Map = 



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.

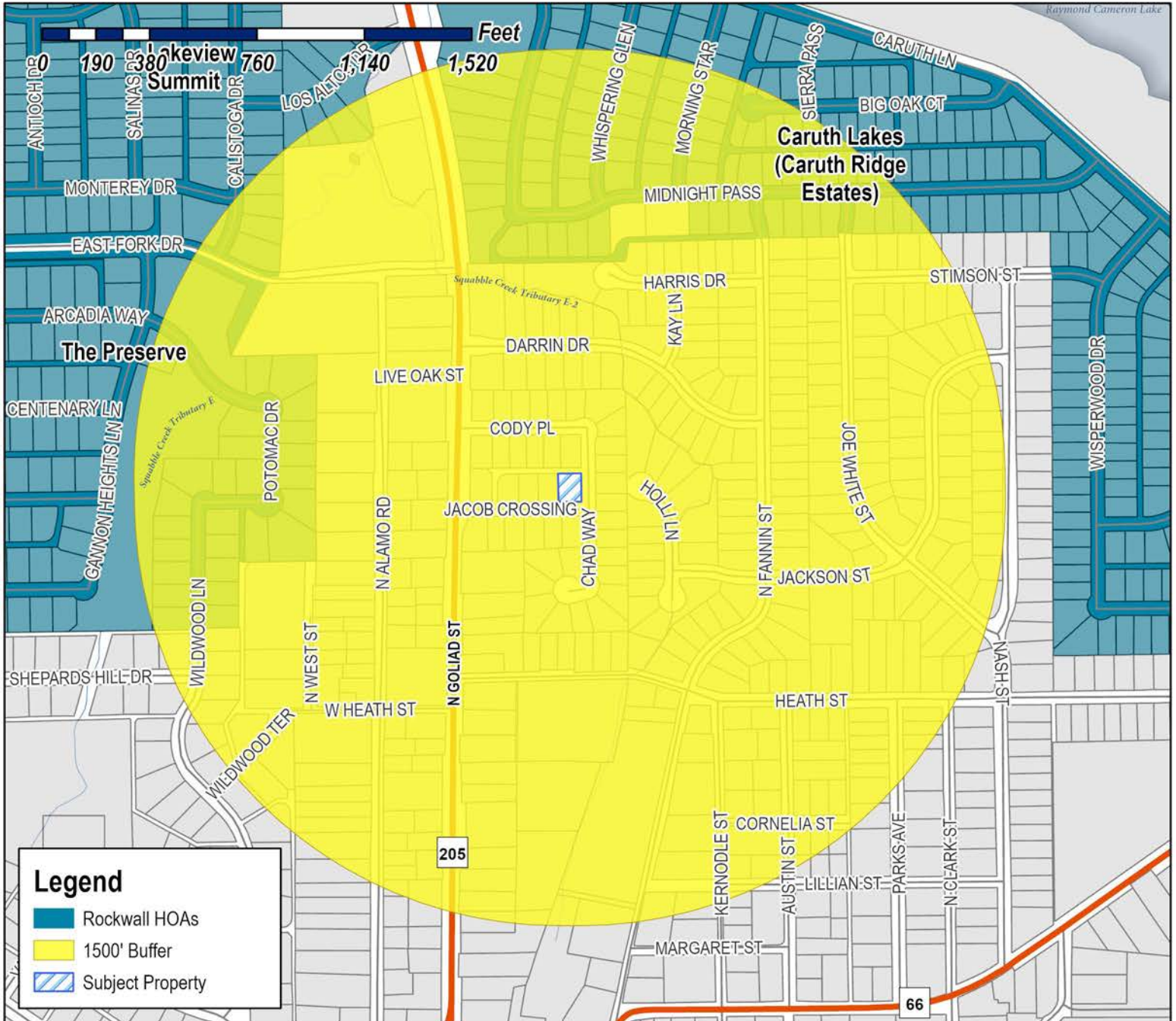




City of Rockwall

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: Z2022-054
Case Name: SUP for Residential Infill
Case Type: Zoning
Zoning: Single Family 7 (SF-7) District
Case Address: 211 Jacob Crossing

Date Saved: 11/15/2022
 For Questions on this Case Call (972) 771-7745



Ross, Bethany

From: Guevara, Angelica
Sent: Friday, November 18, 2022 8:49 AM
Cc: Miller, Ryan; Ross, Bethany; Lee, Henry; Chapin, Sarah
Subject: Neighborhood Notification Program [Z2022-054]
Attachments: HOA Map (11.14.2022).pdf; Public Notice Z2022-054.pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *November 18, 2022*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, December 13, 2022 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, December 19, 2022 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to Planning@rockwall.com at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website: <https://sites.google.com/site/rockwallplanning/development/development-cases>.

Z2022-054: SUP for Residential Infill

Hold a public hearing to discuss and consider a request by Scott Clements on behalf of Dana Moffatt for the approval of a *Specific Use Permit (SUP) for Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.1837-acre parcel of land identified as Lot 7, Block B, North Towne Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 211 Jacob Crossing, and take any action necessary.

Thank you,

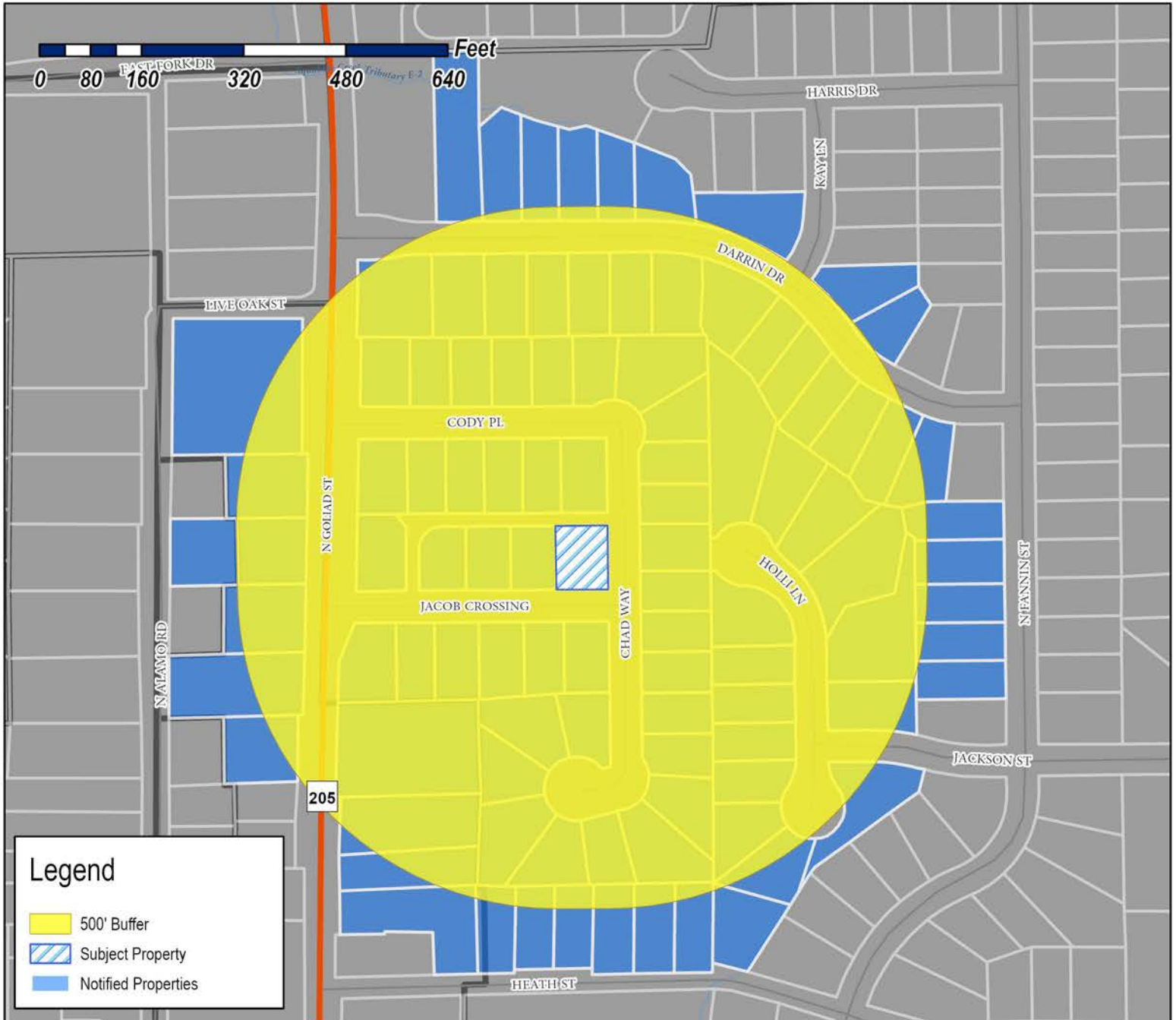
Angelica Guevara
Planning Technician
City of Rockwall Planning & Zoning
385 S. Goliad Street
Rockwall, TX 75087
Office: 972-771-7745
Direct: 972-772-6438



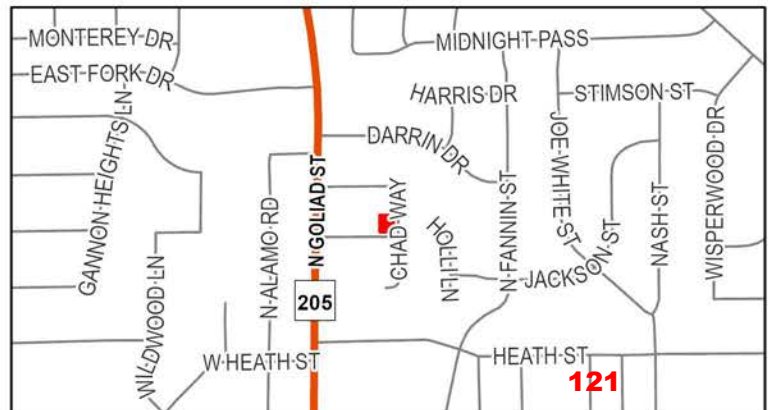
City of Rockwall

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: Z2022-054
Case Name: SUP for Residential Infill
Case Type: Zoning
Zoning: Single Family 7 (SF-7) District
Case Address: 211 Jacob Crossing



Date Saved: 11/15/2022

For Questions on this Case Call: (972) 771-7746

SOLIS JOE & FLORA
1000 HOLLI LN
ROCKWALL, TX 75087

ESTATE OF ELAINE I PETERSON
1001 HOLLI LN
ROCKWALL, TX 75087

HARRIS BENJAMIN AND
NICOLE BLAKE
1002 HOLLI LANE
ROCKWALL, TX 75087

RHODES NANCY CLAYCOMB
1003 HOLLI LN
ROCKWALL, TX 75087

ROBINSON ROBERT L & JULIE C
1003 N FANNIN ST
ROCKWALL, TX 75087

CLARK LARISSA
1004 HOLLI LN
ROCKWALL, TX 75087

SOLIS JOHNNY & JULIE
1005 HOLLI LN
ROCKWALL, TX 75087

BATES AURELIUS JERRY AND EDWINA
1005 N FANNIN STREET
ROCKWALL, TX 75087

EICHER STEVEN & CHRISTINE
1006 HOLLI LN
ROCKWALL, TX 75087

CANWANT2 PROPERTIES LLC
1007 N FANNIN ST
ROCKWALL, TX 75087

GUILLEN FAITH ERIN ELISABETH & BRANDON
HUNTER
1008 HOLLI LANE
ROCKWALL, TX 75087

SCHIMMEL JARROD J
1009 FANNIN ST
ROCKWALL, TX 75087

MUMMEY MAURICE E ETUX
1010 HOLLI LANE
ROCKWALL, TX 75087

JERAY DENNIS M & PATRICIA E JERAY
TRUSTEES OF THE JERAY FAMILY LIV TRUST
1011 N FANNIN ST
ROCKWALL, TX 75087

DIXON CHARLES S AND STEPHANIE
1025 KAY LN
ROCKWALL, TX 75087

CALLIER JENNA AND LOGAN
104 RUSH CREEK
HEATH, TX 75032

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

FRENCH MELISSA AND JACOB AARON
115 E HEATH ST
ROCKWALL, TX 75087

STORY CATHERINE C
117 E HEATH ST
ROCKWALL, TX 75087

GARRISON MONA AND RONALD
119 E HEATH STREET
ROCKWALL, TX 75087

HPA TEXAS SUB 2017-1 LLC
120 S RIVERSIDE PLZ STE 2000
CHICAGO, IL 60606

DAFFRON JAMES R AND DEBBIE A
12207 DARK HOLLOW RD
ROCKWALL, TX 75087

LOZANO MANUEL A
1388 S FM 740
HEATH, TX 75126

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

VANDERSLICE ROBERT
1408 S LAKESHORE DRIVE
ROCKWALL, TX 75087

CARLON WILLIAM ANDREW
192 JACOB CROSSING
ROCKWALL, TX 75087

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

CALLIER JENNA AND LOGAN
194 CODY PLACE
ROCKWALL, TX 75087

CROY DANNY L
195 CODY PL
ROCKWALL, TX 75087

RB40 INVESTMENTS LLC
196 JACOB CROSSING
ROCKWALL, TX 75087

STEWART DEBORAH LYNN
196 DARRIN DR
ROCKWALL, TX 75087

DAFFRON JAMES R AND DEBBIE A
198 CODY PLACE
ROCKWALL, TX 75087

KANSIER GAYLE
198 DARRIN DR
ROCKWALL, TX 75087

DOOLEY RHONDA N
19801 E 86TH ST N
OWASSO, OK 74055

BOWEN JAMES A
199 DARRIN DR
ROCKWALL, TX 75087

NJK ENTERPRISES LLC
199 JACOB CROSSING
ROCKWALL, TX 75087

YOUNG BARBARA NEUMANN
199 CODY PLACE
ROCKWALL, TX 75087

KINSEY DONALD H & TARI L
2 MANOR COURT
HEATH, TX 75032

917 PROPERTIES LLC
2 MANOR COURT
HEATH, TX 75032

TURNER KYLE RADEY
200 JACOB CROSSING
ROCKWALL, TX 75087

SELLERS ROBERT STEVEN
200 DARRIN DRIVE
ROCKWALL, TX 75087

MCWHIRTER CRAIG L
201 DARRIN DR
ROCKWALL, TX 75087

MILLER ROBERT AND KATY
202 CODY PL
ROCKWALL, TX 75087

GANDY GEORGIA KNEL
202 DARRIN DR
ROCKWALL, TX 75087

DAVIS RICHARD S & LYNDELL R
203 JACOB CROSSING
ROCKWALL, TX 75087

CLAY KAREN L
203 CODY PL
ROCKWALL, TX 75087

DAVIS ROBERT C
203 DARRIN
ROCKWALL, TX 75087

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

NELSON THERESE D
204 DARRIN DR
ROCKWALL, TX 75087

PHILLIPS TERESA
204 JACOB CROSSING
ROCKWALL, TX 75087

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

ESTATE OF ELAINE I PETERSON
2054 BRUCE RD
MARTIN, GA 30557

SIENY RYAN FAIN
206 CODY PL
ROCKWALL, TX 75087

RUDOLPH COLLIN J
206 DARRIN DRIVE
ROCKWALL, TX 75087

GARY DENNIS AND DIANNE
207 DARRIN DR
ROCKWALL, TX 75087

VANDERSLICE ROBERT
207 JACOB CROSSING
ROCKWALL, TX 75087

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

HPA TEXAS SUB 2017-1 LLC
208 JACOB CROSSING
ROCKWALL, TX 75087

HARTMEIER MICHAEL J & DEANNA K
208 DARRIN DR
ROCKWALL, TX 75087

ADAMS FAITH INVESTMENT LLC
208 SUMMIT RIDGE
ROCKWALL, TX 75087

HENSON ORA LOUISE
209 DARRIN DR
ROCKWALL, TX 75087

210 CODY PL
ROCKWALL, TX 75087

ZOLMAN ADAM DAVID AND
DARBY ZOLMAN
210 DARRIN DRIVE
ROCKWALL, TX 75087

MOFFATT DANA MICHELLE
211 JACOB CROSSING
ROCKWALL, TX 75087

CALDWELL KARISSA A
211 CODY PLACE
ROCKWALL, TX 75087

SOON OI LING
212 DARRIN DR
ROCKWALL, TX 75087

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

RATH OSCAR
213 DARRIN DR
ROCKWALL, TX 75087

KINSEY DONALD H & TARI L
214 DARRIN DR
ROCKWALL, TX 75087

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

MURRAY JOHN DAVID
215 CODY PLACE
ROCKWALL, TX 75087

HENDERSON REBECCA J
216 DARRIN DR
ROCKWALL, TX 75087

SMITH ERICA
217 DARRIN DR
ROCKWALL, TX 75087

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

COURVILLE MICHAEL AND FRANCES REPPOND
218 DARRIN DR
ROCKWALL, TX 75087

DUZAN TIMOTHY AND ANGELA
219 CODY PL
ROCKWALL, TX 75087

HART MICHAEL JOSEPH
220 DARRIN DR
ROCKWALL, TX 75087

EVERETT KENNETH N & CARYL W
222 DARRIN DR
ROCKWALL, TX 75087

SOON OI LING
2221 ALL SAINTS LN
PLANO, TX 75025

WEST MICHAEL
299 SHENNENDOAH LANE
ROCKWALL, TX 75087

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

NJK ENTERPRISES LLC
31 ORLEANS CIRCUIT
CECIL HILLS SYDNEY, NSW 2171 AUSTRALIA,

RB40 INVESTMENTS LLC
400 CHIPPENDALE DRIVE
HEATH, TX 75032

TURNER KYLE RADEY
4002 BROWNSTONE CT
DALLAS, TX 75204

MOFFATT DANA MICHELLE
4756 SECRET COVE LANE
HEATH, TX 75032

BAF 3 LLC
5001 PLAZA ON THE LAKE SUITE 200
AUSTIN, TX 78746

FANG PROPERTIES LLC
536 LOMA VISTA
HEATH, TX 75032

FANG PROPERTIES LLC
536 LOMA VISTA
HEATH, TX 75032

FRENCH MELISSA AND JACOB AARON
5582 YARBOROUGH DR
FORNEY, TX 75126

JERAY DENNIS M & PATRICIA E JERAY
TRUSTEES OF THE JERAY FAMILY LIV TRUST
795 RIDGE ROAD WEST
ROCKWALL, TX 75087

GARY DENNIS AND DIANNE
809 COUNTY CLUB DRIVE
HEATH, TX 75032

WOMEN IN NEED INC
904 N GOLIAD ST
ROCKWALL, TX 75087

LOZANO MANUEL A
906 N GOLIAD
ROCKWALL, TX 75087

HEAVENLY HANDS BIRTHING CENTER PLLC
908 N GOLIAD ST
ROCKWALL, TX 75087

RECSA LLC
911 NORTH GOLIAD
ROCKWALL, TX 75087

WEST MICHAEL
912 N GOLIAD
ROCKWALL, TX 75087

ADAMS FAITH INVESTMENT LLC
915 N GOLIAD
ROCKWALL, TX 75087

917 PROPERTIES LLC
917 N GOLIAD
ROCKWALL, TX 75087

VANDERSLICE R D AND LYNN
919 N GOLIAD
ROCKWALL, TX 75087

BARRY BARBARA
922 N ALAMO RD
ROCKWALL, TX 75087

CHAVEZ ENRIQUE
923 N GOLIAD ST
ROCKWALL, TX 75087

CFPC INVESTMENTS LLC
925 N GOLIAD
ROCKWALL, TX 75087

TAILLAC JEAN ANTHONY AND JENNIFER LEE
944 CHAD WAY
ROCKWALL, TX 75087

RICE JOSHUA M
947 CHAD WAY
ROCKWALL, TX 75087

PRINGLE PHYLLIS M
948 CHAD WAY
ROCKWALL, TX 75087

CORENO FRANCISCO R
951 CHAD WAY
ROCKWALL, TX 75087

BRUMIT COURTNEY M AND DARREN D
952 CHAD WAY
ROCKWALL, TX 75087

TAYLOR TERRY K AND STACEY B
955 CHAD WAY
ROCKWALL, TX 75087

ALLEN MARK C AND
DONNA K BOYD
956 CHAD WAY
ROCKWALL, TX 75087

CANWANT2 PROPERTIES LLC
956 CHAD WAY
ROCKWALL, TX 75087

LEFTEROV MARTIN AND
JESSICA LADD
960 CHAD WAY
ROCKWALL, TX 75087

TO TUAN QUOC
964 CHAD WAY
ROCKWALL, TX 75087

JENSEN MIKEL K & MICHELLE
968 CHAD WAY
ROCKWALL, TX 75087

WILCOX GORDON RICHARD AND GINGER R
974 CHAD WAY
ROCKWALL, TX 75087

LOWRY BRENDA
978 CHAD WAY
ROCKWALL, TX 75087

CLARK RYAN W & AMY B
982 CHAD WAY
ROCKWALL, TX 75087

GIBSON MONTE ROY & BELINDA K
986 CHAD WAY
ROCKWALL, TX 75087

SCHMIDT STEVEN R AND CORINNA A
990 CHAD WAY
ROCKWALL, TX 75087

BAF 3 LLC
993 HOLLI LN
ROCKWALL, TX 75087

GAFFNEY BRIAN & HOPE
994 CHAD WAY
ROCKWALL, TX 75087

DOOLEY RHONDA N
995 HOLLI LN
ROCKWALL, TX 75087

RAWLINS DAN AND MERRIANNE
997 HOLLI LN
ROCKWALL, TX 75087

GAFFNEY RICHARD BENNETT AND MARY ANNE
998 CHAD WAY
ROCKWALL, TX 75087

MESSENGER BARNARD A & BONNIE
998 HOLLI LN
ROCKWALL, TX 75087

NELSON MICHAEL D
999 HOLLI LN
ROCKWALL, TX 75087

BOWEN JAMES A
P.O. BOX 385
CADDO MILLS, TX 75135

CFPC INVESTMENTS LLC
PO BOX 1731
MARBLE FALLS, TX 78654

WOMEN IN NEED INC
PO BOX 349
GREENVILLE, TX 75403

PRINGLE PHYLLIS M
PO BOX 584
ROCKWALL, TX 75087

, 75087

PUBLIC NOTICE



CITY OF ROCKWALL
PLANNING AND ZONING DEPARTMENT
PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

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

Z2022-054: Specific Use Permit for Residential Infill in an Established Subdivision

Hold a public hearing to discuss and consider a request by Scott Clements on behalf of Dana Moffatt for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.1837-acre parcel of land identified as Lot 7, Block B, North Towne Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 211 Jacob Crossing, 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, December 13, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, December 19, 2022 at 6:00 PM. 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:

Bethany Ross
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 Monday, December 19, 2022 at 4:00 PM 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 AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2022-054: Specific Use Permit for Residential Infill in an Established Subdivision

Please place a check mark on the appropriate line below:

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

[Redacted area]

Name: [Redacted]
Address: [Redacted]

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

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

Case No. Z2022-054: Specific Use Permit for Residential Infill in an Established Subdivision

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: *Charles W Siebert Jr and Jane M. Siebert*
Address: *199 Jacobs Crossing 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

PUBLIC NOTICE



CITY OF ROCKWALL
PLANNING AND ZONING DEPARTMENT
PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

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

Z2022-054: Specific Use Permit for Residential Infill in an Established Subdivision

Hold a public hearing to discuss and consider a request by Scott Clements on behalf of Dana Moffatt for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.1837-acre parcel of land identified as Lot 7, Block B, North Towne Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 211 Jacob Crossing, 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, December 13, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, December 19, 2022 at 6:00 PM. 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:

Bethany Ross
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 Monday, December 19, 2022 at 4:00 PM 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 AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

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

Case No. Z2022-054: Specific Use Permit for Residential Infill in an Established Subdivision

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.

Empty text area for comments.

Name: Kyle R. Turner
Address: 200 Jacob King Rockwall, TX 75087 (Property Owner)

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

MOFFATT RESIDENCE



PERSPECTIVE VIEW
NTS

GENERAL NOTES:

1. THESE DESIGN DOCUMENTS ARE INTENDED TO BE A REPRESENTATION OF THE DESIGN INTENT AND ARE SUPPLIED TO ILLUSTRATE THE GENERAL TYPE OF CONSTRUCTION DESIRED. THE DRAWINGS ARE INTENDED TO IMPLY A PREMIUM QUALITY OF WORKMANSHIP THROUGHOUT.
2. DISCREPANCIES, ERRORS, OMISSIONS, AND ANY QUESTIONS REGARDING THE INTENT OF THE PLANS, SPECIFICATIONS, OR CONTRACT DOCUMENTS SHALL BE REFERRED TO THE GENERAL CONTRACTOR FOR CLARIFICATION.
3. CONTRACTORS OR SUBCONTRACTORS SHALL VERIFY ALL DIMENSIONS OR CLEARANCES AND SHALL BE RESPONSIBLE FOR THE VERIFICATION THEREOF TO INSURE COMPLIANCE WITH THE DRAWINGS, SPECIFICATIONS, AND PERTINENT CODES. DIMENSIONS OF ANY EXISTING CONDITIONS MUST BE VERIFIED AT THE JOB SITE AND ANY DISCREPANCIES REPORTED TO THE GENERAL CONTRACTOR.
4. CONTRACTORS OR SUBCONTRACTORS SHALL IMMEDIATELY NOTIFY THE GENERAL CONTRACTOR'S PROJECT MANAGERS / JOB SITE SUPERVISOR IF FOR ANY REASON THEY CANNOT COMPLY WITH ANY FACET OF THE DRAWINGS, DOCUMENTS, DESIGN INTENT, OR SCHEDULING.
5. ALL WORK AND MATERIAL LISTED OR IMPLIED IN THESE DRAWINGS SHALL BE SUPPLIED AND INSTALLED BY THE CONTRACTORS OR SUBCONTRACTORS RESPONSIBLE. ANY WORK ADVERSELY AFFECTING ANOTHER TRADE SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION TO THE GENERAL CONTRACTOR.
6. CONTRACTORS OR SUBCONTRACTORS SHALL DISPOSE OF CONSTRUCTION DEBRIS IN A TIMELY MANNER IN THE DUMPSTER PROVIDED BY THE GENERAL CONTRACTOR. EVER EFFORT SHALL BE MADE TO MAINTAIN A CLEAN JOB SITE.
7. CONTRACTORS OR SUBCONTRACTORS SHALL TAKE NOTE THAT ANY COST CAUSED BY INFERIOR WORKMANSHIP OR MATERIALS, IMPROPER SCHEDULING OR DELINQUENT ORDERING, SHALL BE BORNE BY THE PARTY RESPONSIBLE.
8. DURING CONSTRUCTION, CONTRACTORS OR SUBCONTRACTORS WILL BE RESPONSIBLE FOR REPAIRING ANY DAMAGE RESULTING FROM THEIR CONSTRUCTION ACTIVITIES. ANY CUTTING OR PATCHING OF ANY EXISTING FINISHED WORK SHALL MATCH ADJOINING SURFACES.
9. SAFETY FIRST! CONTRACTORS OR SUBCONTRACTORS SHALL FURNISH ANY EQUIPMENT OR SUPPLIES NECESSARY TO PERFORM THEIR WORK IN A MANNER THAT SHALL MEET OR EXCEED OSHA REQUIREMENTS.
10. CONTRACTORS OR SUBCONTRACTORS SHALL PROVIDE ANY TEMPORARY BARRIERS, LIGHTING, COVERINGS, FIRE PROTECTION, AND ANY OTHER EQUIPMENT TO PROTECT THE SAFETY OF ALL PERSONS AND PROPERTY THROUGHOUT THE ENTIRE PERIOD OF THEIR PORTION OF THE CONSTRUCTION CONTRACT FOR ANY AREA PERTINENT TO THE SUBCONTRACTORS SCOPE OF WORK. SUBCONTRACTORS SHALL COORDINATE WITH THE GENERAL CONTRACTOR FOR ANY EQUIPMENT, PROTECTION, ETC., THAT MUST REMAIN IN PLACE AFTER COMPLETION OF THE SUBCONTRACTORS PORTION OF WORK.

BUILDING CODE ANALYSIS:

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL APPLICABLE LOCAL, COUNTY, STATE OR FEDERAL LAW AND APPLICABLE CONSTRUCTION CODES AS CURRENTLY RECOGNIZED BY THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS.

CONTRACTOR NOTES:

1. ALL EXTERIOR WALLS SHALL BE 2x4 U.N.O.
2. ALL INTERIOR WALLS SHALL BE 2x4 U.N.O.
3. ALL FINISHED WALLS SHALL BE FIELD VERIFIED PRIOR TO ANY CUSTOM CABINETRY.
4. ALL DIMENSIONS TO BE VERIFIED AT JOBSITE.
5. SLIGHT ADJUSTMENT IN WALL LOCATIONS UP TO 1" SHALL BE MADE IN ORDER TO GET PLUMBING IN WALLS, SO LONG AS IT DOES NOT AFFECT THE FUNCTION OF FLOOR OR ROOF TRUSSES. THIS DOES NOT RELIEVE THE PLUMBER OF LIABILITY IF NOT DONE.
6. UNDER NO CIRCUMSTANCES SHALL ANY DIMENSIONS BE SCALED FROM THESE DRAWINGS. ANY CRITICAL DIMENSIONS NOT GIVEN SHALL BE BROUGHT TO THE ATTENTION OF THE BUILDER PRIOR TO CONSTRUCTION.
7. DOOR AND WINDOW ROUGH OPENINGS SHALL BE SUCH THAT OUTSIDE EDGES OF ADJACENT DOOR, WINDOW, AND TRANSOM TRIM IS ALIGNED U.N.O.
8. WINDOW SIZES GIVEN ARE APPROXIMATE UNIT SIZES. VERIFY ACTUAL SIZES AND ROUGH OPENINGS WITH MANUFACTURER.
9. FRAME ALL DOORS 3" FROM CORNERS WHERE POSSIBLE.

Layout Page Table

Label	Title	Description	Comments
A-1	COVER SHEET		
A-2	SITE PLAN / ROOF PLAN		
A-3	FRONT AND REAR ELEVATIONS		
A-4	LEFT AND RIGHT ELEVATIONS		
A-5	FLOOR PLAN W/ DIMENSIONS		
A-6	DOOR AND WINDOW SCHEDULES		
A-7	ELECTRICAL PLAN		

PLANS FOR:
MOFFATT RESIDENCE
DANA MOFFATT
211 JACOB CROSSING
ROCKWALL, TEXAS 75087

TITLE:
COVER SHEET

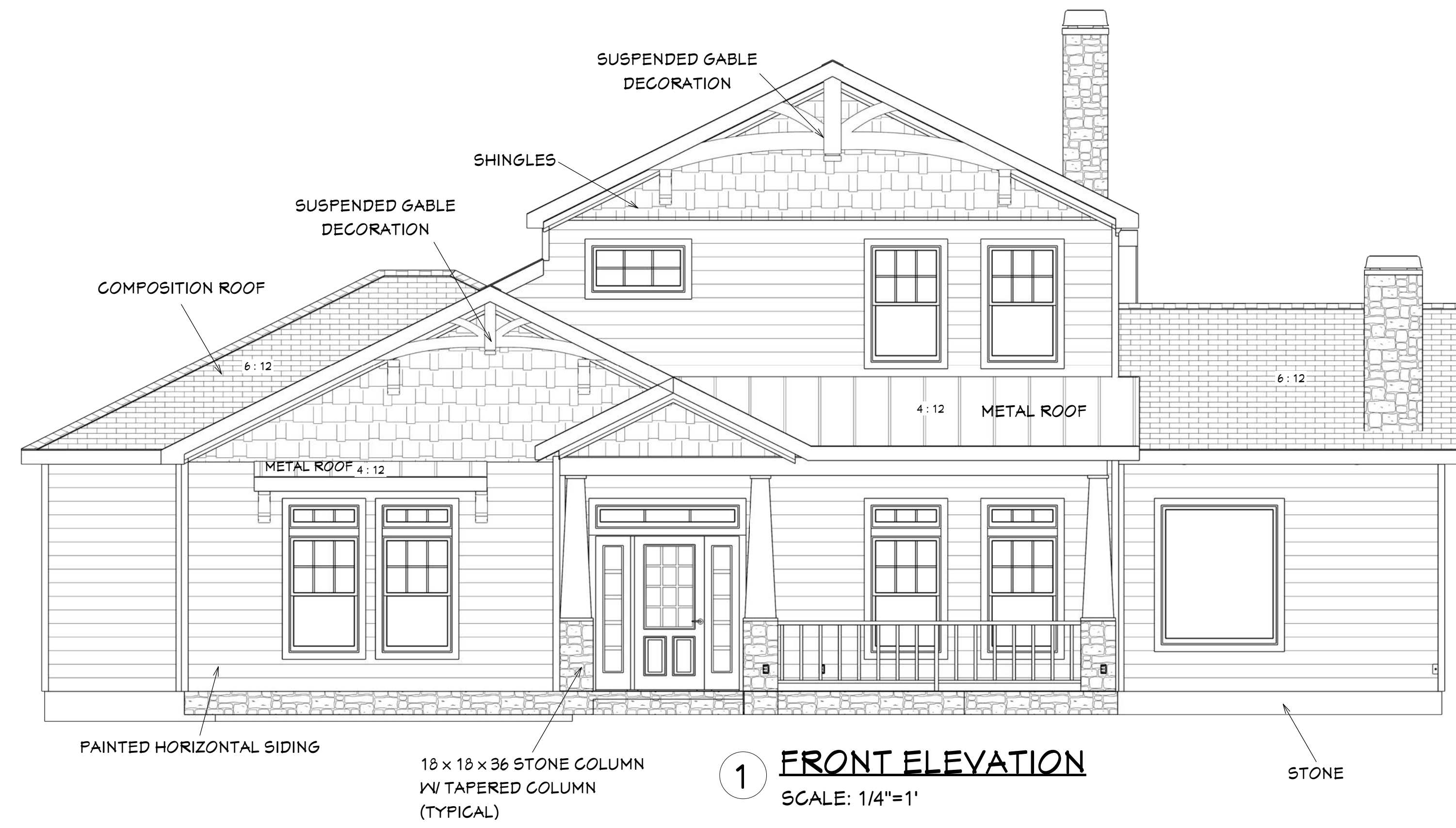
SHANNON NEWSOM MARK NEWSOM
CADAZIGN
ROYSE CITY, TEXAS 75189
469-338-9863
DRAWN BY:

DATE:
10/3/2022

SCALE:
AS SHOWN

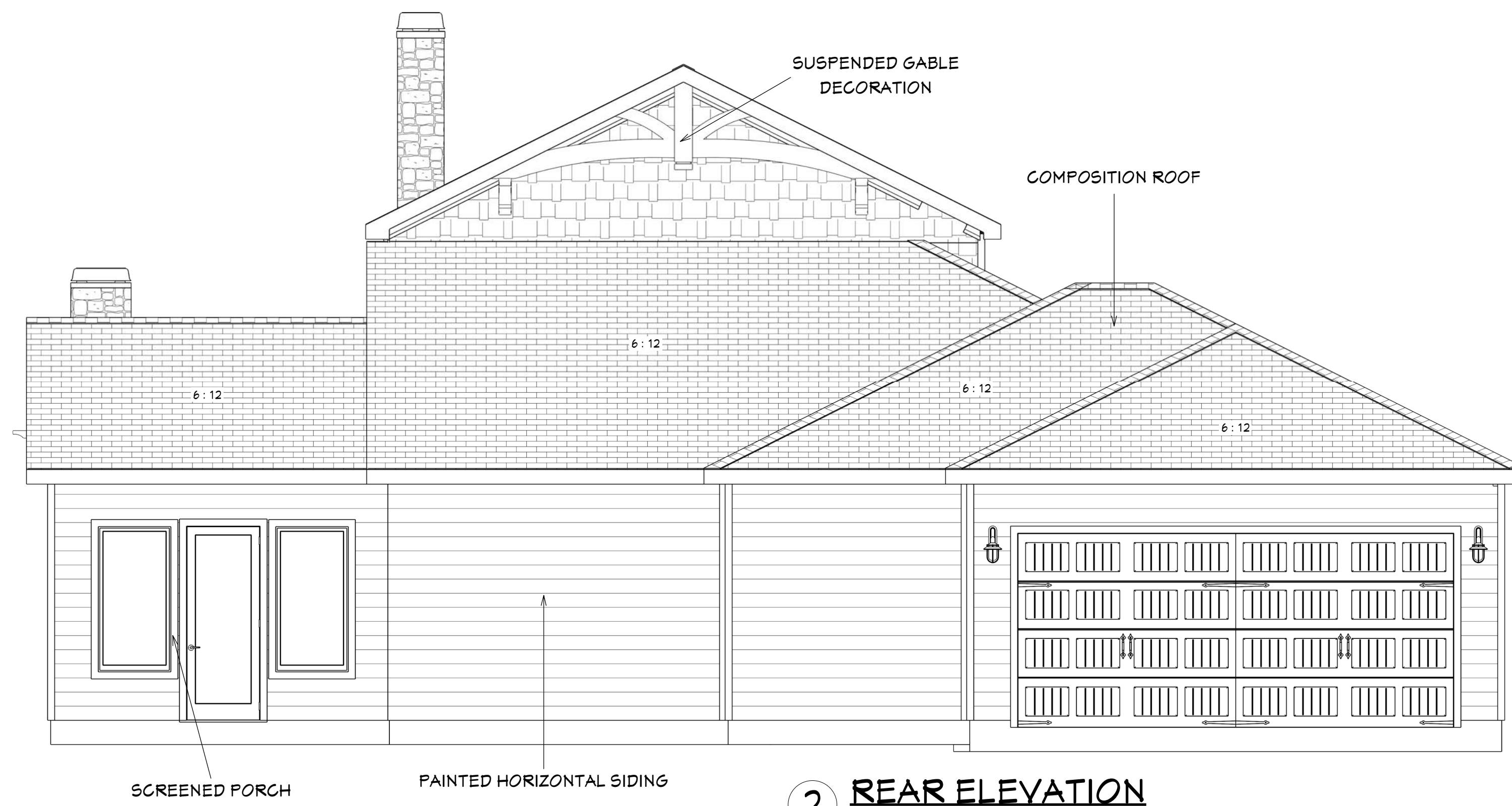
SHEET:

A-1



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

NOTE:
BRICK PAVERS ON PORCH



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

PLANS FOR:
MOFFATT RESIDENCE
DANA MOFFATT
211 JACOB CROSSING
ROCKWALL, TEXAS 75087

TITLE:
FRONT AND REAR ELEVATIONS

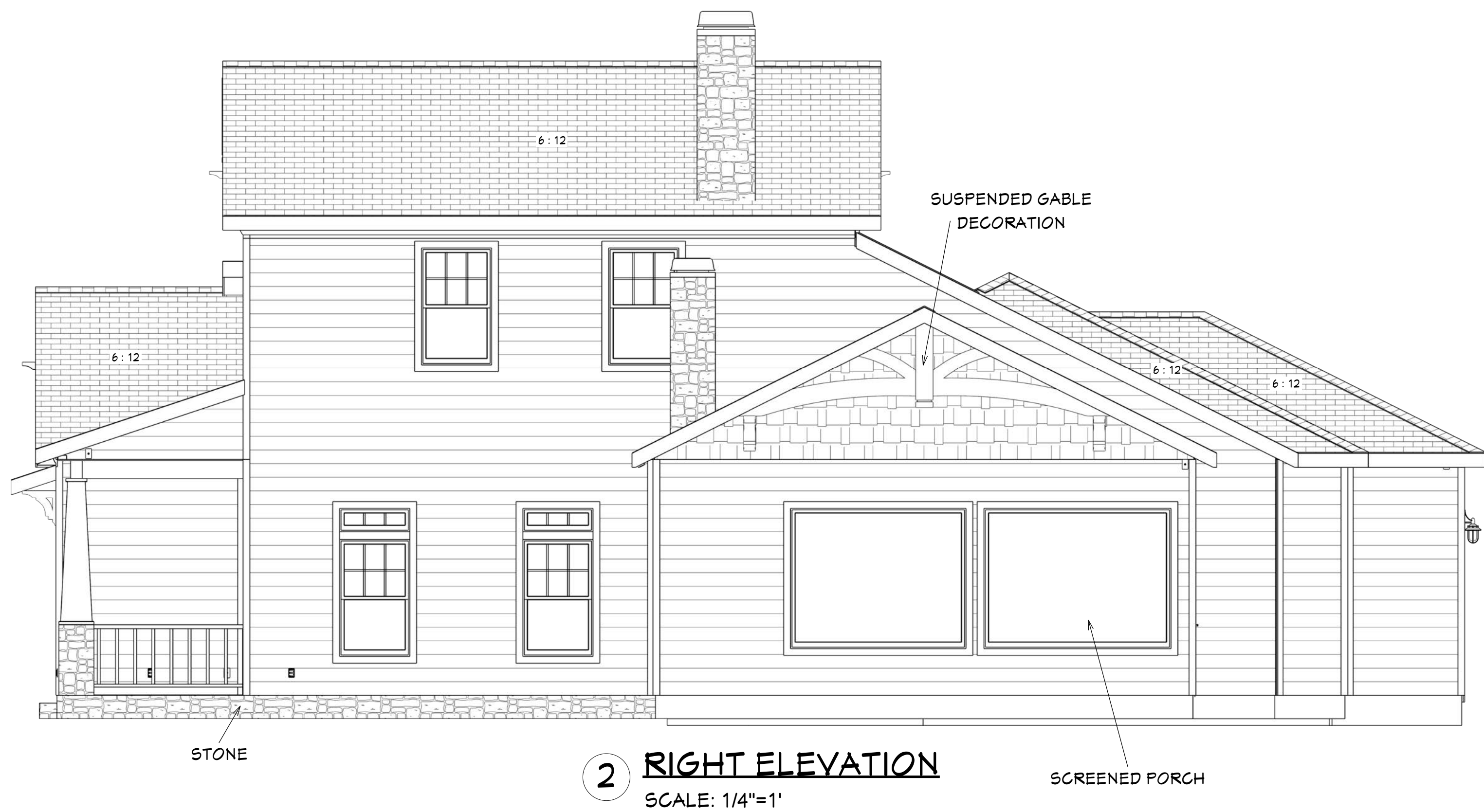
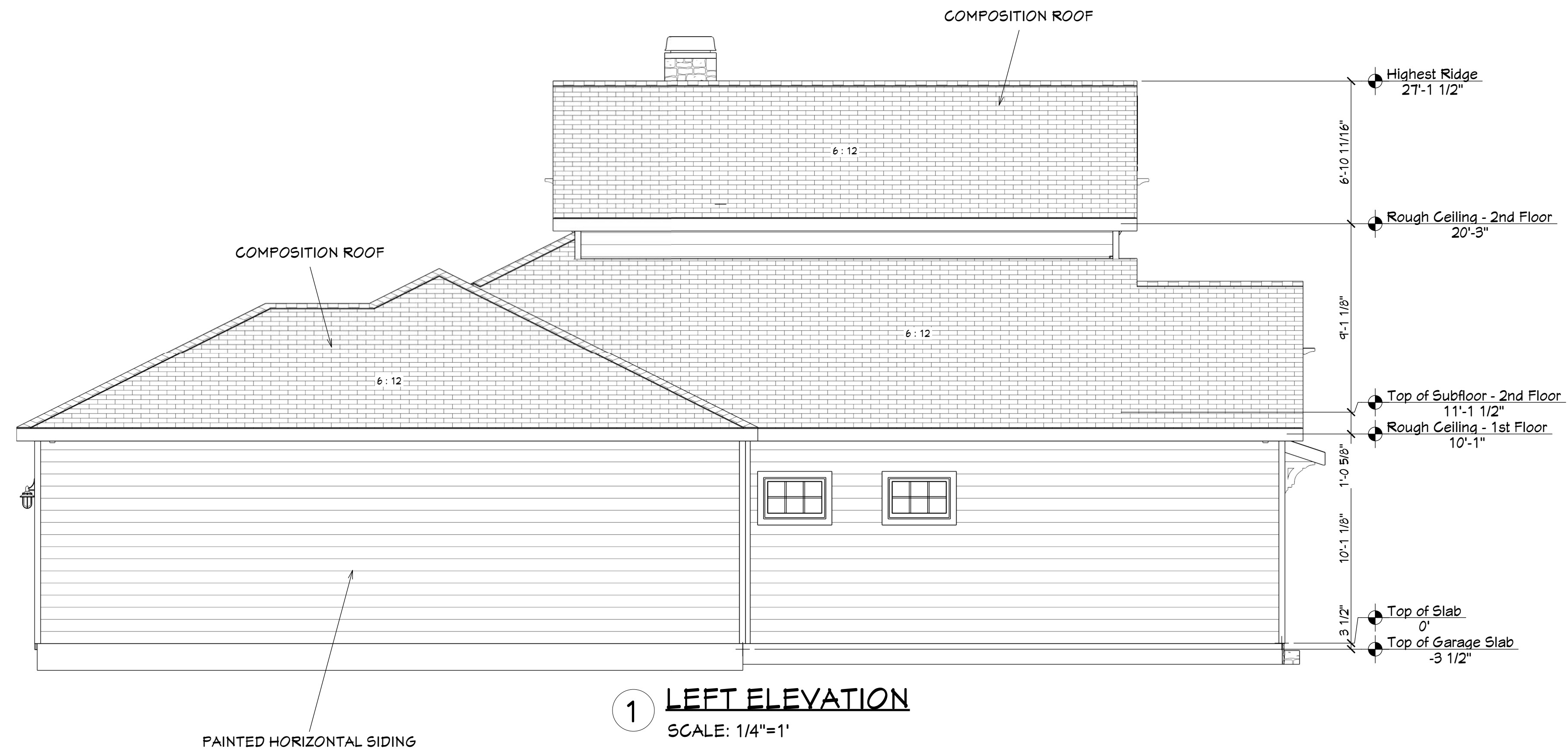
SHANNON NEWSOM MARK NEWSOM
CADAZIGN
ROYSE CITY, TEXAS 75189
469-338-9863
DRAWN BY:

