Table of Contents

Agenda
Consider approval of the minutes from the March 4, 2019 regular city council meeting, and take any action necessary.
Minutes
Blank Page
Consider approval of an ordinance cancelling the May 4, 2019 General Election, and take any action necessary (2nd Reading).
Ord
Blank Page
Consider approval of an ordinance establishing the speed limit along SH 205 as fifty miles per hour (50 mph) between MP .575 (north of FM 552/Dalton) and MP .837 (the City's corporate limits), and take any action necessary. (1st reading)
Memo
Ordinance
Exhibit A
Blank Page
Consider authorizing a contract extension for Contract Mowing for one year to Grass Kisser Landscape Maintenance in the amount of \$80,437 to be funded from the General Fund, Parks Operations, Ground Maintenance budget, and take any action necessary.
memo
Blank Page
Consider a Park Board recommendation regarding approval of a resolution of the City Council to the 86th Session of the Texas Legislature regarding the distribution of sporting good sales tax to the Texas Recreation and Parks Account, and take any action necessary.
Memo
Resolution
TRAPS Legislative Items
Sporting Goods Tax
Blank Page
Consider approval of a resolution authorizing and consenting to the City of Forney, TX providing sanitary sewer service to 487 additional acres of land through an amendment to the City of Forney's Wastewater Service Contract with Kaufman County Municipal Utility District (MUD) No. 3, and take any action necessary.
Memo
Resolution
Amendment 41
Blank Page
Consider approval of a resolution for the annual adoption of pro- rata equipment fees to be paid by developers in accordance with the Mandatory Neighborhood Park Land Dedication

Ordinance, and take any action necessary.

Memo (Parks Director)	48
Resolution.	49
Market Study Ltr	50
Table 2	86
Blank Page	87
Consider approval of a resolution for the annual adoption of cash-in-lieu of land fees to be paid by developers in accordance with the Mandatory Neighborhood Park Land Dedication Ordinance, and take any action necessary.	
Memo (cash in lieu of land)	88
Resolution.	89
Market Ltr.	90
Table	126
Blank Page	127
Consider a request by Mark W. Pross of Pross Design Group, Inc. on behalf of Carolina Molina of Alvaplast US (SPR Packaging) for the approval of an alternative tree mitigation plan in conjunction with an approved site plan for a warehouse/manufacturing facility on a 11.3736-acre tract of land identified as Tract 7 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated at the terminus of Aluminum Plant Road, and take any action necessary.	
Memorandum	128
Blank Page	138
P2019-009 - Consider a request by Mathias Haubert of Bohler Engineering on behalf of Daniel J. Porter of Dynamic Development for the approval of a replat for Lot 1, Block A, Brakes Plus Addition being a 0.653-acre tract of land currently identified as Lots 1 & 2, Billy Peoples #1 Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1902 & 2000 S. Goliad Street [SH-205], and take any action necessary.	100
P2019-009	
Blank Page	146
Z2019-003 - Hold a public hearing to discuss and consider a request by Jeff Bresee of SET Engineers on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of an ordinance for a Specific Use Permit (SUP) for a Private Sports Arena, Stadium or Track on a 35.295-acre parcel of land identified as Lot 1, Block A, Rockwall High School Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 901 W. Yellow Jacket Lane, and take any action necessary (1st Reading).	
Z2019-003	147
Blank Page	181

P2019-008 - Hold a public hearing to discuss and consider a request by Kevin Osornio on behalf of Jeaniffer Osornio for the approval of a replat for Lots 1 & 2, Block A, N. E. & J.O. Addition being a 0.46-acre parcel of land identified as Lot 2, Block A, Sanger Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated within the Southside Residential Overlay (SOV) District, addressed as 705 Peters Colony, and take any action necessary.	
P2019-008	82
Blank Page	90
Discuss and consider authorizing the City Manager to execute an agreement with Doliver Enterprises LLC dba HHW Solutions for the collection and disposal of household hazardous waste and take any action necessary.	
Staff memo	91
Agreement	93
Blank page	01
Discuss and consider strategies for the IH-30 Corridor as stated in the IH-30 Corridor Planning Study, and take any action necessary.	
Memo	02
Blank Page	09



ROCKWALL CITY COUNCIL REGULAR MEETING Monday, March 18, 2019 - 5:00 PM City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

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

- **1.** Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
- Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - specifically the N. TX Municipal Water District (NTMWD) Board - pursuant to Section 551.074 (Personnel Matters)
- **3.** Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

- IV. RECONVENE PUBLIC MEETING (6:00 P.M.)
- V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION
- VI. INVOCATION AND PLEDGE OF ALLEGIANCE COUNCILMEMBER HOHENSHELT
- VII. OPEN FORUM
- VIII. CONSENT AGENDA
 - **pg.7 1.** Consider approval of the minutes from the March 4, 2019 regular city council meeting, and take any action necessary.
 - pg.12 2. Consider approval of an ordinance cancelling the May 4, 2019 General Election, and take any action necessary (2nd Reading).
- pg.16 3. Consider approval of an ordinance establishing the speed limit along SH 205 as fifty miles per hour (50 mph) between MP .575 (north of FM 552/Dalton) and MP .837 (the City's corporate limits), and take any action necessary. (1st reading)
- pg.24 4. Consider authorizing a contract extension for Contract Mowing for one year to Grass Kisser
 Landscape Maintenance in the amount of \$80,437 to be funded from the General Fund, Parks
 Operations, Ground Maintenance budget, and take any action necessary.