DATE:
10/3/2022

SCALE:
AS SHOWN

SHEET:

A-3



PLANS FOR:
MOFFATT RESIDENCE
DANA MOFFATT
211 JACOB CROSSING
ROCKWALL, TEXAS 75087

TITLE:
LEFT AND RIGHT ELEVATIONS

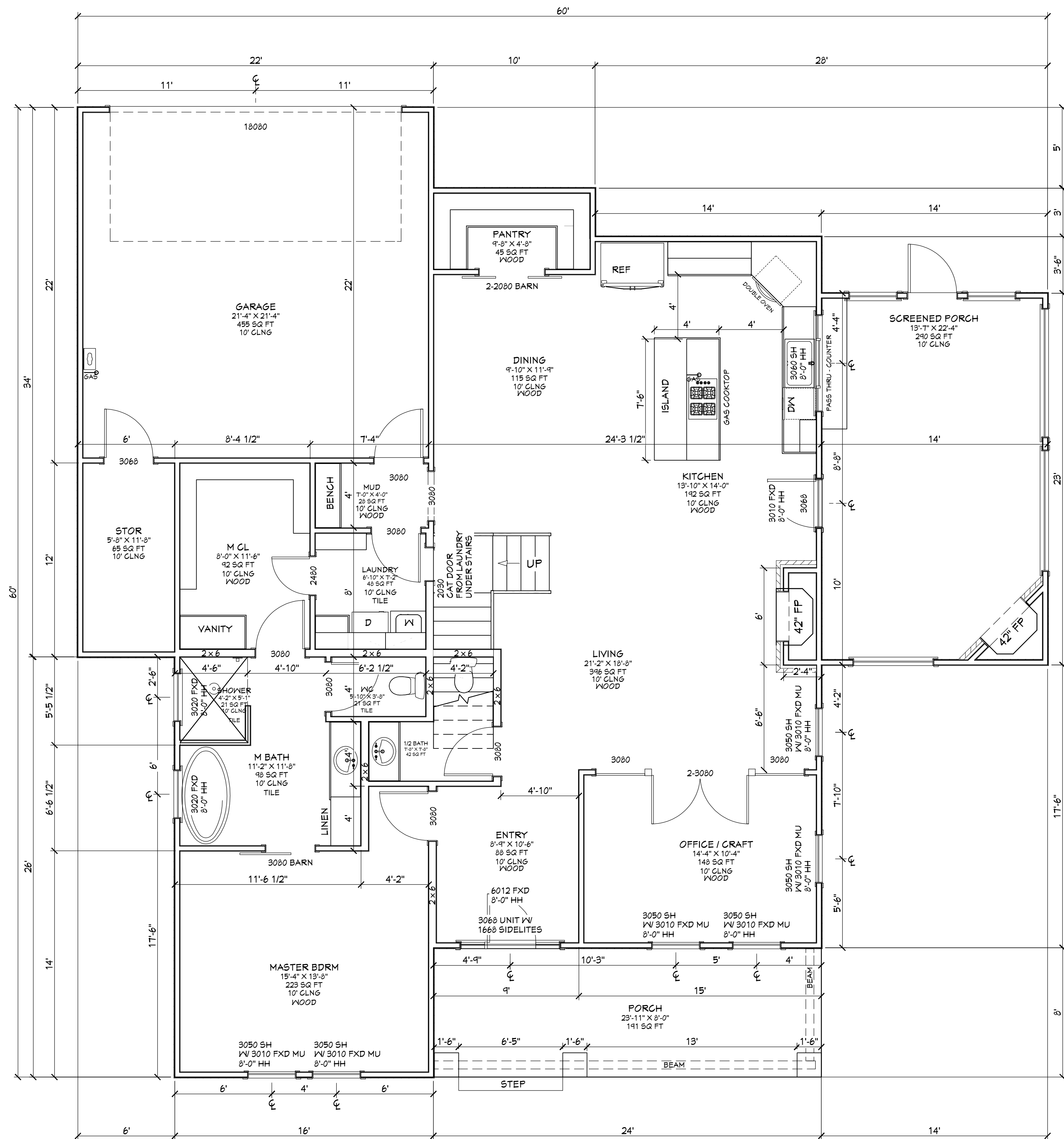
SHANNON NEWSON MARK NEWSON
CADAZIGN
ROYSE CITY, TEXAS 75189
469-338-9863
DRAWN BY:

DATE:
10/3/2022

SCALE:
AS SHOWN

SHEET:

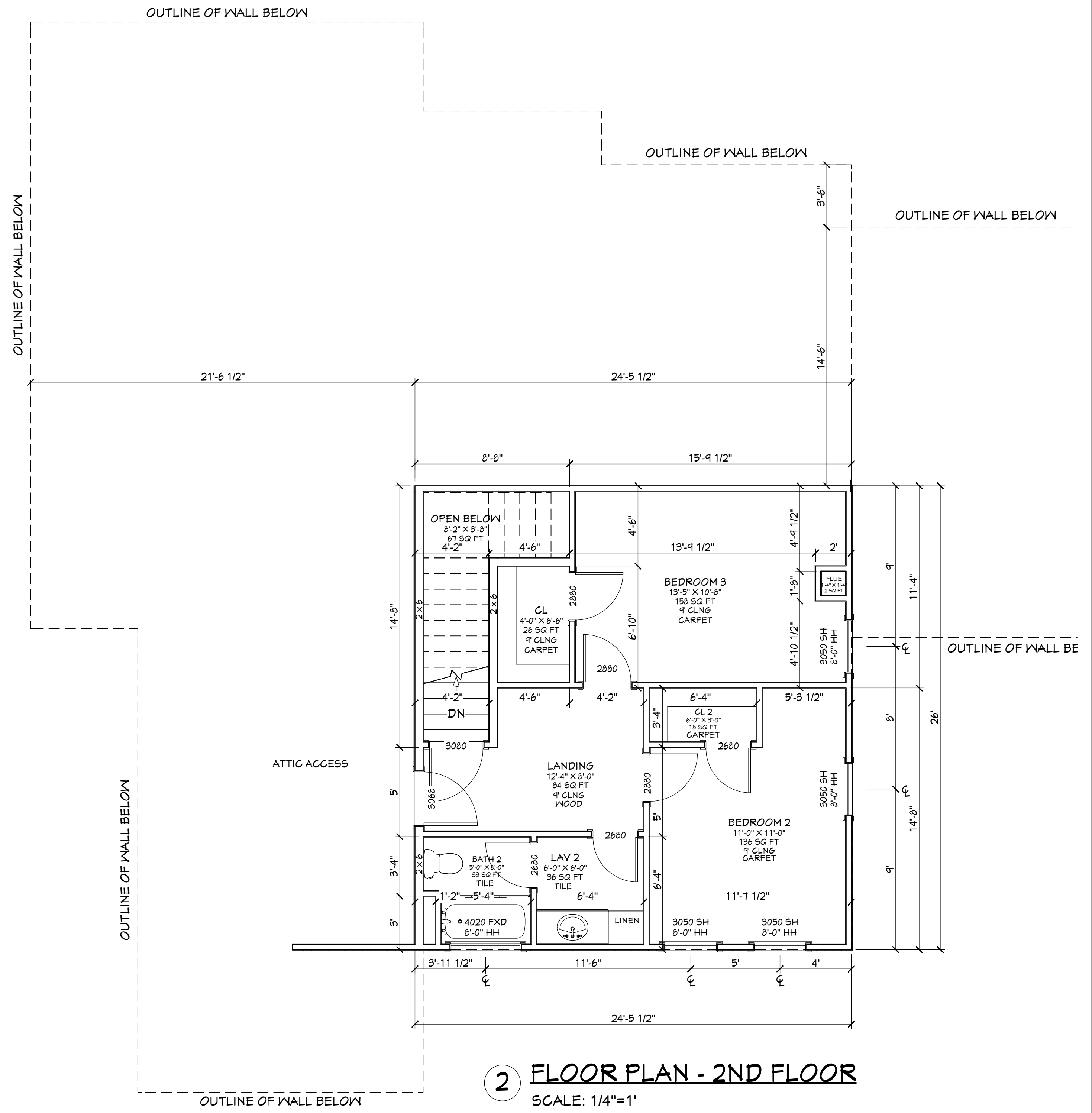
A-4



1 FLOOR PLAN - 1ST FLOOR
SCALE: 1/4"=1'

AREAS	
FIRST FLOOR LIVING	1715 SQ. FT.
SECOND FLOOR LIVING	562 SQ. FT.
TOTAL LIVING AREA	2277 SQ. FT.
GARAGE / STOR	550 SQ. FT.
COVERED PORCH	192 SQ. FT.
SCREENED PATIO	322 SQ. FT.
TOTAL SQ FT	3341 SQ. FT.

Living Area
1715 sq ft



2 FLOOR PLAN - 2ND FLOOR
SCALE: 1/4"=1'

MOFFATT RESIDENCE
 DANA MOFFATT
 211 JACOB CROSSING
 ROCKWALL, TEXAS 75087

PLANS FOR:

TITLE: **FLOOR PLAN W/ DIMENSIONS**

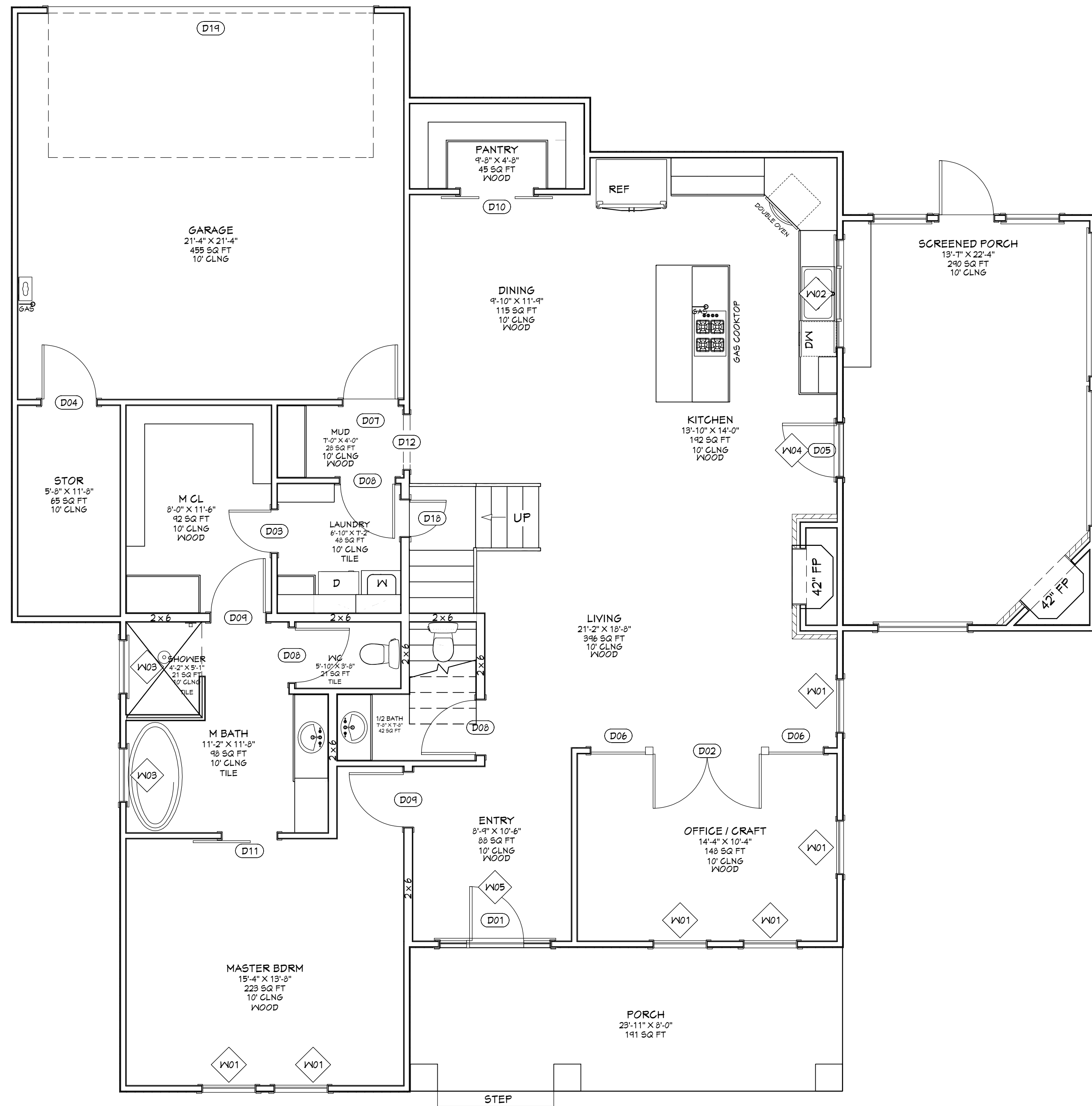
SHANNON NEWBOM
 MARK NEWBOM
CADAZIGN
 ROYSE CITY, TEXAS 75189
 469-338-9863
 DRAWN BY:

DATE:
10/3/2022

SCALE:
AS SHOWN

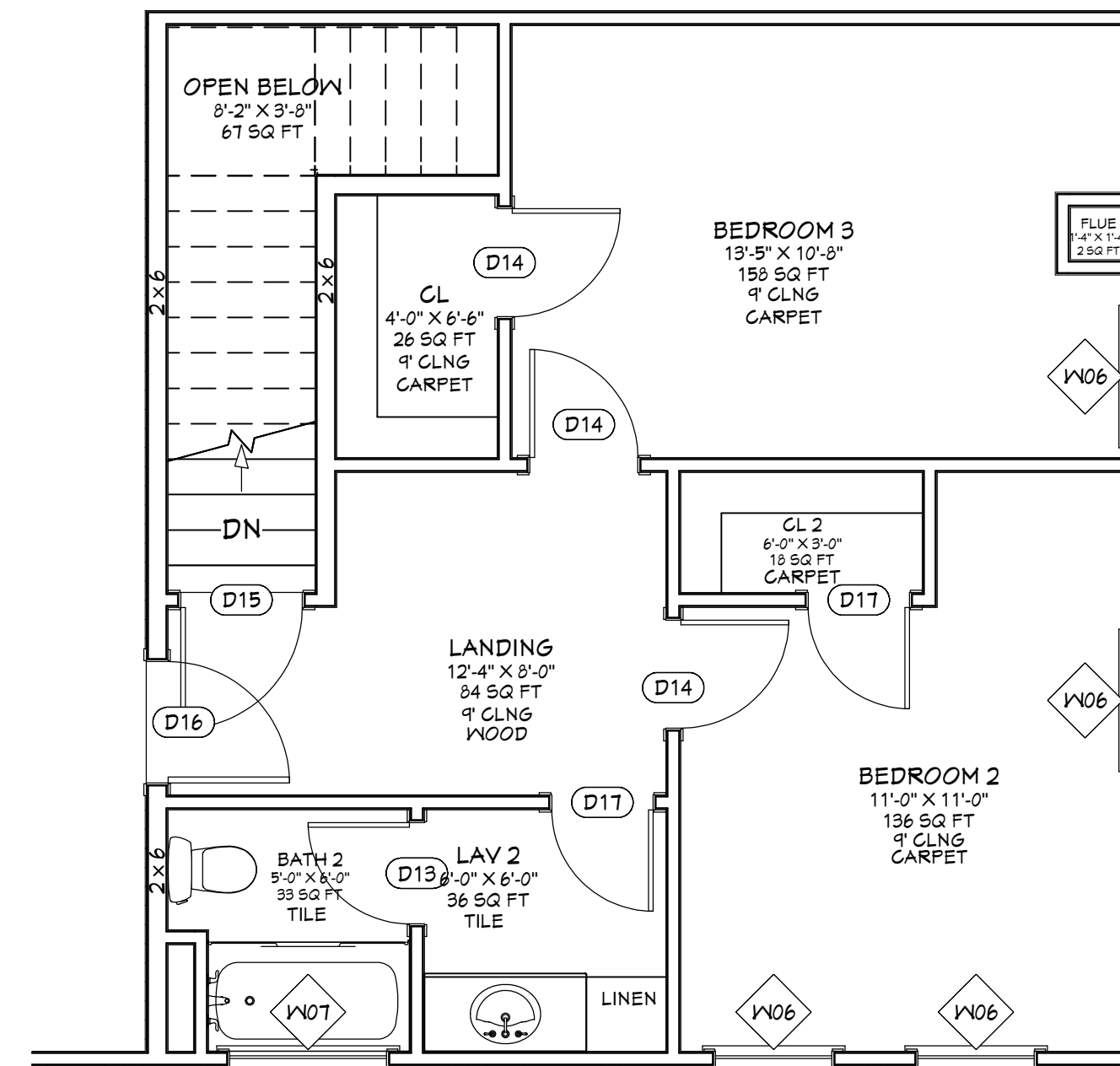
SHEET:

A-5



① 1ST FLOOR DOOR - WINDOW & FLOOR SCHEDULES
SCALE: 1/4"=1'

ROOM NAME	DIMENSIONS	AREA, INTERIOR (SQ FT)	FLOOR FINISH
ENTRY	8'-9" X 10'-6"	88	WOOD
LIVING	21'-2" X 18'-8"	396	WOOD
KITCHEN	13'-10" X 14'-0"	192	WOOD
DINING	9'-10" X 11'-9"	115	WOOD
PANTRY	9'-8" X 4'-8"	45	WOOD
MUD	7'-0" X 4'-0"	28	WOOD
OFFICE / CRAFT	14'-4" X 10'-4"	148	WOOD
MASTER BDRM	15'-4" X 13'-8"	223	WOOD
M CL	8'-0" X 11'-6"	92	WOOD
LAUNDRY	6'-10" X 7'-2"	48	TILE
M BATH	11'-2" X 11'-8"	98	TILE
VIC	5'-10" X 3'-8"	21	TILE
1/2 BATH	7'-8" X 7'-8"	42	TILE
SHOWER	4'-2" X 5'-1"	21	TILE
PORCH	23'-11" X 8'-0"	191	LIGHT RED BRICK
GARAGE	21'-4" X 21'-4"	455	
SCREENED PORCH	13'-7" X 22'-4"	290	
STOR	5'-8" X 11'-8"	65	
TOTALS:		2558	



② 2ND FLOOR DOOR - WINDOW & FLOOR SCHEDULES
SCALE: 1/4"=1'

ROOM NAME	DIMENSIONS	AREA, INTERIOR (SQ FT)	FLOOR FINISH
BEDROOM 2	11'-0" X 11'-0"	136	CARPET
CL 2	6'-0" X 3'-0"	18	CARPET
BEDROOM 3	13'-5" X 10'-8"	158	CARPET
CL	4'-0" X 6'-6"	26	CARPET
LANDING	12'-4" X 8'-0"	84	WOOD
BATH 2	5'-0" X 6'-0"	33	TILE
LAV 2	6'-0" X 6'-0"	36	TILE
TOTALS:		491	

NUMBER	LABEL	QTY	FLOOR	SIZE	WIDTH	HEIGHT	R/O	DESCRIPTION
D01	3068 UNIT W/ 1668 SIDELITES	1	1	6268	74"	80"	T5"X81"	MULLED UNIT
D02	2-3080	1	1	6080 L/R IN	72"	96"	T4"X98 1/2"	DOUBLE HINGED-DOOR F01
D03	2480	1	1	2480 R IN	28"	96"	30"X98 1/2"	HINGED-DOOR P10
D04	3068	1	1	3068 L IN	36"	80"	38"X92 1/2"	HINGED-DOOR P10
D05	3068	1	1	3068 R EX	36"	80"	38"X93"	EXT HINGED-DOOR L07
D06	3080	2	1	3080	36"	96"	38"X98	FIXED-GLASS PANEL
D07	3080	1	1	3080 R EX	36"	96"	38"X98	EXT HINGED-DOOR L07
D08	3080	3	1	3080 L IN	36"	96"	38"X98 1/2"	HINGED-DOOR P10
D09	3080	2	1	3080 R IN	36"	96"	38"X98 1/2"	HINGED-DOOR P10
D10	2-2080 BARN	1	1	4080 L/R	48"	96"	50"X98 1/2"	DOUBLE BARN-DOOR P10
D11	3080 BARN	1	1	3080 L	36"	96"	38"X98 1/2"	BARN-DOOR P10
D12	3080	1	1	3080	36"	96"	38"X98 1/2"	DOORWAY
D13	2680	1	2	2680 R IN	30"	96"	32"X98 1/2"	HINGED-DOOR P10
D14	2880	3	2	2880 L IN	32"	96"	34"X98 1/2"	HINGED-DOOR P10
D15	3080	1	2	3080 R IN	36"	96"	38"X98 1/2"	HINGED-DOOR F06
D16	3068	1	2	3068 R EX	36"	80"	38"X93"	EXT HINGED-DOOR P11
D17	2680	2	2	2680 L IN	30"	96"	32"X98 1/2"	HINGED-DOOR P10
D18	2080 CAT DOOR FROM LAUNDRY UNDER STAIRS	1	1	2080 L IN	24"	36"	26"X38 1/2"	HINGED-DOOR S01
D19	18080	1	1	18080	216"	96"	218"X99"	GARAGE-BB - CLOSED

NUMBER	LABEL	QTY	FLOOR	SIZE	WIDTH	HEIGHT	R/O	DESCRIPTION	HEADER
W01	3050 SH W/ 3010 FXD MU 8'-0" HH	6	1	3064	36"	76"	3T"X17"	MULLED UNIT	2X6X40" (2)
W02	3060 SH 8'-0" HH	1	1	6040TS	72"	48"	T3"X49"	TRIPLE SLIDING	2X6X16" (2)
W03	3020 FXD 8'-0" HH	2	1	3020FX	36"	24"	3T"X25"	FIXED GLASS	2X6X40" (2)
W04	3010 FXD 8'-0" HH	1	1	3010FX	36"	12"	3T"X13"	FIXED GLASS	2X6X40" (2)
W05	6012 FXD 8'-0" HH	1	1	6210FX	74"	12"	T5"X13"	FIXED GLASS	2X6X18" (2)
W06	3050 SH 8'-0" HH	4	2	3050SH	36"	60"	3T"X61"	SINGLE HUNG	2X6X40" (2)
W07	4020 FXD 8'-0" HH	1	2	4020FX	48"	24"	49"X25"	FIXED GLASS	2X6X52" (2)

PLANS FOR:
MOFFATT RESIDENCE
DANA MOFFATT
211 JACOB CROSSING
ROCKWALL, TEXAS 75087

TITLE:
DOOR - WINDOW & FLOORING SCHEDULES

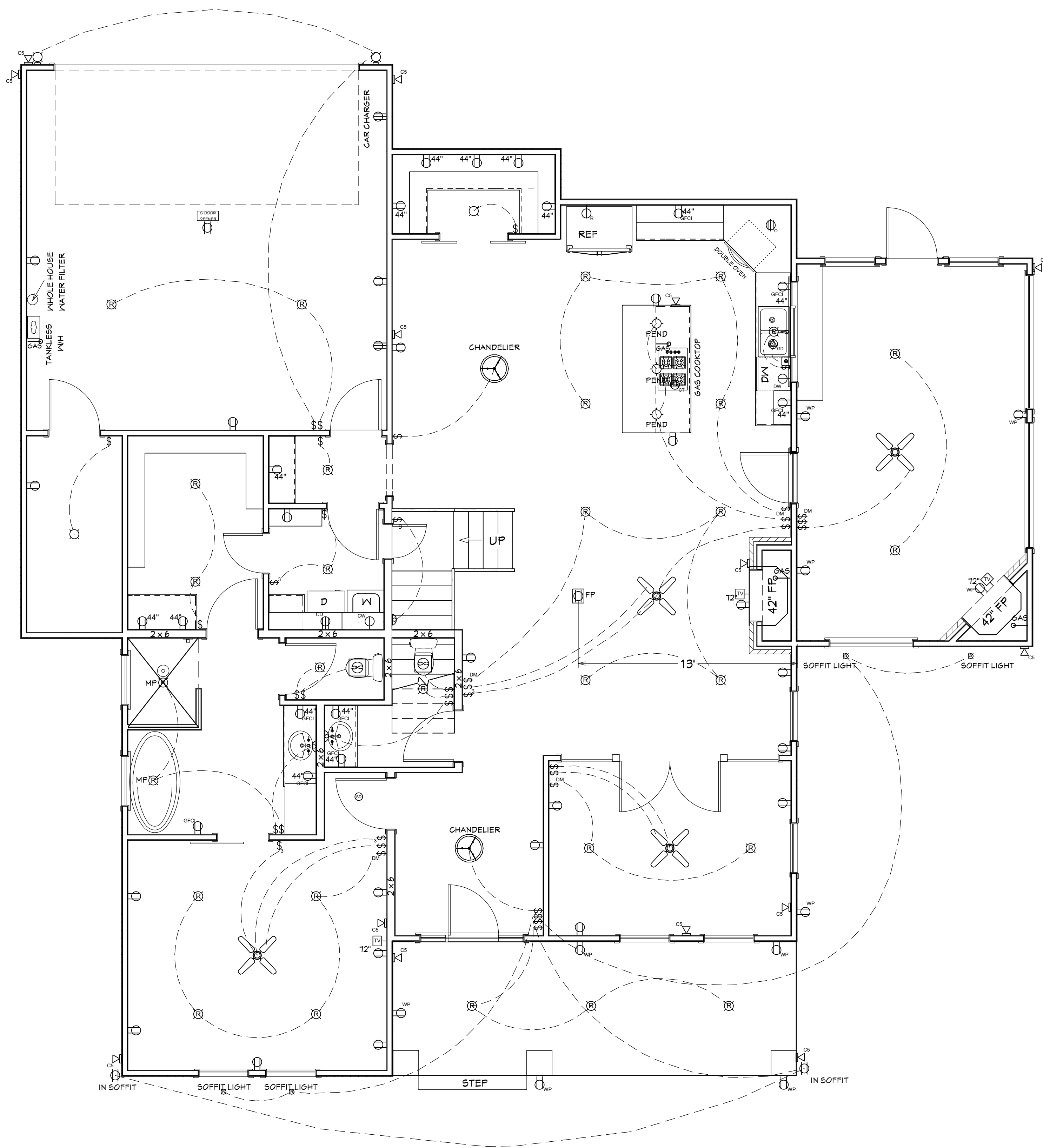
SHANNON NENSON
MARK NENSON
CADAZIGN
ROYSE CITY, TEXAS 75189
469-338-9883
DRAWN BY:

DATE:
10/3/2022

SCALE:
AS SHOWN

SHEET:

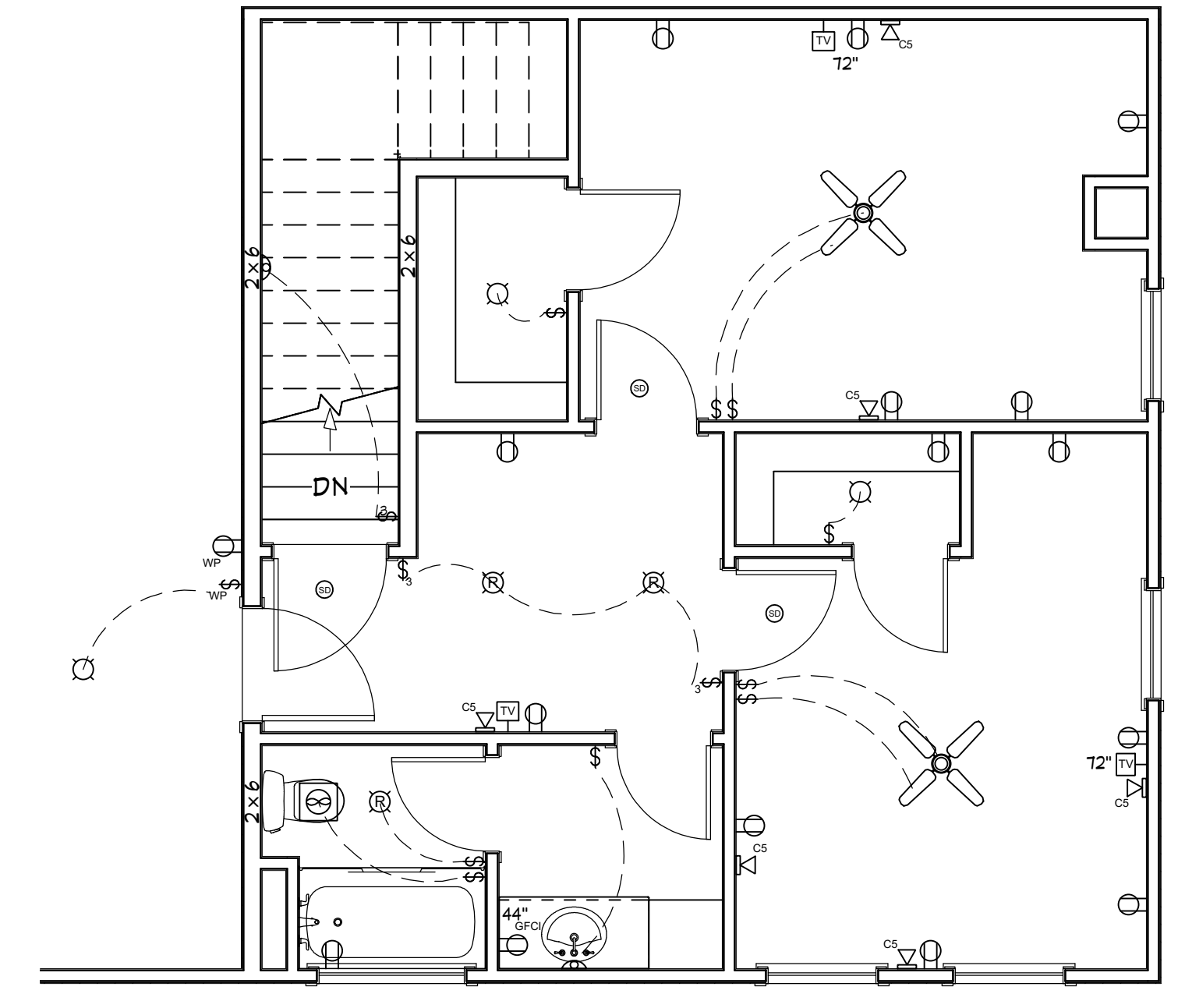
A-6



1 FIRST FLOOR ELECTRICAL PLAN
SCALE: 1/4"=1'

ELECTRICAL - DATA - AUDIO LEGEND	
SYMBOL	DESCRIPTION
	Ceiling Fan
	Ventilation Fans: Ceiling Mounted, Wall Mounted
	Ceiling Mounted Light Fixtures: Surface/Pendant, Recessed, Heat Lamp, Low Voltage
	Wall Mounted Light Fixtures: Flush Mounted, Wall Sconce
	Chandelier Light Fixture
	Fluorescent Light Fixture
	240V Receptacle
	110V Receptacles: Duplex, Weather Proof, GFCI
	Switches: Single Pole, Weather Proof, 3-Way, 4-Way
	Switches: Dimmer, Timer
	Audio Video: Control Panel, Switch
	Speakers: Ceiling Mounted, Wall Mounted
	Wall Jacks: CAT5, CAT5 + TV, TV/Cable
	Telephone Jack
	Intercom
	Thermostat
	Door Chime, Door Bell Button
	Smoke Detectors: Ceiling Mounted, Wall Mounted
	Electrical Breaker Panel
	MOTION SENSOR SPOTLIGHT

NOTES:
 1. WIRE SOFFIT OUTLETS TO SWITCH IN ENTRY.
 2. WIRE ALL SOFFIT LIGHTING TO SWITCH IN ENTRY.
 3. VERIFY FLOOR PLUG LOCATION W/ OWNER.



2 SECOND FLOOR ELECTRICAL PLAN
SCALE: 1/4"=1'

PLANS FOR:
 MOFFATT RESIDENCE
 DANA MOFFATT
 211 JACOB CROSSING
 ROCKWALL, TEXAS 75087

TITLE: **ELECTRICAL PLAN**

SHANNON NEWSOM MARK NEWSOM
CADAZIGN
 ROYSE CITY, TEXAS 75189
 469-338-9863
 DRAWN BY:

DATE:
 10/3/2022

SCALE:
 AS SHOWN

SHEET:

A-7

ADJACENT HOUSING ATTRIBUTES

ADDRESS	HOUSING TYPE	YEAR BUILT	HOUSE SF	ACCESSORY BUILDING SF	EXTERIOR MATERIALS
192 Jacob Crossing	Single-Family Home	1999	2077	N/A	Brick
193 Jacob Crossing	Single-Family Home	2002	1941	N/A	Brick
196 Jacob Crossing	Single-Family Home	1998	1728	N/A	Brick
199 Jacob Crossing	Single-Family Home	1998	1667	N/A	Brick
200 Jacob Crossing	Single-Family Home	1998	1700	N/A	Brick
203 Jacob Crossing	Single-Family Home	2000	1874	N/A	Brick
204 Jacob Crossing	Single-Family Home	1999	1944	N/A	Brick
207 Jacob Crossing	Single-Family Home	1999	2117	N/A	Brick
208 Jacob Crossing	Single-Family Home	2000	1895	N/A	Brick
212 Jacob Crossing	Single-Family Home	1999	1892.5	N/A	Brick and Siding
194 Cody Place	Single-Family Home	2002	1939	80	Brick and Siding
198 Cody Place	Single-Family Home	2000	1674	N/A	Brick and Siding
202 Cody Place	Single-Family Home	1999	1916.5	N/A	Brick
206 Cody Place	Single-Family Home	2000	2038	N/A	Brick and Siding
210 Cody Place	Single-Family Home	2003	1904	N/A	Brick
214 Cody Place	Single-Family Home	1999	2070	N/A	Brick and Siding
215 Cody Place	Single-Family Home	2000	1869	N/A	Brick
219 Cody Place	Single-Family Home	2003	2051	N/A	Brick
974 Chad Way	Single-Family Home	2000	1760	N/A	Brick
978 Chad Way	Single-Family Home	2000	1835	N/A	Brick and Stone
982 Chad Way	Single-Family Home	1999	1941	N/A	Brick
986 Chad Way	Single-Family Home	1998	1817	N/A	Brick
990 Chad Way	Single-Family Home	2001	1673	N/A	Stone, Siding, and Brick
994 Chad Way	Single-Family Home	2000	1853	120	Brick and Stone
AVERAGES:		2000	1882	100	Brick



192 Jacob Crossing



193 Jacob Crossing



196 Jacob Crossing



199 Jacob Crossing



200 Jacob Crossing



203 Jacob Crossing



204 Jacob Crossing



207 Jacob Crossing



208 Jacob Crossing



212 Jacob Crossing



194 Cody Place



198 Cody Place



202 Cody Place



206 Cody Place



210 Cody Place



214 Cody Place



215 Cody Place



219 Cody Place



974 Chad Way



978 Chad Way



982 Chad Way



986 Chad Way



990 Chad Way



994 Chad Way

CITY OF ROCKWALL

ORDINANCE NO. 23-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.1837-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 7, BLOCK B, NORTH TOWN ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Scott Clements on behalf of Dana Moffatt for the approval of a *Specific Use Permit (SUP) for Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.1837-acre parcel of land identified as Lot 7, Block B, North Towne Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 211 Jacob Crossing, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

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

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 03.01, *General Residential District Standards*, and Subsection 03.09, *Single-Family 7 (SF-7) District*, of Article 05, *District Development Standards*, of the Unified Development Code

(UDC) [Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and with the following conditions:

2.1 OPERATIONAL CONDITIONS

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

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

2.2 COMPLIANCE

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

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

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 3rd DAY OF JANUARY, 2023.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

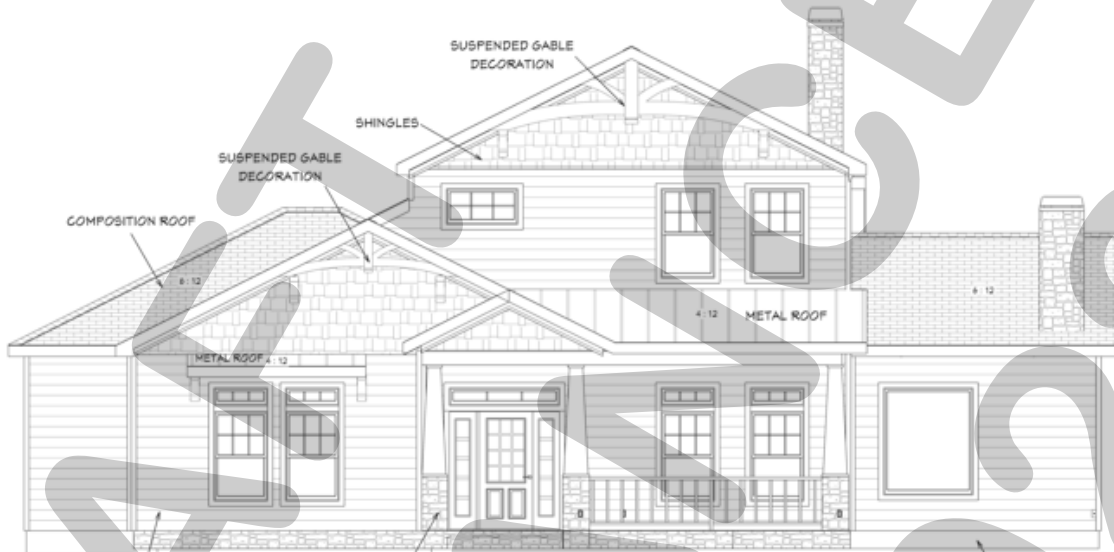
1st Reading: December 19, 2022

2nd Reading: January 3, 2023

Address: 211 Jacobs Crossing

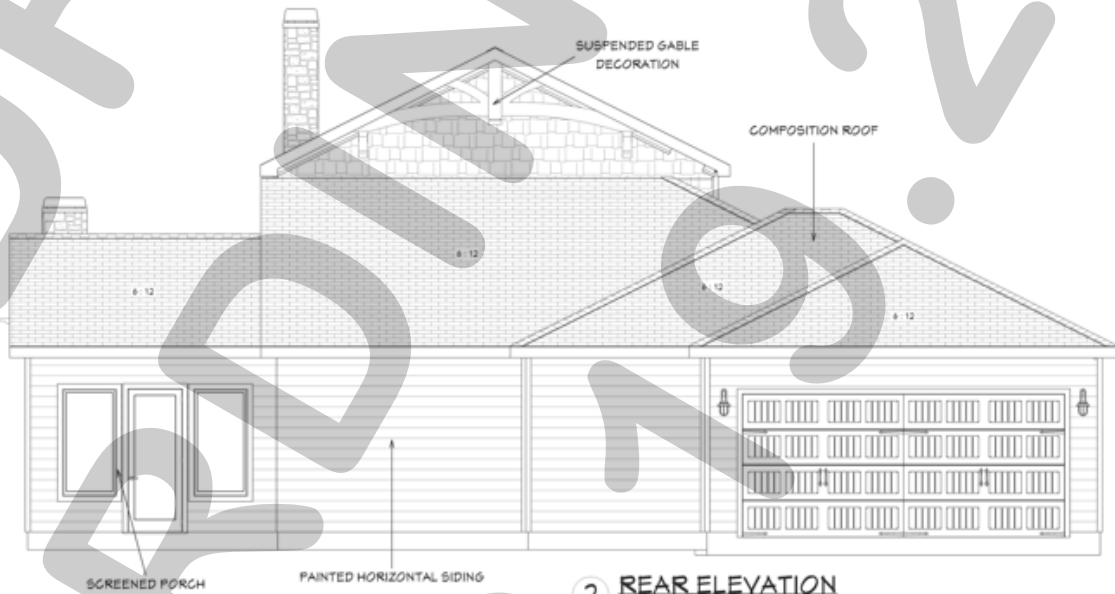
Legal Description: Lot 7, Block B, North Town Addition





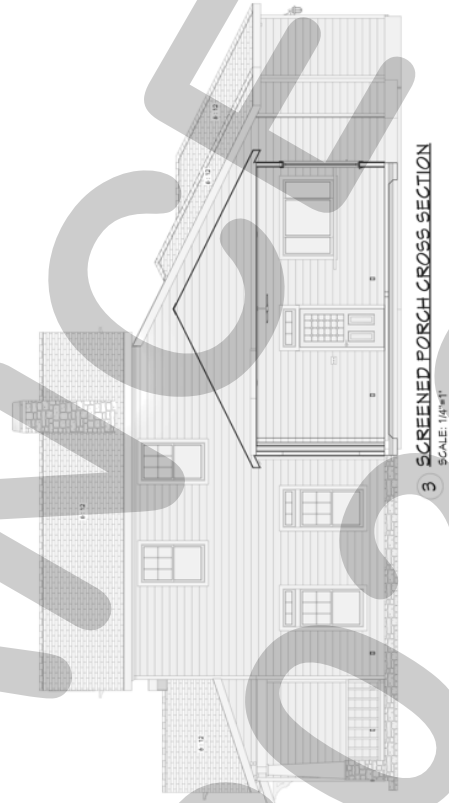
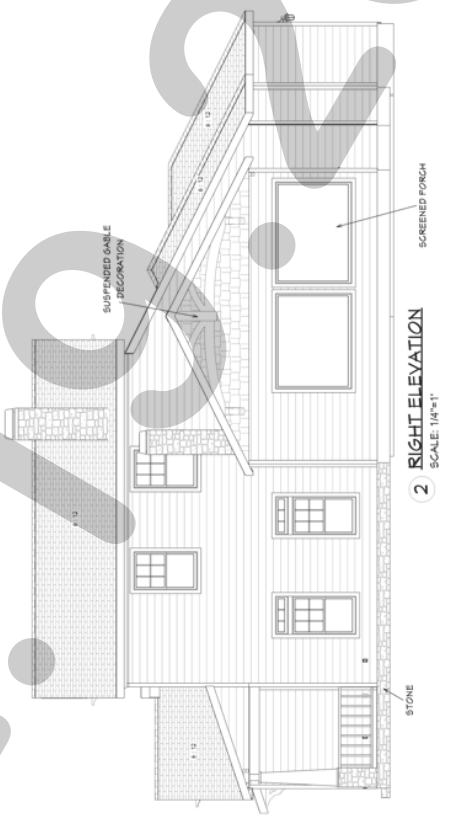
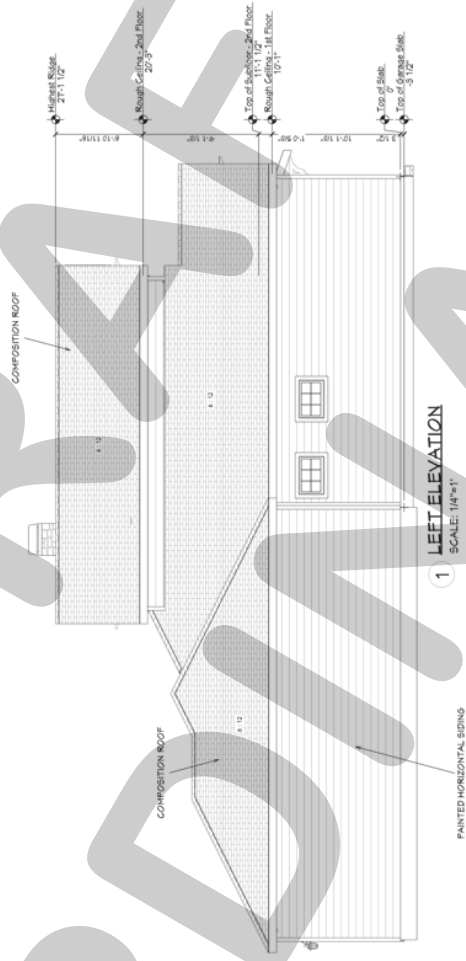
1 FRONT ELEVATION
SCALE: 1/4"=1'

NOTE:
BRICK PAVERS ON PORCH



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

DRAFT
ORDINANCE
12.19.2022





MEMORANDUM

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: December 19, 2022

SUBJECT: Z2022-055; AMENDMENT TO PLANNED DEVELOPMENT DISTRICT 87 (PD-87)

Attachments

Case Memo
Development Application
Location Map
HOA Notification Map
Neighborhood Notification Email
Property Owner Notification Map
Property Owner Notification List
Public Notice
Property Owner Notifications
Applicant's Letter
Concept Plan
Concept Elevations
Subdivision Plat
Ordinance No. 18-46; Planned Development District 87 (PD-87)
Comprehensive Plan Excerpts
Draft Ordinance

Summary/Background Information

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates on behalf of Ryan Lewis and Scott Sutton of Crosspoint Community Church for the approval of an **ordinance** for a *Zoning Change* amending Planned Development District 87 (PD-87) [*Ordinance No. 18-46*] being a 16.26-acre tract of land identified as a Lot 1, Block 1, Indalloy Addition and Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 87 (PD-87) for Single-Family 10 (SF-10) District, General Retail (GR) District and Light Industrial (LI) District land uses, located on the southside of E. Washington Street east of the intersection of Park Place Boulevard and E. Washington Street, and take any action necessary (**1st Reading**).

Action Needed

The City Council is being asked to approve, approve with conditions, or deny the proposed amendment to Planned Development District 87 (PD-87).



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council
DATE: December 19, 2022
APPLICANT: Dub Douphrate; *Douphrate and Associates*
CASE NUMBER: Z2022-055; *Amendment to Planned Development District 87 (PD-87)*

SUMMARY

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates on behalf of Ryan Lewis and Scott Sutton of Crosspoint Community Church for the approval of a Zoning Change amending Planned Development District 87 (PD-87) [*Ordinance No. 18-46*] being a 16.26-acre tract of land identified as a Lot 1, Block 1, Indalloy Addition and Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 87 (PD-87) for Single-Family 10 (SF-10) District, General Retail (GR) District and Light Industrial (LI) District land uses, located on the southside of E. Washington Street east of the intersection of Park Place Boulevard and E. Washington Street, and take any action necessary.

BACKGROUND

The subject property was annexed on February 6, 1961 by *Ordinance No. 60-01* [*Case No. A1960-001*]. According to the City's historic zoning maps, the subject property has been zoned Light Industrial (LI) District since at least January 3, 1972. On July 14, 2000, the City Council approved a final plat for a portion of this property (*i.e. 7.409-acres*), establishing it as Lot 1, Block 1, Indalloy Addition by *Case No. PZ2000-055-01*. On November 19, 2018, the City Council approved a change in zoning [*Case No. Z2018-032; Ordinance No. 18-46*] from a Light Industrial (LI) District to Planned Development District 87 (PD-87) for Single-Family 10 (SF-10) District, General Retail (GR) District, and Light Industrial (LI) District land uses. On July 15, 2019, the City Council approved a preliminary plat [*Case No. P2019-026*] for the purpose of establishing a lot layout for a townhome development (*i.e. Park Station, Phase 1*). This preliminary plat expired on July 15, 2020. The subject property is currently vacant with the exception of a private driveway that connects the property south of the subject property to E. Washington Street.

On July 15, 2022, the applicant submit an application requesting to amend Planned Development District 87 (PD-87) [*Case No. Z2022-035*] to remove the *Church/House of Worship* land use from the prohibited land uses, which is the same request as is currently being requested. On August 9, 2022, the Planning and Zoning Commission reviewed *Case No. Z2022-035*, and approved a recommendation to deny by a vote of 7-0. Following the recommendation by the Planning and Zoning Commission the applicant requested that the City Council allow the case to be withdrawn. The City Council approved a motion to allow the withdrawal by a vote of 7-0.

PURPOSE

On November 14, 2022, the applicant -- *Dub Douphrate of Douphrate & Associates, Inc.*-- submitted an application requesting to amend Planned Development District 87 (PD-87) to change the prohibited uses within *Ordinance No. 18-46*. Specifically, the applicant is proposing to combine *Tracts 2-5* into one (1) tract (*i.e. Tract 2*) and remove *Church/House of Worship* from the prohibited land uses in *Tract 2*.

ADJACENT LAND USES AND ACCESS

The subject property is generally located south of E. Washington Street and east of Park Place Boulevard, across from Harry Myers Park. The land uses adjacent to the subject property are as follows:

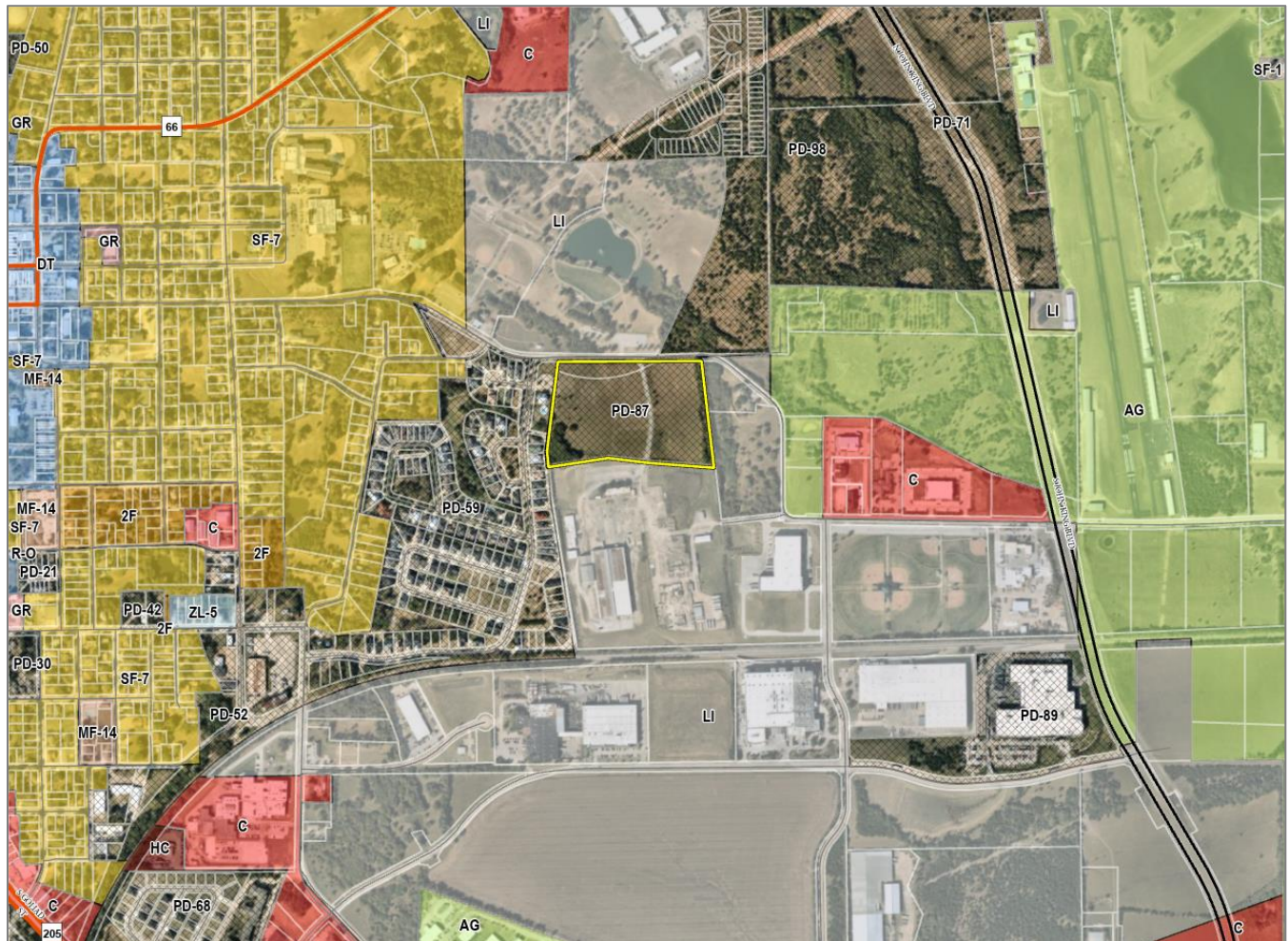
North: Directly north of the subject property is E. Washington Street, which also delineates the future alignment of SH-66. This roadway is identified as a TXDOT4D (i.e. four [4] lane, divided highway, owned by the Texas Department of Transportation) on the City's Master Thoroughfare Plan. North of this thoroughfare is a 67.036-acre public park (i.e. Harry Myers Park), which is zoned Light Industrial (LI) District. Beyond this is a 17.861-acre vacant tract of land that was platted as a 78 unit duplex subdivision (i.e. Oak Creek) in 1984. This property is zoned Planned Development District 98 (PD-98) for Single-Family 8.4 (SF-8.4) District land uses. Adjacent to this residentially zoned area is a 21.326-acre tract of land that is zoned Light Industrial (LI) District. This property has a school and administrative offices (i.e. Rockwall Quest Academy/RISD Administrative Offices) situated on it.

South: Directly south of the subject property is an 8.197-acre tract of land and a 14.53-acre parcel of land (i.e. Lot 1-01, Block 1, Indalloy Addition). Both of these properties are zoned Light Industrial (LI) District. Situated on these properties is a large industrial building and various other improvements. Beyond this is the right-of-way for the Union Pacific Dallas/Garland Northeast Railroad.

East: Directly east of the subject property is a 2.093-acre parcel of land (i.e. Lot 1, Block A, Soroptimist Rockwall Children's Home), a vacant 7.97-acre tract of land, and a vacant 11.3736-acre tract of land. All of these properties are zoned Light Industrial (LI) District. Beyond this are E. Washington Street, Airport Road, and Industrial Boulevard. These roadways are all identified as an M4U (i.e. minor collector, four [4] lane, roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

West: Directly west of the subject property is Phases 2 & 3 of the Park Place Subdivision, which currently contain 94 single-family residential lots. This property is zoned Planned Development District 59 (PD-59) for Neighborhood Services (NS) District, Residential-Office (RO) District, and Single-Family 7 (SF7) District land uses.

MAP 1: LOCATION MAP
YELLOW: SUBJECT PROPERTY



CHARACTERISTICS OF THE REQUEST

The applicant has submitted a revised concept plan that proposes combining *Tracts 2-5* as shown on the existing concept plan contained in *Ordinance No. 18-46*. Specifically, the applicant is requesting to change the 12.82-acre tract of land (*i.e. Tracts 2-5*) into one (1) tract (*i.e. Tract 2*) [see *Figures 1 & 2 below*]. In addition to combining these tracts of land, the applicant is requesting to remove the *Church/House of Worship* land use as a prohibited land use within *Ordinance No. 18-46*. Making this change would allow a *Church/House of Worship* to develop *by-right* on *Tract 2*, which is prohibited under the current ordinance. These are the only changes being proposed for Planned Development District 87 (PD-87). That being said the applicant has also provide staff with a conceptual site plan -- *that is not included in the draft ordinance* -- that depicts the applicant's intent to develop the subject property as a *Church/House of Worship*. This concept plan shows that a 35,000 SF church will be constructed on *Tract 2*, with the possibility of a second building in the future.

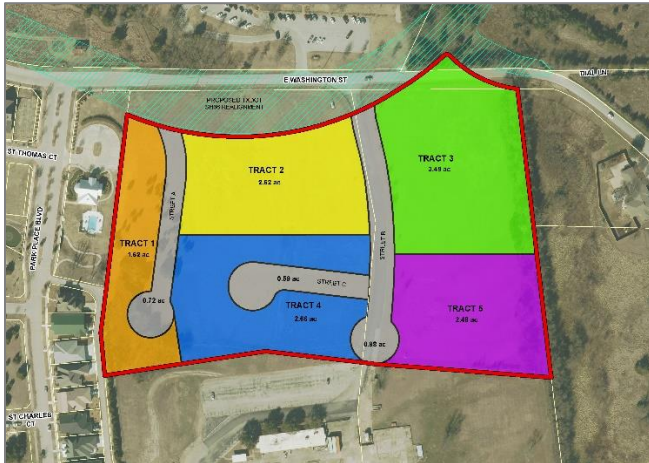


FIGURE 1: CURRENT CONCEPT PLAN IN ORDINANCE 18-46



FIGURE 2: PROPOSED CONCEPT PLAN

INFRASTRUCTURE

Based on the applicant's concept plan, the infrastructure requirements have not changed; however, if a *Church/House of Worship* is developed on the subject property per the conceptual site plan provided by the applicant, the following infrastructure is required to be constructed to provide adequate public services for the proposed development:

- (1) **Roadways.** According to the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan, E. Washington Street is a TXDOT4D (*i.e. four [4] lane, divided highway, owned by the Texas Department of Transportation*), which requires a 120-foot right-of-way. In this case, right-of-way must be dedicated for the future alignment of SH-66.
- (2) **Water.** The applicant will be required to construct an eight (8) inch water line that loops through the subject property.
- (3) **Wastewater.** The applicant will be required to construct an eight (8) inch wastewater line that connects to existing lines located south of the subject property.
- (4) **Drainage.** Detention will be required and sized per the required detention study. If the applicant is proposing development that will affect the existing floodplain on the subject property, a *Flood Study* and a Letter of Map Revision (LOMR) will be required.

CONFORMANCE TO THE CITY'S CODES

The proposed amendment to Planned Development District 87 (PD-87) conforms to all of the requirements of the Unified Development Code (UDC) and the Engineering Department's *Standards of Design and Construction Manual*.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the *Land Use Plan* contained in the OURHometown Vision 2040 Comprehensive Plan, the subject property is located within the Central District and is designated for Commercial/Retail and Technology/Employment Center land uses. The designation for this area was originally changed from a Technology/Employment Center designation to a Commercial/Retail and Technology/Employment Center designation by Case No. Z2018-032 [Ordinance No. 18-46]. Under this case, the applicant had requested this area be changed to allow flexibility for low intensity commercial and light industrial businesses to be allowed.



FIGURE 3: FUTURE LAND USE MAP
RED CIRCLE: SUBJECT PROPERTY

The proposed amendment to Planned Development District 87 (PD-87) will not immediately change the Future Land Use Map; however, if a *Church/House of Worship* is developed on the subject property the Future Land Use Map will change from Commercial/Retail and Technology/Employment Center to Quasi-Public. This change would be made with a future update to the Comprehensive Plan in the event the *Church/House of Worship* is approved and constructed. Staff should note that a change to Quasi-Public does not appear to have an impact on any of the adjacent properties or the essential character of the neighboring Park Place Subdivision. With this being said, zoning changes are discretionary decisions for the City Council pending a recommendation by the Planning and Zoning Commission. Should the City Council choose to approve this request, staff has added a condition of approval that would make the necessary changes to the Future Land Use Map.

NOTIFICATIONS

On November 18, 2022, staff mailed 70 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Park Place Homeowner's Association (HOA), which is the only HOA within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received 38 responses from 31 property owners. These responses were as follows:

Responses Inside of the City Limits

- (1) Eighteen (18) responses from fourteen (14) property owners in opposition to the applicant's request.
- (2) Thirty-six (36) responses from thirty (30) property owners in favor of the applicant's request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request to amend Planned Development District 87 (PD-87), then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the concept plan and development standards contained in the Planned Development District ordinance.
- (2) Any construction resulting from the approval of this Zoning Change 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 December 13, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the Zoning Change by a vote of 4-3, with Commissioners Womble, Deckard, and Thomas dissenting.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22022-055

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

DIRECTOR OF PLANNING: _____
CITY ENGINEER: _____

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE)¹
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE)^{1 & 2}
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE)¹

OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00)²

NOTES:

¹: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.
²: A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 1200 E. Washington St.

SUBDIVISION Park station 4 LOT 1 BLOCK A

GENERAL LOCATION SEQ of E. Washington St. and Park Place Blvd

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING PD CURRENT USE Commercial

PROPOSED ZONING PD PROPOSED USE Church

ACREAGE 14.93 LOTS [CURRENT] _____ LOTS [PROPOSED] _____

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

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

OWNER Crosspoint Community Church APPLICANT Rob Doughrate w/

CONTACT PERSON Ryan Lewis / Scott Sutton CONTACT PERSON Doughrate & Assoc., Inc.

ADDRESS P.O. Box 1015 ADDRESS 2235 Ridge Rd

CITY, STATE & ZIP Rockwall, Tx 75087 CITY, STATE & ZIP Rockwall, Tx 75087

PHONE 214.538.1050 PHONE 9727422210

E-MAIL ryan@ccrockwall.com E-MAIL wldoughrate@doughrate.com

NOTARY VERIFICATION [REQUIRED]

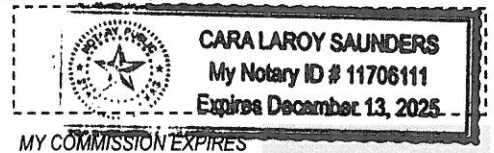
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Ryan Lewis [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

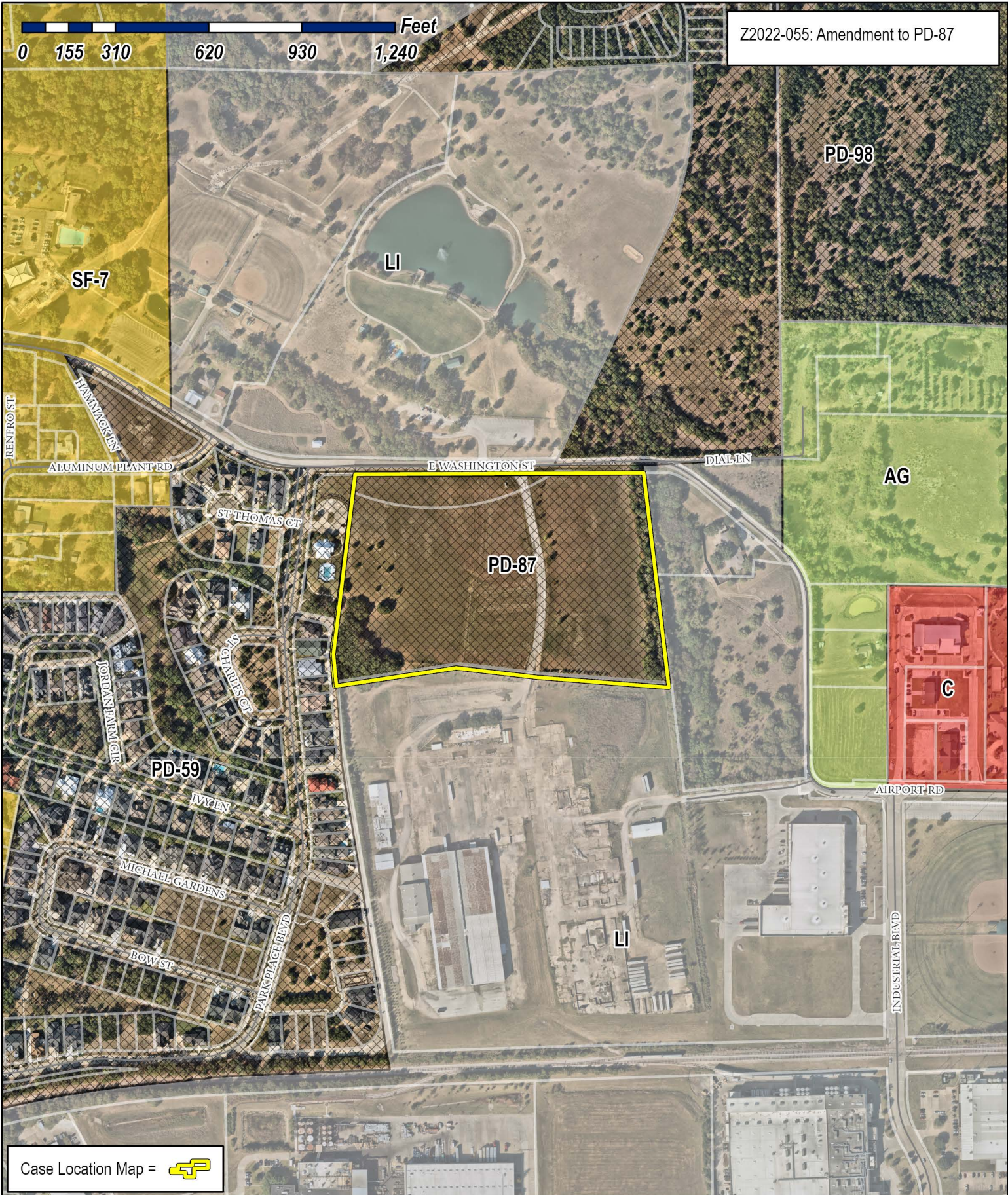
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ _____ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE _____ DAY OF _____, 20____. BY SIGNING THIS APPLICATION,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


GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 10 DAY OF Nov, 2022

OWNER'S SIGNATURE _____

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS _____





Case Location Map = 



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.

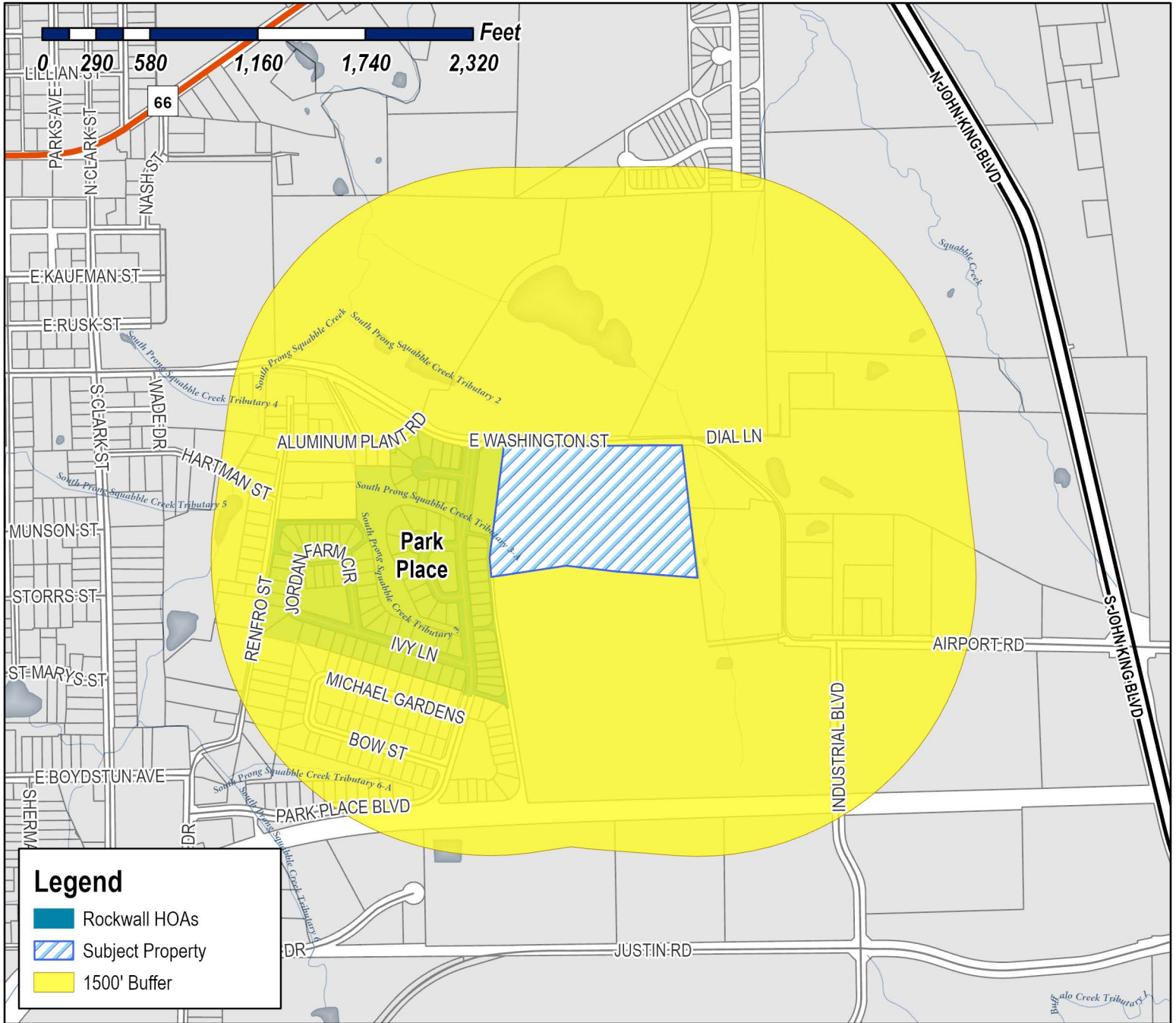




City of Rockwall

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: Z2022-055
Case Name: Amendment to PD-87
Case Type: Zoning
Zoning: Planned Development District 87 (PD-87)
Case Address: NEC of E. Washington St. & Park Place Blvd.

Date Saved: 11/14/2022
 For Questions on this Case Call (972) 771-7745



Lee, Henry

From: Guevara, Angelica
Sent: Friday, November 18, 2022 8:50 AM
Cc: Miller, Ryan; Ross, Bethany; Lee, Henry; Chapin, Sarah
Subject: Neighborhood Notification Program [Z2022-055]
Attachments: HOA Map Z2022-055.pdf; Public Notice Z2022-055.pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *November 18, 2022*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, December 13, 2022 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, December 19, 2022 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to Planning@rockwall.com at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website: <https://sites.google.com/site/rockwallplanning/development/development-cases>.

Z2022-055: Zoning Change Amending PD-87

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates on behalf of Ryan Lewis and Scott Sutton of Crosspoint Community Church for the approval of a *Zoning Change* amending Planned Development District 87 (PD-87) [*Ordinance No. 18-46*] being a 16.26-acre tract of land identified as a Lot 1, Block 1, Indalloy Addition and Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 87 (PD-87) for Single-Family 10 (SF-10) District, General Retail (GR) District and Light Industrial (LI) District land uses, located on the southside of E. Washington Street east of the intersection of Park Place Boulevard and E. Washington Street, and take any action necessary.

Thank you,

Angelica Guevara

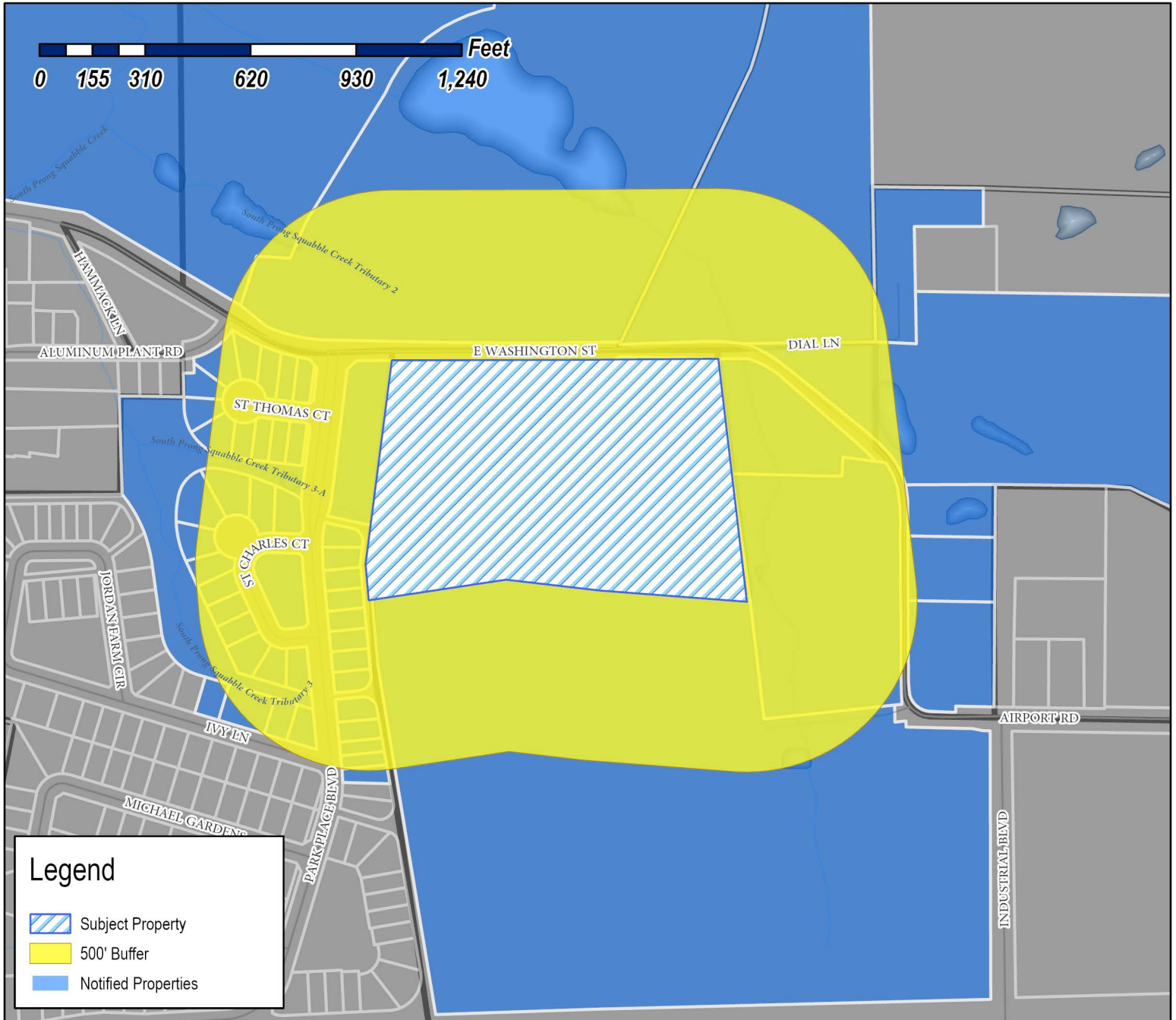
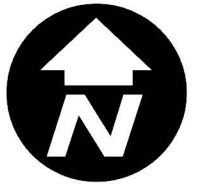
Planning Technician
City of Rockwall Planning & Zoning
385 S. Goliad Street
Rockwall, TX 75087
Office: 972-771-7745
Direct: 972-772-6438



City of Rockwall

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

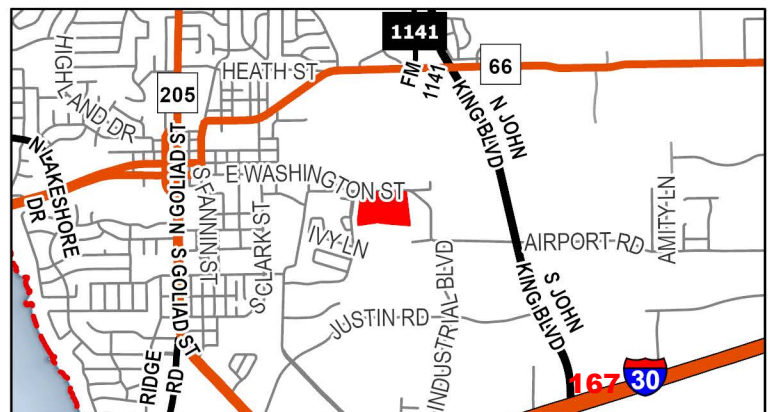
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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



Case Number: Z2022-055
Case Name: Amendment to PD-87
Case Type: Zoning
Zoning: Planned Development District 87 (PD-87)
Case Address: SEC of E. Washington St. & Park Place Blvd.

Date Saved: 11/14/2022

For Questions on this Case Call: (972) 771-7746



DUKE JERI L
1001 ST. CHARLES CT
ROCKWALL, TX 75087

LAKEVIEW SUMMIT PROPERTIES LLC
1002 SAINT CHARLES CT
ROCKWALL, TX 75087

TROSPER MARK AND GLORIA
1007 ST. CHARLES CT
ROCKWALL, TX 75087

TROSPER MARK AND GLORIA
1007 ST. CHARLES CT
ROCKWALL, TX 75087

ROLLINS DANNY & JONNA
1008 SAINT CHARLES CT
ROCKWALL, TX 75087

PODINA HERB AND LAURA
1014 SAINT CHARLES CT
ROCKWALL, TX 75087

TROSPER MARK AND GLORIA
1015 ST CHARLES CT
ROCKWALL, TX 75087

DAVID DAVID A AND CHRISTINE A
1020 SAINT CHARLES CT
ROCKWALL, TX 75087

DAVIS SHAUNTE AND JACOB
1021 IVY LN
ROCKWALL, TX 75087

TAYLOR TIMOTHY DAVID AND
JUDY HELENE DUBREUIL
1023 ST THOMAS COURT
ROCKWALL, TX 75087

YOUNG PHIL & KATHY
1026 SAINT CHARLES COURT
ROCKWALL, TX 75087

IVEY BRUCE AND TINA
1026 ST THOMAS CT
ROCKWALL, TX 75087

RIPP KEEGAN V AND NICOLA M
1027 IVY LANE
ROCKWALL, TX 75087

FOX DENNIS AND KAREN
1027 ST THOMAS CT
ROCKWALL, TX 75087

EDWARDS EDWINA W REVOCABLE TRUST
EDWINA W EDWARDS TRUSTEE
1030 ST THOMAS CT
ROCKWALL, TX 75087

WHITWORTH JULIE A
1031 ST THOMAS COURT
ROCKWALL, TX 75087

FIELDS SHAY AND JONI
1032 ST CHARLES COURT
ROCKWALL, TX 75087

EDWARDS EDWINA W REVOCABLE TRUST
EDWINA W EDWARDS TRUSTEE
1034 ST THOMAS CT
ROCKWALL, TX 75087

EDWARDS EDWINA W REVOCABLE TRUST
EDWINA W EDWARDS TRUSTEE
1034 ST THOMAS CT
ROCKWALL, TX 75087

EDWARDS EDWINA W REVOCABLE TRUST
EDWINA W EDWARDS TRUSTEE
1034 ST THOMAS CT
ROCKWALL, TX 75087

JOHNSON RICHARD ERIC AND DIANNA MUNRO
1035 SAINT THOMAS CT
ROCKWALL, TX 75087

EDWARDS EDWINA W REVOCABLE TRUST
EDWINA W EDWARDS TRUSTEE
1038 ST THOMAS CT
ROCKWALL, TX 75087

KRAEMER TERESA A
1039 IVY LN
ROCKWALL, TX 75087

BEER TERRY L AND
CYNTHIA OLSON
1039 ST THOMAS CT
ROCKWALL, TX 75087

HOULE GARY AND AYURNI NAKAMURA
1040 SAINT CHARLES CT
ROCKWALL, TX 75087

SOMMER RICHELLE AND RICHARD
1042 SAINT THOMAS CT
ROCKWALL, TX 75087

SOUTHERLAND CHRISTOPHER AND JENNIFER
1043 ST THOMAS COURT
ROCKWALL, TX 75087

DENTON LANCE AND GLENDA K
1045 IVY LN
ROCKWALL, TX 75087

VRANA MARK AND
PAM VRANA
1046 ST CHARLES CT
ROCKWALL, TX 75087

BLACKWOOD SCOTT W & GLENITA G
1046 ST THOMAS CT
ROCKWALL, TX 75087

VRANA MARK AND
PAM VRANA
1046 SAINT CHARLES CT
ROCKWALL, TX 75087

FUNK JOSEPH
11226 INDIAN TRAIL
DALLAS, TX 75229

SOROPTIMIST INT'L OF ROCKWALL
1350 E WASHINGTON
ROCKWALL, TX 75087

BAYS JACOB M
1435 E WASHINGTON ST
ROCKWALL, TX 75087

ALVAPLAST US DEVELOPMENT LLC
1480 JUSTIN ROAD
ROCKWALL, TX 75087

DEVENNEY DIANA
205 DIAL
ROCKWALL, TX 75087

CUMMINGS KARYN
2823 QUAIL HOLLOW DR
MESQUITE, TX 75150

DEVENNEY DIANA
2944 PEGASUS DR
GARLAND, TX 75044

COLUMBIA DEVELOPMENT CO LLC
ATTN BILL BRICKER
305 PARK PLACE
ROCKWALL, TX 75087

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

COLUMBIA DEVELOPMENT CO LLC
ATTN BILL BRICKER
305 PARK PLACE BLVD
ROCKWALL, TX 75087

COLUMBIA DEVELOPMENT CO LLC
ATTN BILL BRICKER
305 PARK PLACE BLVD
ROCKWALL, TX 75087

COLUMBIA DEVELOPMENT CO LLC
ATTN BILL BRICKER
305 PARK PLACE BLVD
ROCKWALL, TX 75087

COLUMBIA DEVELOPMENT CO LLC
ATTN BILL BRICKER
305 PARK PLACE BLVD
ROCKWALL, TX 75087

CITY OF ROCKWALL
ATTN;MARY SMITH
385 S GOLIAD ST
ROCKWALL, TX 75087

MATEER JEFFREY CARL & D'ANN ELIZABETH
DELP
405 PARK PLACE BLVD
ROCKWALL, TX 75087

JONES KENNETH AND CINDY
411 PARK PLACE BLVD
ROCKWALL, TX 75087

VAN WINKLE KATHI AND RONNIE G
417 PARK PLACE BLVD
ROCKWALL, TX 75087

KISTNER ARIANA M AND KELLY
423 PARK PLACE BLVD
ROCKWALL, TX 75087

MORGAN WILBUR J AND NANCY F
429 PARK PLACE BLVD
ROCKWALL, TX 75087

ALVAPLAST US DEVELOPMENT LLC
501 INDUSTRIAL BLVD
ROCKWALL, TX 75087

LOVOI JOSEPH J SR AND VELMA J
501 PARK PLACE BLVD
ROCKWALL, TX 75087

RASMUSSEN MICHAEL AND DELILA RASMUSSEN
507 PARK PLACE BLVD
ROCKWALL, TX 75087

GARCIA MELISSA P AND
JOE DOWELL LOFTIS JR AKA JOE DOWELL LOFTIS
513 PARK PLACE BLVD
ROCKWALL, TX 75087

MOORE CONNIE JO
523 PARK PLACE BLVD
ROCKWALL, TX 75087

SANTIAGO KIMBERLY J AND JOSE JR
535 PARK PLACE BLVD
ROCKWALL, TX 75087

WALSH DONNA
541 PARK PLACE BLVD
ROCKWALL, TX 75087

CUMMINGS KARYN
547 PARK PLACE BLVD
ROCKWALL, TX 75087

BLACKWOOD SCOTT W & GLENITA G
5574 CANADA CT
ROCKWALL, TX 75032

BAYS JACOB M
5602 YACHT CLUB DR.
ROCKWALL, TX 75032

BAYS JACOB M
5602 YACHT CLUB DR.
ROCKWALL, TX 75032

BAYS JACOB M
5602 YACHT CLUB DR.
ROCKWALL, TX 75032

MURREY GARY L AND PAMELA K
601 PARK PLACE BLVD
ROCKWALL, TX 75087

ROCKWALL COMMUNITY PLAYHOUSE
609 E RUSK ST
ROCKWALL, TX 75087

WALSH DONNA
8009 LAKEBEND
ROWLETT, TX 75088

CITY OF ROCKWALL
815 E WASHINGTON ST
ROCKWALL, TX 75087

DENTON LANCE AND GLENDA K
900 DAVY CROCKETT
ROCKWALL, TX 75087

CITY OF ROCKWALL
ATTN;MARY SMITH
945 E WASHINGTON ST
ROCKWALL, TX 75087

2020 T R MARTIN REVOCABLE TRUST
CHARLES TED MARTIN AND RHONDA KAREN
MARTIN- TRUSTEES
995 ST CHARLES COURT
ROCKWALL, TX 75087

SOROPTIMIST INT'L OF ROCKWALL
PO BOX 372
ROCKWALL, TX 75087

PUBLIC NOTICE



CITY OF ROCKWALL
PLANNING AND ZONING DEPARTMENT
PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

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

Z2022-055: Amendment to PD-87

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates on behalf of Ryan Lewis and Scott Sutton of Crosspoint Community Church for the approval of a Zoning Change amending Planned Development District 87 (PD-87) [Ordinance No. 18-46] being a 16.26-acre tract of land identified as a Lot 1, Block 1, Indalloy Addition and Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 87 (PD-87) for Single-Family 10 (SF-10) District, General Retail (GR) District and Light Industrial (LI) District land uses, located on the southside of E. Washington Street east of the intersection of Park Place Boulevard and E. Washington Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, December 13, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, December 19, 2022 at 6:00 PM. 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:

Henry Lee
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 Monday, December 19, 2022 at 4:00 PM 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 AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2022-055: Amendment to PD-87

Please place a check mark on the appropriate line below:

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

[Redacted area]

Name: [Redacted]

Address: [Redacted]

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

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-055

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

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

I think a church next to Park Place would be great.

Respondent Information

Please provide your information.

First Name *

Bruce

Last Name *

Ballard

Address *

1043 Michael Gardens

City *

Rockwall

State *

Texas

Zip Code *

75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other:

This content is neither created nor endorsed by Google.

Google Forms

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-55

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



I am in favor of the request.



I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

Respondent Information

Please provide your information.

First Name *

Carol

Last Name *

Jones

Address *

838 Park Place Blvd

City *

Rockwall

State *

TX

Zip Code *

75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other:

This content is neither created nor endorsed by Google.

Google Forms

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-55

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

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

A beautiful community church adjacent to our neighborhood is a bonus, in my humble opinion! Having a church as "neighbors" to our Park Place community, should provide more of a positive, stabalized, home-town community environment.

I am in favor of having a church community adjacent to our Park Place community.

Respondent Information

Please provide your information.

First Name *

Cathy

Last Name *

Ballard

Address *

1043 Michael Gardens

City *

Rockwall

State *

TX

Zip Code *

75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other: Park Place HOA meeting

This content is neither created nor endorsed by Google.

Google Forms

Ross, Bethany

From: AOL Mail <nindyfeet@aol.com>
Sent: Friday, December 2, 2022 7:15 PM
To: Planning
Subject: zoning request for Community Church/Columbia Corp land development

I am a resident of Park Place. The tree line of cedars on the far side of the alleyway parallel to Park Place Blvd. (alongside the club house) serves as a valuable buffer between our neighborhood and the property in question. I request that this row of trees remain as part of the development plan for the new purchased property. This tree line provides privacy and beauty to our homes. I would also request that the tree line be extended all the way down the alley to benefit all the houses in this section.

Thank you,
Cindy Jones
411 Park Place Blvd.
Rockwall, TX 75043
(972) 754-9785

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Case No. Z2022-055: Amendment to PD-87

Please place a check mark on the appropriate line below:

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

I am in favor of this request but I do not like the idea of Townhomes - If it has to be associated with Park Place I find that the townhomes will not enhance our neighborhood

Name: Cornie Moore

Address: 523 Park Place Blvd 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

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

2022-055

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



I am in favor of the request.



I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

I believe the church would be a neighbor

Respondent Information

Please provide your information.

First Name *

David

Last Name *

David, Sr.

Address *

1020 Saint Charles Ct

City *

Rockwall

State *

Texas

Zip Code *

75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other:

This content is neither created nor endorsed by Google.

Google Forms

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

72022-055

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

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

I have been a Rockwall citizen since 1985 and was one of the first to build in the Park Place community (2009). I completely support the church's requests!

Respondent Information

Please provide your information.

First Name *

Deanna

Last Name *

Allison

Address *

886 Ivy Lane

City *

Rockwall

State *

Texas

Zip Code *

75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other: Through an email sent by our HOA.

This content is neither created nor endorsed by Google.

Google Forms

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-55

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



I am in favor of the request.



I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

We can't think of a better Park Place neighbor than a church. Please approve the re-zoning request.

Respondent Information

Please provide your information.

First Name *

Frosini

Last Name *

Rubertino

Address *

1048 Michael Gardens

City *

Rockwall

State *

TX

Zip Code *

75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other:

This content is neither created nor endorsed by Google.

Google Forms

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-055

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

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

I am in favor of the church building on this property

Respondent Information

Please provide your information.

First Name *

Glenda

Last Name *

Denton

Address *

1045 Ivy Ln

City *

Rockwall

State *

TX

Zip Code *

75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other:

This content is neither created nor endorsed by Google.

Google Forms

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-55

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

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

I am in favor of the church.

Respondent Information

Please provide your information.

First Name *

Jared

Last Name *

Fecht

Address *

1026 Ivy Ln.

City *

Rockwall

State *

TX

Zip Code *

75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other: I live in park place neighborhood

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other:

This content is neither created nor endorsed by Google.

Google Forms

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-055

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

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

I prefer a church rather than retail or light industrial as a neighbor.

Respondent Information

Please provide your information.

First Name *

Joe

Last Name *

Rubertino

Address *

1048 Michael Gardens

City *

Rockwall

State *

TX

Zip Code *

75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other:

This content is neither created nor endorsed by Google.

Google Forms

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-55

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

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

I couldn't think of a better neighbor than a church. I like the town house buffer and the pastors presented their plans at the HOA meeting which were very thought out in consideration of our neighborhood.

Respondent Information

Please provide your information.