- pg.26 5. Consider a Park Board recommendation regarding approval of a resolution of the City Council to the 86th Session of the Texas Legislature regarding the distribution of sporting good sales tax to the Texas Recreation and Parks Account, and take any action necessary.
- pg.39 6. Consider approval of a resolution authorizing and consenting to the City of Forney, TX providing sanitary sewer service to 487 additional acres of land through an amendment to the City of Forney's Wastewater Service Contract with Kaufman County Municipal Utility District (MUD) No. 3, and take any action necessary.
- pg.48 7. Consider approval of a resolution for the annual adoption of pro-rata equipment fees to be paid by developers in accordance with the Mandatory Neighborhood Park Land Dedication Ordinance, and take any action necessary.
- pg.888. Consider approval of a resolution for the annual adoption of cash-in-lieu of land fees to be paid by developers in accordance with the Mandatory Neighborhood Park Land Dedication Ordinance, and take any action necessary.
- pg.128 9. Consider a request by Mark W. Pross of Pross Design Group, Inc. on behalf of Carolina Molina of Alvaplast US (SPR Packaging) for the approval of an alternative tree mitigation plan in conjunction with an approved site plan for a warehouse/manufacturing facility on a 11.3736-acre tract of land identified as Tract 7 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated at the terminus of Aluminum Plant Road, and take any action necessary.
- pg.139 10. P2019-009 Consider a request by Mathias Haubert of Bohler Engineering on behalf of Daniel J. Porter of Dynamic Development for the approval of a replat for Lot 1, Block A, Brakes Plus Addition being a 0.653-acre tract of land currently identified as Lots 1 & 2, Billy Peoples #1 Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1902 & 2000 S. Goliad Street [SH-205], and take any action necessary.

IX. APPOINTMENT ITEMS

- **1.** Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.
- X. PUBLIC HEARING ITEMS
- pg.147 1. Z2019-003 Hold a public hearing to discuss and consider a request by Jeff Bresee of SET Engineers on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of an ordinance for a Specific Use Permit (SUP) for a Private Sports Arena, Stadium or Track on a 35.295-acre parcel of land identified as Lot 1, Block A, Rockwall High School Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District,

situated within the IH-30 Overlay (IH-30 OV) District, addressed as 901 W. Yellow Jacket Lane, and take any action necessary (1st Reading).

pg.182 2. P2019-008 - Hold a public hearing to discuss and consider a request by Kevin Osornio on behalf of Jeaniffer Osornio for the approval of a replat for Lots 1 & 2, Block A, N. E. & J.O. Addition being a 0.46-acre parcel of land identified as Lot 2, Block A, Sanger Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated within the Southside Residential Overlay (SOV) District, addressed as 705 Peters Colony, and take any action necessary.

XI. ACTION ITEMS

- pg.191 1. Discuss and consider authorizing the City Manager to execute an agreement with Doliver Enterprises LLC dba HHW Solutions for the collection and disposal of household hazardous waste and take any action necessary.
- pg.202 2. Discuss and consider strategies for the IH-30 Corridor as stated in the IH-30 Corridor Planning Study, and take any action necessary.

XII. EXECUTIVE SESSION

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

- **1.** Discussion regarding legal issues pertaining to potential annexation pursuant to Section §551.071 (Attorney/Client Consultation).
- Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - specifically the N. TX Municipal Water District (NTMWD) Board - pursuant to Section 551.074 (Personnel Matters)
- Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

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

XIV. ADJOURNMENT

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

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

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the <u>15th</u> day of <u>March</u>, <u>2019</u> at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Date Removed



2 3 4	ROCKWALL CITY COUNCIL REGULAR MEETING Monday, March 04, 2019 - 5:00 PM City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087					
5						
6	I. CALL PUBLIC MEETING TO ORDER					
7 8 9 10 11 12 13	Tem Kevin Fowler and Council Members Patrick Trowbridge, Dana Macalik, and Trace Johannesen. Als present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and Cit Attorney Frank Garza. Councilmembers John Hohenshelt and Bennie Daniels were absent from th meeting. Mayor Pruitt read the discussion items listed below into the record before recessing th meeting to go into Executive Session at 5:00 p.m.					
14	II. EXECUTIVE SESSION.					
15 16	THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:					
17 18 19 20 21 22 23 24	 Discussion regarding legal advice concerning road construction facility agreement(s), pursuant to § Section 551.071 (Consultation with Attorney). Discussion regarding legal advice associated with homeowners association (HOA) regulations within the city pursuant to § Section 551.071 (Consultation with Attorney). Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney) 					
25 26	III. ADJOURN EXECUTIVE SESSION					
27 27 28 29	Council adjourned Executive Session at 5:34 p.m.					
30	IV. RECONVENE PUBLIC MEETING 6:00 P.M.					
31 32 33	Mayor Pruitt reconvened the public meeting at 6:00 p.m. with five of the seven council members being present (Daniels and Hohenshelt were absent).					
34	V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION					
35 36	No action was taken as a result of Executive Session.					
37	VI. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER MACALIK					
38	Councilmember Macalik delivered the invocation and led the Pledge of Allegiance.					
39	VII. PROCLAMATIONS					
40	1. Shriners Hospitals for Children "Flip it Forward for Kids" Day					