First Name *

Julie

Last Name *

Fecht

Address *

1026 Ivy Ln.

City *

Rockwall

State *

TX

Zip Code *

75087

Please check all that apply: *

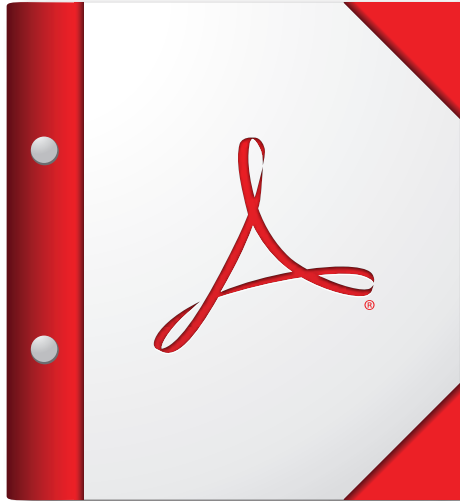
- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other: I live in park place neighborhood

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other:

This content is neither created nor endorsed by Google.

Google Forms



For the best experience, open this PDF portfolio in Acrobat X or Adobe Reader X, or later.

Get Adobe Reader Now!

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-055

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

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

I approve of the Church purchase, I believe it is a good use of the property. I am concerned for the privacy and traffic on Park Place Blvd as well as the community and traffic on Washington; particularly as the church grows. Please help secure options to reduce this concern. Thank you.

Respondent Information

Please provide your information.

First Name *

Laura

Last Name *

Podina

Address *

1014 Saint Charles Ct

City *

Rockwall

State *

TX

Zip Code *

75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other:

This content is neither created nor endorsed by Google.

Google Forms

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-055

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

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

I previously worked in economic development and think the plans for the church would be a great addition to the area. I love the Craftsman design of the buildings.

Respondent Information

Please provide your information.

First Name *

Leanna

Last Name *

Kimball

Address *

602 Angela Crescent

City *

Rockwall

State *

TX

Zip Code *

75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other: I live in Park Place

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other:

This content is neither created nor endorsed by Google.

Google Forms

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-055:

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

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

Good project for this site.

Respondent Information

Please provide your information.

First Name *

Michael

Last Name *

Mishler

Address *

1009 Ivy Lane

City *

Rockwall

State *

TX

Zip Code *

75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other:

This content is neither created nor endorsed by Google.

Google Forms

Case No. Z2022-055: Amendment to PD-87

Please place a check mark on the appropriate line below:

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

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

THIS CHURCH WILL BE A GREAT FIT FOR OUR
NEIGHBORHOOD

Name: Robert + GAYLE BREWER

Address: 1004 MICHAEL GARDENS 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

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-055

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



I am in favor of the request.



I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

Respondent Information

Please provide your information.

First Name *

Robert & Sharon

Last Name *

Garland

Address *

1028 Michael Gardens

City *

Rockwall

State *

TX

Zip Code *

75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other:

This content is neither created nor endorsed by Google.

Google Forms

Ross, Bethany

From: Ronnie Howell <ronnie_howell@yahoo.com>
Sent: Wednesday, November 23, 2022 11:34 AM
To: Planning
Subject: case # Z2022-055

I won't to submit my approval for case Z2022-055.
I live in Park Place and I am FOR the church being built next to our neighborhood.

434 Jordan Farm Circle

Thanks,
Ronnie Howell
Realtor
Stewart Realty Group
214-354-0450 (call or text)
ronnie_howell@yahoo.com

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-055

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

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

If we can't limit the zoning to office space, we would prefer to have a church next to our neighborhood vs. restaurants or other retail establishments.

Respondent Information

Please provide your information.

First Name *

Russell and Cynthia

Last Name *

Willman

Address *

423 Jordan Farm Circle

City *

Rockwall

State *

Texas

Zip Code *

75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other:
Advised by HOA of the development. Also received emails from different neighbors in both support and opposition to the request.

This content is neither created nor endorsed by Google.

Google Forms

PUBLIC NOTICE



CITY OF ROCKWALL
PLANNING AND ZONING DEPARTMENT
PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

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

Z2022-055: Amendment to PD-87

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates on behalf of Ryan Lewis and Scott Sutton of Crosspoint Community Church for the approval of a Zoning Change amending Planned Development District 87 (PD-87) [Ordinance No. 18-46] being a 16.26-acre tract of land identified as a Lot 1, Block 1, Indalloy Addition and Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 87 (PD-87) for Single-Family 10 (SF-10) District, General Retail (GR) District and Light Industrial (LI) District land uses, located on the southside of E. Washington Street east of the intersection of Park Place Boulevard and E. Washington Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, December 13, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, December 19, 2022 at 6:00 PM. 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:

Henry Lee
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 Monday, December 19, 2022 at 4:00 PM 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 AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

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

Case No. Z2022-055: Amendment to PD-87

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.

SPR PACKAGING IS OK WITH NEW DEVELOPMENT SUBJECT TO CONSTRUCTION OF ROAD ACCESS AS SHOWN IN OPTION 10 AND NEW EASEMENT AGREEMENT UNDER SAME CONDITIONS OF PREVIOUS ONE.

Name: SANTIAGO DIAZ
Address: 1480 JUSTIN RD, 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

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-055

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

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

We are building a new home in Park Place and fully support the addition of the Crosspoint church development.

Respondent Information

Please provide your information.

First Name *

Tommy

Last Name *

White

Address *

743 Park Place Blvd

City *

Rockwall

State *

Texas

Zip Code *

75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other: Bill Bricker notified us.

This content is neither created nor endorsed by Google.

Google Forms

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-55

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

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

Not in favor of any multi-story or huge parking garage or architecture design that does not fit the Park Place neighborhood.

Respondent Information

Please provide your information.

First Name *

Barry

Last Name *

Buchanan

Address *

908 ivy Ln

City *

Rockwall

State *

TX

Zip Code *

75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other:

This content is neither created nor endorsed by Google.

Google Forms

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-055

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

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

This was voted down previously 7-0 due to safety concerns and traffic management. Nothing has changed, this should not be approved. The increased traffic will only decrease safety.

Respondent Information

Please provide your information.

First Name *

Dennis

Last Name *

Fox

Address *

1012 Saint Thomas Ct.

City *

Rockwall

State *

TX

Zip Code *

75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other:

This content is neither created nor endorsed by Google.

Google Forms

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-55

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

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

This request was previously denied by the P & Z and there have been no changes or modifications to their previous request. There is already high traffic on Washington and a dangerous blind corner where cars will enter and exit Washington onto the property where the church would be built. There will be a high increase in traffic and parking is already a problem at Harry Myers Park on weekends.

Respondent Information

Please provide your information.

First Name *

Dianna

Last Name *

Munro-Johnson

Address *

1035 St Thomas Ct

City *

Rockwall

State *

TX

Zip Code *

75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other:

This content is neither created nor endorsed by Google.

Google Forms

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-55

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

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

prefer to maintain residential

Respondent Information

Please provide your information.

First Name *

don

Last Name *

.....
miller

Address *

.....
423 park place

City *

.....
rockwall

State *

.....
texas

Zip Code *

.....
75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other:

This content is neither created nor endorsed by Google.

Google Forms

Lee, Henry

From: Gary Houle <garyhoule@gmail.com>
Sent: Wednesday, November 23, 2022 10:06 AM
To: Planning
Subject: Re-Zoning Case # Z2022-055

Regarding the re-zoning request in case number Z2022-055, we are opposed to the request. There is insufficient parking in the plan, Washington is too narrow to support the additional traffic and the light pollution and noise from the church will have a negative impact on the Park Place neighborhood and its residents. There is an over abundance of churches in the area and the infrastructure is not prepared to support yet another so close to so many others.

Thank you for your consideration,
Gary Houle
1040 Saint Charles Ct
Rockwall, TX 75087

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-055

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

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

I feel that adding a church at the proposed location without increasing traffic capacity as a prerequisite will exacerbate an already unsafe section of Washington. The usage nature of a church will have high traffic in bursts that will also detract from the area. Noise from playgrounds and light from the parking lot will further negatively impact the neighborhood.

Respondent Information

Please provide your information.

First Name *

Gary

Last Name *

Houle

Address *

1040 Saint Charles Ct

City *

Rockwall

State *

Texas

Zip Code *

75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other:

This content is neither created nor endorsed by Google.

Google Forms

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-55

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

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

I am Concerned about traffic congestion and noise that building a large church would bring to our neighborhood. Many people already use Park Place Blvd as a "cut-through" to get to the park. That practice would likely increase. Homes would be a better option on that property.

Respondent Information

Please provide your information.

First Name *

Gayla

Last Name *

Plunkett

Address *

1000 Bow St

City *

Rockwall

State *

Tx

Zip Code *

75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other:

This content is neither created nor endorsed by Google.

Google Forms

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.

Adding a church with congregation & their weekly activities will increase traffic on Washington & Park Place Streets. Duncity has no immediate plans for Washington development. It is already traffic heavy making it unsafe to walk or cross the street to the park. Churches always grow their congregation.

Name: Gloria Troper

Address: 1007 & 1015 St. Charles Ct Rockwall TX 75087

Tax, 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

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2020-55

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

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

I believe traffic congestion will be a problem on the weekends. The main access is only a small, two way road. Events that are held from time to time tell us exactly what we will be facing every weekend. I have no objections to a small church going in with a limited congregation size. However, it does not appear to be the case in this instance.

Respondent Information

Please provide your information.

First Name *

Marilyn

Last Name *

Jones

Address *

1015 Michael Gardens

City *

Rockwall

State *

Texas

Zip Code *

76087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other:

This content is neither created nor endorsed by Google.

Google Forms

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-055

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

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

The feeder road, Washington, is not nearly adequate to handle all the excess traffic that will be generated by this project. It is a narrow, two way, two lane road that will be totally clogged as the hundreds of cars come and go on Sunday Services. There will be continuing activities during the week that will also strangle Washington. Also, Harry Meyers Park has several events through out the year that is open to the general public. These events usually involve Sunday festivities. How will the city handle parking for these activities while the church is having services at the same time? Much thought and research about this invitation to massive traffic congestion needs to take place before a final decision is made.

Respondent Information

Please provide your information.

First Name *

Mark

Last Name *

Trosper

Address *

1007 & 1015 Saint Charles Ct.

City *

Rockwall

State *

TX

Zip Code *

75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other:

This content is neither created nor endorsed by Google.

Google Forms

Case No. Z2022-055: Amendment to PD-87

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.

TRAFFIC IS THE MAJOR CONCERN WITH THIS PROPOSAL. WASHINGTON IS A TWO WAY, TWO LANE ROAD THAT IS NOT CAPABLE OF HANDLING AN EXPONENTIAL INCREASE IN TRAFFIC THAT THIS WOULD NO DOUBT CREATE. THE CITY MUST UPGRADE THE INFRASTRUCTURE BEFORE THIS CAN HAPPEN!

Name: MARK TROSPER

Address: 1007 & 1015 ST CHARLES CT 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

PUBLIC NOTICE



CITY OF ROCKWALL
PLANNING AND ZONING DEPARTMENT
PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

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

Z2022-055: Amendment to PD-87

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates on behalf of Ryan Lewis and Scott Sutton of Crosspoint Community Church for the approval of a Zoning Change amending Planned Development District 87 (PD-87) [Ordinance No. 18-46] being a 16.26-acre tract of land identified as a Lot 1, Block 1, Indalloy Addition and Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 87 (PD-87) for Single-Family 10 (SF-10) District, General Retail (GR) District and Light Industrial (LI) District land uses, located on the southside of E. Washington Street east of the intersection of Park Place Boulevard and E. Washington Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, December 13, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, December 19, 2022 at 6:00 PM. 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:

Henry Lee
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 Monday, December 19, 2022 at 4:00 PM 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 AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2022-055: Amendment to PD-87

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.

For the record:

Please answer the following in your decision process.

WHY was it originally zoned with a no church restriction. What has changed in our own PZ master plan to say it is OK now but was intentionally restricted?

Can the church build a school, day care center on site adding to more peak traffic flows?

The Church says they intend to build or sell the PLOT 1 for townhomes on the WEST side. What quality? and what use? what guarantees they will hold to their "promise" to add to PP HOA incorporation and meet their standards?

Name: Michael Rasmussen

Address: 507 Park Place Blvd, Rockwall TX

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

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

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

7022-055

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

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

I have concerns over the amount of traffic it may bring into our neighborhood at Park Place with people using Park Place as a through way. We have a 2-lane road on Washington which will not accommodate a lot of traffic. I also am concerned on the amount of "lighting" a church parking lot can generate. Its offensive in my opinion.

Respondent Information

Please provide your information.

First Name *

Richard

Last Name *

HURST

Address *

1017 Bow Street

City *

Rockwall

State *

Texas

Zip Code *

75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other:

This content is neither created nor endorsed by Google.

Google Forms

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-55

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

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

Respondent Information

Please provide your information.

First Name *

Ron

Last Name *

Jones

Address *

1015 Michael Gardens

City *

Rockwall

State *

Texas

Zip Code *

75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other:

This content is neither created nor endorsed by Google.

Google Forms

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-055

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

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

We do not feel that Washington is wide enough to accommodate church and townhome traffic while still allowing those of us who live in Park Place to come and go from our homes. We are members of Lakepointe Church and will be the first to say that traffic congestion is very bad on days and nights when there are Church functions. That is with many more ways to get to the church and wider streets. The only access here would be a two lane winding road or directly through our neighborhood. We feel that the original zoning is more appropriate for the area.

Respondent Information

Please provide your information.

First Name *

Ronald

Last Name *

Jones

Address *

1015 Michael Gardens

City *

Rockwall

State *

TX

Zip Code *

75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other:

This content is neither created nor endorsed by Google.

Google Forms

PUBLIC NOTICE



CITY OF ROCKWALL
PLANNING AND ZONING DEPARTMENT
PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

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

Z2022-055: Amendment to PD-87

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates on behalf of Ryan Lewis and Scott Sutton of Crosspoint Community Church for the approval of a Zoning Change amending Planned Development District 87 (PD-87) [Ordinance No. 18-46] being a 16.26-acre tract of land identified as a Lot 1, Block 1, Indalloy Addition and Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 87 (PD-87) for Single-Family 10 (SF-10) District, General Retail (GR) District and Light Industrial (LI) District land uses, located on the southside of E. Washington Street east of the intersection of Park Place Boulevard and E. Washington Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, December 13, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, December 19, 2022 at 6:00 PM. 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:

Henry Lee
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 Monday, December 19, 2022 at 4:00 PM 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 AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

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

Case No. Z2022-055: Amendment to PD-87

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.

1) We have serious traffic and safety concerns for Washington Ave. TXDOT has no future plans to widen Washington Ave, and we feel this street cannot handle the Church Volume. 2) PD already excluded church on this land. 3) non tax for church vs Commercial use. 4) P+2 denied in July 5) Not part of Rockwall Comprehensive Plan or open space initiative
Name: Tim Taylor + Judy Dubreuil
Address: 1023 Saint Thomas Ct Rockwall TX, 75032

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

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

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-55

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

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

I believe Crossroads Community Church would be an excellent occupant of the land to the east of the Park Place Community where my wife and I live. I believe the traffic issues will be minimal during most of the week and the activity that will be taking place at the church will not be in any way a nuisance to our community. We have no opposition to this zoning request for the church and support its approval.

Respondent Information

Please provide your information.

First Name *

Shay

Last Name *

Fields

Address *

1032 St. Charles Court

City *

Rockwall

State *

TX

Zip Code *

75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other:

This content is neither created nor endorsed by Google.

Google Forms

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-55

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

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

My wife and I are in full support to the hurch building next to Park Place.

Respondent Information

Please provide your information.

First Name *

Stuart

Last Name *

Harstrom

Address *

844 Park Place Blvd

City *

Rockwall

State *

Texas

Zip Code *

75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other:

This content is neither created nor endorsed by Google.

Google Forms

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-55

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

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

Respondent Information

Please provide your information.

First Name *

Ted & Helen

Last Name *

Smith

Address *

1046 Bow Street

City *

Rockwall

State *

TX

Zip Code *

75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other: _____

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other:

This content is neither created nor endorsed by Google.

Google Forms

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-55

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

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

We highly favor the request by Crosspoint Church.

Respondent Information

Please provide your information.

First Name *

Warren R & Yvonne

Last Name *

Kelly

Address *

1042 Bow Street

City *

Rockwall

State *

TX

Zip Code *

75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other:

This content is neither created nor endorsed by Google.

Google Forms

Lee, Henry

From: Joe Jackson <joe@pwdus.com>
Sent: Tuesday, December 13, 2022 5:19 PM
To: Planning
Cc: Joe Jackson; anitaandjoe@gmail.com
Subject: RE: Case Z2022-055

Good Afternoon,

Joe and Anita Jackson
1032 Ivy Lane
Rockwall, TX 75087

We are very much in favor of the plan Crosspoint Community Church has submitted for development adjacent to our Park Place Neighborhood. There are any number of things that can be built on the property since its zoned industrial. This small church, in our opinion, represents the best outcome if the land is to be developed. We would like to avoid manufacturing, distribution, or a strip center....

Thanks!

Joe Jackson
214.505.2692
www.precisionwarehousedesign.com

*Precision Warehouse Design, LLC
1408 W. Main Street, Suite 319
Carrollton, TX 75006*

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.



July 26, 2022

Rockwall Planning and Zoning Department
385 S Goliad St.
Rockwall, TX 75087

To the Planning and Zoning Department,

The Park Place West HOA and it's members are in receipt of the notice of Zoning Change at 1200 E Washington St. Rockwall, Texas 75087. The membership was notified by the HOA and has had an open meeting with Bill Bricker, Applicant, Dub Douphrate, the Project Engineer and principal leaders of Crosspoint Church, the ultimate end user.

All questions were answered professionally and satisfactorily. The Board of Park Place West HOA has voted, based upon member input, to express support of the application.

The HOA feels this is a good fit for themselves, the church and the City of Rockwall.

Respectfully submitted,

David David
VP Park Place West HOA

IT'S A DREAM COME TRUE.

www.parkplacerockwall.com • info@parkplacerockwall.com

1/6/2022

Memorandum

To: Ryan Miller, AICP
Director of Planning
City of Rockwall

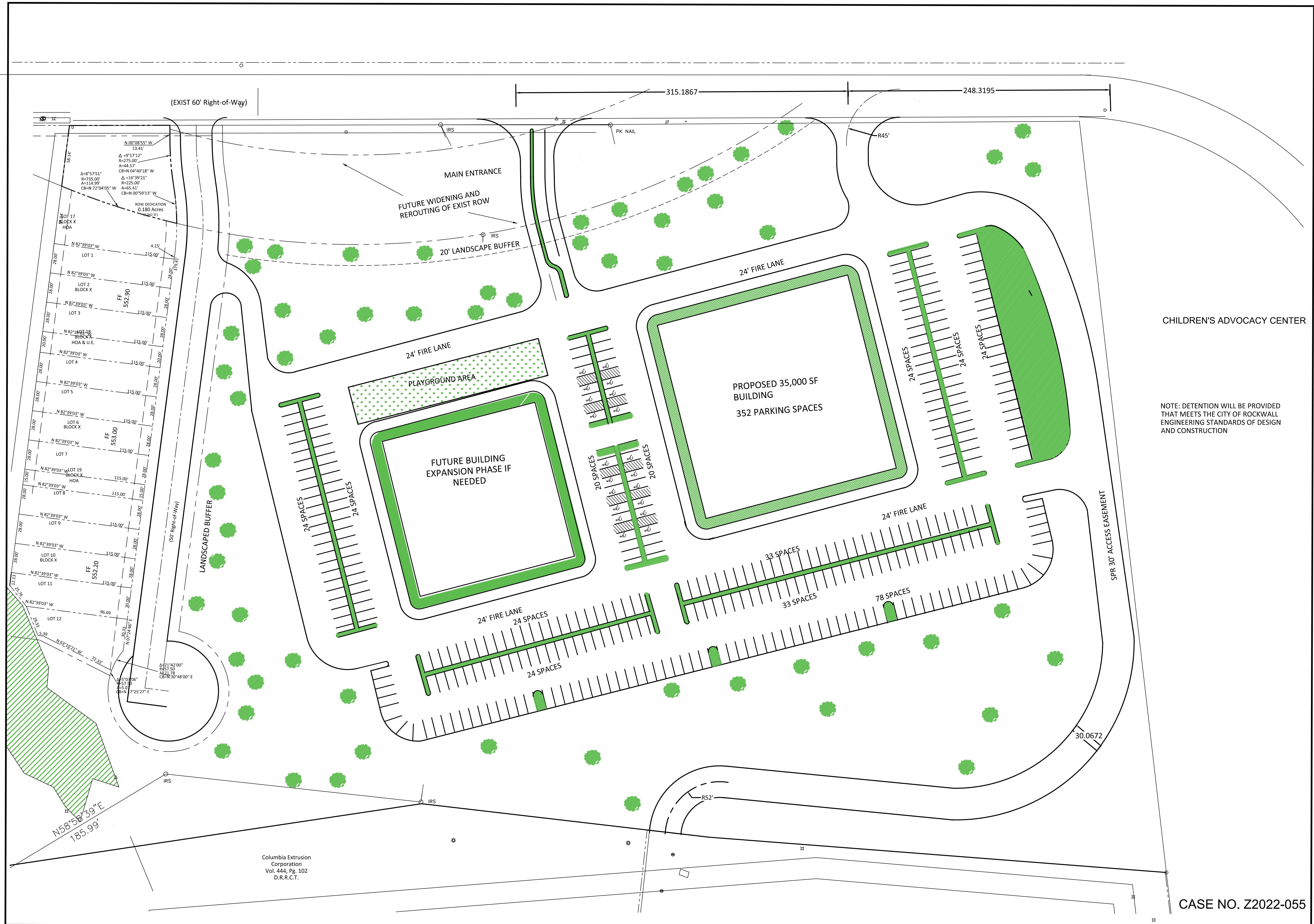
From: Dub Douphrate

Re: 14.93 Acres on Washington Blvd Amendment to the PD 87 Zoning

On behalf of the new owner, Crosspoint Community Church, the 14.93-acre tract of land identified as Lot 1, Block 1, being a replat of a part of the Indalloy Addition and Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, Crosspoint Community Church is seeking the approval of a Zoning Change, amending Planned Development 87 (PD-87) [Ordinance No. 18-46] to include allowing Church Use on the property.

Thanks
Dub Douphrate

Cc: Ryan Lewis
Scott Sutton



(EXIST 60' Right-of-Way)

315.1867

248.3195

MAIN ENTRANCE
FUTURE WIDENING AND
REROUTING OF EXIST ROW

20' LANDSCAPE BUFFER

24' FIRE LANE

PLAYGROUND AREA

FUTURE BUILDING
EXPANSION PHASE IF
NEEDED

PROPOSED 35,000 SF
BUILDING
352 PARKING SPACES

24 SPACES

24 SPACES

20 SPACES

20 SPACES

24' FIRE LANE

24 SPACES

24 SPACES

33 SPACES

33 SPACES

78 SPACES

24' FIRE LANE

SPR 30' ACCESS EASEMENT

CHILDREN'S ADVOCACY CENTER

NOTE: DETENTION WILL BE PROVIDED
THAT MEETS THE CITY OF ROCKWALL
ENGINEERING STANDARDS OF DESIGN
AND CONSTRUCTION

Columbia Extrusion
Corporation
Vol. 444, Pg. 102
D.R.R.C.T.



THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY W.L. DOUPHRATE, P.E. LICENSE NO. 80102, STATE OF TEXAS, ON DATE 10/10/2006.

DOUPHRATE & ASSOCIATES, INC.
ENGINEERING PROJECT MANAGEMENT SURVEYING
2235 RIDGE RD., # 200 ROCKWALL, TEXAS 75087
PHONE: (972)771-9004 FAX: (972)771-9005

CONCEPT PLAN
CROSSPOINT COMMUNITY CHURCH
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

REVISION	W.L.D.
CHECKED	G.C.W.
DRAWN	
SCALE	1" = 40' H 1" = 40' V
DATE	JUNE 20, 2022
PROJECT	22023 SITE FL

CASE NO. Z2022-055




CROSSPOINT
- COMMUNITY CHURCH -




CROSSPOINT
- COMMUNITY CHURCH -




CROSSPOINT
- COMMUNITY CHURCH -

CITY OF ROCKWALL

ORDINANCE NO. 18-46

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 CHANGE THE ZONING FROM A LIGHT INDUSTRIAL (LI) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 87 (PD-87) FOR TOWNHOMES, COMMERCIAL/RETAIL, AND LIGHT INDUSTRIAL LAND USES ON THE SUBJECT PROPERTY, BEING A 16.26-ACRE TRACT OF LAND IDENTIFIED AS LOT 1, BLOCK 1, INDALLOY ADDITION AND TRACT 31 OF THE R. BALLARD SURVEY, ABSTRACT NO. 29, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *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 applicant Bill Bricker on behalf of the owner, Columbia Development Company, LLC, for the approval of a zoning change from a Light Industrial (LI) District to a Planned Development District for the purpose of establishing commercial/retail, light industrial, and townhome land uses on a 16.26-acre tract of land identified as Lot 1, Block 1, Indalloy Addition and Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1100 & 1300 E. Washington Street and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

SECTION 2. That development of the *Subject Property* shall be in accordance with the *Planned Development Concept Plan*, contained in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 3. That development of the *Subject Property* shall be in accordance with the *Development Standards*, described in *Exhibit 'E'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'E'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 4. That a preliminary plat for the entire *Subject Property* -- as depicted in *Exhibits 'C' & 'D'* of this ordinance -- shall be submitted prior to any other submittal for any portion of the *Subject Property*.

SECTION 5. That development of *Tract 1* of the *Subject Property* -- as depicted in Exhibits 'C' & 'D' of this ordinance -- shall be in conformance with the schedule listed below (except as set forth below with regard to simultaneous processing and approvals).

- (a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance [including Subsections 5(b) through 5(d) below], shall be the exclusive procedures applicable to the subdivision and platting of *Tract 1* as depicted in Exhibits 'C' & 'D' of this ordinance.
- (b) The following plans and plats shall be required in the order listed below (except as set forth below with regard to simultaneous processing and approvals). If required, the City Council shall act on an application for an *Open Space Master Plan* in accordance with the time period specified in Section 212.009 of the *Texas Local Government Code*.
 - (1) PD Site Plan
 - (2) Final Plat
- (c) *PD Site Plan.* A *PD Site Plan* covering all of *Tract 1* as depicted in Exhibit 'B' of this ordinance shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Final Plat Application* after engineering approval.
- (d) *Final Plat.* Prior to the issuance of any building permits, a *Final Plat*, for all of *Tract 1* as depicted in Exhibits 'C' & 'D' of this ordinance shall be submitted for approval.

SECTION 6. That development of *Tracts 2, 3, 4 & 5* of the *Subject Property* -- as depicted in Exhibits 'C' & 'D' of this ordinance -- shall be in conformance with the procedures set forth in the Unified Development Code [Ordinance No. 04-38];

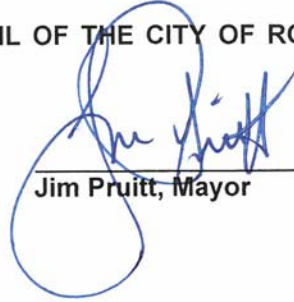
SECTION 7. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars (\$2,000.00)* for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 8. 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 9. 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 10. That this ordinance shall take effect immediately from and after its passage;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 19TH DAY OF NOVEMBER, 2018.



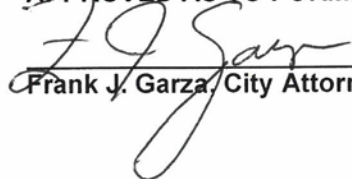
Jim Pruitt, Mayor

ATTEST:



Kristy Cole, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney



1st Reading: November 5, 2018

2nd Reading: November 19, 2018

Exhibit 'A':
Legal Description

All that certain lot, tract or parcel of land situated in the *R. BALLARD SURVEY, ABSTRACT NO. 29*, City of Rockwall, Rockwall County, Texas, and being a part of Lot 1, Block 1, *INDALLOY ADDITION*, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet D, Slide 273 of the Plat Records of Rockwall County, Texas, and also being a part of a 98.319 acres tract of land as described in a Warranty deed from Alumax Aluminum Corporation to Columbia Extrusion Corporation, dated December 22, 1988 and being recorded in Volume 444, Page 102 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner at the northeast corner of said Lot 1, Block 1, said point being in the south right-of-way line of E. Washington Street;

THENCE S. 06 deg. 42 min. 50 sec. E. along the east boundary line of Lot 1, a distance of 718.54 feet to a 1/2" iron rod found for corner;

THENCE N. 85 deg. 37 min. 16 sec. W. a distance of 435 .64 feet to a 1/2" iron rod found for corner on the West boundary line of said Lot 1, Block 1;

THENCE N. 83 deg. 23 min. 14 sec. W. a distance of 274.94 feet to a 1/2" iron rod found for corner;

THENCE S. 81 deg. 27 min. 00 sec. W. a distance of 408.12 feet to a Y," iron rod found for corner in the east boundary line of *PARK PLACE WEST II*, according to the Amended plat thereof recorded in Cabinet G, Slide 100, of the Plat Records of Rockwall County, Texas;

THENCE N. 04 deg. 52 min. 54 sec. W. along said addition, a distance of 106.88 feet to a W' iron rod found for corner;

THENCE N. 07 deg. 20 min. 27 sec. E. along said addition, a distance of 603.20 feet to a W' iron rod found for corner in the south line of E. Washington Street;

THENCE N. 89 deg. 51 min. 05 sec. E. along the south line of said street, a distance of 513.76 feet to a P-K nail found for corner at the northwest corner of said Lot 1, Block 1;

THENCE N. 89 deg. 34 min. 40 sec. E. along the south line of said street and north line of said Lot 1, a distance of 445.34 feet to the *POINT OF BEGINNING* and containing 16.26 acres of land.

**Exhibit 'B':
Survey**

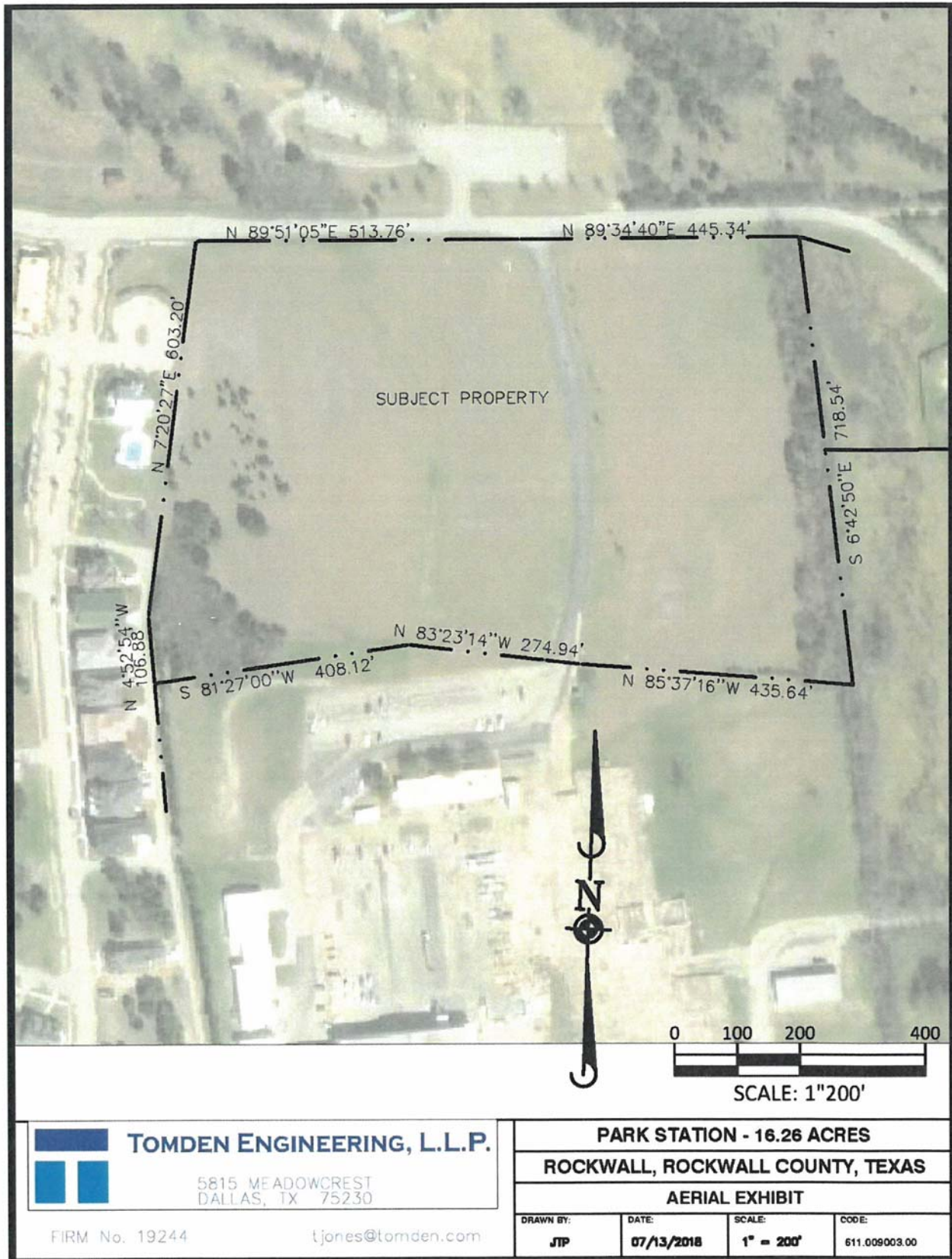


Exhibit 'C':
Area Map

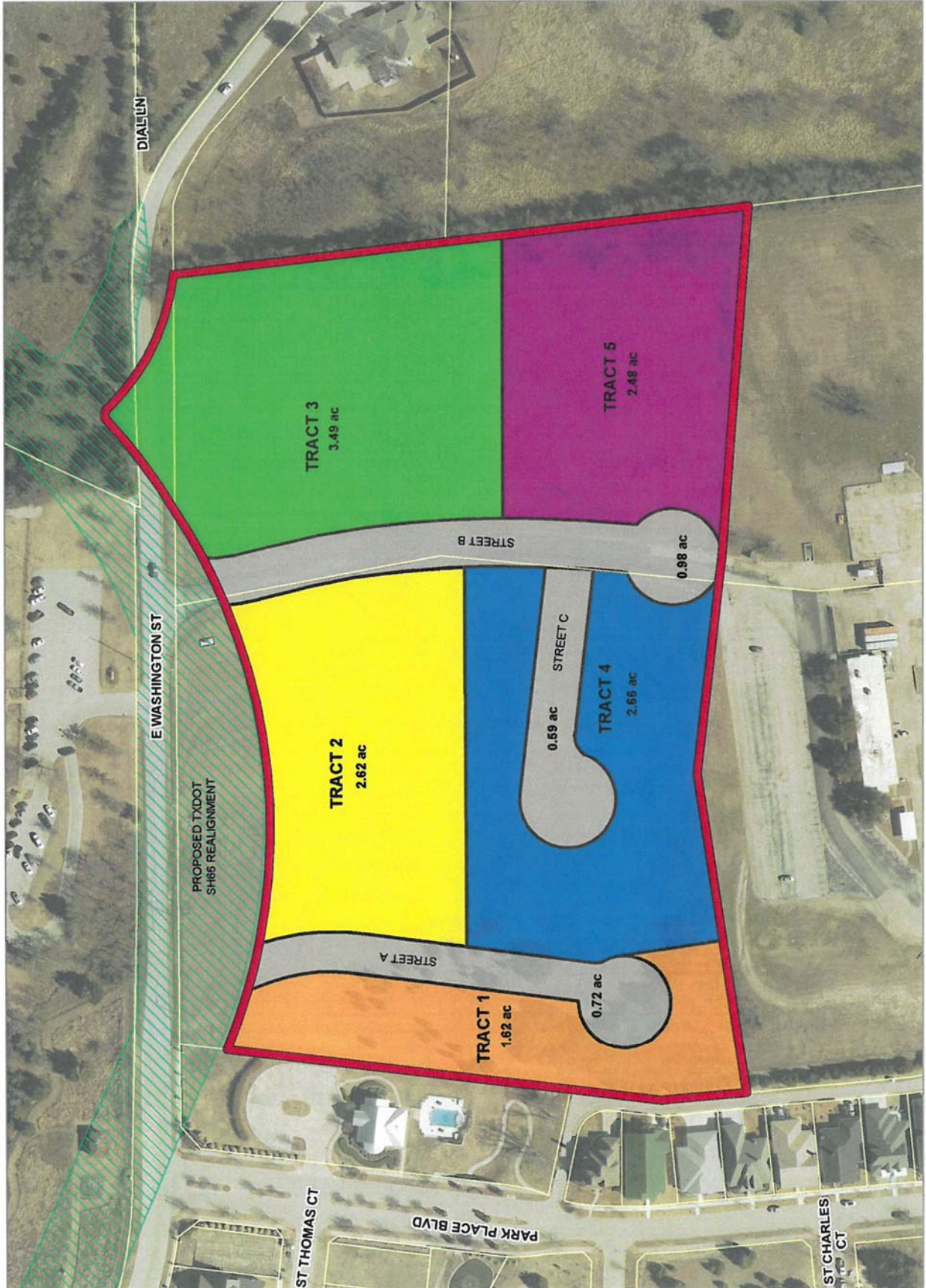


Exhibit 'D': Concept Plan



CONCEPT DATA TABLE	
TOTAL SITE AREA	18.76 ACRES
TOTAL BUILDING AREA	1,131 ACRES
TOTAL TRACTS	5
TOTAL LOTS	2,118
TOTAL UNITS	2,118 (100% AFFORDABLE HOUSING)
UNITS PER ACRE	112.9
COMPARISON CITY	112.9
TRACT 1	2.18 ACRES
TRACT 2	2.18 ACRES
TRACT 3	2.18 ACRES
TRACT 4	2.18 ACRES
TRACT 5	2.18 ACRES

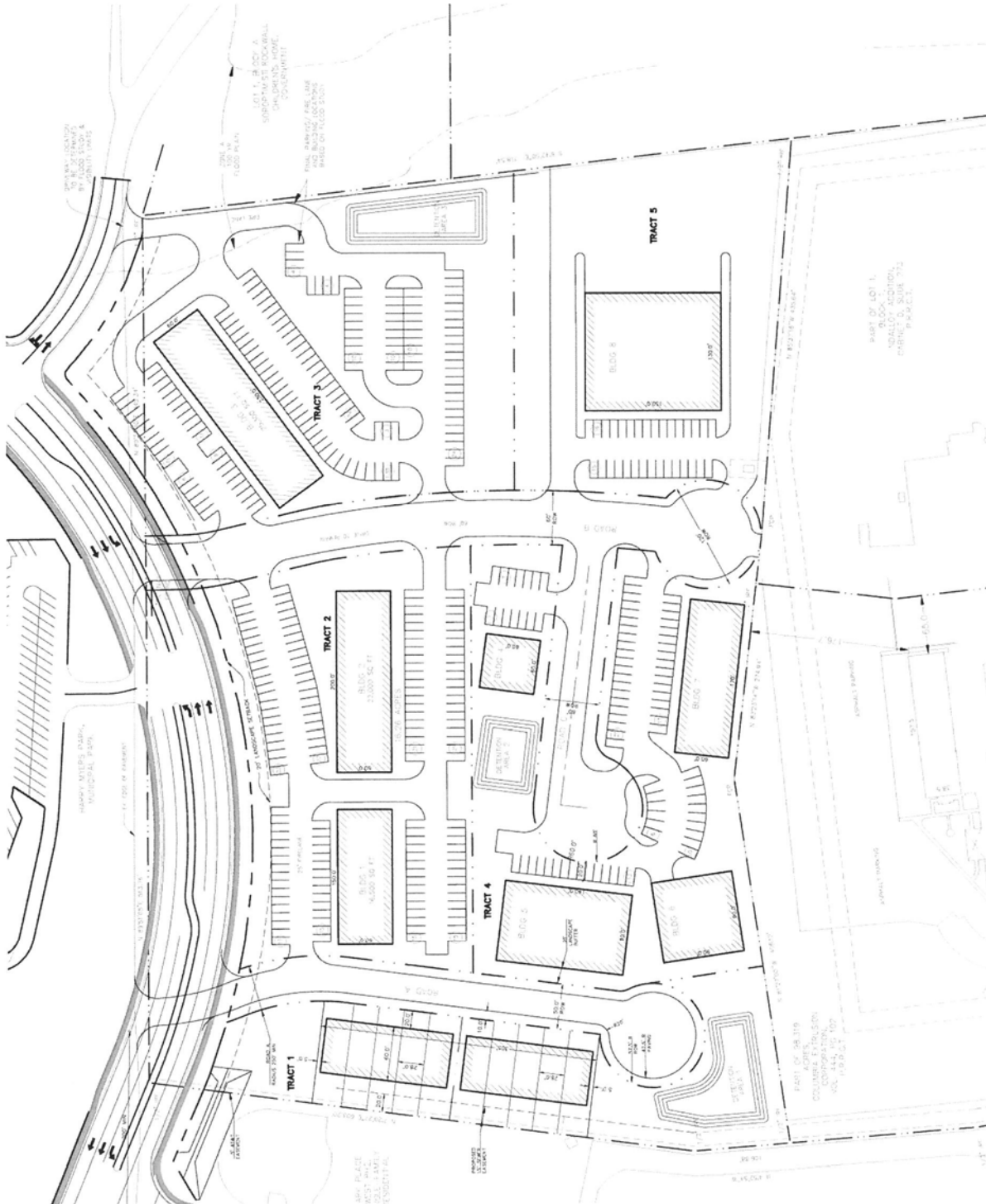


Exhibit 'E':
PD Development Standards

Tracts 1-5 (16.26-Acres): Development Standards for all Tracts

- (1) *Landscaping Standards.*
 - (i) *Landscape Requirements.* Landscaping shall be reviewed and approved with a *PD Site Plan*. All *Canopy/Shade Trees* planted within this development shall be a minimum of three (3) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height.
 - (ii) *Landscape Buffers (Streets A, B, & C and Other Streets).* A minimum of a ten (10) foot landscape buffer shall be provided along the frontage of *Streets A, B & C* as depicted in *Exhibit 'D'* of this ordinance, and shall incorporate a minimum of one (1) canopy tree per 50-feet of linear frontage unless otherwise specified in this ordinance. Any streets added to the subject property that are not depicted on the Concept Plan in *Exhibit 'D'* of this ordinance or referenced in *Exhibit 'E'* of this ordinance shall also be subject to this requirement.
 - (iii) *Landscape Buffer and Sidewalks (SH-66/SH-66 Right-of-Way).* A minimum of a 20-foot landscape buffer shall be provided along the future right-of-way for SH-66 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, two (2) canopy trees shall be planted per 100-feet of linear frontage.
 - (iv) *Landscape Buffer (Adjacent to Residential).* A minimum of a 20-foot landscape buffer shall be provided along the western boundary of *Tracts 2 & 4 (i.e. areas adjacent to residential land uses)*. The landscape buffer shall incorporate a combination of shrubbery and ground cover along the entire length of the adjacency for the purpose of screening the commercial areas from the residential areas without using a physical barrier. In addition, the landscape buffer shall incorporate canopy trees planted on 20-foot centers along the entire length of the adjacency. *Tract 4* shall also incorporate a minimum of a six (6) foot wrought iron fence in the required landscape buffer.
 - (v) *Irrigation Requirements.* Irrigation shall be installed for all required landscaping. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect.
- (2) *Washington Street.* The applicant shall not be responsible for upgrading E. Washington Street to a M4U (*major collector, four [4] lane, undivided roadway*) as shown on the Master Thoroughfare Plan in the Comprehensive Plan.
- (3) *Buried Utilities.* New transmission and distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. The *Developer* shall not be required to re-locate existing overhead power-lines along the perimeter of the *Subject Property* as long as these lines remain in their current pre-developed state. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered existing lines at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

Exhibit 'E':
PD Development Standards

- (4) *Variances.* The variance procedures and standards for approval that are set forth in the Unified Development Code [*Ordinance No. 04-38*] shall apply to any application for variances to any provisions of this ordinance.

Tract 1: Townhomes (2.38-Acres)

- (1) *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, *Tract 1* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the land uses permitted for the Single Family 10 (SF-10) District as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future; however, the following conditions shall apply:

The following land uses shall be permitted on the *Tract 1* in addition to the land uses permitted in the Single Family 10 (SF-10) District:

- Townhomes

However, the following land uses shall be expressly prohibited on *Tract 1*:

- Accessory Building
- Guest Quarters/Secondary Living Unit
- Portable Buildings
- Church/House of Worship
- Day Care
- Private or Public School
- Railroad Yard or Shop

- (2) *Density and Dimensional Requirements.* Unless specifically provided by this Planned Development ordinance, *Tract 1* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the development standards for the Single Family 10 (SF-10) District as stipulated by Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future. The maximum permissible density for the *Subject Property* shall not exceed 5.10 dwelling units per gross acre of land; however, in no case should the proposed development exceed 12 dwelling units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

<i>Minimum Lot Width ⁽¹⁾</i>	28'
<i>Minimum Lot Depth</i>	115'
<i>Minimum Lot Area</i>	3,000 SF
<i>Minimum Front Yard Setback ^{(2) & (4)}</i>	20'
<i>Minimum Side Yard Setback</i>	0'
<i>Minimum Distance Between Buildings</i>	10'
<i>Minimum Length of Driveway Pavement</i>	20'
<i>Maximum Height ⁽³⁾</i>	36'
<i>Minimum Rear Yard Setback ⁽⁴⁾</i>	10'
<i>Minimum Area/Dwelling Unit (SF) [Air Conditioned Space]</i>	1,400 SF
<i>Garage Orientation</i>	<i>Rear Entry</i>
<i>Maximum Number of Attached Units Per Buildings</i>	5 Units
<i>Maximum Lot Coverage</i>	75%

General Notes:

¹: The minimum lot width shall be measured at the *Front Yard Building Setback*.

²: The location of the *Front Yard Building Setback* as measured from the front property line.

Exhibit 'E':
PD Development Standards

- ³: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
- ⁴: Porches, stoops, bay windows, balconies, eaves and similar architectural features may encroach beyond the *Front and Rear Yard Building Setbacks* by up to five (5) feet for any property; however, the encroachment shall not exceed three (3) feet on *Side Yard Setbacks* where appropriate for such use and shall not encroach into public right-of-way.

- (3) *Garage Orientation.* All garages are required to be rear entry (*i.e. access from Road 'A'*) and shall generally conform to the Concept Plan depicted in *Exhibit 'D'* of this ordinance (*i.e. the Townhomes will front towards the Park Place Subdivision*).
- (4) *Building Standards.* The building elevations shall generally conform to the *Conceptual Building Elevations* depicted in *Exhibit 'F'* of this ordinance; however, all development shall adhere to the following building standards:
- (i) *Masonry Requirements.* The minimum masonry requirement for the exterior façades of all buildings shall be 90%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementaceous fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*) and/or similar cementaceous products may be used for up to 100% of the exterior of the building pending conformance with the anti-monotony restrictions outlined in this ordinance. Stucco (*i.e. three [3] part stucco or similar*) shall be prohibited.
 - (ii) *Roof Design Requirements.* All buildings shall be designed such that no roof mounted mechanical equipment (*i.e. HVAC, satellite, vents, etc.*) shall be visible from any direction. *Note: Screening of mechanical equipment is necessary for all equipment regardless of location (i.e. roof mounted, ground mounted, or otherwise attached to the building and/or located on the site).*
 - (iii) *Architectural Requirements.* All units shall be architecturally finished on all sides of the building that are visible from a public right-of-way or open space with the same materials, detailing and features.
- (5) *Anti-Monotony Restrictions.* The development shall generally conform to development scheme portrayed in the *Conceptual Building Elevations* depicted in *Exhibit 'F'* of this ordinance; however, all development shall adhere to the following anti-monotony restrictions:
- (i) Identical brick blends and paint colors may not occur on adjacent (*i.e. side-by-side*) properties within the development without at least two (2) intervening townhomes of differing materials on the same side of the adjacent townhome beginning with the adjacent property.
 - (ii) Front building elevations shall not repeat along any block face without at least two (2) intervening homes of differing appearance on the same block face within the development.
 - (iii) The rear elevation of the homes, backing to the public right-of-way (*i.e. Street A*), shall not repeat without at least two (2) (*i.e. side-by-side*) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:
 - a) Front Encroachment (*i.e. Porch and/or Sunroom*) Type and Layout
 - b) Roof Type and Layout
 - c) Articulation of the Front Façade
 - d) Differing Primary Exterior Materials
- (6) *Sidewalks.* The sidewalk adjacent to *Road 'A'* as depicted in *Exhibit 'D'* of this ordinance shall be constructed adjacent to the roadway with the exception of the area directly adjacent to the

Exhibit 'E':
PD Development Standards

townhomes. In this area the sidewalk may be deviated to run in between the western property line of the *Subject Property* and the front facades of the townhomes. Where the sidewalk is on private property it shall be in a *pedestrian access easement*.

- (7) *Fence Standards.* All fences shall be required to be wrought iron or a tubular steel fence. Wrought iron/tubular steel fences shall be a minimum of four (4) feet in height; however, may not exceed a maximum of eight (8) feet in height.
- (8) *Homeowner's Association (HOA).* A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the *Municipal Code of Ordinances* of the City of Rockwall. As an alternative -- *and pending the approval of an adjacent HOA* --, this property can be incorporated into an existing HOA. The HOA shall also maintain all neighborhood parks, open space and common areas, irrigation, landscaping, screening fences and the private roadway, drive aisles and drive approaches for the subject property associated with this development.

Tracts 2 & 3: Commercial/Retail (6.33-Acres)

- (1) *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, *Tracts 2 & 3* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the land uses permitted for the General (GR) District as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future; however, the following conditions shall apply:

The following land uses shall be expressly prohibited on *Tracts 2 & 3*:

- Convent or Monastery
- Hotel or Motel
- Residence Hotel
- Cemetery/Mausoleum
- Church/House of Worship
- Convalescent Care Facility/Nursing Home
- Emergency Ambulance Services (*Ground*)
- Hospital
- Mortuary or Funeral Chapel
- Social Service Provider
- Billiard Parlor or Pool Hall
- Carnival, Circus, or Amusement Ride
- Commercial Amusement/Recreation (*Outside*)
- Golf Driving Range
- Astrologer, Hypnotist, or Psychic Art and Science
- Night Club, Discotheque, or Dance Hall
- Secondhand Dealer
- Auto Repair Garage (*Minor*)
- Car Wash/Auto Detail
- Car Wash (*Self Service*)
- Retail Store with Gasoline Product Sales (*Any Amount of Dispensers*)
- Service Station
- Mining and Extraction (*Sand, Gravel, Oil & Other*)
- Helipad
- Railroad Yard or Shop
- Transit Passenger Facility

- (2) *Density and Dimensional Requirements.* Any development on *Tracts 2 & 3* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the development standards required for

Exhibit 'E':
PD Development Standards

properties in a General Retail (GR) District as stipulated by Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future.

Tracts 4 & 5: Light Industrial (6.22-Acres)

- (1) *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, *Tracts 4 & 5* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the land uses permitted for the Light Industrial (LI) District as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future; however, the following conditions shall apply:

The following land uses shall be expressly prohibited on the *Tracts 4 & 5*:

- Animal Shelter
- Hotel or Motel
- Residence Hotel
- Cemetery/Mausoleum
- Church/House of Worship
- Crematorium (*Stand Alone*)
- Emergency Ambulance Services (*Ground*)
- Mortuary or Funeral Chapel
- Prison/Custodial Institution
- Rescue Mission or Shelter for the Homeless
- Social Service Provider
- Billiard Parlor or Pool Hall
- Carnival, Circus, or Amusement Ride
- Commercial Amusement/Recreation (*Outside*)
- Golf Driving Range
- Private Sports Arena, Stadium or Track
- Night Club, Discotheque, or Dance Hall
- Secondhand Dealer
- Car Wash (*Self Service*)
- Building & Landscape Material with Outside Storage
- Building & Landscape Material with Limited Outside Storage
- Building Maintenance, Service & Sales with Outside Storage
- Commercial Cleaners
- Food Processing
- Heavy Machinery & Equipment (Rental, Sales & Service)
- Motor Vehicle Dealership (*New or Used*)
- Recreation Vehicle Sales
- Service Station
- Towing & Impound Yard
- Truck Rental
- Truck Stop with Fuel and Accessory Services
- Asphalt or Concrete Batch Plant
- Environmentally Hazardous Materials
- Food Processing (*No Slaughtering*)
- Heavy Manufacturing
- Metal Plating/Electro Plating
- Mining and Extraction (*Sand, Gravel, Oil & Other*)
- Salvage or Reclamation of Products (*Indoors or Outdoors*)
- Heavy Construction Trade Yard
- Outside Storage and/or Outside Display
- Bus Charter Service & Service Facility

Exhibit 'E':
PD Development Standards

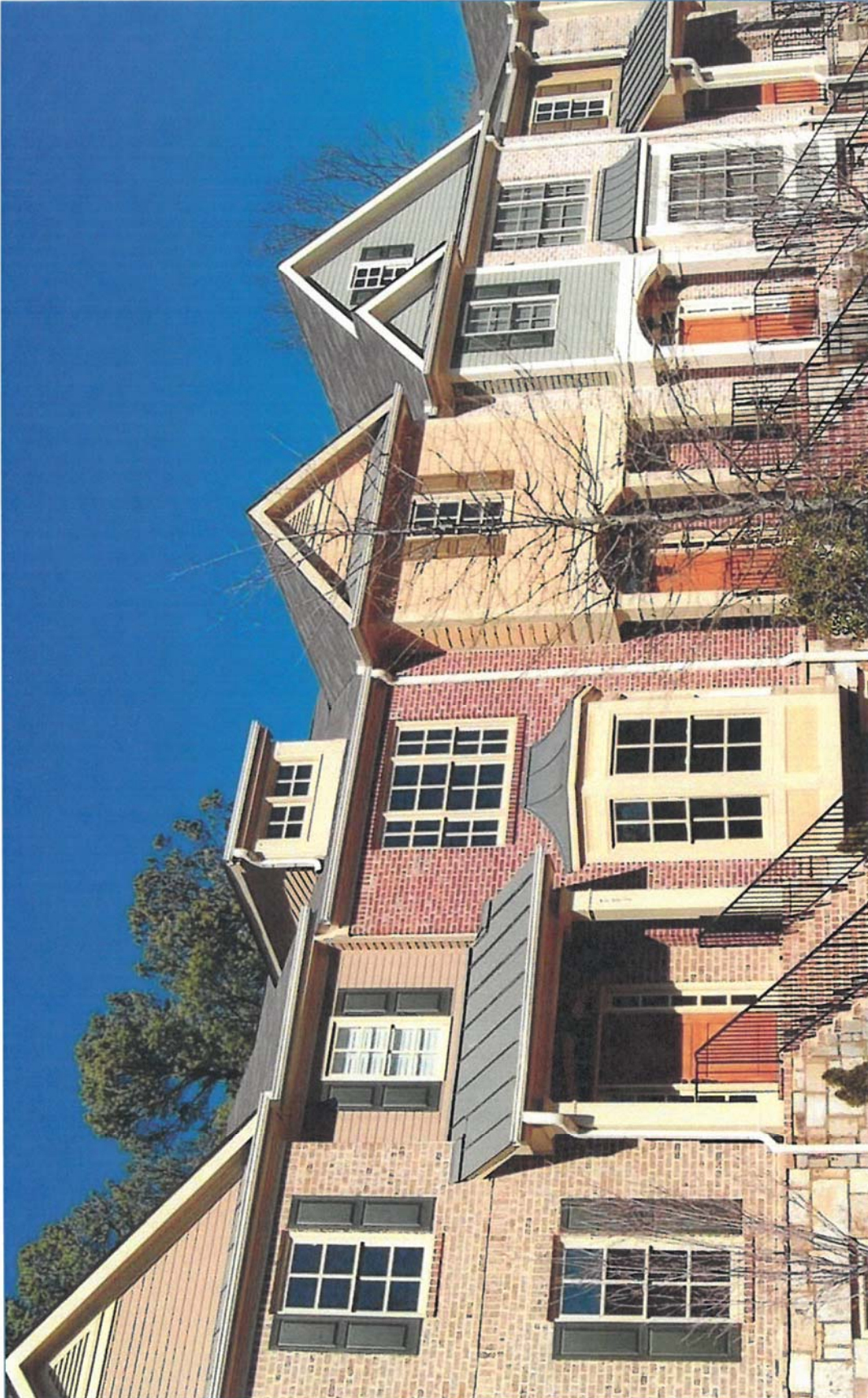
- Airport, Heliport or Landing Field
- Railroad Yard or Shop
- Transit Passenger Facility

The following land uses shall be permitted by Specific Use Permit (SUP) on the *Tracts 4 & 5*:

- Auto Repair Garage (*Minor*)
- Auto Repair Garage (*Major*)
- Mini-Warehouse

- (2) *Density and Dimensional Requirements.* Any development on *Tracts 4 & 5* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the development standards required for properties in a Light Industrial (LI) District as stipulated by Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future.

Exhibit 'F':
Conceptual Townhome Elevations

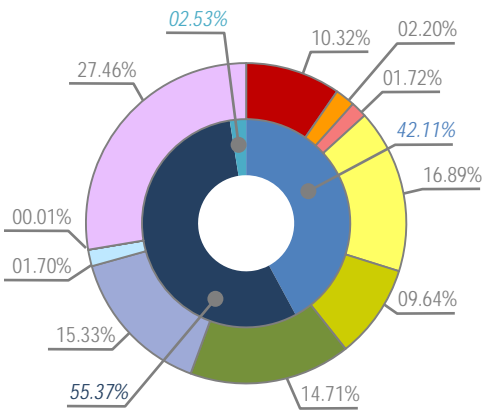


01 CENTRAL DISTRICT DISTRICT STRATEGIES

DISTRICT DESCRIPTION

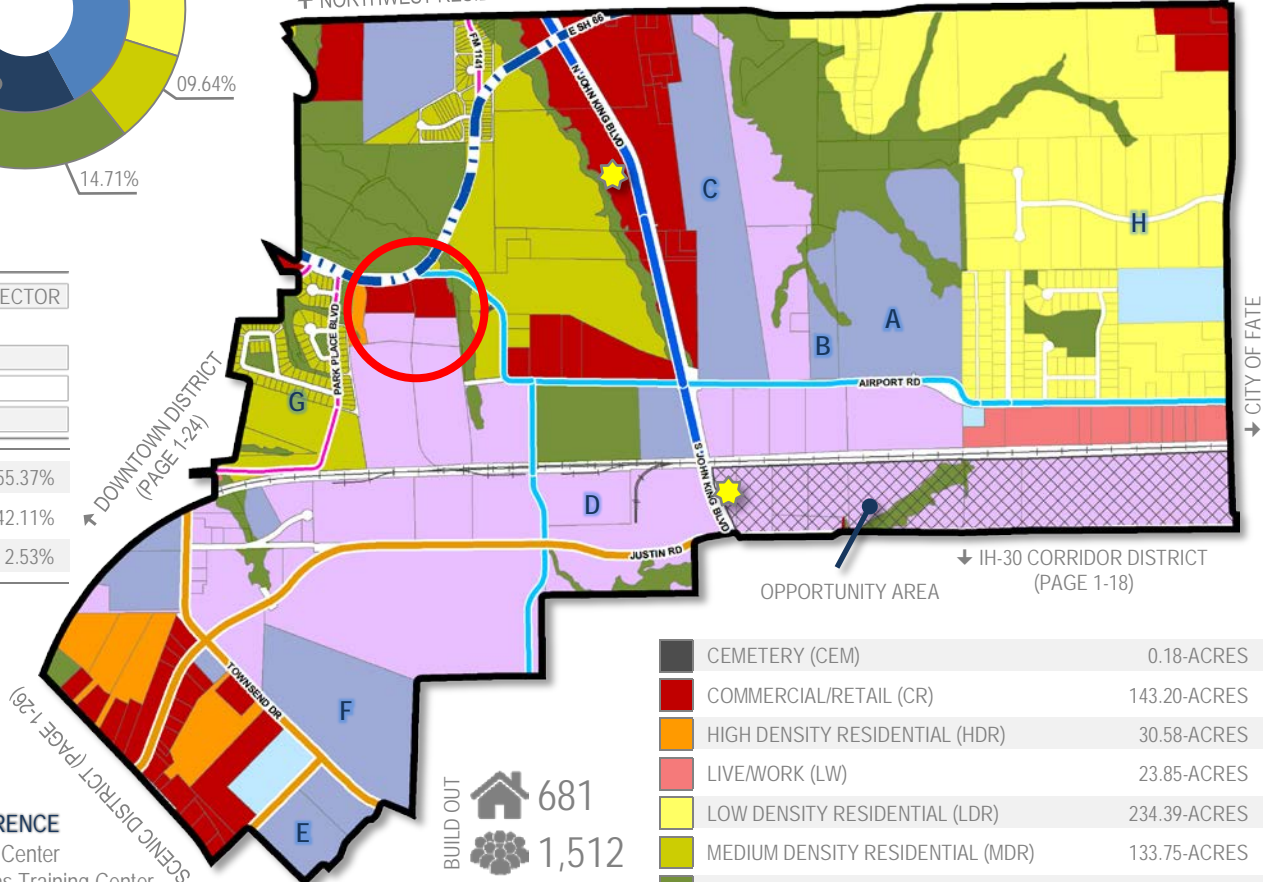
The *Central District* is composed of a wide range of land uses that vary from single-family to industrial. The district's residential areas consist of suburban residential (e.g. *Park Place*), estate and rural residential (e.g. *Rolling Meadows Subdivision*), and higher density residential developments (e.g. *Evergreen Senior Living*). The *Central District* also incorporates a high volume of industrial land uses adjacent to the *Union Pacific/Dallas Garland and Northeastern Rail Road* line that bisects the district -- and *City* -- in an east/west direction. The *Ralph Hall Municipal Airport* and several other large public/school facilities are also located within the boundaries of this district.




 John King Boulevard Trail Plan
Rest Stop/Trailblazer Pylon








Line Style	Category	Percentage
Thin pink line	MINOR COLLECTOR	
Thick blue line	M4U	
Thin blue line	M4D	
Thick orange line	P6D	
Thin blue line with square	TXDOT 4D	
Dark blue block	COMMERCIAL	55.37%
Light blue block	RESIDENTIAL	42.11%
Light green block	MIXED USE	2.53%

↑ NORTHWEST RESIDENTIAL DISTRICT (PAGE 1-25) ↑ NORTHEAST RESIDENTIAL DISTRICT (PAGE 1-23)



CURRENT
 220
 71
 488

BUILD OUT
 681
 1,512
% OF ROCKWALL
 1.10%
 3.91%
 0.82%

CEMETERY (CEM)	0.18-ACRES
COMMERCIAL/RETAIL (CR)	143.20-ACRES
HIGH DENSITY RESIDENTIAL (HDR)	30.58-ACRES
LIVE/WORK (LW)	23.85-ACRES
LOW DENSITY RESIDENTIAL (LDR)	234.39-ACRES
MEDIUM DENSITY RESIDENTIAL (MDR)	133.75-ACRES
PARKS AND OPEN SPACE (OS)	204.05-ACRES
PUBLIC (P)	212.77-ACRES
QUASI-PUBLIC (QP)	23.65-ACRES
SPECIAL COMMERCIAL CORRIDOR (SC)	0.08-ACRES
TECHNOLOGY/EMPLOYMENT CENTER (TEC)	381.07-ACRES

POINTS OF REFERENCE

- A. Animal Adoption Center
- B. Regional Firearms Training Center
- C. Ralph Hall Municipal Airport
- D. Leon Tuttle Athletic Complex
- E. Rockwall County Courthouse
- F. Utley Middle School
- G. Park Place Subdivision
- H. Rolling Meadows Subdivision

- 1 **Live/Work.** The live/work designation in this district is intended to provide flexibility for land owners, adjacent to the railroad tracks, to transition their properties -- *when appropriate* -- to low intensity office/retail land uses that are similar in scale and scope to the adjacent residential properties.
- 2 **Suburban Residential.** While many of the larger tracts in this area are not large enough to support a master planned community (*which is characteristic of Northern Estates and Northwest Residential Districts*), any new *Suburban Residential* developments should include a mix of larger to mid-sized lots. Lots in these developments should *not* be smaller than existing *Suburban Residential* lots in this district, but should be comparable in size to newer developments (*i.e. Ridgecrest Subdivision*). In addition, newer subdivisions adjacent to existing larger lot subdivisions should provide a transition (*e.g. larger lots or a large landscape buffer*) adjacent to the existing subdivision.
- 3 **Commercial/Retail Centers.** The commercial/retail centers in this district are intended to support existing and proposed residential developments, and should be compatible in scale with adjacent residential structures (*i.e. are more characteristic of neighborhood/convenience centers*); however, areas adjacent to John King Boulevard should be capable of accommodating mid to large-scale commercial users. All commercial developments should incorporate appropriate screening (*e.g. berms, landscaping and large buffers*) to transition uses.
- 4 **Industrial/Special Commercial Corridor Opportunity Area.** The area south of the railroad tracks that is indicated by a crosshatched pattern represents an opportunity area in the City of Rockwall. Due to its adjacency to the railroad tracks, the land is naturally suitable for *Technology/Industrial* land uses; however, due to the land's adjacency to strategically located parcels along IH-30 the land could be utilized as part of a larger development in the *Special Commercial Corridor*.
- 5 **John King Boulevard Trail Plan.** A ten (10) foot hike/bike trail should be incorporated along John King Boulevard with rest stops and signage as indicated in *Appendix 'B'* of this Comprehensive Plan.

CITY OF ROCKWALL

ORDINANCE NO. 23-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 87 (PD-87) [ORDINANCE NO. 18-46] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO AMEND THE PLANNED DEVELOPMENT CONCEPT PLAN AND DEVELOPMENT STANDARDS APPROVED WITH ORDINANCE NO. 18-46, BEING A 16.26-ACRE TRACT OF LAND IDENTIFIED AS LOT 1, BLOCK 1, INDALLOY ADDITION AND TRACT 31 OF THE R. BALLARD SURVEY, ABSTRACT NO. 29, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' AND DEPICTED HEREIN BY 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 Dub Douphrate of Douphrate and Associates on behalf of Bill Bricker of Columbia Development Company, LLC, for of an amendment to Planned Development District 87 (PD-87) [Ordinance No. 18-46] being a 16.26-acre tract of land identified as Lot 1, Block 1, Indalloy Addition and Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 87 (PD-87) for Single-Family 10 (SF-10) District, General Retail (GR) District and Light Industrial (LI) District land uses, located on the southside of E. Washington Street east of the intersection of Park Place Boulevard and E. Washington Street and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 87 (PD-87) [Ordinance No. 18-46] and the Unified Development Code [Ordinance No. 20-02] should be amended as follows:

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

SECTION 1. That the approval of this ordinance shall supersede all requirements stipulated by *Ordinance No. 18-46*;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [Ordinance No. 20-02] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future;

SECTION 3. That development of the *Subject Property* shall be in accordance with the *Planned Development Concept Plan*, contained in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 4. That development of the *Subject Property* shall be in accordance with the *Development Standards*, described in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 5. That a preliminary plat for the entire *Subject Property* -- as depicted in *Exhibits 'B' & 'C'* of this ordinance -- shall be submitted prior to any other submittal for any portion of the *Subject Property*.

SECTION 6. That development of *Tract 1* of the *Subject Property* -- as depicted in *Exhibits 'B' & 'C'* of this ordinance -- shall be in conformance with the schedule listed below (except as set forth below with regard to simultaneous processing and approvals).

- (a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance [including Subsections 6(b) through 6(d) below], shall be the exclusive procedures applicable to the subdivision and platting of *Tract 1* as depicted in *Exhibits 'B' & 'C'* of this ordinance.
- (b) The following plans and plats shall be required in the order listed below (except as set forth below with regard to simultaneous processing and approvals). If required, the City Council shall act on an application for an *Open Space Master Plan* in accordance with the time period specified in *Section 212.009* of the *Texas Local Government Code*.
 - (1) PD Site Plan/Open Space Master Plan
 - (2) Final Plat
- (c) *PD Site Plan/Open Space Master Plan.* A *PD Site Plan/Open Space Master Plan* covering all of *Tract 1* as depicted in *Exhibit 'C'* of this ordinance shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Final Plat Application* after engineering approval.
- (d) *Final Plat.* Prior to the issuance of any building permits, a *Final Plat*, for all of *Tract 1* as depicted in *Exhibits 'B' & 'C'* of this ordinance shall be submitted for approval.

SECTION 7. That development of *Tract 2* on the *Subject Property* -- as depicted in *Exhibits 'B' & 'C'* of this ordinance -- shall be in conformance with the procedures set forth in the Unified Development Code [*Ordinance No. 20-02*];

SECTION 8. 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 9. 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 10. 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 11. That this ordinance shall take effect immediately from and after its passage;

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 3rd DAY OF JANUARY, 2023.**

Kevin Fowler, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: December 19, 2022

2nd Reading: January 3, 2023

Exhibit 'A':
Legal Description

All that certain lot, tract or parcel of land situated in the *R. BALLARD SURVEY, ABSTRACT NO. 29*, City of Rockwall, Rockwall County, Texas, and being a part of Lot 1, Block 1, *INDALLOY ADDITION*, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet D, Slide 273 of the Plat Records of Rockwall County, Texas, and also being a part of a 98.319 acres tract of land as described in a Warranty deed from Alumax Aluminum Corporation to Columbia Extrusion Corporation, dated December 22, 1988 and being recorded in Volume 444, Page 102 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner at the northeast corner of said Lot 1, Block 1, said point being in the south right-of-way line of E. Washington Street;

THENCE S. 06 deg. 42 min. 50 sec. E. along the east boundary line of Lot 1, a distance of 718.54 feet to a 1/2" iron rod found for corner;

THENCE N. 85 deg. 37 min. 16 sec. W. a distance of 435 .64 feet to a 1/2" iron rod found for corner on the West boundary line of said Lot 1, Block 1;

THENCE N. 83 deg. 23 min. 14 sec. W. a distance of 274.94 feet to a 1/2" iron rod found for corner;

THENCE S. 81 deg. 27 min. 00 sec. W. a distance of 408.12 feet to a Y," iron rod found for corner in the east boundary line of *PARK PLACE WEST II*, according to the Amended plat thereof recorded in Cabinet G, Slide 100, of the Plat Records of Rockwall County, Texas;

THENCE N. 04 deg. 52 min. 54 sec. W. along said addition, a distance of 106.88 feet to a W' iron rod found for corner;

THENCE N. 07 deg. 20 min. 27 sec. E. along said addition, a distance of 603.20 feet to a W' iron rod found for corner in the south line of E. Washington Street;

THENCE N. 89 deg. 51 min. 05 sec. E. along the south line of said street, a distance of 513.76 feet to a P-K nail found for corner at the northwest corner of said Lot 1, Block 1;

THENCE N. 89 deg. 34 min. 40 sec. E. along the south line of said street and north line of said Lot 1, a distance of 445.34 feet to the *POINT OF BEGINNING* and containing 16.26 acres of land.

Exhibit 'B':
Survey

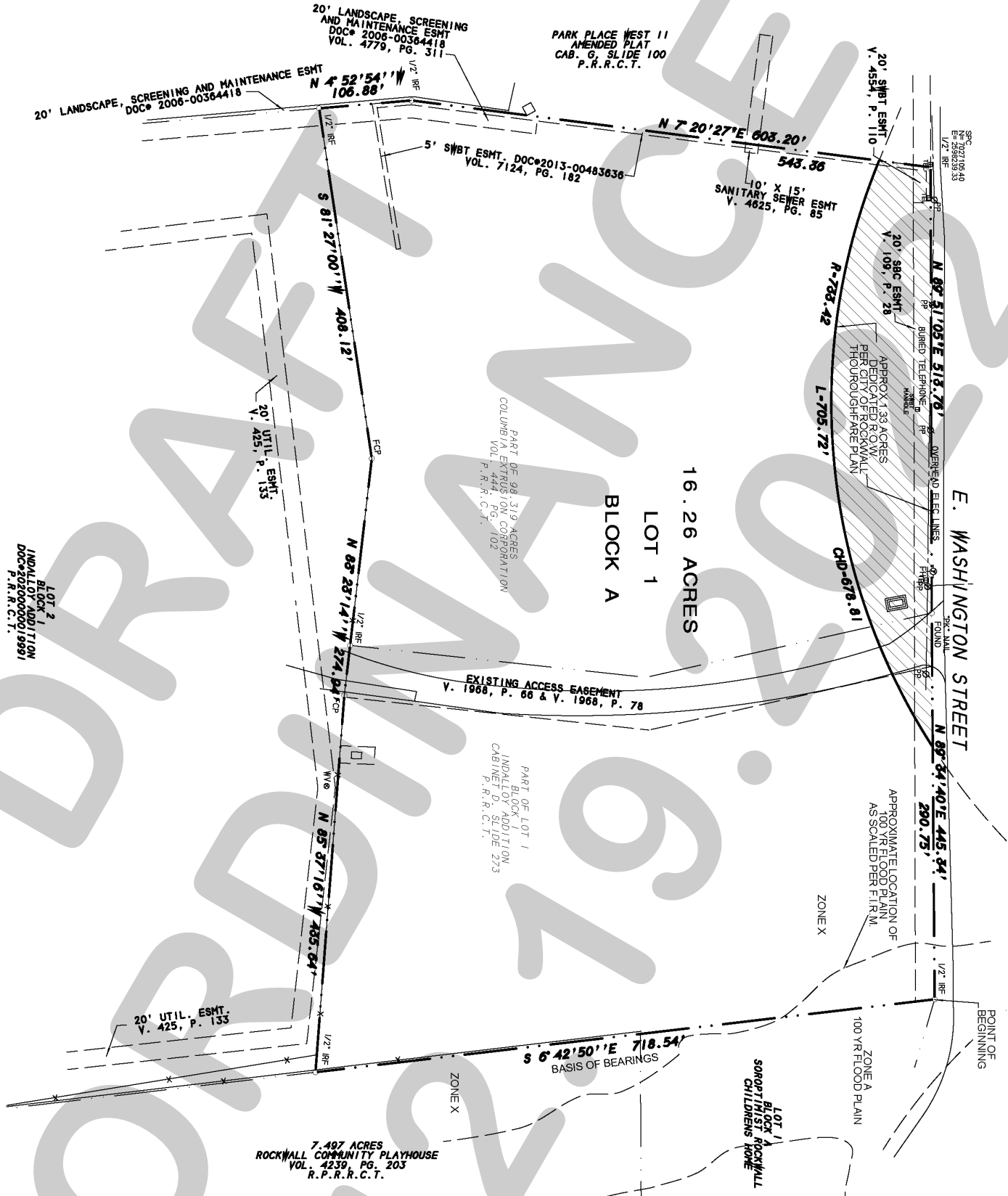


Exhibit 'C':
Concept Plan

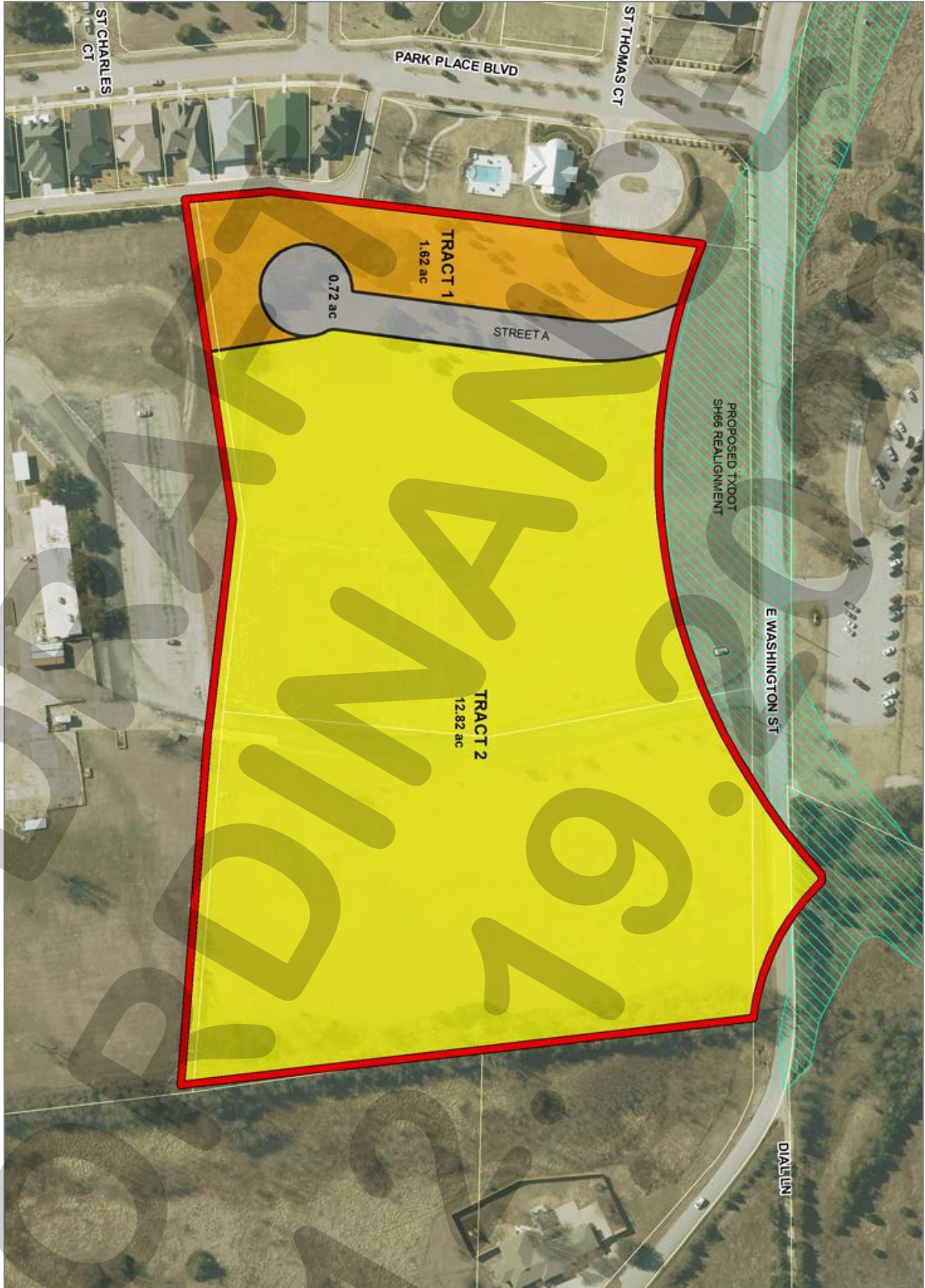


Exhibit 'D':
Conceptual Townhome Elevations

Tracts 1 & 2 (16.26-Acres): Development Standards for all Tracts

(1) *Landscaping Standards.*

- (a) *Landscape Requirements.* Landscaping shall be reviewed and approved with a *PD Site Plan*. All *Canopy/Shade Trees* planted within this development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height.
- (b) *Landscape Buffers (Street A).* A minimum of a ten (10) foot landscape buffer shall be provided along the frontage of *Street A* as depicted in *Exhibit 'C'* of this ordinance, and shall incorporate a minimum of one (1) canopy tree and one (1) accent tree per 50-feet of linear frontage unless otherwise specified in this ordinance. Any streets added to the subject property that are not depicted on the Concept Plan in *Exhibit 'C'* of this ordinance or referenced in *Exhibit 'E'* of this ordinance shall also be subject to this requirement.
- (c) *Landscape Buffer and Sidewalks (SH-66/SH-66 Right-of-Way).* A minimum of a 30-foot landscape buffer shall be provided along the future right-of-way for SH-66 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, two (2) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage.
- (d) *Landscape Buffer (Adjacent to Residential).* A minimum of a 20-foot landscape buffer shall be provided along the western boundary of *Tract 2* (*i.e. areas adjacent to residential land uses*). The landscape buffer shall incorporate a combination of shrubbery and ground cover along the entire length of the adjacency for the purpose of screening the commercial areas from the residential areas without using a physical barrier. In addition, the landscape buffer shall incorporate canopy trees planted on 20-foot centers along the entire length of the adjacency.
- (e) *Irrigation Requirements.* Irrigation shall be installed for all required landscaping. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect.

(2) *Washington Street.* The applicant shall not be responsible for upgrading E. Washington Street to a M4U (*major collector, four [4] lane, undivided roadway*) as shown on the Master Thoroughfare Plan in the Comprehensive Plan.

(3) *Buried Utilities.* All transmission and distribution power-lines located internally or along the perimeter of the *Subject Property*, shall be underground. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between a home and the property line.

(4) *Variances.* The variance procedures and standards for approval that are set forth in the Unified Development Code [*Ordinance No. 20-02*] shall apply to any application for variances to any provisions of this ordinance.

Tract 1: Townhomes (2.38-Acres)

Exhibit 'D':
Conceptual Townhome Elevations

- (1) *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, *Tract 1* as depicted in *Exhibits 'B' & 'C'* of this ordinance shall be subject to the land uses permitted for the Single Family 10 (SF-10) District as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future; however, the following conditions shall apply:

The following land uses shall be permitted on the *Tract 1* in addition to the land uses permitted in the Single Family 10 (SF-10) District:

- Townhomes

However, the following land uses shall be expressly prohibited on *Tract 1*:

- Accessory Building
- Guest Quarters/Secondary Living Unit
- Portable Buildings
- Church/House of Worship
- Day Care
- Private or Public School
- Railroad Yard or Shop

- (2) *Density and Dimensional Requirements.* Unless specifically provided by this Planned Development ordinance, *Tract 1* as depicted in *Exhibits 'B' & 'C'* of this ordinance shall be subject to the development standards for the Single Family 10 (SF-10) District as stipulated by Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future. The maximum permissible density for the *Subject Property* shall not exceed 5.10 dwelling units per gross acre of land; however, in no case should the proposed development exceed 12 dwelling units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

TABLE 2: LOT DIMENSIONAL REQUIREMENTS

<i>Minimum Lot Width</i> ⁽¹⁾	28'
<i>Minimum Lot Depth</i>	115'
<i>Minimum Lot Area</i>	3,000 SF
<i>Minimum Front Yard Setback</i> ^{(2) & (4)}	20'
<i>Minimum Side Yard Setback</i>	0'
<i>Minimum Distance Between Buildings</i>	10'
<i>Minimum Length of Driveway Pavement</i>	20'
<i>Maximum Height</i> ⁽³⁾	36'
<i>Minimum Rear Yard Setback</i> ⁽⁴⁾	10'
<i>Minimum Area/Dwelling Unit (SF) [Air Conditioned Space]</i>	1,400 SF
<i>Garage Orientation</i>	<i>Rear Entry</i>
<i>Maximum Number of Attached Units Per Buildings</i>	5 Units
<i>Maximum Lot Coverage</i>	75%

General Notes:

¹: The minimum lot width shall be measured at the *Front Yard Building Setback*.

²: The location of the *Front Yard Building Setback* as measured from the front property line.

Exhibit 'D':
Conceptual Townhome Elevations

- ³: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
- ⁴: Porches, stoops, bay windows, balconies, eaves and similar architectural features may encroach beyond the *Front and Rear Yard Building Setbacks* by up to five (5) feet for any property; however, the encroachment shall not exceed three (3) feet on *Side Yard Setbacks* where appropriate for such use and shall not encroach into public right-of-way.
- (3) *Garage Orientation*. All garages are required to be rear entry (*i.e. access from Road 'A'*) and shall generally conform to the Concept Plan depicted in *Exhibit 'C'* of this ordinance (*i.e. the Townhomes will front towards the Park Place Subdivision*).
- (4) *Building Standards*. The building elevations shall generally conform to the *Conceptual Building Elevations* depicted in *Exhibit 'D'* of this ordinance; however, all development shall adhere to the following building standards:
- (a) *Masonry Requirements*. The minimum masonry requirement for the exterior façades of all buildings shall be 90%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementaceous fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*) and/or similar cementaceous products may be used for up to 100% of the exterior of the building pending conformance with the anti-monotony restrictions outlined in this ordinance. Stucco (*i.e. three [3] part stucco or similar*) shall be prohibited.
- (b) *Roof Design Requirements*. All buildings shall be designed such that no roof mounted mechanical equipment (*i.e. HVAC, satellite, vents, etc.*) shall be visible from any direction. *Note: Screening of mechanical equipment is necessary for all equipment regardless of location (i.e. roof mounted, ground mounted, or otherwise attached to the building and/or located on the site).*
- (c) *Architectural Requirements*. All units shall be architecturally finished on all sides of the building that are visible from a public right-of-way or open space with the same materials, detailing and features.
- (5) *Anti-Monotony Restrictions*. The development shall generally conform to development scheme portrayed in the *Conceptual Building Elevations* depicted in *Exhibit 'D'* of this ordinance; however, all development shall adhere to the following anti-monotony restrictions:
- (a) Identical brick blends and paint colors may not occur on adjacent (*i.e. side-by-side*) properties within the development without at least two (2) intervening townhomes of differing materials on the same side of the adjacent townhome beginning with the adjacent property.
- (b) Front building elevations shall not repeat along any block face without at least two (2) intervening homes of differing appearance on the same block face within the development.
- (c) The rear elevation of the homes, backing to the public right-of-way (*i.e. Street A*), shall not repeat without at least two (2) (*i.e. side-by-side*) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

Exhibit 'D':
Conceptual Townhome Elevations

- (1) Front Encroachment (*i.e. Porch and/or Sunroom*) Type and Layout
 - (2) Roof Type and Layout
 - (3) Articulation of the Front Façade
 - (4) Differing Primary Exterior Materials
- (6) *Sidewalks.* The sidewalk adjacent to *Road 'A'* as depicted in *Exhibit 'C'* of this ordinance shall be constructed adjacent to the roadway with the exception of the area directly adjacent to the townhomes. In this area the sidewalk may be deviated to run in between the western property line of the *Subject Property* and the front facades of the townhomes. Where the sidewalk is on private property it shall be in a *pedestrian access easement*.
- (7) *Fence Standards.* All fences shall be required to be wrought iron or a tubular steel fence. Wrought iron/tubular steel fences shall be a minimum of four (4) feet in height; however, may not exceed a maximum of eight (8) feet in height.
- (8) *Homeowner's Association (HOA).* A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the *Municipal Code of Ordinances* of the City of Rockwall. As an alternative -- *and pending the approval of an adjacent HOA* --, this property can be incorporated into an existing HOA. The HOA shall also maintain all neighborhood parks, open space and common areas, irrigation, landscaping, screening fences and the private roadway, drive aisles and drive approaches for the subject property associated with this development.

Tract 2: Commercial/Retail (12.82-Acres)

- (1) *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, *Tract 2* as depicted in *Exhibits 'B' & 'C'* of this ordinance shall be subject to the land uses permitted for the General (GR) District as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future; however, the following conditions shall apply:

The following land uses shall be expressly prohibited on *Tract 2*:

- Convent or Monastery
- Hotel or Motel
- Residence Hotel
- Cemetery/Mausoleum
- Convalescent Care Facility/Nursing Home
- Emergency Ambulance Services (*Ground*)
- Hospital
- Mortuary or Funeral Chapel
- Social Service Provider
- Billiard Parlor or Pool Hall
- Carnival, Circus, or Amusement Ride
- Commercial Amusement/Recreation (*Outside*)
- Golf Driving Range
- Astrologer, Hypnotist, or Psychic Art and Science
- Night Club, Discotheque, or Dance Hall

Exhibit 'D':
Conceptual Townhome Elevations

- Secondhand Dealer
 - Auto Repair Garage (*Minor*)
 - Car Wash/Auto Detail
 - Car Wash (*Self Service*)
 - Retail Store with Gasoline Product Sales (*Any Amount of Dispensers*)
 - Service Station
 - Mining and Extraction (*Sand, Gravel, Oil & Other*)
 - Helipad
 - Railroad Yard or Shop
 - Transit Passenger Facility
- (2) *Density and Dimensional Requirements.* Any development on *Tract 2* as depicted in *Exhibits 'B' & 'C'* of this ordinance shall be subject to the development standards required for properties in a General Retail (GR) District as stipulated by Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future.
- (3) *Building Standards.* The building elevations shall generally conform to the *Overlay District Standards*; however, all development shall adhere to the following building standards:
- (a) *Masonry Requirements.* The minimum masonry requirement for the exterior façades of all buildings shall be 90%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural or quarried stone. Cementaceous fiberboard horizontal lap-siding (e.g. *HardiBoard* or *Stucco*) and/or similar cementaceous products may be used for up to 50% of the exterior of the building.
 - (b) *Roof Design Requirements.* All buildings shall be designed such that no roof mounted mechanical equipment (i.e. *HVAC, satellite, vents, etc.*) shall be visible from any direction. Parapets must be finished on both sides in the same material as the exterior facing elevation. *Note: Screening of mechanical equipment is necessary for all equipment regardless of location (i.e. roof mounted, ground mounted, or otherwise attached to the building and/or located on the site).*

Exhibit 'D':
Conceptual Townhome Elevations





City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and Council Members
FROM: Mary Smith, City Manager
DATE: December 16, 2022
SUBJECT: Bond Issuance Ordinances

City staff has been preparing to issue debt for various street and utility projects as were discussed at previous Council meetings. We are issuing voter approved General Obligation Bonds for the neighborhood street projects including engineering and construction dollars for those. In addition, bonds are being issued for water/sewer related projects many of which are primarily associated with moving utilities for state roadway projects, which are upcoming. We are also issuing bonds that will be solely repaid by the REDC but they benefit by our issuing them combined with the water and sewer bonds as Certificates of Obligation allowing issuance costs to be lower.

In addition, the bond market (despite Fed rate increases) still provides lower rates then when we sold bonds in 2009 and 2011. We are able to pay off the old bond issues (called refunding) and issue replacement debt at a lower interest cost. Our debt, when issued is structured with a 10-year call provision to be able to take advantage of just such a situation.

City staff met with bond rating agencies Moodys Investor Service and Standard and Poor's prior to the bond sale and both agencies affirmed our bond ratings which are Aa2 and AA+ respectively.

The bond sale will be conducted Monday morning and while the ultimate interest cost is not known at the time of this writing we do expect the bond amortizations to fit within our budgeted appropriations for debt service for fiscal year 2023 and into the future. Put a more simple way, we are issuing bonded debt which will not cause the City to need a tax increase as we assured voters for the 2018 bond election that we would be able to accomplish. I will be attending the sale Monday morning (electronically that is) to observe the bidding and sale process. This is my first opportunity to have done so in my career.

Council Action

Representatives of our Bond Counsel, Mcall Parkhurst, and Horton and Financial Advisor, Hilltop Securities will be present at the Council meeting to present the results of the sale, answer any questions and then seek ratification of the Ordinances finalizing the sale. By state law, bond ordinances are ratified with one reading.

ORDINANCE _____

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF CITY OF ROCKWALL, TEXAS, COMBINATION TAX AND LIMITED SURPLUS REVENUE CERTIFICATES OF OBLIGATION, SERIES 2023; LEVYING AN ANNUAL AD VALOREM TAX AND PROVIDING FOR THE SECURITY FOR AND PAYMENT OF SAID CERTIFICATES; APPROVING THE OFFICIAL STATEMENT; PROVIDING AN EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT

THE STATE OF TEXAS §
COUNTY OF ROCKWALL §
CITY OF ROCKWALL §

WHEREAS, the City Council of the City of Rockwall, Texas (the “Issuer”), deems it advisable to issue the certificates of obligation (the “Certificates”) in the amount and for the purposes hereinafter set forth; and

WHEREAS, the Certificates hereinafter authorized and designated are to be issued and delivered for cash pursuant to Subchapter C of Chapter 271, Texas Local Government Code and Subchapter B, Chapter 1502, Texas Government Code; and

WHEREAS, this City Council finds and determines that it is necessary and in the best interest of the Issuer and the health, welfare and safety of its residents to issue the Certificates to provide funds as described herein for the public health and welfare; and

WHEREAS, this City Council further finds and determines that it is in the best interest of the Issuer and its residents to issue the proposed issue of the Certificates for the public improvements consisting of the projects hereinafter described, rather than fund such projects with the issuance of other debt instruments, in order to reduce the costs of such transactions; and

WHEREAS, the City Council has heretofore passed a resolution authorizing and directing the City Secretary to give notice of intention to issue the Certificates, and said notice has been duly published in a newspaper of general circulation in said city, said newspaper being a “newspaper” as defined in Section 2051.044, Texas Government Code; and

WHEREAS, the Issuer received no petition from the qualified electors of the Issuer protesting the issuance of the Certificates; and

WHEREAS, no bond proposition to authorize the issuance of bonds for the same purpose as any of the projects being financed with the proceeds of the certificates of obligation was submitted to the voters of the Issuer during the preceding three years and failed to be approved; and

WHEREAS, it is considered to be to the best interest of the Issuer that said interest-bearing Certificates be issued to pay costs related to constructing, improving, acquiring and equipping the public improvements described below; and

WHEREAS, it is officially found, determined, and declared that the meeting at which this Ordinance has been adopted was open to the public and public notice of the time, place and subject matter of the public business to be considered and acted upon at said meeting, including this Ordinance, was given, all as required by the applicable provisions of Chapter 551, Texas Government Code; Now, Therefore

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

Section 1. RECITALS, AMOUNT AND PURPOSE OF THE CERTIFICATES. The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in this Section. The certificates of the Issuer are hereby authorized to be issued and delivered in the aggregate principal amount of \$[_____] for paying all or a portion of the Issuer’s contractual obligations incurred in connection with (i) constructing and improving streets, roads, alleys, and related utility relocation, drainage, signalization, landscaping, lighting and signage, (ii) constructing and equipping municipal drainage improvements, including flood control and flood mitigation improvements, (iii) constructing, acquiring, installing and equipping additions, extensions and improvements to the Issuer’s waterworks and sewer system including water tower and water pump station upgrades, and (iv) paying legal, fiscal, engineering and architectural fees in connection with such projects (collectively, the “Project”).

Section 2. DESIGNATION, DATE, DENOMINATIONS, NUMBERS, AND MATURITIES AND INTEREST RATES OF CERTIFICATES. Each certificate issued pursuant to this Ordinance shall be designated: “CITY OF ROCKWALL, TEXAS, COMBINATION TAX AND LIMITED SURPLUS REVENUE CERTIFICATE OF OBLIGATION, SERIES 2023,” and initially there shall be issued, sold, and delivered hereunder one fully registered certificate, without interest coupons, dated January 1, 2023, in the principal amount stated above and in the denominations hereinafter stated, numbered T-1, with certificates issued in replacement thereof being in the denominations and principal amounts hereinafter stated and numbered consecutively from R-1 upward, payable to the respective Registered Owners thereof (with the initial certificate being made payable to the initial purchaser set forth herein), or to the registered assignee or assignees of said certificates or any portion or portions thereof (in each case, the “Registered Owner”), and said certificates shall mature and be payable serially on August 1 in each of the years and in the principal amounts, respectively, and shall bear interest from the dates set forth in the FORM OF CERTIFICATE set forth in this Ordinance to their respective dates of maturity or redemption prior to maturity at the rates per annum, as set forth in the following schedule:

Years (8/1)	Principal Amounts (\$)	Interest Rates (%)
----------------	---------------------------	-----------------------

The term “Certificates” as used in this Ordinance shall mean and include collectively the certificates initially issued and delivered pursuant to this Ordinance and all substitute certificates exchanged therefor, as well as all other substitute certificates and replacement certificates issued pursuant hereto, and the term “Certificate” shall mean any of the Certificates.

Section 3. CHARACTERISTICS OF THE CERTIFICATES.

(a) Appointment of Paying Agent/Registrar. The Issuer hereby appoints The Bank of New York Mellon Trust Company, N.A., Dallas, Texas, to serve as paying agent and registrar for the Certificates (the “Paying Agent/Registrar”). The Mayor or City Manager is authorized and directed to execute and deliver in the name and on behalf of the Issuer a Paying Agent/Registrar Agreement with the Paying Agent/Registrar.

(b) Registration, Transfer, Conversion and Exchange. The Issuer shall keep or cause to be kept at the corporate trust office of the Paying Agent/Registrar books or records for the registration of the transfer, conversion and exchange of the Certificates (the “Registration Books”), and the Issuer hereby appoints the Paying Agent/Registrar as its registrar and transfer agent to keep such books or records and make such registrations of transfers, conversions and exchanges under such reasonable regulations as the Issuer and

Paying Agent/Registrar may prescribe; and the Paying Agent/Registrar shall make such registrations, transfers, conversions and exchanges as herein provided within three (3) days of presentation in due and proper form. The Paying Agent/Registrar shall obtain and record in the Registration Books the address of the registered owner of each Certificate to which payments with respect to the Certificates shall be mailed, as herein provided; but it shall be the duty of each registered owner to notify the Paying Agent/Registrar in writing of the address to which payments shall be mailed, and such interest payments shall not be mailed unless such notice has been given. The Issuer shall have the right to inspect the Registration Books during regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Registration Books confidential and, unless otherwise required by law, shall not permit their inspection by any other entity. The Issuer shall pay the Paying Agent/Registrar's standard or customary fees and charges for making such registration, transfer, conversion, exchange and delivery of a substitute Certificate or Certificates. Registration of assignments, transfers, conversions and exchanges of Certificates shall be made in the manner provided and with the effect stated in the FORM OF CERTIFICATE set forth in this Ordinance. Each substitute Certificate shall bear a letter and/or number to distinguish it from each other Certificate.

(c) Authentication. Except as otherwise provided in this Section, an authorized representative of the Paying Agent/Registrar shall, before the delivery of any such Certificate, date and manually sign said Certificate, and no such Certificate shall be deemed to be issued or outstanding unless such Certificate is so executed. The Paying Agent/Registrar promptly shall cancel all paid Certificates and Certificates surrendered for conversion and exchange. No additional ordinances, orders or resolutions need be passed or adopted by the governing body of the Issuer or any other body or person so as to accomplish the foregoing conversion and exchange of any Certificate or portion thereof, and the Paying Agent/Registrar shall provide for the printing, execution and delivery of the substitute Certificates in the manner prescribed herein. Pursuant to Subchapter D, Chapter 1201, Texas Government Code, the duty of conversion and exchange of Certificates as aforesaid is hereby imposed upon the Paying Agent/Registrar, and, upon the execution of said Certificate, the converted and exchanged Certificate shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Certificates which initially were issued and delivered pursuant to this Ordinance, approved by the Attorney General, and registered by the Comptroller of Public Accounts.

(d) Payment of Principal and Interest. The Issuer hereby further appoints the Paying Agent/Registrar to act as the paying agent for paying the principal of and interest on the Certificates, all as provided in this Ordinance. The Paying Agent/Registrar shall keep proper records of all payments made by the Issuer and the Paying Agent/Registrar with respect to the Certificates, and of all conversions and exchanges of Certificates, and all replacements of Certificates, as provided in this Ordinance. However, in the event of a nonpayment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be fifteen (15) days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first class postage prepaid, to the address of each registered owner appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

(e) Payment to Registered Owner. Notwithstanding any other provision of this Ordinance to the contrary, the Issuer and the Paying Agent/Registrar shall be entitled to treat and consider the person in whose name each Certificate is registered in the Registration Books as the absolute owner of such Certificate for the purpose of payment of principal and interest with respect to such Certificate, for the purpose of registering transfers with respect to such Certificate, and for all other purposes whatsoever. The Paying Agent/Registrar shall pay all principal of and interest on the Certificates only to or upon the order

of the registered owners, as shown in the Registration Books as provided in this Ordinance, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the Issuer's obligations with respect to payment of principal of and interest on the Certificates to the extent of the sum or sums so paid.

(f) Paying Agent/Registrar. The Issuer covenants with the registered owners of the Certificates that at all times while the Certificates are outstanding the Issuer will provide a competent and legally qualified bank, trust company, financial institution or other agency to act as and perform the services of Paying Agent/Registrar for the Certificates under this Ordinance, and that the Paying Agent/Registrar will be one entity. By accepting the position and performing as such, each Paying Agent/Registrar shall be deemed to have agreed to the provisions of this Ordinance, and a certified copy of this Ordinance shall be delivered to each Paying Agent/Registrar.

(g) Substitute Paying Agent/Registrar. The Issuer reserves the right to, and may, at its option, change the Paying Agent/Registrar upon not less than one hundred-twenty (120) days written notice to the Paying Agent/Registrar, to be effective not later than sixty (60) days prior to the next principal or interest payment date after such notice. In the event that the entity at any time acting as Paying Agent/Registrar (or its successor by merger, acquisition, or other method) should resign or otherwise cease to act as such, the Issuer covenants that promptly it will appoint a competent and legally qualified bank, trust company, financial institution, or other agency to act as Paying Agent/Registrar under this Ordinance. Upon any change in the Paying Agent/Registrar, the previous Paying Agent/Registrar promptly shall transfer and deliver the Registration Books (or a copy thereof), along with all other pertinent books and records relating to the Certificates, to the new Paying Agent/Registrar designated and appointed by the Issuer. Upon any change in the Paying Agent/Registrar, the Issuer promptly will cause a written notice thereof to be sent by the new Paying Agent/Registrar to each registered owner of the Certificates, by United States mail, first-class postage prepaid, which notice also shall give the address of the new Paying Agent/Registrar.

(h) Book-Entry Only System. The Certificates issued in exchange for the Certificates initially issued to the purchaser or purchasers specified herein shall be initially issued in the form of a separate single fully registered Certificate for each of the maturities thereof and the ownership of each such Certificate shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), and except as otherwise provided herein, all of the outstanding Certificates shall be registered in the name of Cede & Co., as nominee of DTC.

(i) Blanket Letter of Representations. The previous execution and delivery of the Blanket Letter of Representations with respect to obligations of the Issuer is hereby ratified and confirmed; and the provisions thereof shall be fully applicable to the Certificates. Notwithstanding anything to the contrary contained herein, while the Certificates are subject to DTC's Book-Entry Only System and to the extent permitted by law, the Letter of Representations is hereby incorporated herein and its provisions shall prevail over any other provisions of this Ordinance in the event of conflict.

(j) Certificates Registered in the Name of Cede & Co. With respect to Certificates registered in the name of Cede & Co., as nominee of DTC, the Issuer and the Paying Agent/Registrar shall have no responsibility or obligation to any securities brokers and dealers, banks, trust companies, clearing corporations and certain other organizations on whose behalf DTC was created ("DTC Participant") to hold securities to facilitate the clearance and settlement of securities transactions among DTC Participants or to any person on behalf of whom such a DTC Participant holds an interest in the Certificates. Without limiting the immediately preceding sentence, the Issuer and the Paying Agent/Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Certificates, (ii) the delivery to any DTC Participant or any other person, other than a registered owner of Certificates, as shown on the Registration Books, of any

notice with respect to the Certificates, or (iii) the payment to any DTC Participant or any other person, other than a registered owner of Certificates, as shown in the Registration Books of any amount with respect to principal of or interest on the Certificates. Upon delivery by DTC to the Paying Agent/Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Ordinance with respect to interest checks being mailed to the registered owner at the close of business on the Record date, the words "Cede & Co." in this Ordinance shall refer to such new nominee of DTC.

(k) Successor Securities Depository; Transfers Outside Book-Entry Only System. In the event that the Issuer determines that DTC is incapable of discharging its responsibilities described herein and in the representation letter of the Issuer to DTC or that it is in the best interest of the beneficial owners of the Certificates that they be able to obtain certificated Certificates, the Issuer shall (i) appoint a successor securities depository, qualified to act as such under Section 17A of the Securities and Exchange Act of 1934, as amended, notify DTC and DTC Participants of the appointment of such successor securities depository and transfer one or more separate Certificates to such successor securities depository or (ii) notify DTC and DTC Participants of the availability through DTC of Certificates and transfer one or more separate Certificates to DTC Participants having Certificates credited to their DTC accounts. In such event, the Certificates shall no longer be restricted to being registered in the Registration Books in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names registered owners transferring or exchanging Certificates shall designate, in accordance with the provisions of this Ordinance.

(l) Payments to Cede & Co. Notwithstanding any other provision of this Ordinance to the contrary, so long as any Certificate is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of and interest on such Certificate and all notices with respect to such Certificate shall be made and given, respectively, in the manner provided in the representation letter of the Issuer to DTC.

(m) General Characteristics of the Certificates. The Certificates (i) shall be issued in fully registered form, without interest coupons, with the principal of and interest on such Certificates to be payable only to the Registered Owners thereof, (ii) may and shall be redeemed prior to their scheduled maturities, (iii) may be transferred and assigned, (iv) may be converted and exchanged for other Certificates, (v) shall have the characteristics, (vi) shall be signed, sealed, executed and authenticated, (vii) the principal of and interest on the Certificates shall be payable, and (viii) shall be administered and the Paying Agent/Registrar and the Issuer shall have certain duties and responsibilities with respect to the Certificates, all as provided, and in the manner and to the effect as required or indicated, in the FORM OF CERTIFICATE set forth in this Ordinance. The Certificates initially issued and delivered pursuant to this Ordinance is not required to be, and shall not be, authenticated by the Paying Agent/Registrar, but on each substitute Certificate issued in conversion of and exchange for any Certificate or Certificates issued under this Ordinance the Paying Agent/Registrar shall execute the Paying Agent/Registrar's Authentication Certificate, in the FORM OF CERTIFICATE set forth in this Ordinance.

(n) Cancellation of Initial Certificate. On the closing date, one initial Certificate representing the entire principal amount of the Certificates, payable in stated amounts to the order of the initial purchaser of the Certificates or its designee, executed by manual or facsimile signature of the Mayor and City Secretary, approved by the Attorney General of Texas, and registered and manually signed by the Comptroller of Public Accounts of the State of Texas, will be delivered to such purchaser or its designee. Upon payment for the initial Certificate, the Paying Agent/Registrar shall cancel the initial Certificate and deliver to DTC on behalf of such purchaser one registered definitive Certificate for each year of maturity of the Certificates, in the aggregate principal amount of all of the Certificates for such maturity, registered in the name of Cede & Co., as nominee of DTC. To the extent that the Paying Agent/Registrar is eligible to participate in DTC's

FAST System, pursuant to an agreement between the Paying Agent/Registrar and DTC, the Paying Agent/Registrar shall hold the definitive Certificates in safekeeping for DTC.

Section 4. FORM OF CERTIFICATES. The form of the Certificates, including the form of Paying Agent/Registrar’s Authentication Certificate, the form of Assignment and the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be attached to the Certificates initially issued and delivered pursuant to this Ordinance, shall be, respectively, substantially as follows, with such appropriate variations, omissions or insertions as are permitted or required by this Ordinance.

(a) Form of Certificate.

NO. R-	UNITED STATES OF AMERICA STATE OF TEXAS CITY OF ROCKWALL, TEXAS COMBINATION TAX AND LIMITED SURPLUS REVENUE CERTIFICATES OF OBLIGATION SERIES 2023	PRINCIPAL AMOUNT \$ _____
--------	---	---------------------------------

Interest Rate	Delivery Date	Maturity Date	CUSIP No.
	January 25, 2023	August 1, 20__	

REGISTERED OWNER:

PRINCIPAL AMOUNT: DOLLARS

ON THE MATURITY DATE specified above, the City of Rockwall, in Rockwall County, Texas (the “Issuer”), being a political subdivision and municipal corporation of the State of Texas, hereby promises to pay to the Registered Owner specified above, or registered assigns (hereinafter called the “Registered Owner”), on the Maturity Date specified above, the Principal Amount specified above. The Issuer promises to pay interest on the unpaid principal amount hereof (calculated on the basis of a 360-day year of twelve 30-day months) from the Delivery Date specified above at the Interest Rate per annum specified above. Interest is payable on August 1, 2023 and semiannually on each February 1 and August 1 thereafter to the Maturity Date specified above, or the date of redemption prior to maturity; except, if this Certificate is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such Principal Amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication hereof the interest on the Certificate or Certificates, if any, for which this Certificate is being exchanged is due but has not been paid, then this Certificate shall bear interest from the date to which such interest has been paid in full.

THE PRINCIPAL OF AND INTEREST ON this Certificate are payable in lawful money of the United States of America, without exchange or collection charges. The principal of this Certificate shall be paid to the registered owner hereof upon presentation and surrender of this Certificate at maturity, or upon the date fixed for its redemption prior to maturity, at the principal corporate trust office of The Bank of New York Mellon Trust Company, N.A., Dallas, Texas, which is the “Paying Agent/Registrar” for this Certificate. The payment of interest on this Certificate shall be made by the Paying Agent/Registrar to the registered owner hereof on each interest payment date by check or draft, dated as of such interest payment

date, drawn by the Paying Agent/Registrar on, and payable solely from, funds of the Issuer required by the ordinance authorizing the issuance of this Certificate (the "Ordinance") to be on deposit with the Paying Agent/Registrar for such purpose as hereinafter provided; and such check or draft shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, on each such interest payment date, to the registered owner hereof, at its address as it appeared at the close of business on the fifteenth (15th) day of the month preceding each such date (the "Record Date") on the Registration Books kept by the Paying Agent/Registrar, as hereinafter described. In addition, interest may be paid by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the registered owner. In the event of a non-payment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be fifteen (15) days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of each owner of a Certificate appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

ANY ACCRUED INTEREST due at maturity or upon the redemption of this Certificate prior to maturity as provided herein shall be paid to the registered owner upon presentation and surrender of this Certificate for redemption and payment at the principal corporate trust office of the Paying Agent/Registrar. The Issuer covenants with the registered owner of this Certificate that on or before each principal payment date and interest payment date for this Certificate it will make available to the Paying Agent/Registrar, from the "Interest and Sinking Fund" created by the Ordinance, the amounts required to provide for the payment, in immediately available funds, of all principal of and interest on the Certificates, when due.

IF THE DATE for the payment of the principal of or interest on this Certificate shall be a Saturday, Sunday, a legal holiday or a day on which banking institutions in the city where the principal corporate trust office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day that is not such a Saturday, Sunday, legal holiday or day on which banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due.

THIS CERTIFICATE is one of a series of Certificates dated January 1, 2023, authorized in accordance with the Constitution and laws of the State of Texas in the principal amount of \$[_____] for paying all or a portion of the Issuer's contractual obligations incurred in connection with (i) constructing and improving streets, roads, alleys, and related utility relocation, drainage, signalization, landscaping, lighting and signage, (ii) constructing and equipping municipal drainage improvements, including flood control and flood mitigation improvements, (iii) constructing, acquiring, installing and equipping additions, extensions and improvements to the Issuer's waterworks and sewer system including water tower and water pump station upgrades, and (iv) paying legal, fiscal, engineering and architectural fees in connection with such projects.

ON AUGUST 1, 2032, or on any date thereafter, the Certificates of this series may be redeemed prior to their scheduled maturities, at the option of the Issuer, with funds derived from any available and lawful source, as a whole, or in part, and, if in part, the particular Certificates, or portions thereof, to be redeemed shall be selected and designated by the Issuer (provided that a portion of a Certificate may be redeemed only in an integral multiple of \$5,000), at a redemption price equal to the principal amount to be redeemed plus accrued interest to the date fixed for redemption.

AT LEAST THIRTY (30) days prior to the date fixed for any redemption of Certificates or portions thereof prior to maturity a written notice of such redemption shall be sent by the Paying Agent/Registrar by

United States mail, first-class postage prepaid to the registered owner of each Certificate to be redeemed at its address as it appeared on the business day prior to the mailing of such redemption notice; provided, however, that the failure of the registered owner to receive such notice, or any defect therein or in the sending or mailing thereof, shall not affect the validity or effectiveness of the proceedings for the redemption of any Certificate. By the date fixed for any such redemption due provision shall be made with the Paying Agent/Registrar for the payment of the required redemption price for the Certificates or portions thereof that are to be so redeemed. If such written notice of redemption is sent and if due provision for such payment is made, all as provided above, the Certificates or portions thereof that are to be so redeemed thereby automatically shall be treated as redeemed prior to their scheduled maturities, and they shall not bear interest after the date fixed for redemption, and they shall not be regarded as being outstanding except for the right of the registered owner to receive the redemption price from the Paying Agent/Registrar out of the funds provided for such payment. If a portion of any Certificate shall be redeemed, a substitute Certificate or Certificates having the same maturity date, bearing interest at the same rate, in any denomination or denominations in any integral multiple of \$5,000, at the written request of the registered owner, and in aggregate principal amount equal to the unredeemed portion thereof, will be issued to the registered owner upon the surrender thereof for cancellation, at the expense of the Issuer, all as provided in the Ordinance.

WITH RESPECT TO ANY OPTIONAL REDEMPTION OF THE CERTIFICATES, unless certain prerequisites to such redemption required by this Ordinance have been met and moneys sufficient to pay the principal of and premium, if any, and interest on the Certificates to be redeemed shall have been received by the Paying Agent/Registrar prior to the giving of such notice of redemption, such notice shall state that said redemption may, at the option of the Issuer, be conditional upon the satisfaction of such prerequisites and receipt of such moneys by the Paying Agent/Registrar on or prior to the date fixed for such redemption, or upon any prerequisite set forth in such notice of redemption. If a notice of conditional redemption is given and such prerequisites to the redemption and sufficient moneys are not received, such notice shall be of no force and effect, the Issuer shall not redeem such Certificates and the Paying Agent/Registrar shall give notice, in the manner in which the notice of redemption was given, to the effect that the Certificates have not been redeemed.

ALL CERTIFICATES OF THIS SERIES are issuable solely as fully registered certificates, without interest coupons, in the denomination of any integral multiple of \$5,000. As provided in the Ordinance, this Certificate may, at the request of the registered owner or the assignee or assignees hereof, be assigned, transferred, converted into and exchanged for a like aggregate principal amount of fully registered Certificates, without interest coupons, payable to the appropriate registered owner, assignee or assignees, as the case may be, having the same denomination or denominations in any integral multiple of \$5,000 as requested in writing by the appropriate registered owner, assignee or assignees, as the case may be, upon surrender of this Certificate to the Paying Agent/Registrar for cancellation, all in accordance with the form and procedures set forth in the Ordinance. Among other requirements for such assignment and transfer, this Certificate must be presented and surrendered to the Paying Agent/Registrar, together with proper instruments of assignment, in form and with guarantee of signatures satisfactory to the Paying Agent/Registrar, evidencing assignment of this Certificate or any portion or portions hereof in any integral multiple of \$5,000 to the assignee or assignees in whose name or names this Certificate or any such portion or portions hereof is or are to be registered. The form of Assignment printed or endorsed on this Certificate may be executed by the registered owner to evidence the assignment hereof, but such method is not exclusive, and other instruments of assignment satisfactory to the Paying Agent/Registrar may be used to evidence the assignment of this Certificate or any portion or portions hereof from time to time by the registered owner. The Paying Agent/Registrar's reasonable standard or customary fees and charges for assigning, transferring, converting and exchanging any Certificate or portion thereof will be paid by the Issuer. In any circumstance, any taxes or governmental charges required to be paid with respect thereto shall be paid by the one requesting such assignment, transfer, conversion or exchange, as a condition

precedent to the exercise of such privilege. The Paying Agent/Registrar shall not be required to make any such transfer, conversion, or exchange (i) during the period commencing with the close of business on any Record Date and ending with the opening of business on the next following principal or interest payment date, or (ii) with respect to any Certificate or any portion thereof called for redemption prior to maturity, within forty-five (45) days prior to its redemption date.

IN THE EVENT any Paying Agent/Registrar for the Certificates is changed by the Issuer, resigns, or otherwise ceases to act as such, the Issuer has covenanted in the Ordinance that it promptly will appoint a competent and legally qualified substitute therefor, and cause written notice thereof to be mailed to the registered owners of the Certificates.

IT IS HEREBY certified, recited and covenanted that this Certificate has been duly and validly authorized, issued and delivered; that all acts, conditions and things required or proper to be performed, exist and be done precedent to or in the authorization, issuance and delivery of this Certificate have been performed, existed and been done in accordance with law; and that annual ad valorem taxes sufficient to provide for the payment of the interest on and principal of this Certificate, as such interest comes due and such principal matures, have been levied and ordered to be levied against all taxable property in said Issuer, and have been pledged for such payment, within the limit prescribed by law, and that this Certificate is additionally secured by and payable from a limited pledge of the Surplus Revenues of the Issuer's waterworks and sewer system remaining after payment of all operation and maintenance expenses thereof, and all debt service, reserve and other requirements in connection with all of the Issuer's revenue obligations (now or hereafter outstanding) that are payable from all or part of said revenues, all as provided in the Ordinance.

THE ISSUER HAS RESERVED THE RIGHT to amend the Ordinance as provided therein, and under some (but not all) circumstances amendments thereto must be approved by the registered owners of a majority in aggregate principal amount of the outstanding Certificates.

BY BECOMING the registered owner of this Certificate, the registered owner thereby acknowledges all of the terms and provisions of the Ordinance, agrees to be bound by such terms and provisions, acknowledges that the Ordinance is duly recorded and available for inspection in the official minutes and records of the governing body of the Issuer, and agrees that the terms and provisions of this Certificate and the Ordinance constitute a contract between each registered owner hereof and the Issuer.

IN WITNESS WHEREOF, the Issuer has caused this Certificate to be signed with the manual or facsimile signature of the Mayor of the Issuer (or in the Mayor's absence, by the Mayor Pro Tem) and countersigned with the manual or facsimile signature of the City Secretary of said Issuer (or in the City Secretary's absence, by the Assistant City Secretary), and has caused the official seal of the Issuer to be duly impressed, or placed in facsimile, on this Certificate.

(signature)
City Secretary

(signature)
Mayor

(SEAL)

(b) Form of Paying Agent/Registrar's Authentication Certificate.

PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE
(To be executed if this Certificate is not accompanied by an executed Registration
Certificate of the Comptroller of Public Accounts of the State of Texas)

It is hereby certified that this Certificate has been issued under the provisions of the Ordinance described in the text of this Certificate; and that this Certificate has been issued in conversion or replacement of, or in exchange for, a certificate, certificates, or a portion of a certificate or certificates of a series that originally was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

Dated: _____.

THE BANK OF NEW YORK MELLON TRUST
COMPANY, N.A.
Dallas, Texas
Paying Agent/Registrar

By: _____
Authorized Representative

(c) Form of Assignment.

ASSIGNMENT
(Please type or print clearly)

For value received, the undersigned hereby sells, assigns and transfers unto: _____

Transferee's Social Security or Taxpayer Identification Number: _____

Transferee's name and address, including zip code: _____

the within Certificate and all rights thereunder, and hereby irrevocably constitutes and appoints _____, attorney, to register the transfer of the within Certificate on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a securities transfer association recognized signature guarantee program.

NOTICE: The signature above must correspond with the name of the registered owner as it appears upon the front of this Certificate in every particular, without alteration or enlargement or any change whatsoever.

(d) Form of Registration Certificate of the Comptroller of Public Accounts.

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO. _____

I hereby certify that there is on file and of record in my office a true and correct copy of the opinion of the Attorney General of the State of Texas approving this Certificate and that this Certificate has been registered this day by me.

Witness my signature and seal this _____.

Comptroller of Public Accounts of the State of Texas

(COMPTROLLER'S SEAL)

(e) Initial Certificate Insertions.

(i) The initial Certificate shall be in the form set forth in paragraph (a) of this Section, except that:

A. immediately under the name of the Certificate, the headings "Interest Rate" and "Maturity Date" shall both be completed with the words "As shown below" and "CUSIP No. _____" shall be deleted.

B. the first paragraph shall be deleted and the following will be inserted:

"THE CITY OF ROCKWALL, TEXAS, in Rockwall County, Texas (the "Issuer"), being a political subdivision and municipal corporation of the State of Texas, hereby promises to pay to the Registered Owner specified above, or registered assigns (hereinafter called the "Registered Owner"), on August 1 in each of the years, in the principal amounts and bearing interest at the per annum rates set forth in the following schedule:

<u>Years (8/1)</u>	<u>Principal Amounts (\$)</u>	<u>Interest Rates (%)</u>
------------------------	-----------------------------------	-------------------------------

(Information from Section 2 to be inserted)

The Issuer promises to pay interest on the unpaid principal amount hereof (calculated on the basis of a 360-day year of twelve 30-day months) from the Delivery Date specified above at the respective Interest Rate per annum specified above. Interest is payable on August 1, 2023, and semiannually on each February 1 and August 1 thereafter to the date of payment of the principal installment specified above, or the date of redemption prior to maturity; except, that if this Certificate is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such Principal Amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication hereof the interest on the Certificate or Certificates, if any, for which this Certificate is being exchanged is due but has not been paid, then this Certificate shall bear interest from the date to which such interest has been paid in full."

C. The Initial Certificate shall be numbered "T-1."

Section 5. INTEREST AND SINKING FUND; SURPLUS REVENUES.

(a) A special "Interest and Sinking Fund" is hereby created and shall be established and maintained by the Issuer as a separate fund or account and the funds therein shall be deposited into and held in an account at an official depository bank of said Issuer. Said Interest and Sinking Fund shall be kept separate and apart from all other funds and accounts of said Issuer, and shall be used only for paying the interest on

and principal of said Certificates. All amounts received from the sale of the Certificates as accrued interest shall be deposited upon receipt to the Interest and Sinking Fund, and all ad valorem taxes levied and collected for and on account of said Certificates shall be deposited, as collected, to the credit of said Interest and Sinking Fund. During each year while any of said Certificates are outstanding and unpaid, the governing body of said Issuer shall compute and ascertain a rate and amount of ad valorem tax that will be sufficient to raise and produce the money required to pay the interest on said Certificates as such interest comes due, and to provide and maintain a sinking fund adequate to pay the principal of said Certificates as such principal matures (but never less than 2% of the original amount of said Certificates as a sinking fund each year); and said tax shall be based on the latest approved tax rolls of said Issuer, with full allowances being made for tax delinquencies and the cost of tax collection. Said rate and amount of ad valorem tax is hereby levied, and is hereby ordered to be levied, against all taxable property in said Issuer, for each year while any of said Certificates are outstanding and unpaid, and said tax shall be assessed and collected each such year and deposited to the credit of the aforesaid Interest and Sinking Fund. Said ad valorem taxes sufficient to provide for the payment of the interest on and principal of said Certificates, as such interest comes due and such principal matures, are hereby pledged for such payment, within the limit prescribed by law.

(b) The Certificates are additionally secured by a limited pledge, not to exceed \$1,000, of revenues of the Issuer's waterworks and sewer system that remain after the payment of all maintenance and operation expenses thereof, and all debt service, reserve and other requirements in connection with all of the Issuer's revenue obligations (now or hereafter outstanding) that are secured by a lien on all or any part of the net revenues of the Issuer's waterworks and sewer system, constituting "Surplus Revenues". The Issuer shall deposit such Surplus Revenues to the credit of the Interest and Sinking Fund created pursuant to this section, to the extent necessary to pay the principal of and interest on the Certificates. Notwithstanding the requirements of this section, if Surplus Revenues or other lawfully available moneys of the Issuer are actually on deposit in the Interest and Sinking Fund in advance of the time when ad valorem taxes are scheduled to be levied for any year, then the amount of taxes that otherwise would have been required to be levied pursuant to this Section may be reduced to the extent and by the amount of the Surplus Revenues or other lawfully available funds then on deposit in the Interest and Sinking Fund.

(c) Chapter 1208, Texas Government Code, applies to the issuance of the Certificates and the pledge of the taxes and Surplus Revenues granted by the Issuer under this Section, and is therefore valid, effective, and perfected. Should Texas law be amended at any time while the Certificates are outstanding and unpaid, the result of such amendment being that the pledge of the taxes and Surplus Revenues granted by the Issuer under this Section, is to be subject to the filing requirements of Chapter 9, Texas Business & Commerce Code, in order to preserve to the registered owners of the Certificates a security interest in said pledge, the Issuer agrees to take such measures as it determines are reasonable and necessary under Texas law to comply with the applicable provisions of Chapter 9, Texas Business & Commerce Code and enable a filing of a security interest in said pledge to occur.

Section 6. DEFEASANCE OF CERTIFICATES.

(a) Any Certificate and the interest thereon shall be deemed to be paid, retired and no longer outstanding (a "Defeased Certificate") within the meaning of this Ordinance, except to the extent provided in subsection (d) of this Section, when payment of the principal of such Certificate, plus interest thereon to the due date (whether such due date be by reason of maturity or otherwise) either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to the Paying Agent/Registrar in accordance with an escrow agreement or other instrument (the "Future Escrow Agreement") for such payment (1) lawful money of the United States of America sufficient to make such payment or (2) Defeasance Securities that mature as to principal and interest in such amounts and at such times as will

ensure the availability, without reinvestment, of sufficient money to provide for such payment, and when proper arrangements have been made by the Issuer with the Paying Agent/Registrar for the payment of its services until all Defeased Certificates shall have become due and payable. At such time as a Certificate shall be deemed to be a Defeased Certificate hereunder, as aforesaid, such Certificate and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of, the ad valorem taxes herein levied and pledged or the limited pledge of Surplus Revenues as provided in this Ordinance, and such principal and interest shall be payable solely from such money or Defeasance Securities, and thereafter the Issuer will have no further responsibility with respect to amounts available to such paying agent (or other financial institution permitted by applicable law) for the payment of such Defeased Certificates, including any insufficiency therein caused by the failure of such paying agent (or other financial institution permitted by applicable law) to receive payment when due on the Defeasance Securities. Notwithstanding any other provision of this Ordinance to the contrary, it is hereby provided that any determination not to redeem Defeased Certificates that is made in conjunction with the payment arrangements specified in subsection 6(a)(i) or (ii) of this Section shall not be irrevocable, provided that: (1) in the proceedings providing for such payment arrangements, the Issuer expressly reserves the right to call the Defeased Certificates for redemption; (2) gives notice of the reservation of that right to the owners of the Defeased Certificates immediately following the making of the payment arrangements; and (3) directs that notice of the reservation be included in any redemption notices that it authorizes.

(b) Any moneys so deposited with the Paying Agent/Registrar may at the written direction of the Issuer be invested in Defeasance Securities, maturing in the amounts and times as hereinbefore set forth, and all income from such Defeasance Securities received by the Paying Agent/Registrar that is not required for the payment of the Certificates and interest thereon, with respect to which such money has been so deposited, shall be turned over to the Issuer, or deposited as directed in writing by the Issuer. Any Future Escrow Agreement pursuant to which the money and/or Defeasance Securities are held for the payment of Defeased Certificates may contain provisions permitting the investment or reinvestment of such moneys in Defeasance Securities or the substitution of other Defeasance Securities upon the satisfaction of the requirements specified in subsection 6(a)(i) or (ii) of this Section. All income from such Defeasance Securities which is not required for the payment of the Defeased Certificates, with respect to which such money has been so deposited, shall be remitted to the Issuer or deposited as directed in writing by the Issuer.

(c) The term “Defeasance Securities” means (1) direct noncallable obligations of the United States, including obligations that are unconditionally guaranteed by the United States; and (2) noncallable obligations of an agency or instrumentality of the United States, including obligations that are unconditionally guaranteed or insured by the agency or instrumentality and that, on the date the governing body of the Issuer adopts or approves the proceedings authorizing the issuance of refunding bonds, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent.

(d) Until all Defeased Certificates shall have become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for such Defeased Certificates the same as if they had not been defeased, and the Issuer shall make proper arrangements to provide and pay for such services as required by this Ordinance.

(e) In the event that the Issuer elects to defease less than all of the principal amount of Certificates of a maturity, the Paying Agent/Registrar shall select, or cause to be selected, such amount of Certificates by such random method as it deems fair and appropriate.

Section 7. DAMAGED, MUTILATED, LOST, STOLEN, OR DESTROYED CERTIFICATES.

(a) Replacement Certificates. In the event any outstanding Certificate is damaged, mutilated, lost, stolen or destroyed, the Paying Agent/Registrar shall cause to be printed, executed and delivered, a new certificate of the same principal amount, maturity and interest rate, as the damaged, mutilated, lost, stolen or destroyed Certificate, in replacement for such Certificate in the manner hereinafter provided.

(b) Application for Replacement Certificates. Application for replacement of damaged, mutilated, lost, stolen or destroyed Certificates shall be made by the registered owner thereof to the Paying Agent/Registrar. In every case of loss, theft or destruction of a Certificate, the registered owner applying for a replacement certificate shall furnish to the Issuer and to the Paying Agent/Registrar such security or indemnity as may be required by them to save each of them harmless from any loss or damage with respect thereto. Also, in every case of loss, theft or destruction of a Certificate, the registered owner shall furnish to the Issuer and to the Paying Agent/Registrar evidence to their satisfaction of the loss, theft or destruction of such Certificate, as the case may be. In every case of damage or mutilation of a Certificate, the registered owner shall surrender to the Paying Agent/Registrar for cancellation the Certificate so damaged or mutilated.

(c) No Default Occurred. Notwithstanding the foregoing provisions of this Section, in the event any such Certificate shall have matured, and no default has occurred that is then continuing in the payment of the principal of, redemption premium, if any, or interest on the Certificate, the Issuer may authorize the payment of the same (without surrender thereof except in the case of a damaged or mutilated Certificate) instead of issuing a replacement Certificate, provided security or indemnity is furnished as above provided in this Section.

(d) Charge for Issuing Replacement Certificates. Prior to the issuance of any replacement certificate, the Paying Agent/Registrar shall charge the registered owner of such Certificate with all legal, printing, and other expenses in connection therewith. Every replacement certificate issued pursuant to the provisions of this Section by virtue of the fact that any Certificate is lost, stolen or destroyed shall constitute a contractual obligation of the Issuer whether or not the lost, stolen or destroyed Certificate shall be found at any time, or be enforceable by anyone, and shall be entitled to all the benefits of this Ordinance equally and proportionately with any and all other Certificates duly issued under this Ordinance.

(e) Authority for Issuing Replacement Certificates. In accordance with Section 1206.022, Texas Government Code, this Section 7 of this Ordinance shall constitute authority for the issuance of any such replacement certificate without necessity of further action by the governing body of the Issuer or any other body or person, and the duty of the replacement of such certificates is hereby authorized and imposed upon the Paying Agent/Registrar, and the Paying Agent/Registrar shall authenticate and deliver such Certificates in the form and manner and with the effect, as provided in Section 3 of this Ordinance for Certificates issued in conversion and exchange for other Certificates.

Section 8. CUSTODY, APPROVAL, AND REGISTRATION OF CERTIFICATES; BOND COUNSEL'S OPINION; CUSIP NUMBERS AND CONTINGENT INSURANCE PROVISION, IF OBTAINED; ENGAGEMENT OF BOND COUNSEL.

(a) The Mayor of the Issuer is hereby authorized to have control of the Certificates initially issued and delivered hereunder and all necessary records and proceedings pertaining to the Certificates pending their delivery and their investigation, examination, and approval by the Attorney General of the State of Texas, and their registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of the Certificates said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall sign manually, by facsimile, electronically or otherwise, the Comptroller's Registration

Certificate attached to such Certificates, and the seal of said Comptroller shall be impressed, or placed in facsimile, on such Certificate. The approving legal opinion of the Issuer's Bond Counsel and the assigned CUSIP numbers may, at the option of the Issuer, be printed on the Certificates issued and delivered under this Ordinance, but neither shall have any legal effect, and shall be solely for the convenience and information of the registered owners of the Certificates. In addition, if bond insurance is obtained, the Certificates may bear an appropriate legend as provided by the insurer.

(b) The obligation of the initial purchaser to accept delivery of the Certificates is subject to the release of the final, approving opinion of McCall, Parkhurst & Horton L.L.P., bond counsel to the Issuer. The engagement of such firm as bond counsel to the Issuer in connection with issuance, sale and delivery of the Certificates is hereby approved and confirmed.

Section 9. COVENANTS REGARDING TAX EXEMPTION OF INTEREST ON THE CERTIFICATES.

(a) Covenants. The Issuer covenants to take any action necessary to assure, or refrain from any action that would adversely affect, the treatment of the Certificates as obligations described in section 103 of the Code, the interest on which is not includable in the "gross income" of the holder for purposes of federal income taxation. In furtherance thereof, the Issuer covenants as follows:

(1) to take any action to assure that no more than 10 percent of the proceeds of the Certificates (less amounts deposited to a reserve fund, if any) are used for any "private business use," as defined in section 141(b)(6) of the Code or, if more than 10 percent of the proceeds or the projects financed therewith are so used, such amounts, whether or not received by the Issuer, with respect to such private business use, do not, under the terms of this Ordinance or any underlying arrangement, directly or indirectly, secure or provide for the payment of more than 10 percent of the debt service on the Certificates, in contravention of section 141(b)(2) of the Code;

(2) to take any action to assure that in the event that the "private business use" described in subsection (1) hereof exceeds 5 percent (5%) of the proceeds of the Certificates or the projects financed therewith (less amounts deposited into a reserve fund, if any) then the amount in excess of 5 percent (5%) is used for a "private business use" that is "related" and not "disproportionate," within the meaning of section 141(b)(3) of the Code, to the governmental use;

(3) to take any action to assure that no amount that is greater than the lesser of \$5,000,000, or 5 percent (5%) of the proceeds of the Certificates (less amounts deposited into a reserve fund, if any) is directly or indirectly used to finance loans to persons, other than state or local governmental units, in contravention of section 141(c) of the Code;

(4) to refrain from taking any action that would otherwise result in the Certificates being treated as "private activity bonds" within the meaning of section 141(b) of the Code;

(5) to refrain from taking any action that would result in the Certificates being "federally guaranteed" within the meaning of section 149(b) of the Code;

(6) to refrain from using any portion of the proceeds of the Certificates, directly or indirectly, to acquire or to replace funds that were used, directly or indirectly, to acquire investment property (as defined in section 148(b)(2) of the Code) that produces a materially higher yield over the term of the Certificates, other than investment property acquired with –

(A) proceeds of the Certificates invested for a reasonable temporary period until such proceeds are needed for the purpose for which the bonds are issued,

(B) amounts invested in a bona fide debt service fund, within the meaning of section 1.148-1(b) of the Treasury Regulations, and

(C) amounts deposited in any reasonably required reserve or replacement fund to the extent such amounts do not exceed 10 percent (10%) of the proceeds of the Certificates;

(7) to otherwise restrict the use of the proceeds of the Certificates or amounts treated as proceeds of the Certificates, as may be necessary, so that the Certificates do not otherwise contravene the requirements of section 148 of the Code (relating to arbitrage);

(8) to refrain from using proceeds of the Certificates or the proceeds of any prior bonds to pay debt services on another issue more than ninety (90) days after the issuance of the Certificates in contravention of section 149(d) of the Code (relating to advance refundings);

(9) to pay to the United States of America at least once during each five-year period (beginning on the date of delivery of the Certificates) an amount that is at least equal to 90 percent of the “Excess Earnings,” within the meaning of section 148(f) of the Code and to pay to the United States of America, not later than sixty (60) days after the Certificates have been paid in full, 100 percent (100%) of the amount then required to be paid as a result of Excess Earnings under section 148(f) of the Code;

(10) to file or cause to be filed with the Secretary of the Treasury, not later than the 15th day of the second calendar month after the close of the calendar quarter in which the Certificates are issued, an information statement concerning the Certificates, all under and in accordance with section 149(e) of the Code and the applicable Treasury Regulations promulgated thereunder; and

(11) to assure that the proceeds of the Certificates will be used solely for new money projects.

(b) Rebate Fund. In order to facilitate compliance with the above covenant (a)(9), a “Rebate Fund” is hereby established by the Issuer for the sole benefit of the United States of America, and such Fund shall not be subject to the claim of any other person, including without limitation the certificateholders. The Rebate Fund is established for the additional purpose of compliance with section 148 of the Code.

(c) Use of Proceeds. For purposes of the foregoing covenants (a)(1) and (a)(2), the Issuer understands that the term “proceeds” includes “disposition proceeds” as defined in the Treasury Regulations and, in the case of refunding bonds, transferred proceeds (if any) and proceeds of the refunded bonds expended prior to the date of issuance of the Certificates. It is the understanding of the Issuer that the covenants contained herein are intended to assure compliance with the Code and any regulations or rulings promulgated by the U.S. Department of the Treasury pursuant thereto. In the event that regulations or rulings are hereafter promulgated that modify or expand provisions of the Code, as applicable to the Certificates, the Issuer will not be required to comply with any covenant contained herein to the extent that such failure to comply, in the opinion of nationally recognized bond counsel, will not adversely affect the exemption from federal income taxation of interest on the Certificates under section 103 of the Code. In the event that regulations or rulings are hereafter promulgated that impose additional requirements applicable to the Certificates, the Issuer agrees to comply with the additional requirements to the extent necessary, in the opinion of nationally recognized bond counsel, to preserve the exemption from federal income taxation of interest on the Certificates under section 103 of the Code. In furtherance of such intention, the Issuer hereby authorizes and directs the Mayor, the City Manager, City Attorney, the Director of Finance of the Issuer or any other officer or agent of the Issuer to execute any documents, certificates or reports required by the Code and to make such elections, on behalf of the Issuer, that may be permitted by the Code as are consistent with the purpose for the issuance of the Certificates.

(d) Allocation of, and Limitation on, Expenditures for the Project. The Issuer covenants to account for the expenditure of sale proceeds and investment earnings to be used for the construction and acquisition

of the Project on its books and records by allocating proceeds to expenditures within eighteen (18) months of the later of the date that (1) the expenditure is made, or (2) the Project is completed. The foregoing notwithstanding, the Issuer shall not expend proceeds of the sale of the Certificates or investment earnings thereon more than sixty (60) days after the earlier of (1) the fifth anniversary of the delivery of the Certificates, or (2) the date the Certificates are retired, unless the Issuer obtains an opinion of nationally-recognized bond counsel that such expenditure will not adversely affect the status, for federal income tax purposes, of the Certificates or the interest thereon. For purposes hereof, the Issuer shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

(e) Disposition of Project. The Issuer covenants that the property constituting the Project will not be sold or otherwise disposed in a transaction resulting in the receipt by the Issuer of cash or other compensation, unless any action taken in connection with such disposition will not adversely affect the tax-exempt status of the Certificates. For purpose of the foregoing, the Issuer may rely on an opinion of nationally-recognized bond counsel that the action taken in connection with such sale or other disposition will not adversely affect the tax-exempt status of the Certificates. For purposes of the foregoing, the portion of the property comprising personal property and disposed in the ordinary course shall not be treated as a transaction resulting in the receipt of cash or other compensation. For purposes hereof, the Issuer shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

Section 10. SALE OF CERTIFICATES AND APPROVAL OF OFFICIAL STATEMENT; FURTHER PROCEDURES.

(a) The Certificates are hereby sold and shall be delivered to Frost Bank, SAMCO Capital Markets, Inc., and Huntington Capital Markets (collectively, the “Underwriters”), for the purchase price of \$[_____] (representing the par amount of the Certificates of \$[_____] plus aggregate original issue premium of \$[_____] (premium to be applied as set forth in Section 16) and less an underwriters’ discount of \$[_____] pursuant to the terms and provisions of a Purchase Agreement with the Underwriters (the “Purchase Agreement”). It is hereby officially found, determined, and declared that the Certificates have been sold pursuant to the terms and provisions of the Purchase Agreement in substantially the form presented at this meeting, which the Mayor of the Issuer (or in the Mayor’s absence, by the Mayor Pro Tem) is hereby authorized and directed to execute. It is hereby officially found, determined, and declared that the terms of this sale are the most advantageous reasonably obtainable. The initial Certificate shall be registered in the name of representative of the Underwriters or its designee.

(b) The Issuer hereby approves the form and content of the Official Statement relating to the Certificates and any addenda, supplement or amendment thereto, and approves the distribution of such Official Statement in the reoffering of the Certificates by the Underwriters in final form, with such changes therein or additions thereto as the officer executing the same may deem advisable, such determination to be conclusively evidenced by his execution thereof. The distribution and use of the Preliminary Official Statement relating to the Certificates, prior to the date hereof is hereby ratified and confirmed.

(c) The Mayor, City Manager, City Secretary and Director of Finance, and any other authorized officers or agents of the Issuer, and each of them, shall be and they are hereby expressly authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name of the Issuer all other such documents, certificates and instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance, the Certificates, the sale of the Certificates and the Official Statement. In case any officer whose signature shall appear on any Certificate shall cease to be such officer before the delivery of such Certificate, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

Section 11. INTEREST EARNINGS ON CERTIFICATE PROCEEDS. Interest earnings derived from the investment of proceeds from the sale of the Certificates shall be used along with other certificate proceeds for the Project; provided that after completion of such purpose, if any of such interest earnings remain on hand, such interest earnings shall be deposited in the Interest and Sinking Fund. It is further provided, however, that any interest earnings on certificate proceeds that are required to be rebated to the United States of America pursuant to Section 9 hereof in order to prevent the Certificates from being arbitrage bonds shall be so rebated and not considered as interest earnings for the purposes of this Section.

Section 12. CONSTRUCTION FUND.

(a) The Issuer hereby creates and establishes and shall maintain on the books of the Issuer a separate fund to be entitled the “Series 2023 Combination Tax and Limited Surplus Revenue Certificates of Obligation Construction Fund” (the “Construction Fund”) for use by the Issuer for payment of all lawful costs associated with the acquisition and construction of the Project as hereinbefore provided. Upon payment of all such costs, any moneys remaining on deposit in the Construction Fund shall be transferred to the Interest and Sinking Fund. Amounts so deposited to the Interest and Sinking Fund shall be used in the manner described in Section 5 of this Ordinance.

(b) The Issuer may invest proceeds of the Certificates (including investment earnings thereon) and amounts deposited into the Interest and Sinking Fund in investments authorized by the Public Funds Investment Act, Chapter 2256, Texas Government Code, as amended; provided, however, that the Issuer hereby covenants that the proceeds of the sale of the Certificates will be used as soon as practicable for the purposes for which the Certificates are issued.

(c) All deposits authorized or required by this Ordinance shall be secured to the fullest extent required by law for the security of public funds.

Section 13. COMPLIANCE WITH RULE 15c2-12.

(a) Definitions. As used in this Section, the following terms have the meanings ascribed to such terms below:

“MSRB” means the Municipal Securities Rulemaking Board.

“Rule” means SEC Rule 15c2-12, as amended from time to time.

“SEC” means the United States Securities and Exchange Commission.

(b) Annual Reports.

(i) The Issuer shall provide annually to the MSRB, in an electronic format as prescribed by the MSRB, within six (6) months after the end of each fiscal year ending in or after 2022, financial information and operating data with respect to the Issuer of the general type included in the final Official Statement authorized by this Ordinance, being the information described in Exhibit A hereto. The Issuer will additionally provide audited financial statements when and if available, and in any event, within twelve (12) months after the end of each fiscal year ending in or after 2022. If the audit of such financial statements is not complete within twelve (12) months after any such fiscal year end, then the Issuer will file unaudited financial statements within such twelve (12) month period and audited financial statements for the applicable fiscal year, when and if the audit report on such statements becomes available. Any financial statements so to be provided shall be prepared in accordance with the accounting principles described in Appendix B to the Official Statement, or such other accounting principles as the Issuer may be required to employ from time to time pursuant to state law or regulation.

(ii) If the Issuer changes its fiscal year, it will notify the MSRB of the change (and of the date of the new fiscal year end) prior to the next date by which the Issuer otherwise would be required to provide financial information and operating data pursuant to this Section. The financial information and operating data to be provided pursuant to this Section may be set forth in full in one or more documents or may be included by specific reference to any document that is available to the public on the MSRB's internet website or filed with the SEC. All documents provided to the MSRB pursuant to this Section shall be accompanied by identifying information as prescribed by the MSRB.

(c) Event Notices.

(i) The Issuer shall notify the MSRB in an electronic format as prescribed by the MSRB, in a timely manner (but not in excess of ten (10) business days after the occurrence of the event) of any of the following events with respect to the Certificates:

1. Principal and interest payment delinquencies;
2. Non-payment related defaults, if material;
3. Unscheduled draws on debt service reserves reflecting financial difficulties;
4. Unscheduled draws on credit enhancements reflecting financial difficulties;
5. Substitution of credit or liquidity providers, or their failure to perform;
6. Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Certificates, or other material events affecting the tax status of the Certificates;
7. Modifications to rights of holders of the Certificates, if material;
8. Certificate calls, if material, and tender offers;
9. Defeasances;
10. Release, substitution, or sale of property securing repayment of the Certificates, if material;
11. Rating changes;
12. Bankruptcy, insolvency, receivership or similar event of the Issuer;
13. The consummation of a merger, consolidation, or acquisition involving the Issuer or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
14. Appointment of a successor trustee or change in the name of the trustee, if material;
15. Incurrence of a financial obligation of the Issuer, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of any such financial obligation of the Issuer, any of which affect security holders, if material; and
16. Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of any such financial obligation of the Issuer, any of which reflect financial difficulties.

As used in clause 12 above, the phrase “bankruptcy, insolvency, receivership or similar event” means the appointment of a receiver, fiscal agent or similar officer for the Issuer in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets of the Issuer, or if jurisdiction has been assumed by leaving the existing City Council and officials or officers of the Issuer in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Issuer. For the purposes of the above describe event notices 15 and 16, the term “financial obligation” means a (i) debt obligation, (ii)

derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation, or (iii) a guarantee of (i) or (ii); provided however, that a “financial obligation” shall not include municipal securities as to which a final official statement (as defined in the Rule) has been provided to the MSRB consistent with the Rule.

(ii) The Issuer shall notify the MSRB, in a timely manner, of any failure by the Issuer to provide financial information or operating data in accordance with subsection (b) of this Section by the time required by such subsection.

(d) Limitations, Disclaimers, and Amendments.

(i) The Issuer shall be obligated to observe and perform the covenants specified in this Section for so long as, but only for so long as, the Issuer remains an “obligated person” with respect to the Certificates within the meaning of the Rule, except that the Issuer in any event will give notice of any deposit made in accordance with this Ordinance or applicable law that causes Certificates no longer to be outstanding.

(ii) The provisions of this Section are for the sole benefit of the registered owners and beneficial owners of the Certificates, and nothing in this Section, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The Issuer undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Section and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the Issuer’s financial results, condition, or prospects or hereby undertake to update any information provided in accordance with this Section or otherwise, except as expressly provided herein. The Issuer does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Certificates at any future date.

(iii) UNDER NO CIRCUMSTANCES SHALL THE ISSUER BE LIABLE TO THE REGISTERED OWNER OR BENEFICIAL OWNER OF ANY CERTIFICATE OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE ISSUER, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS SECTION, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR MANDAMUS OR SPECIFIC PERFORMANCE.

(iv) No default by the Issuer in observing or performing its obligations under this Section shall comprise a breach of or default under this Ordinance for purposes of any other provision of this Ordinance. Nothing in this Section is intended or shall act to disclaim, waive, or otherwise limit the duties of the Issuer under federal and state securities laws.

(v) Should the Rule be amended to obligate the Issuer to make filings with or provide notices to entities other than the MSRB, the Issuer hereby agrees to undertake such obligation with respect to the Certificates in accordance with the Rule as amended. The provisions of this Section may be amended by the Issuer from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the Issuer, but only if (1) the provisions of this Section, as so amended, would have permitted an underwriter to purchase or sell Certificates in the primary offering of the Certificates in compliance with the Rule, taking into account any amendments or interpretations of the Rule since such offering as well as such changed circumstances and (2) either (a) the registered owners of a majority in aggregate principal amount (or any greater amount required by any other provision

of this Ordinance that authorizes such an amendment) of the outstanding Certificates consent to such amendment or (b) a qualified person that is unaffiliated with the Issuer (such as nationally recognized bond counsel) determined that such amendment will not materially impair the interest of the registered owners and beneficial owners of the Certificates. The Issuer may also amend or repeal the provisions of this continuing disclosure agreement if the SEC amends or repeals the applicable provision of the Rule or a court of final jurisdiction enters judgment that such provisions of the Rule are invalid, but only if and to the extent that the provisions of this sentence would not prevent an underwriter from lawfully purchasing or selling Certificates in the primary offering of the Certificates. If the Issuer so amends the provisions of this Section, it shall include with any amended financial information or operating data next provided in accordance with subsection (b) of this Section an explanation, in narrative form, of the reason for the amendment and of the impact of any change in the type of financial information or operating data so provided.

Section 14. METHOD OF AMENDMENT. The Issuer hereby reserves the right to amend this Ordinance subject to the following terms and conditions, to-wit:

(a) The Issuer may from time to time, without the consent of any holder, except as otherwise required by paragraph (b) below, amend or supplement this Ordinance in order to (i) cure any ambiguity, defect or omission in this Ordinance that does not materially adversely affect the interests of the holders, (ii) grant additional rights or security for the benefit of the holders, (iii) add events of default as shall not be inconsistent with the provisions of this Ordinance and that shall not materially adversely affect the interests of the holders, (iv) qualify this Ordinance under the Trust Indenture Act of 1939, as amended, or corresponding provisions of federal laws from time to time in effect, or (v) make such other provisions in regard to matters or questions arising under this Ordinance as shall not be inconsistent with the provisions of this Ordinance and that shall not in the opinion of the Issuer's Bond Counsel materially adversely affect the interests of the holders.

(b) Except as provided in paragraph (a) above, the holders of Certificates aggregating in principal amount 51% of the aggregate principal amount of then outstanding Certificates that are the subject of a proposed amendment shall have the right from time to time to approve any amendment hereto that may be deemed necessary or desirable by the Issuer; provided, however, that without the consent of 100% of the holders in aggregate principal amount of the then outstanding Certificates, nothing herein contained shall permit or be construed to permit amendment of the terms and conditions of this Ordinance or in any of the Certificates so as to:

- (1) Make any change in the maturity of any of the outstanding Certificates;
- (2) Reduce the rate of interest borne by any of the outstanding Certificates;
- (3) Reduce the amount of the principal of, or redemption premium, if any, payable on any outstanding Certificates;
- (4) Modify the terms of payment of principal or of interest or redemption premium on outstanding Certificates or any of them or impose any condition with respect to such payment; or
- (5) Change the minimum percentage of the principal amount of any series of Certificates necessary for consent to such amendment.

(c) If at any time the Issuer shall desire to amend this Ordinance under this Section, the Issuer shall send by U.S. mail to each registered owner of the affected Certificates a copy of the proposed amendment. Such notice shall briefly set forth the nature of the proposed amendment and shall state that a copy thereof is on file at the office of the Issuer for inspection by all holders of such Certificates.

(d) Whenever at any time within one year from the date of mailing of such notice the Issuer shall receive an instrument or instruments executed by the holders of at least 51% in aggregate principal amount

of all of the Certificates then outstanding that are required for the amendment, which instrument or instruments shall refer to the proposed amendment and shall specifically consent to and approve such amendment, the Issuer may adopt the amendment in substantially the same form.

(e) Upon the adoption of any amendatory Ordinance pursuant to the provisions of this Section, this Ordinance shall be deemed to be modified and amended in accordance with such amendatory Ordinance, and the respective rights, duties, and obligations of the Issuer and all holders of such affected Certificates shall thereafter be determined, exercised, and enforced, subject in all respects to such amendment.

(f) Any consent given by the holder of a Certificate pursuant to the provisions of this Section shall be irrevocable for a period of six (6) months from the date of such consent, and shall be conclusive and binding upon all future holders of the same Certificate during such period. Such consent may be revoked at any time after six (6) months from the date of such consent by the holder who gave such consent, or by a successor in title, by filing notice with the Issuer, but such revocation shall not be effective if the holders of 51% in aggregate principal amount of the affected Certificates then outstanding, have, prior to the attempted revocation, consented to and approved the amendment.

(g) For the purposes of establishing ownership of the Certificates, the Issuer shall rely solely upon the registration of the ownership of such Certificates on the registration books kept by the Paying Agent/Registrar.

Section 15. DEFAULT AND REMEDIES

(a) Events of Default. Each of the following occurrences or events for the purpose of this Ordinance is hereby declared to be an Event of Default:

(i) the failure to make payment of the principal of or interest on any of the Certificates when the same becomes due and payable; or

(ii) default in the performance or observance of any other covenant, agreement or obligation of the Issuer, the failure to perform which materially, adversely affects the rights of the registered owners of the Certificates, including, but not limited to, their prospect or ability to be repaid in accordance with this Ordinance, and the continuation thereof for a period of sixty (60) days after notice of such default is given by any Registered Owner to the Issuer.

(b) Remedies for Default.

(i) Upon the happening of any Event of Default, then and in every case, any Registered Owner or an authorized representative thereof, including, but not limited to, a trustee or trustees therefor, may proceed against the Issuer for the purpose of protecting and enforcing the rights of the Registered Owners under this Ordinance, by mandamus or other suit, action or special proceeding in equity or at law, in any court of competent jurisdiction, for any relief permitted by law, including the specific performance of any covenant or agreement contained herein, or thereby to enjoin any act or thing that may be unlawful or in violation of any right of the Registered Owners hereunder or any combination of such remedies.

(ii) It is provided that all such proceedings shall be instituted and maintained for the equal benefit of all Registered Owners of Certificates then outstanding.

(c) Remedies Not Exclusive.

(i) No remedy herein conferred or reserved is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or under the Certificates or now or hereafter existing at law or in equity; provided, however, that notwithstanding any other provision of this Ordinance, the right to accelerate the debt evidenced by the Certificates shall not be available as a remedy under this Ordinance.

(ii) The exercise of any remedy herein conferred or reserved shall not be deemed a waiver of any other available remedy.

(iii) By accepting the delivery of a Certificate authorized under this Ordinance, such Registered Owner agrees that the certifications required to effectuate any covenants or representations contained in this Ordinance do not and shall never constitute or give rise to a personal or pecuniary liability or charge against the officers or employees of the Issuer or the City Council.

Section 16. PREMIUM. The Certificates are being sold at an aggregate reoffering premium equal to \$[_____]. With respect to such premium, \$[_____] shall be used to pay costs of issuance, \$_____ shall be used to pay underwriters' discount and \$[_____] shall be deposited into the Construction Fund.

Section 17. APPROPRIATION. To pay the debt service coming due on the Certificates prior to receipt of the taxes levied to pay such debt service, if any, there is hereby appropriated from current funds on hand, which are hereby certified to be on hand and available for such purpose, an amount sufficient to pay such debt service, and such amount shall be used for no other purpose.

Section 18. NO PERSONAL LIABILITY. No recourse shall be had for payment of the principal of or interest on any Certificates or for any claim based thereon, or on this Ordinance, against any official or employee of the Issuer or any person executing any Certificate.

Section 19. EFFECTIVE DATE. In accordance with the provisions of Government Code, Section 1201.028, this Ordinance shall be effective immediately upon its adoption by the City Council.

Section 20. SEVERABILITY. If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any persons or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Ordinance, despite such invalidity, which remaining portions shall remain in full force and effect.

(Execution Page Follows)

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
ROCKWALL, TEXAS on December 19, 2022.

ATTEST:

Mayor, City of Rockwall, Texas

City Secretary, City of Rockwall, Texas

[CITY SEAL]

APPROVED AS TO FORM:

City Attorney, City of Rockwall, Texas

EXHIBIT A

ANNUAL FINANCIAL INFORMATION AND OPERATING DATA

The following information is referred to in Section 13(b) of this Ordinance:

The financial information and operating data with respect to the Issuer to be provided annually in accordance with such Section are as specified (and included in the Appendix or under the headings of the Official Statement referred to) below:

-- Tables 1 - 6 and 8 – 15



City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and Council Members

FROM: Mary Smith, City Manager

DATE: December 16, 2022

SUBJECT: Bond Issuance Ordinances

City staff has been preparing to issue debt for various street and utility projects as were discussed at previous Council meetings. We are issuing voter approved General Obligation Bonds for the neighborhood street projects including engineering and construction dollars for those. In addition, bonds are being issued for water/sewer related projects many of which are primarily associated with moving utilities for state roadway projects, which are upcoming. We are also issuing bonds that will be solely repaid by the REDC but they benefit by our issuing them combined with the water and sewer bonds as Certificates of Obligation allowing issuance costs to be lower.

In addition, the bond market (despite Fed rate increases) still provides lower rates than when we sold bonds in 2009 and 2011. We are able to pay off the old bond issues (called refunding) and issue replacement debt at a lower interest cost. Our debt, when issued is structured with a 10-year call provision to be able to take advantage of just such a situation.

City staff met with bond rating agencies Moodys Investor Service and Standard and Poor's prior to the bond sale and both agencies affirmed our bond ratings which are Aa2 and AA+ respectively.

The bond sale will be conducted Monday morning and while the ultimate interest cost is not known at the time of this writing we do expect the bond amortizations to fit within our budgeted appropriations for debt service for fiscal year 2023 and into the future. Put a more simple way, we are issuing bonded debt which will not cause the City to need a tax increase as we assured voters for the 2018 bond election that we would be able to accomplish. I will be attending the sale Monday morning (electronically that is) to observe the bidding and sale process. This is my first opportunity to have done so in my career.

Council Action

Representatives of our Bond Counsel, Mcall Parkhurst, and Horton and Financial Advisor, Hilltop Securities will be present at the Council meeting to present the results of the sale, answer any questions and then seek ratification of the Ordinances finalizing the sale. By state law, bond ordinances are ratified with one reading.

WHEREAS, the Bonds hereinafter authorized to be issued were voted and are to be issued, sold and delivered pursuant to the general laws of the State of Texas, including Chapter 1207 and Texas Government Code, Chapter 1331, as amended; and

WHEREAS, it is officially found, determined, and declared that the meeting at which this Ordinance has been adopted was open to the public and public notice of the time, place and subject matter of the public business to be considered and acted upon at said meeting, including this Ordinance, was given, all as required by the applicable provisions of Texas Government Code, Chapter 551; Now, Therefore

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

Section 1. RECITALS, AMOUNT AND PURPOSE OF THE BONDS. The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in this Section. The bonds of the City of Rockwall, Texas (the “Issuer”) are hereby authorized to be issued and delivered in the aggregate principal amount of \$[_____] for the public purposes of (i) completing street and roadway improvements as authorized by the Elections (the “Improvement Projects”), (ii) refunding the Refunded Obligations, and (iii) paying costs of issuance of the Bonds (collectively, the “Projects”).

Section 2. DESIGNATION, DATE, DENOMINATIONS, NUMBERS, AND MATURITIES AND INTEREST RATES OF BONDS. Each bond issued pursuant to this Ordinance shall be designated: “CITY OF ROCKWALL, TEXAS GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BOND, SERIES 2023,” and initially there shall be issued, sold, and delivered hereunder one fully registered bond, without interest coupons, dated January 1, 2023, in the principal amount stated above and in the denominations hereinafter stated, numbered T-1, with bonds issued in replacement thereof being in the denominations and principal amounts hereinafter stated and numbered consecutively from R-1 upward, payable to the respective Registered Owners thereof (with the initial bond being made payable to the initial purchaser set forth herein), or to the registered assignee or assignees of said bonds or any portion or portions thereof (in each case, the “Registered Owner”), and said bonds shall mature and be payable serially on August 1 in each of the years and in the principal amounts, respectively, and shall bear interest from the dates set forth in the FORM OF BOND set forth in this Ordinance to their respective dates of maturity or redemption prior to maturity at the rates per annum, as set forth in the following schedule:

Years (8/1)	Principal Amounts (\$)	Interest Rates (%)
----------------	---------------------------	-----------------------

The term “Bonds” as used in this Ordinance shall mean and include collectively the bonds initially issued and delivered pursuant to this Ordinance and all substitute bonds exchanged therefor, as well as all other substitute bonds and replacement bonds issued pursuant hereto, and the term “Bond” shall mean any of the Bonds.

Section 3. CHARACTERISTICS OF THE BONDS.

(a) Appointment of Paying Agent/Registrar. The Issuer hereby appoints The Bank of New York Mellon Trust Company, N.A., Dallas, Texas, to serve as paying agent and registrar for the Bonds (the “Paying Agent/Registrar”). The Mayor or City Manager is authorized and directed to execute and deliver in the name and on behalf of the Issuer a Paying Agent/Registrar Agreement with the Paying Agent/Registrar.

(b) Registration, Transfer, Conversion and Exchange. The Issuer shall keep or cause to be kept at the corporate trust office of the Paying Agent/Registrar books or records for the registration of the transfer, conversion and exchange of the Bonds (the “Registration Books”), and the Issuer hereby appoints the Paying Agent/Registrar as its registrar and transfer agent to keep such books or records and make such registrations of transfers, conversions and exchanges under such reasonable regulations as the Issuer and Paying Agent/Registrar may prescribe; and the Paying Agent/Registrar shall make such registrations, transfers, conversions and exchanges as herein provided within three (3) days of presentation in due and proper form. The Paying Agent/Registrar shall obtain and record in the Registration Books the address of the registered owner of each Bond to which payments with respect to the Bonds shall be mailed, as herein provided; but it shall be the duty of each registered owner to notify the Paying Agent/Registrar in writing of the address to which payments shall be mailed, and such interest payments shall not be mailed unless such notice has been given. The Issuer shall have the right to inspect the Registration Books during regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Registration Books confidential and, unless otherwise required by law, shall not permit their inspection by any other entity. The Issuer shall pay the Paying Agent/Registrar’s standard or customary fees and charges for making such registration, transfer, conversion, exchange and delivery of a substitute Bond or Bonds. Registration of assignments, transfers, conversions and exchanges of Bonds shall be made in the manner provided and with the effect stated in the FORM OF BOND set forth in this Ordinance. Each substitute Bond shall bear a letter and/or number to distinguish it from each other Bond.

(c) Authentication. Except as provided in this Section, an authorized representative of the Paying Agent/Registrar shall, before the delivery of any such Bond, date and manually sign said Bond, and no such Bond shall be deemed to be issued or outstanding unless such Bond is so executed. The Paying Agent/Registrar promptly shall cancel all paid Bonds and Bonds surrendered for conversion and exchange. No additional ordinances, orders or resolutions need be passed or adopted by the governing body of the Issuer or any other body or person so as to accomplish the foregoing conversion and exchange of any Bond or portion thereof, and the Paying Agent/Registrar shall provide for the printing, execution and delivery of the substitute Bonds in the manner prescribed herein. Pursuant to Subchapter D, Chapter 1201, Texas Government Code, the duty of conversion and exchange of Bonds as aforesaid is hereby imposed upon the Paying Agent/Registrar, and, upon the execution of said Bond, the converted and exchanged Bond shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Bonds which initially were issued and delivered pursuant to this Ordinance, approved by the Attorney General, and registered by the Comptroller of Public Accounts.

(d) Payment of Principal and Interest. The Issuer hereby further appoints the Paying Agent/Registrar to act as the paying agent for paying the principal of and interest on the Bonds, all as provided in this Ordinance. The Paying Agent/Registrar shall keep proper records of all payments made by the Issuer and the Paying Agent/Registrar with respect to the Bonds, and of all conversions and exchanges of Bonds, and all replacements of Bonds, as provided in this Ordinance. However, in the event of a nonpayment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a “Special Record Date”) will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be fifteen (15) days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first class postage prepaid, to the address of each registered owner appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

(e) Payment to Registered Owner. Notwithstanding any other provision of this Ordinance to the contrary, the Issuer and the Paying Agent/Registrar shall be entitled to treat and consider the person in

whose name each Bond is registered in the Registration Books as the absolute owner of such Bond for the purpose of payment of principal and interest with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Paying Agent/Registrar shall pay all principal of and interest on the Bonds only to or upon the order of the registered owners, as shown in the Registration Books as provided in this Ordinance, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the Issuer's obligations with respect to payment of principal of and interest on the Bonds to the extent of the sum or sums so paid.

(f) Paying Agent/Registrar. The Issuer covenants with the registered owners of the Bonds that at all times while the Bonds are outstanding the Issuer will provide a competent and legally qualified bank, trust company, financial institution or other agency to act as and perform the services of Paying Agent/Registrar for the Bonds under this Ordinance, and that the Paying Agent/Registrar will be one entity. By accepting the position and performing as such, each Paying Agent/Registrar shall be deemed to have agreed to the provisions of this Ordinance, and a certified copy of this Ordinance shall be delivered to each Paying Agent/Registrar.

(g) Substitute Paying Agent/Registrar. The Issuer reserves the right to, and may, at its option, change the Paying Agent/Registrar upon not less than one hundred-twenty (120) days written notice to the Paying Agent/Registrar, to be effective not later than sixty (60) days prior to the next principal or interest payment date after such notice. In the event that the entity at any time acting as Paying Agent/Registrar (or its successor by merger, acquisition, or other method) should resign or otherwise cease to act as such, the Issuer covenants that promptly it will appoint a competent and legally qualified bank, trust company, financial institution, or other agency to act as Paying Agent/Registrar under this Ordinance. Upon any change in the Paying Agent/Registrar, the previous Paying Agent/Registrar promptly shall transfer and deliver the Registration Books (or a copy thereof), along with all other pertinent books and records relating to the Bonds, to the new Paying Agent/Registrar designated and appointed by the Issuer. Upon any change in the Paying Agent/Registrar, the Issuer promptly will cause a written notice thereof to be sent by the new Paying Agent/Registrar to each registered owner of the Bonds, by United States mail, first-class postage prepaid, which notice also shall give the address of the new Paying Agent/Registrar.

(h) Book-Entry Only System. The Bonds issued in exchange for the Bonds initially issued to the purchaser or purchasers specified herein shall be initially issued in the form of a separate single fully registered Bond for each of the maturities thereof and the ownership of each such Bond shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), and except as otherwise provided in this Section, all of the outstanding Bonds shall be registered in the name of Cede & Co., as nominee of DTC.

(i) Blanket Letter of Representations. The previous execution and delivery of the Blanket Letter of Representations with respect to obligations of the Issuer is hereby ratified and confirmed; and the provisions thereof shall be fully applicable to the Bonds. Notwithstanding anything to the contrary contained herein, while the Bonds are subject to DTC's Book-Entry Only System and to the extent permitted by law, the Letter of Representations is hereby incorporated herein and its provisions shall prevail over any other provisions of this Ordinance in the event of conflict.

(j) Bonds Registered in the Name of Cede & Co. With respect to Bonds registered in the name of Cede & Co., as nominee of DTC, the Issuer and the Paying Agent/Registrar shall have no responsibility or obligation to any securities brokers and dealers, banks, trust companies, clearing corporations and certain other organizations on whose behalf DTC was created ("DTC Participant") to hold securities to facilitate the clearance and settlement of securities transactions among DTC Participants or to any person on behalf

of whom such a DTC Participant holds an interest in the Bonds. Without limiting the immediately preceding sentence, the Issuer and the Paying Agent/Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any DTC Participant or any other person, other than a registered owner of Bonds, as shown on the Registration Books, of any notice with respect to the Bonds, or (iii) the payment to any DTC Participant or any other person, other than a registered owner of Bonds, as shown in the Registration Books of any amount with respect to principal of or interest on the Bonds. Upon delivery by DTC to the Paying Agent/Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Ordinance with respect to interest checks being mailed to the registered owner at the close of business on the Record date, the words "Cede & Co." in this Ordinance shall refer to such new nominee of DTC.

(k) Successor Securities Depository; Transfers Outside Book-Entry Only System. In the event that the Issuer determines that DTC is incapable of discharging its responsibilities described herein and in the representation letter of the Issuer to DTC or that it is in the best interest of the beneficial owners of the Bonds that they be able to obtain certificated Bonds, the Issuer shall (i) appoint a successor securities depository, qualified to act as such under Section 17A of the Securities and Exchange Act of 1934, as amended, notify DTC and DTC Participants of the appointment of such successor securities depository and transfer one or more separate Bonds to such successor securities depository or (ii) notify DTC and DTC Participants of the availability through DTC of Bonds and transfer one or more separate Bonds to DTC Participants having Bonds credited to their DTC accounts. In such event, the Bonds shall no longer be restricted to being registered in the Registration Books in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names registered owners transferring or exchanging Bonds shall designate, in accordance with the provisions of this Ordinance.

(l) Payments to Cede & Co. Notwithstanding any other provision of this Ordinance to the contrary, so long as any Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, in the manner provided in the representation letter of the Issuer to DTC.

(m) General Characteristics of the Bonds. The Bonds (i) shall be issued in fully registered form, without interest coupons, with the principal of and interest on such Bonds to be payable only to the Registered Owners thereof, (ii) may and shall be redeemed prior to their scheduled maturities, (iii) may be transferred and assigned, (iv) may be converted and exchanged for other Bonds, (v) shall have the characteristics, (vi) shall be signed, sealed, executed and authenticated, (vii) the principal of and interest on the Bonds shall be payable, and (viii) shall be administered and the Paying Agent/Registrar and the Issuer shall have certain duties and responsibilities with respect to the Bonds, all as provided, and in the manner and to the effect as required or indicated, in the FORM OF BOND set forth in this Ordinance. The Bonds initially issued and delivered pursuant to this Ordinance is not required to be, and shall not be, authenticated by the Paying Agent/Registrar, but on each substitute Bond issued in conversion of and exchange for any Bond or Bonds issued under this Ordinance the Paying Agent/Registrar shall execute the Paying Agent/Registrar's Authentication Certificate, in the FORM OF BOND set forth in this Ordinance.

(n) Cancellation of Initial Bond. On the closing date, one initial Bond representing the entire principal amount of the Bonds, payable in stated amounts to the order of the initial purchaser of the Bonds or its designee, executed by manual or facsimile signature of the Mayor and City Secretary, approved by the Attorney General of Texas, and registered and manually signed by the Comptroller of Public Accounts of the State of Texas, will be delivered to such purchaser or its designee. Upon payment for the initial Bond, the Paying Agent/Registrar shall cancel the initial Bond and deliver to DTC on behalf of such purchaser

one registered definitive Bond for each year of maturity of the Bonds, in the aggregate principal amount of all of the Bonds for such maturity, registered in the name of Cede & Co., as nominee of DTC. To the extent that the Paying Agent/Registrar is eligible to participate in DTC’s FAST System, pursuant to an agreement between the Paying Agent/Registrar and DTC, the Paying Agent/Registrar shall hold the definitive Bonds in safekeeping for DTC.

Section 4. FORM OF BONDS. The form of the Bonds, including the form of Paying Agent/Registrar’s Authentication Certificate, the form of Assignment and the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be attached to the Bonds initially issued and delivered pursuant to this Ordinance, shall be, respectively, substantially as follows, with such appropriate variations, omissions or insertions as are permitted or required by this Ordinance.

(a) Form of Bond.

NO. R-	UNITED STATES OF AMERICA STATE OF TEXAS CITY OF ROCKWALL, TEXAS GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BOND SERIES 2023	PRINCIPAL AMOUNT \$ _____
--------	---	---------------------------------

Interest Rate	Delivery Date	Maturity Date	CUSIP No.
	January 25, 2023	August 1, ____	

REGISTERED OWNER:

PRINCIPAL AMOUNT: DOLLARS

ON THE MATURITY DATE specified above, the City of Rockwall, in Rockwall County, Texas (the “Issuer”), being a political subdivision and municipal corporation of the State of Texas, hereby promises to pay to the Registered Owner specified above, or registered assigns (hereinafter called the “Registered Owner”), on the Maturity Date specified above, the Principal Amount specified above. The Issuer promises to pay interest on the unpaid principal amount hereof (calculated on the basis of a 360-day year of twelve 30-day months) from the Delivery Date specified above at the Interest Rate per annum specified above. Interest is payable on August 1, 2023, and semiannually on each February 1 and August 1 thereafter to the Maturity Date specified above, or the date of redemption prior to maturity; except, if this Bond is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such Principal Amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication hereof the interest on the Bond or Bonds, if any, for which this Bond is being exchanged is due but has not been paid, then this Bond shall bear interest from the date to which such interest has been paid in full.

THE PRINCIPAL OF AND INTEREST ON this Bond are payable in lawful money of the United States of America, without exchange or collection charges. The principal of this Bond shall be paid to the registered owner hereof upon presentation and surrender of this Bond at maturity, or upon the date fixed for its redemption prior to maturity, at the principal corporate trust office of The Bank of New York Mellon

Trust Company, N.A., Dallas, Texas, which is the “Paying Agent/Registrar” for this Bond. The payment of interest on this Bond shall be made by the Paying Agent/Registrar to the registered owner hereof on each interest payment date by check or draft, dated as of such interest payment date, drawn by the Paying Agent/Registrar on, and payable solely from, funds of the Issuer required by the ordinance authorizing the issuance of this Bond (the “Bond Ordinance”) to be on deposit with the Paying Agent/Registrar for such purpose as hereinafter provided; and such check or draft shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, on each such interest payment date, to the registered owner hereof, at its address as it appeared at the close of business on the fifteenth (15th) day of the month preceding each such date (the “Record Date”) on the Registration Books kept by the Paying Agent/Registrar, as hereinafter described. In addition, interest may be paid by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the registered owner. In the event of a non-payment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a “Special Record Date”) will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be fifteen (15) days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of each owner of a Bond appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

ANY ACCRUED INTEREST due at maturity or upon the redemption of this Bond prior to maturity as provided herein shall be paid to the registered owner upon presentation and surrender of this Bond for payment or redemption at the principal corporate trust office of the Paying Agent/Registrar. The Issuer covenants with the registered owner of this Bond that on or before each principal payment date and interest payment date for this Bond it will make available to the Paying Agent/Registrar, from the “Interest and Sinking Fund” created by the Bond Ordinance, the amounts required to provide for the payment, in immediately available funds, of all principal of and interest on the Bonds, when due.

IF THE DATE for the payment of the principal of or interest on this Bond shall be a Saturday, Sunday, a legal holiday or a day on which banking institutions in the city where the principal corporate trust office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day that is not such a Saturday, Sunday, legal holiday or day on which banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due.

THIS BOND is one of a series of Bonds dated January 1, 2023, authorized in accordance with the Constitution and laws of the State of Texas in the principal amount of \$[_____] constructing street and roadway improvements as authorized at the bond elections held on May 12, 2012 and May 5, 2018, refunding certain outstanding obligations of the Issuer, and paying costs of issuance of the Bonds.

ON AUGUST 1, 2032, or on any date thereafter, the Bonds of this series may be redeemed prior to their scheduled maturities, at the option of the Issuer, with funds derived from any available and lawful source, as a whole, or in part, and, if in part, the particular Bonds, or portions thereof, to be redeemed shall be selected and designated by the Issuer (provided that a portion of a Bond may be redeemed only in an integral multiple of \$5,000), at a redemption price equal to the principal amount to be redeemed plus accrued interest to the date fixed for redemption.

WITH RESPECT TO ANY OPTIONAL REDEMPTION OF THE BONDS, unless certain prerequisites to such redemption required by this Ordinance have been met and moneys sufficient to pay the principal of and premium, if any, and interest on the Bonds to be redeemed shall have been received by

the Paying Agent/Registrar prior to the giving of such notice of redemption, such notice shall state that said redemption may, at the option of the Issuer, be conditional upon the satisfaction of such prerequisites and receipt of such moneys by the Paying Agent/Registrar on or prior to the date fixed for such redemption, or upon any prerequisite set forth in such notice of redemption. If a notice of conditional redemption is given and such prerequisites to the redemption and sufficient moneys are not received, such notice shall be of no force and effect, the Issuer shall not redeem such Bonds and the Paying Agent/Registrar shall give notice, in the manner in which the notice of redemption was given, to the effect that the Bonds have not been redeemed.

AT LEAST THIRTY (30) days prior to the date fixed for any redemption of Bonds or portions thereof prior to maturity a written notice of such redemption shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, at least thirty (30) days prior to the date fixed for any such redemption, to the registered owner of each Bond to be redeemed at its address as it appeared on the business day prior to the mailing of such redemption notice; provided, however, that the failure of the registered owner to receive such notice, or any defect therein or in the sending or mailing thereof, shall not affect the validity or effectiveness of the proceedings for the redemption of any Bond. By the date fixed for any such redemption due provision shall be made with the Paying Agent/Registrar for the payment of the required redemption price for the Bonds or portions thereof that are to be so redeemed. If such written notice of redemption is sent and if due provision for such payment is made, all as provided above, the Bonds or portions thereof that are to be so redeemed thereby automatically shall be treated as redeemed prior to their scheduled maturities, and they shall not bear interest after the date fixed for redemption, and they shall not be regarded as being outstanding except for the right of the registered owner to receive the redemption price from the Paying Agent/Registrar out of the funds provided for such payment. If a portion of any Bond shall be redeemed, a substitute Bond or Bonds having the same maturity date, bearing interest at the same rate, in any denomination or denominations in any integral multiple of \$5,000, at the written request of the registered owner, and in aggregate principal amount equal to the unredeemed portion thereof, will be issued to the registered owner upon the surrender thereof for cancellation, at the expense of the Issuer, all as provided in the Bond Ordinance.

ALL BONDS OF THIS SERIES are issuable solely as fully registered bonds, without interest coupons, in the denomination of any integral multiple of \$5,000. As provided in the Bond Ordinance, this Bond may, at the request of the registered owner or the assignee or assignees hereof, be assigned, transferred, converted into and exchanged for a like aggregate principal amount of fully registered Bonds, without interest coupons, payable to the appropriate registered owner, assignee or assignees, as the case may be, having the same denomination or denominations in any integral multiple of \$5,000 as requested in writing by the appropriate registered owner, assignee or assignees, as the case may be, upon surrender of this Bond to the Paying Agent/Registrar for cancellation, all in accordance with the form and procedures set forth in the Bond Ordinance. Among other requirements for such assignment and transfer, this Bond must be presented and surrendered to the Paying Agent/Registrar, together with proper instruments of assignment, in form and with guarantee of signatures satisfactory to the Paying Agent/Registrar, evidencing assignment of this Bond or any portion or portions hereof in any integral multiple of \$5,000 to the assignee or assignees in whose name or names this Bond or any such portion or portions hereof is or are to be registered. The form of Assignment printed or endorsed on this Bond may be executed by the registered owner to evidence the assignment hereof, but such method is not exclusive, and other instruments of assignment satisfactory to the Paying Agent/Registrar may be used to evidence the assignment of this Bond or any portion or portions hereof from time to time by the registered owner. The Paying Agent/Registrar's reasonable standard or customary fees and charges for assigning, transferring, converting and exchanging any Bond or portion thereof will be paid by the Issuer. In any circumstance, any taxes or governmental charges required to be paid with respect thereto shall be paid by the one requesting such assignment, transfer, conversion or exchange, as a condition precedent to the exercise of such privilege. The Paying

Agent/Registrar shall not be required to make any such transfer, conversion, or exchange (i) during the period commencing with the close of business on any Record Date and ending with the opening of business on the next following principal or interest payment date, or (ii) with respect to any Bond or any portion thereof called for redemption prior to maturity, within forty-five (45) days prior to its redemption date.

IN THE EVENT any Paying Agent/Registrar for the Bonds is changed by the Issuer, resigns, or otherwise ceases to act as such, the Issuer has covenanted in the Bond Ordinance that it promptly will appoint a competent and legally qualified substitute therefor, and cause written notice thereof to be mailed to the registered owners of the Bonds.

IT IS HEREBY certified, recited and covenanted that this Bond has been duly and validly authorized, issued and delivered; that all acts, conditions and things required or proper to be performed, exist and be done precedent to or in the authorization, issuance and delivery of this Bond have been performed, existed and been done in accordance with law; and that annual ad valorem taxes sufficient to provide for the payment of the interest on and principal of this Bond, as such interest comes due and such principal matures, have been levied and ordered to be levied against all taxable property in said Issuer, and have been pledged for such payment, within the limit prescribed by law.

THE ISSUER HAS RESERVED THE RIGHT to amend the Bond Ordinance as provided therein, and under some (but not all) circumstances amendments thereto must be approved by the registered owners of a majority in aggregate principal amount of the outstanding Bonds.

BY BECOMING the registered owner of this Bond, the registered owner thereby acknowledges all of the terms and provisions of the Bond Ordinance, agrees to be bound by such terms and provisions, acknowledges that the Bond Ordinance is duly recorded and available for inspection in the official minutes and records of the governing body of the Issuer, and agrees that the terms and provisions of this Bond and the Bond Ordinance constitute a contract between each registered owner hereof and the Issuer.

IN WITNESS WHEREOF, the Issuer has caused this Bond to be signed with the manual or facsimile signature of the Mayor of the Issuer (or in the Mayor's absence, by the Mayor Pro Tem) and countersigned with the manual or facsimile signature of the City Secretary Issuer (or in the City Secretary's absence, by the Assistant City Secretary), of said Issuer, and has caused the official seal of the Issuer to be duly impressed, or placed in facsimile, on this Bond.

(signature)
City Secretary

(signature)
Mayor

(SEAL)

(b) Form of Paying Agent/Registrar's Authentication Certificate.

PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE
(To be executed if this Bond is not accompanied by an executed Registration
Certificate of the Comptroller of Public Accounts of the State of Texas)

It is hereby certified that this Bond has been issued under the provisions of the Bond Ordinance described in the text of this Bond; and that this Bond has been issued in conversion or replacement of, or in exchange for, a Bond, Bonds, or a portion of a Bond or Bonds of a series that originally was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

Dated: _____.

The Bank of New York Mellon Trust Company, N.A.
Dallas, Texas
Paying Agent/Registrar

By: _____
Authorized Representative

(c) Form of Assignment.

ASSIGNMENT
(Please print or type clearly)

For value received, the undersigned hereby sells, assigns and transfers unto: _____

Transferee's Social Security or Taxpayer Identification Number: _____

Transferee's name and address, including zip code: _____

_____ the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____, attorney, to register the transfer of the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a securities transfer association recognized signature guarantee program.

NOTICE: The signature above must correspond with the name of the registered owner as it appears upon the front of this Bond in every particular, without alteration or enlargement or any change whatsoever.

(d) Form of Registration Certificate of the Comptroller of Public Accounts.

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO. _____

I hereby certify that there is on file and of record in my office a true and correct copy of the opinion of the Attorney General of the State of Texas approving this Bond and that this Bond has been registered this day by me.

Witness my signature and seal this _____.

(COMPTROLLER'S SEAL)

(e) Initial Bond Insertions.

(i) The initial Bond shall be in the form set forth in paragraph (a) of this Section, except that:

A. immediately under the name of the Bond, the headings "Interest Rate" and "Maturity Date" shall both be completed with the words "As shown below" and "CUSIP No. _____" shall be deleted.

B. the first paragraph shall be deleted and the following will be inserted:

"THE CITY OF ROCKWALL, TEXAS, in Rockwall County, Texas (the "Issuer"), being a political subdivision and municipal corporation of the State of Texas, hereby promises to pay to the Registered Owner specified above, or registered assigns (hereinafter called the "Registered Owner"), on August 1 in each of the years, in the principal amounts and bearing interest at the per annum rates set forth in the following schedule:

<u>Maturity Dates</u> (8/1)	<u>Principal</u> <u>Amounts (\$)</u>	<u>Interest</u> <u>Rates (%)</u>
--------------------------------	---	-------------------------------------

(Information from Section 2 to be inserted)

The Issuer promises to pay interest on the unpaid principal amount hereof (calculated on the basis of a 360-day year of twelve 30-day months) from the Delivery Date specified above at the respective Interest Rate per annum specified above. Interest is payable on August 1, 2023, and semiannually on each February 1 and August 1 thereafter to the date of payment of the principal installment specified above, or the date of redemption prior to maturity; except, that if this Bond is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such Principal Amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication hereof the interest on the Bond or Bonds, if any, for which this Bond is being exchanged is due but has not been paid, then this Bond shall bear interest from the date to which such interest has been paid in full."

C. The Initial Bond shall be numbered "T-1."

Section 5. INTEREST AND SINKING FUND.

(a) A special "Interest and Sinking Fund" is hereby created and shall be established and maintained by the Issuer as a separate fund or account and the funds therein shall be deposited into and held in an account at an official depository bank of said Issuer. Said Interest and Sinking Fund shall be kept separate and apart from all other funds and accounts of said Issuer, and shall be used only for paying the interest on and principal of said Bonds. All amounts received from the sale of the Bonds as accrued interest shall be deposited upon receipt to the Interest and Sinking Fund, and all ad valorem taxes levied and collected for and on account of said Bonds shall be deposited, as collected, to the credit of said Interest and Sinking

Fund. During each year while any of said Bonds are outstanding and unpaid, the governing body of said Issuer shall compute and ascertain a rate and amount of ad valorem tax that will be sufficient to raise and produce the money required to pay the interest on said Bonds as such interest comes due, and to provide and maintain a sinking fund adequate to pay the principal of said Bonds as such principal matures (but never less than 2% of the original amount of said Bonds as a sinking fund each year); and said tax shall be based on the latest approved tax rolls of said Issuer, with full allowances being made for tax delinquencies and the cost of tax collection. Said rate and amount of ad valorem tax is hereby levied, and is hereby ordered to be levied, against all taxable property in said Issuer, for each year while any of said Bonds are outstanding and unpaid, and said tax shall be assessed and collected each such year and deposited to the credit of the aforesaid Interest and Sinking Fund. Said ad valorem taxes sufficient to provide for the payment of the interest on and principal of said Bonds, as such interest comes due and such principal matures, are hereby pledged for such payment, within the limit prescribed by law. Notwithstanding the requirements of this subsection, if lawfully available moneys of the Issuer are actually on deposit in the Interest and Sinking Fund in advance of the time when ad valorem taxes are scheduled to be levied for any year, then the amount of taxes that otherwise would have been required to be levied pursuant to this subsection may be reduced to the extent and by the amount of lawfully available funds then on deposit in the Interest and Sinking Fund.

(b) Chapter 1208, Texas Government Code, applies to the issuance of the Bonds and the pledge of the taxes granted by the Issuer under this Section and is therefore valid, effective, and perfected. Should Texas law be amended at any time while the Bonds are outstanding and unpaid, the result of such amendment being that the pledge of the taxes granted by the Issuer under this Section is to be subject to the filing requirements of Chapter 9, Business & Commerce Code, in order to preserve to the registered owners of the Bonds a security interest in said pledge, the Issuer agrees to take such measures as it determines are reasonable and necessary under Texas law to comply with the applicable provisions of Chapter 9, Business & Commerce Code and enable a filing of a security interest in said pledge to occur.

Section 6. DEFEASANCE OF BONDS.

(a) Any Bond and the interest thereon shall be deemed to be paid, retired and no longer outstanding (a "Defeased Bond") within the meaning of this Ordinance, except to the extent provided in subsection (d) of this Section, when payment of the principal of such Bond, plus interest thereon to the due date (whether such due date be by reason of maturity or otherwise) either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to the Paying Agent/Registrar in accordance with an escrow agreement or other instrument (the "Future Escrow Agreement") for such payment (1) lawful money of the United States of America sufficient to make such payment or (2) Defeasance Securities that mature as to principal and interest in such amounts and at such times as will ensure the availability, without reinvestment, of sufficient money to provide for such payment, and when proper arrangements have been made by the Issuer with the Paying Agent/Registrar for the payment of its services until all Defeased Bonds shall have become due and payable. At such time as a Bond shall be deemed to be a Defeased Bond hereunder, as aforesaid, such Bond and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of, the ad valorem taxes herein levied and pledged as provided in this Ordinance, and such principal and interest shall be payable solely from such money or Defeasance Securities, and thereafter the Issuer will have no further responsibility with respect to amounts available to such paying agent (or other financial institution permitted by applicable law) for the payment of such Defeased Bonds, including any insufficiency therein caused by the failure of such paying agent (or other financial institution permitted by applicable law) to receive payment when due on the Defeasance Securities. Notwithstanding any other provision of this Ordinance to the contrary, it is hereby provided that any determination not to redeem Defeased Bonds that is made in conjunction with the payment arrangements specified in 6(a)(i) or

(ii) of this Section shall not be irrevocable, provided that: (1) in the proceedings providing for such payment arrangements, the Issuer expressly reserves the right to call the Defeased Bonds for redemption; (2) gives notice of the reservation of that right to the owners of the Defeased Bonds immediately following the making of the payment arrangements; and (3) directs that notice of the reservation be included in any redemption notices that it authorizes.

(b) Any moneys so deposited with the Paying Agent/Registrar may at the written direction of the Issuer be invested in Defeasance Securities, maturing in the amounts and times as hereinbefore set forth, and all income from such Defeasance Securities received by the Paying Agent/Registrar that is not required for the payment of the Bonds and interest thereon, with respect to which such money has been so deposited, shall be turned over to the Issuer, or deposited as directed in writing by the Issuer. Any Future Escrow Agreement pursuant to which the money and/or Defeasance Securities are held for the payment of Defeased Bonds may contain provisions permitting the investment or reinvestment of such moneys in Defeasance Securities or the substitution of other Defeasance Securities upon the satisfaction of the requirements specified in 6(a)(i) or (ii) of this Section. All income from such Defeasance Securities which is not required for the payment of the Defeased Bonds, with respect to which such money has been so deposited, shall be remitted to the Issuer or deposited as directed in writing by the Issuer.

(c) The term “Defeasance Securities” means (1) direct noncallable obligations of the United States, including obligations that are unconditionally guaranteed by the United States; and (2) noncallable obligations of an agency or instrumentality of the United States, including obligations that are unconditionally guaranteed or insured by the agency or instrumentality and that, on the date the governing body of the Issuer adopts or approves the proceedings authorizing the issuance of refunding bonds, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent.

(d) Until all Defeased Bonds shall have become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for such Defeased Bonds the same as if they had not been defeased, and the Issuer shall make proper arrangements to provide and pay for such services as required by this Ordinance.

(e) In the event that the Issuer elects to defease less than all of the principal amount of Bonds of a maturity, the Paying Agent/Registrar shall select, or cause to be selected, such amount of Bonds by such random method as it deems fair and appropriate.

Section 7. DAMAGED, MUTILATED, LOST, STOLEN, OR DESTROYED BONDS.

(a) Replacement Bonds. In the event any outstanding Bond is damaged, mutilated, lost, stolen or destroyed, the Paying Agent/Registrar shall cause to be printed, executed and delivered, a new Bond of the same principal amount, maturity and interest rate, as the damaged, mutilated, lost, stolen or destroyed Bond, in replacement for such Bond in the manner hereinafter provided.

(b) Application for Replacement Bonds. Application for replacement of damaged, mutilated, lost, stolen or destroyed Bonds shall be made by the registered owner thereof to the Paying Agent/Registrar. In every case of loss, theft or destruction of a Bond, the registered owner applying for a replacement Bond shall furnish to the Issuer and to the Paying Agent/Registrar such security or indemnity as may be required by them to save each of them harmless from any loss or damage with respect thereto. Also, in every case of loss, theft or destruction of a Bond, the registered owner shall furnish to the Issuer and to the Paying Agent/Registrar evidence to their satisfaction of the loss, theft or destruction of such Bond, as the case may

be. In every case of damage or mutilation of a Bond, the registered owner shall surrender to the Paying Agent/Registrar for cancellation the Bond so damaged or mutilated.

(c) No Default Occurred. Notwithstanding the foregoing provisions of this Section, in the event any such Bond shall have matured, and no default has occurred that is then continuing in the payment of the principal of, redemption premium, if any, or interest on the Bond, the Issuer may authorize the payment of the same (without surrender thereof except in the case of a damaged or mutilated Bond) instead of issuing a replacement Bond, provided security or indemnity is furnished as above provided in this Section.

(d) Charge for Issuing Replacement Bonds. Prior to the issuance of any replacement Bond, the Paying Agent/Registrar shall charge the registered owner of such Bond with all legal, printing, and other expenses in connection therewith. Every replacement Bond issued pursuant to the provisions of this Section by virtue of the fact that any Bond is lost, stolen or destroyed shall constitute a contractual obligation of the Issuer whether or not the lost, stolen or destroyed Bond shall be found at any time, or be enforceable by anyone, and shall be entitled to all the benefits of this Ordinance equally and proportionately with any and all other Bonds duly issued under this Ordinance.

(e) Authority for Issuing Replacement Bonds. In accordance with Section 1206.022, Texas Government Code, this Section 7 of this Ordinance shall constitute authority for the issuance of any such replacement Bond without necessity of further action by the governing body of the Issuer or any other body or person, and the duty of the replacement of such Bonds is hereby authorized and imposed upon the Paying Agent/Registrar, and the Paying Agent/Registrar shall authenticate and deliver such Bonds in the form and manner and with the effect, as provided in Section 3 of this Ordinance for Bonds issued in conversion and exchange for other Bonds.

Section 8. COVENANTS REGARDING TAX EXEMPTION OF INTEREST ON THE BONDS.

(a) Covenants. The Issuer covenants to take any action necessary to assure, or refrain from any action that would adversely affect, the treatment of the Bonds as obligations described in section 103 of the Code, the interest on which is not includable in the “gross income” of the holder for purposes of federal income taxation. In furtherance thereof, the Issuer covenants as follows:

(1) to take any action to assure that no more than 10 percent of the proceeds of the Bonds (less amounts deposited to a reserve fund, if any) are used for any “private business use,” as defined in section 141(b)(6) of the Code or, if more than 10 percent of the proceeds or the projects financed or refinanced by the Bonds (the “Project”) are so used, such amounts, whether or not received by the Issuer, with respect to such private business use, do not, under the terms of this Ordinance or any underlying arrangement, directly or indirectly, secure or provide for the payment of more than 10 percent of the debt service on the Bonds, in contravention of section 141(b)(2) of the Code;

(2) to take any action to assure that in the event that the “private business use” described in subsection (1) hereof exceeds 5 percent of the proceeds of the Bonds or the projects financed therewith (less amounts deposited into a reserve fund, if any) then the amount in excess of 5 percent is used for a “private business use” that is “related” and not “disproportionate,” within the meaning of section 141(b)(3) of the Code, to the governmental use;

(3) to take any action to assure that no amount that is greater than the lesser of \$5,000,000, or 5 percent of the proceeds of the Bonds (less amounts deposited into a reserve fund, if any) is directly or indirectly used to finance loans to persons, other than state or local governmental units, in contravention of section 141(c) of the Code;

(4) to refrain from taking any action that would otherwise result in the Bonds being treated as “private activity bonds” within the meaning of section 141(b) of the Code;

(5) to refrain from taking any action that would result in the Bonds being “federally guaranteed” within the meaning of section 149(b) of the Code;

(6) to refrain from using any portion of the proceeds of the Bonds, directly or indirectly, to acquire or to replace funds that were used, directly or indirectly, to acquire investment property (as defined in section 148(b)(2) of the Code) that produces a materially higher yield over the term of the Bonds, other than investment property acquired with –

(A) proceeds of the Bonds invested for a reasonable temporary period until such proceeds are needed for the purpose for which the Bonds are issued,

(B) amounts invested in a bona fide debt service fund, within the meaning of section 1.148-1(b) of the Treasury Regulations, and

(C) amounts deposited in any reasonably required reserve or replacement fund to the extent such amounts do not exceed 10 percent of the proceeds of the Bonds;

(7) to otherwise restrict the use of the proceeds of the Bonds or amounts treated as proceeds of the Bonds, as may be necessary, so that the Bonds do not otherwise contravene the requirements of section 148 of the Code (relating to arbitrage);

(8) to refrain from using the proceeds of the Bonds or proceeds of any prior bonds to pay debt service on another issue more than 90 days after the date of issue of the Bonds in contravention of the requirements of section 149(d) of the Code (relating to advance refundings);

(9) to pay to the United States of America at least once during each five-year period (beginning on the date of delivery of the Bonds) an amount that is at least equal to 90 percent of the “Excess Earnings,” within the meaning of section 148(f) of the Code and to pay to the United States of America, not later than 60 days after the Bonds have been paid in full, 100 percent of the amount then required to be paid as a result of Excess Earnings under section 148(f) of the Code;

(10) to file or cause to be filed with the Secretary of the Treasury, not later than the 15th day of the second calendar month after the close of the calendar quarter in which the Bonds are issued, an information statement concerning the Bonds, all under and in accordance with section 149(e) of the Code and the applicable Treasury Regulations promulgated thereunder; and

(11) to assure that the proceeds of the Bonds allocable to the Improvement Projects will be used solely for new money projects.

(b) Rebate Fund. In order to facilitate compliance with the above covenant (a)(9), a “Rebate Fund” is hereby established by the Issuer for the sole benefit of the United States of America, and such Fund shall not be subject to the claim of any other person, including without limitation the Bondholders. The Rebate Fund is established for the additional purpose of compliance with section 148 of the Code.

(c) Use of Proceeds. For purposes of the foregoing covenants (a)(1) and (a)(2), the Issuer understands that the term “proceeds” includes “disposition proceeds” as defined in the Treasury Regulations

and, in the case of the Bonds, transferred proceeds (if any) and proceeds of the Refunded Obligations expended prior to the date of issuance of the Bonds. It is the understanding of the Issuer that the covenants contained herein are intended to assure compliance with the Code and any regulations or rulings promulgated by the U.S. Department of the Treasury pursuant thereto. In the event that regulations or rulings are hereafter promulgated that modify or expand provisions of the Code, as applicable to the Bonds, the Issuer will not be required to comply with any covenant contained herein to the extent that such failure to comply, in the opinion of nationally recognized bond counsel, will not adversely affect the exemption from federal income taxation of interest on the Bonds under section 103 of the Code. In the event that regulations or rulings are hereafter promulgated that impose additional requirements applicable to the Bonds, the Issuer agrees to comply with the additional requirements to the extent necessary, in the opinion of nationally recognized bond counsel, to preserve the exemption from federal income taxation of interest on the Bonds under section 103 of the Code. In furtherance of such intention, the Issuer hereby authorizes and directs the Mayor, the City Manager, City Attorney, the Director of Finance of the Issuer or any other officer or agent of the Issuer to execute any documents, certificates or reports required by the Code and to make such elections, on behalf of the Issuer, that may be permitted by the Code as are consistent with the purpose for the issuance of the Bonds.

(d) Allocation of, and Limitation on, Expenditures for the Improvement Projects. The Issuer covenants to account for the expenditure of sale proceeds and investment earnings to be used for the construction and acquisition of the Improvement Projects on its books and records by allocating proceeds to expenditures within 18 months of the later of the date that (1) the expenditure is made, or (2) the Improvement Projects are completed. The foregoing notwithstanding, the Issuer shall not expend proceeds of the sale of the Bonds or investment earnings thereon more than 60 days after the earlier of (1) the fifth anniversary of the delivery of the Bonds, or (2) the date the Bonds are retired, unless the Issuer obtains an opinion of nationally-recognized bond counsel that such expenditure will not adversely affect the status, for federal income tax purposes, of the Bonds or the interest thereon. For purposes hereof, the Issuer shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

(e) Disposition of Projects. The Issuer covenants that the property constituting the Projects will not be sold or otherwise disposed in a transaction resulting in the receipt by the Issuer of cash or other compensation, unless any action taken in connection with such disposition will not adversely affect the tax-exempt status of the Bonds. For purpose of the foregoing, the Issuer may rely on an opinion of nationally-recognized bond counsel that the action taken in connection with such sale or other disposition will not adversely affect the tax-exempt status of the Bonds. For purposes of the foregoing, the portion of the property comprising personal property and disposed in the ordinary course shall not be treated as a transaction resulting in the receipt of cash or other compensation. For purposes hereof, the Issuer shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

Section 9. SALE OF BONDS AND APPROVAL OF OFFICIAL STATEMENT; FURTHER PROCEDURES.

(a) The Bonds are hereby sold and shall be delivered to Frost Bank, SAMCO Capital Markets, Inc. and Huntington Capital Markets (collectively, the “Underwriters”), for the purchase price of \$[_____] (representing the par amount of the Bonds of \$[_____] plus aggregate original issue premium of \$[_____] (premium to be applied as set forth in Section 18) and less an underwriters’ discount of \$[_____] pursuant to the terms and provisions of a Bond Purchase Agreement with the Underwriters (the “Purchase Agreement”). It is hereby officially found, determined, and declared that the Bonds have been sold pursuant to the terms and provisions of a Purchase Agreement in substantially the

form presented at this meeting, which the Mayor of the Issuer (or in the Mayor's absence, by the Mayor Pro Tem) is hereby authorized and directed to execute. It is hereby officially found, determined, and declared that the terms of this sale are the most advantageous reasonably obtainable. The initial Bond shall be registered in the name of the representative of the Underwriters or its designee.

(b) The Issuer hereby approves the form and content of the Official Statement relating to the Bonds and any addenda, supplement or amendment thereto, and approves the distribution of such Official Statement in the reoffering of the Bonds by the Underwriters in final form, with such changes therein or additions thereto as the officer executing the same may deem advisable, such determination to be conclusively evidenced by his execution thereof. The distribution and use of the Preliminary Official Statement relating to the Bonds, prior to the date hereof is hereby ratified and confirmed.

(c) The Mayor, City Manager, City Secretary, Director of Finance, and any other authorized officers or agents of the Issuer, and each of them, shall be and they are hereby expressly authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name of the Issuer all other such documents, certificates and instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance, the Bonds, the sale of the Bonds and the Official Statement. In case any officer whose signature shall appear on any Bond shall cease to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

Section 10. CUSTODY, APPROVAL, AND REGISTRATION OF BONDS; BOND COUNSEL'S OPINION; CUSIP NUMBERS AND CONTINGENT INSURANCE PROVISION, IF OBTAINED; ENGAGEMENT OF BOND COUNSEL.

(a) The Mayor of the Issuer is hereby authorized to have control of the Bonds initially issued and delivered hereunder and all necessary records and proceedings pertaining to the Bonds pending their delivery and their investigation, examination, and approval by the Attorney General of the State of Texas, and their registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of the Bonds said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall sign manually, by facsimile, electronically or otherwise, the Comptroller's Registration Certificate attached to such Bonds, and the seal of said Comptroller shall be impressed, or placed in facsimile, on such Bond. The approving legal opinion of the Issuer's Bond Counsel and the assigned CUSIP numbers may, at the option of the Issuer, be printed on the Bonds issued and delivered under this Ordinance, but neither shall have any legal effect, and shall be solely for the convenience and information of the registered owners of the Bonds. In addition, if bond insurance is obtained, the Bonds may bear an appropriate legend as provided by the insurer.

(b) The obligation of the initial purchaser to accept delivery of the Bonds is subject to the release of the final, approving opinion of McCall, Parkhurst & Horton L.L.P., bond counsel to the Issuer. The engagement of such firm as bond counsel to the Issuer in connection with issuance, sale and delivery of the Bonds is hereby approved and confirmed.

Section 11. INTEREST EARNINGS ON BOND PROCEEDS. Interest earnings derived from the investment of proceeds from the sale of the Bonds issued for the Improvement Projects shall be used along with other Bond proceeds for the Improvement Projects; provided that after completion of such purpose, if any of such interest earnings remain on hand, such interest earnings shall be deposited in the Interest and Sinking Fund. It is further provided, however, that any interest earnings on Bond proceeds that are required to be rebated to the United States of America pursuant to Section 9 hereof in order to prevent the Bonds

from being arbitrage bonds shall be so rebated and not considered as interest earnings for the purposes of this Section.

Section 12. CONSTRUCTION FUND.

(a) The Issuer hereby creates and establishes and shall maintain on the books of the Issuer a separate fund to be entitled the “Series 2023 General Obligation Refunding and Improvement Bonds Construction Fund” (the “Construction Fund”) for use by the Issuer for payment of all lawful costs associated with the acquisition and construction of the Improvement Projects as hereinbefore provided. Upon payment of all such costs, any moneys remaining on deposit in the Construction Fund shall be transferred to the Interest and Sinking Fund. Amounts so deposited to the Interest and Sinking Fund shall be used in the manner described in Section 5 of this Ordinance.

(b) The Issuer may invest proceeds of the Bonds issued for Improvement Projects (including investment earnings thereon) and amounts deposited into the Interest and Sinking Fund in investments authorized by the Public Funds Investment Act, Chapter 2256, Texas Government Code, as amended; provided, however, that the Issuer hereby covenants that the proceeds of the sale of the Bonds will be used as soon as practicable for the purposes for which the Bonds are issued.

(c) All deposits authorized or required by this Ordinance shall be secured to the fullest extent required by law for the security of public funds.

Section 13. COMPLIANCE WITH RULE 15c2-12.

(a) Definitions. As used in this Section, the following terms have the meanings ascribed to such terms below:

“MSRB” means the Municipal Securities Rulemaking Board.

“Rule” means SEC Rule 15c2-12, as amended from time to time.

“SEC” means the United States Securities and Exchange Commission.

(b) Annual Reports.

(i) The Issuer shall provide annually to the MSRB, in an electronic format as prescribed by the MSRB, within six (6) months after the end of each fiscal year ending in or after 2022, financial information and operating data with respect to the Issuer of the general type included in the final Official Statement authorized by this Ordinance, being the information described in Exhibit A hereto. The Issuer will additionally provide audited financial statements when and if available, and in any event, within twelve (12) months after the end of each fiscal year ending in or after 2022. If the audit of such financial statements is not complete within twelve (12) months after any such fiscal year end, then the Issuer will file unaudited financial statements within such twelve (12) month period and audited financial statements for the applicable fiscal year, when and if the audit report on such statements becomes available. Any financial statements so to be provided shall be prepared in accordance with the accounting principles described in Appendix B to the Official Statement, or such other accounting principles as the Issuer may be required to employ from time to time pursuant to state law or regulation.

(ii) If the Issuer changes its fiscal year, it will notify the MSRB of the change (and of the date of the new fiscal year end) prior to the next date by which the Issuer otherwise would be required to provide financial information and operating data pursuant to this Section. The financial

information and operating data to be provided pursuant to this Section may be set forth in full in one or more documents or may be included by specific reference to any document that is available to the public on the MSRB's internet website or filed with the SEC. All documents provided to the MSRB pursuant to this Section shall be accompanied by identifying information as prescribed by the MSRB.

(c) Event Notices.

(i) The Issuer shall notify the MSRB in an electronic format as prescribed by the MSRB, in a timely manner (but not in excess of ten (10) business days after the occurrence of the event) of any of the following events with respect to the Bonds:

1. Principal and interest payment delinquencies;
2. Non-payment related defaults, if material;
3. Unscheduled draws on debt service reserves reflecting financial difficulties;
4. Unscheduled draws on credit enhancements reflecting financial difficulties;
5. Substitution of credit or liquidity providers, or their failure to perform;
6. Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
7. Modifications to rights of holders of the Bonds, if material;
8. Bond calls, if material, and tender offers;
9. Defeasances;
10. Release, substitution, or sale of property securing repayment of the Bonds, if material;
11. Rating changes;
12. Bankruptcy, insolvency, receivership or similar event of the Issuer;
13. The consummation of a merger, consolidation, or acquisition involving the Issuer or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
14. Appointment of a successor trustee or change in the name of the trustee, if material;
15. Incurrence of a financial obligation of the Issuer, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of any such financial obligation of the Issuer, any of which affect security holders, if material; and
16. Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of any such financial obligation of the Issuer, any of which reflect financial difficulties.

As used in clause 12 above, the phrase "bankruptcy, insolvency, receivership or similar event" means the appointment of a receiver, fiscal agent or similar officer for the Issuer in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets of the Issuer, or if jurisdiction has been assumed by leaving the existing City Council and officials or officers of the Issuer in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Issuer. For the purposes of the above describe event notices 15 and 16, the term "financial obligation" means a (i) debt obligation, (ii) derivative

instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation, or (iii) a guarantee of (i) or (ii); provided however, that a “financial obligation” shall not include municipal securities as to which a final official statement (as defined in the Rule) has been provided to the MSRB consistent with the Rule.

(ii) The Issuer shall notify the MSRB, in a timely manner, of any failure by the Issuer to provide financial information or operating data in accordance with subsection (b) of this Section by the time required by such subsection.

(d) Limitations, Disclaimers, and Amendments.

(i) The Issuer shall be obligated to observe and perform the covenants specified in this Section for so long as, but only for so long as, the Issuer remains an “obligated person” with respect to the Bonds within the meaning of the Rule, except that the Issuer in any event will give notice of any deposit made in accordance with this Ordinance or applicable law that causes Bonds no longer to be outstanding.

(ii) The provisions of this Section are for the sole benefit of the registered owners and beneficial owners of the Bonds, and nothing in this Section, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The Issuer undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Section and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the Issuer’s financial results, condition, or prospects or hereby undertake to update any information provided in accordance with this Section or otherwise, except as expressly provided herein. The Issuer does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Bonds at any future date.

(iii) UNDER NO CIRCUMSTANCES SHALL THE ISSUER BE LIABLE TO THE REGISTERED OWNER OR BENEFICIAL OWNER OF ANY BOND OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE ISSUER, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS SECTION, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR MANDAMUS OR SPECIFIC PERFORMANCE.

(iv) No default by the Issuer in observing or performing its obligations under this Section shall comprise a breach of or default under this Ordinance for purposes of any other provision of this Ordinance. Nothing in this Section is intended or shall act to disclaim, waive, or otherwise limit the duties of the Issuer under federal and state securities laws.

(v) Should the Rule be amended to obligate the Issuer to make filings with or provide notices to entities other than the MSRB, the Issuer hereby agrees to undertake such obligation with respect to the Bonds in accordance with the Rule as amended. The provisions of this Section may be amended by the Issuer from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the Issuer, but only if (1) the provisions of this Section, as so amended, would have permitted an underwriter to purchase or sell Bonds in the primary offering of the Bonds in compliance with the Rule, taking into account any amendments or interpretations of the Rule since such offering as well

as such changed circumstances and (2) either (a) the registered owners of a majority in aggregate principal amount (or any greater amount required by any other provision of this Ordinance that authorizes such an amendment) of the outstanding Bonds consent to such amendment or (b) a qualified person that is unaffiliated with the Issuer (such as nationally recognized bond counsel) determined that such amendment will not materially impair the interest of the registered owners and beneficial owners of the Bonds. The Issuer may also amend or repeal the provisions of this continuing disclosure agreement if the SEC amends or repeals the applicable provision of the Rule or a court of final jurisdiction enters judgment that such provisions of the Rule are invalid, but only if and to the extent that the provisions of this sentence would not prevent an underwriter from lawfully purchasing or selling Bonds in the primary offering of the Bonds. If the Issuer so amends the provisions of this Section, it shall include with any amended financial information or operating data next provided in accordance with subsection (b) of this Section an explanation, in narrative form, of the reason for the amendment and of the impact of any change in the type of financial information or operating data so provided.

Section 14. METHOD OF AMENDMENT. The Issuer hereby reserves the right to amend this Ordinance subject to the following terms and conditions, to-wit:

(a) The Issuer may from time to time, without the consent of any holder, except as otherwise required by paragraph (b) below, amend or supplement this Ordinance in order to (i) cure any ambiguity, defect or omission in this Ordinance that does not materially adversely affect the interests of the holders, (ii) grant additional rights or security for the benefit of the holders, (iii) add events of default as shall not be inconsistent with the provisions of this Ordinance and that shall not materially adversely affect the interests of the holders, (iv) qualify this Ordinance under the Trust Indenture Act of 1939, as amended, or corresponding provisions of federal laws from time to time in effect, or (v) make such other provisions in regard to matters or questions arising under this Ordinance as shall not be inconsistent with the provisions of this Ordinance and that shall not in the opinion of the Issuer's Bond Counsel materially adversely affect the interests of the holders.

(b) Except as provided in paragraph (a) above, the holders of Bonds aggregating in principal amount 51% of the aggregate principal amount of then outstanding Bonds that are the subject of a proposed amendment shall have the right from time to time to approve any amendment hereto that may be deemed necessary or desirable by the Issuer; provided, however, that without the consent of 100% of the holders in aggregate principal amount of the then outstanding Bonds, nothing herein contained shall permit or be construed to permit amendment of the terms and conditions of this Ordinance or in any of the Bonds so as to:

- (1) Make any change in the maturity of any of the outstanding Bonds;
- (2) Reduce the rate of interest borne by any of the outstanding Bonds;
- (3) Reduce the amount of the principal of, or redemption premium, if any, payable on any outstanding Bonds;
- (4) Modify the terms of payment of principal or of interest or redemption premium on outstanding Bonds or any of them or impose any condition with respect to such payment; or
- (5) Change the minimum percentage of the principal amount of any series of Bonds necessary for consent to such amendment.

(c) If at any time the Issuer shall desire to amend this Ordinance under this Section, the Issuer shall send by U.S. mail to each registered owner of the affected Bonds a copy of the proposed amendment. Such notice shall briefly set forth the nature of the proposed amendment and shall state that a copy thereof is on file at the office of the Issuer for inspection by all holders of such Bonds.

(d) Whenever at any time within one year from the date of mailing of such notice the Issuer shall receive an instrument or instruments executed by the holders of at least 51% in aggregate principal amount of all of the Bonds then outstanding that are required for the amendment, which instrument or instruments shall refer to the proposed amendment and shall specifically consent to and approve such amendment, the Issuer may adopt the amendment in substantially the same form.

(e) Upon the adoption of any amendatory Ordinance pursuant to the provisions of this Section, this Ordinance shall be deemed to be modified and amended in accordance with such amendatory Ordinance, and the respective rights, duties, and obligations of the Issuer and all holders of such affected Bonds shall thereafter be determined, exercised, and enforced, subject in all respects to such amendment.

(f) Any consent given by the holder of a Bond pursuant to the provisions of this Section shall be irrevocable for a period of six (6) months from the date of such consent, and shall be conclusive and binding upon all future holders of the same Bond during such period. Such consent may be revoked at any time after six (6) months from the date of such consent by the holder who gave such consent, or by a successor in title, by filing notice with the Issuer, but such revocation shall not be effective if the holders of 51% in aggregate principal amount of the affected Bonds then outstanding, have, prior to the attempted revocation, consented to and approved the amendment.

(g) For the purposes of establishing ownership of the Bonds, the Issuer shall rely solely upon the registration of the ownership of such Bonds on the registration books kept by the Paying Agent/Registrar.

Section 15. DEFAULT AND REMEDIES.

(a) Events of Default. Each of the following occurrences or events for the purpose of this Ordinance is hereby declared to be an Event of Default:

(i) the failure to make payment of the principal of or interest on any of the Bonds when the same becomes due and payable; or

(ii) default in the performance or observance of any other covenant, agreement or obligation of the Issuer, the failure to perform which materially, adversely affects the rights of the registered owners of the Bonds, including, but not limited to, their prospect or ability to be repaid in accordance with this Ordinance, and the continuation thereof for a period of sixty (60) days after notice of such default is given by any Registered Owner to the Issuer.

(b) Remedies for Default.

(i) Upon the happening of any Event of Default, then and in every case, any Registered Owner or an authorized representative thereof, including, but not limited to, a trustee or trustees therefor, may proceed against the Issuer for the purpose of protecting and enforcing the rights of the Registered Owners under this Ordinance, by mandamus or other suit, action or special proceeding in equity or at law, in any court of competent jurisdiction, for any relief permitted by law, including the specific performance of any covenant or agreement contained herein, or thereby to enjoin any act or thing

that may be unlawful or in violation of any right of the Registered Owners hereunder or any combination of such remedies.

(ii) It is provided that all such proceedings shall be instituted and maintained for the equal benefit of all Registered Owners of Bonds then outstanding.

(c) Remedies Not Exclusive.

(i) No remedy herein conferred or reserved is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or under the Bonds or now or hereafter existing at law or in equity; provided, however, that notwithstanding any other provision of this Ordinance, the right to accelerate the debt evidenced by the Bonds shall not be available as a remedy under this Ordinance.

(ii) The exercise of any remedy herein conferred or reserved shall not be deemed a waiver of any other available remedy.

(iii) By accepting the delivery of a Bond authorized under this Ordinance, such Registered Owner agrees that the certifications required to effectuate any covenants or representations contained in this Ordinance do not and shall never constitute or give rise to a personal or pecuniary liability or charge against the officers or employees of the Issuer or the City Council.

Section 16. APPROVAL OF ESCROW AGREEMENT AND TRANSFER OF FUNDS. In furtherance of authority granted by Section 1207.007(b), Texas Government Code, the Mayor or City Manager is further authorized to enter into and execute on behalf of the Issuer the Escrow Agreement with The Bank of New York Mellon Trust Company, N.A., in substantially the form presented at this meeting.

In addition, on or immediately prior to the date of the delivery of the Bonds to the Underwriters, the Mayor, the City Manager or the Director of Finance is authorized to transfer and deposit cash from available funds to the paying agent of the Refunded Obligations, if needed, to fund the account described in the Escrow Agreement as the Issuer's contribution to the refunding of the Refunded Obligations. In addition, the Mayor, the City Manager or the Director of Finance is authorized to purchase such securities, to execute such subscriptions for the purchase of securities, if any are required for the defeasance and redemption of the Refunded Obligations.

Section 17. REDEMPTION OF REFUNDED OBLIGATIONS.

(a) The Issuer hereby directs that the Refunded Obligations be called for redemption or otherwise retired on the dates and at the prices set forth on Schedule II.

(b) The paying agent/registrars for the Refunded Obligations are hereby directed to provide the appropriate notice of redemption as required by the Refunded Obligations (if applicable) and are hereby directed to make appropriate arrangements so that the Refunded Obligations may be redeemed or otherwise retired on the appropriate redemption or maturity date.

(d) The source of funds for payment of the principal of and interest on the Refunded Obligations on their respective maturity or redemption dates shall be from the funds deposited with the paying agents for the Refunded Obligations, pursuant to the Escrow Agreement approved by this Ordinance.

Section 18. PREMIUM. The Bonds are being sold at an aggregate premium equal to \$[_____]. With respect to such premium attributable to the Bonds, \$[_____] shall be used to pay costs of issuance, \$_____ shall be used to pay underwriters' discount, \$[_____] shall be deposited into the account described in the Escrow Agreement for the refunding of the Refunded Obligations, \$[_____] and shall be deposited into the Construction Fund for the Improvement Projects. Schedule I attached hereto sets forth the bonds authorized to be issued pursuant to the Elections, the prior bonds and allocable premium previously applied against such authority and the Bonds and allocable premium currently being issued pursuant to the Elections.

Section 19. APPROPRIATION. To pay the debt service coming due on the Bonds, if any, prior to receipt of the taxes levied to pay such debt service, there is hereby appropriated from current funds on hand, which are hereby certified to be on hand and available for such purpose, an amount sufficient to pay such debt service, and such amount shall be used for no other purpose.

Section 20. NO PERSONAL LIABILITY. No recourse shall be had for payment of the principal of or interest on any Bonds or for any claim based thereon, or on this Ordinance, against any official or employee of the Issuer or any person executing any Bond.

Section 21. EFFECTIVE DATE. In accordance with the provisions of Texas Government Code, Section 1201.028, this Ordinance shall be effective immediately upon its adoption by the City Council.

Section 22. SEVERABILITY. If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any persons or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Ordinance, despite such invalidity, which remaining portions shall remain in full force and effect.

(Execution Page Follows)

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
ROCKWALL, TEXAS this December 19, 2022.

ATTEST:

Mayor, City of Rockwall, Texas

City Secretary, City of Rockwall, Texas

[CITY SEAL]

APPROVED AS TO FORM:

City Attorney, City of Rockwall, Texas

SCHEDULE I

Voted Bonds

Purpose	Amount Authorized(\$)	Amount Previously Issued(\$)	Unissued Balance(\$)	Amount Currently Being Issued(\$)
<u>December 7, 1985 Election</u>				
Street Improvements	1,500,000	600,000	900,000	-0-
<u>December 3, 1994 Election</u>				
FM 740 Road Improvements (Prop. 1)	3,100,000	2,600,000	500,000	-0-
<u>May 12, 2012 Election</u>				
Street and Other Improvements in Downtown Area (Prop. 2)	8,625,000	7,380,000	1,245,000	[1,245,000*]
Street and Road Improvements (Prop. 5)	19,155,000	9,395,000	9,760,000	[9,760,000**]
<u>May 5, 2018 Election</u>				
Street and Road Improvements (Prop. A)	85,000,000	-0-	85,000,000	[17,240,000***]

[*\$ _____ principal plus \$ _____ premium.]
 [**\$ _____ principal plus \$ _____ premium.]
 [***\$ _____ principal plus \$ _____ premium.]

SCHEDULE II
Refunded Obligations

Redemption Date and Price:
January 26, 2023, at Par.

City of Rockwall, Texas Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2009 maturing on August 1 in the years 2023, 2026 and 2029.

City of Rockwall, Texas General Obligation Refunding and Improvement Bonds, Series 2009 maturing on August 1 in the years 2023 through 2029, inclusive.

City of Rockwall, Texas Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2011A maturing on August 1 in the years 2023 through 2026, inclusive, 2028 and 2031.

City of Rockwall, Texas General Obligation Refunding and Improvement Bonds, Series 2011 maturing on August 1 in the years 2028 and 2031.

EXHIBIT A

ANNUAL FINANCIAL INFORMATION AND OPERATING DATA

The following information is referred to in Section 13(b) of this Ordinance:

The financial information and operating data with respect to the Issuer to be provided annually in accordance with such Section are as specified (and included in the Appendix or under the headings of the Official Statement referred to) below:

-- Tables 1 - 6 and 8 - 15



City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and Council members
FROM: Mary Smith, City Manager
DATE: December 15, 2022
SUBJECT: Garbage Rate Increase

The solid waste contract with Republic Waste as extended January 2021 includes an annual CPI rate increase to our residents and commercial customers. The contract sets the increase at 3% per year, which this year definitely works to our advantage with much higher CPI rates. The accompanying resolution, if adopted by the City Council, will set the new rates to be effective 1/1/2023.

The new residential rate in the proposal reflects an increase of .48 cents per month including applicable sales tax and allows the residents to continue to enjoy the unlimited bulk pickup, twice per week garbage, and weekly recycling which have been the standard here for many years.

In addition, we have charged residents a monthly fee of .83 cents for household hazardous waste collection in 2022. When we entered into the contract with HHW Solutions for front porch pickup at a rate of .99 cents per household, we acknowledged that we would need to increase the fee to cover it in future years. We had some funds from an old recycling incentive in reserve, which allowed us to continue to charge the lower rate, and then only partially absorb it in 2022. We are proposing to match the rate to the fee beginning January 1 which would increase the monthly rate by .25 cents per household to match the CPI adjusted rate for the collection contract with HHW Solutions.

The rate increase to residents if the Resolution is approved would be .73 cents per month.

Commercial rates will increase 3%.

Staff will be here to answer any questions regarding this matter.

CITY OF ROCKWALL, TEXAS

RESOLUTION #22-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS FIXING THE COLLECTION RATE TO BE CHARGED FOR GARBAGE COLLECTION SERVICES FURNISHED BY THE CITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 34. Solid Waste, Article I. In General, Sec. 34-5 Collection Charges, of the City of Rockwall Code of Ordinances provides that the rates for garbage service within the city shall be established from time to time by city council resolution; and

WHEREAS, the City Council finds that, due to increasing costs, it is necessary to increase the rates charged for garbage collection services.

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

SECTION 1. That the following monthly rates are hereby established and adopted and shall be collected for garbage collection services billed by the City:

Residential Rates							
Twice per week collection							
Twice per month brush/bulky							
Once per week recycle collection				\$20.16			
Polycart Rental				\$4.46 per month			
Household Hazardous Waste collection				\$1.09 per month			
Commercial Rates							
Twice per week hand collection		\$26.52					
	1X	2X	3X	4X	5X	6X	Extra
2 yard	\$ 91.55	\$169.36	n/a	n/a	n/a	n/a	\$ 51.65
3 yard	\$103.13	\$190.76	n/a	n/a	n/a	n/a	\$ 57.28
4 yard	\$128.93	\$238.48	\$331.99	n/a	n/a	n/a	\$ 63.64
6 yard	\$154.69	\$286.20	\$398.06	\$492.99	n/a	n/a	\$ 75.28
8 yard	\$193.37	\$357.75	\$497.56	\$616.19	\$717.15	\$802.91	\$ 89.10
Roll Off		Compactors		Commercial			
20 yard	\$537.84	30 yard compactor	\$602.99	Extra Yards		\$37.13	
30 yard	\$565.52	35 yard compactor	\$650.28	Delivery		\$159.14	
40 yard	\$586.71	42 yard compactor	\$650.28	Removal		\$159.14	
Del / Exc	\$181.98			Relocates		\$159.14	
Daily rental	\$ 4.76						

Rentals range from \$1.00 to \$600.00 per month (determined by age, type, size of compactor). Installation is not included.

Rates include street use fees as described in the contract.

SECTION 2. That these rates and charges shall become effective and be in full force and effect starting January 1, 2023.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
TEXAS THIS 19th DAY OF DECEMBER, 2022.**

APPROVED:

Kevin Fowler, Mayor

ATTEST:

Kristy Teague, City Secretary