- 41 Mayor Pro Tem Fowler came forth and read and presented this proclamation to several Shriner's who
- 42 were present to receive it. A fundraising event will be held on March 12 at the local I.H.O.P. restaurant,
- 43 and everyone was encouraged to attend.
- 44 VIII. **OPEN FORUM**

45 Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to come forth and 46 speak at this time. There being no one indicating such, he then closed Open Forum.

- 47 48 IX. Consent Agenda
- Consider approval of the minutes from the February 19, 2019 regular city council meeting, and
 take any action necessary.
- Z2019-001 Consider approval of an ordinance for a text amendment to Article IV, Permissible
 Uses, and Article V, District Development Standards, of the Unified Development Code
 [Ordinance No. 04-38] for the purpose of incorporating standards for a Barn or Agricultural
 Accessory Building and to amend the land use conditions for the Guest Quarters/Secondary
 Living Unit land use, and take any action necessary (2nd Reading).
- A2018-005 Consider a request by Suresh Shridharani on behalf of the owner Harlan Properties
 Inc. for the approval of an ordinance for the annexation of a 79.564-acre tract of land
 identified as Tract 3 of the J. Merriman Survey, Abstract No. 155, Rockwall County, Texas, and
 take any action necessary (2nd Reading).
- Consider authorizing staff to execute an amended "First Responder Organization (FRO)
 Agreement" with Medic Rescue ("Rockwall County EMS") on behalf of the city and the Rockwall
 Fire Department, and take any action necessary.
- Authorize the City Manager to execute the final Change Orders No. 4 for the additional contract amount of \$103,142.34 with McMahon Contracting, L.P. for the E. Boydstun Avenue & Throckmorton Street Reconstruction Project and to be funded by Street Bond Fund and the Water / Sewer Fund, and take any action necessary.
- 67 6. Consider approval of a recommendation from the Hotel Occupancy Tax subcommittee for
 68 funding the Terry Fisher American Legion Post #117 commemoration of the 75th Anniversary of
 69 D-Day in the amount of \$1,300, and take any action necessary.
- 70 7. Consider approval of an **ordinance** cancelling the May 4, 2019 General Election, and take any
 71 action necessary (1st Reading).

Mayor Pro Tem Fowler moved to approve the entire Consent Agenda (items # 1, 2, 3, 4, 5, 6, and 7).
 Councilman Johannesen seconded the motion. The ordinances were read as follows:

CITY OF ROCKWALL

ORDINANCE NO. 19-12

- 74
- 75

76 77

77AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE79UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS80HERETOFORE AMENDED, BY AMENDING ARTICLE IV, PERMISSIBLE USES TO AMEND THE LAND81USE STANDARDS FOR GUEST QUARTERS/SECONDARY LIVING UNITS, AND TO ADD A LAND USE82FOR BARNS OR AGRICULTURAL ACCESSORY BUILDINGS ; PROVIDING FOR A PENALTY OF FINE83NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;

84	PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING				
85	FOR AN EFFECTIVE DATE.				
86					
87	ORDINANCE NO. <u>19-13</u>				
88 89	AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING FOR THE				
90	EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS, AND THE				
91	1 ANNEXATION OF A 79.564-ACRE TRACT OF LAND IDENTIFIED AS TRACT 2 OF THE J. MERRIMAN				
92	, , , , ,				
93	ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF ROCKWALL,				
94 95	•				
96	CITY OF ROCKWALL, TEXAS				
97	ORDINANCE NO. 19				
98					
99	AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS DECLARING				
100	UNOPPOSED CANDIDATES FOR THE OFFICES OF MAYOR AND CITY COUNCILMEMBER PLACE 1,				
101 102	CITY COUNCILMEMBER PLACE 3, AND CITY COUNCILMEMBER PLACE 5, AS ELECTED; PROVIDING				
102	THAT THE MAY 4, 2019 GENERAL MUNICIPAL ELECTION SHALL NOT BE HELD; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS				
104	CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINDING THAT THE				
105					
106	BY LAW; PROVIDING FOR AN EFFECTIVE DATE.				
107					
108 109	The motion passed unanimously of those present (2 absent (Daniels and Hohenshelt)).				
109	X. Action Items				
111	1. Discuss and consider a request from Phillip and Mary Weber for a special permit on a front yard				
112	fence to be located at 318 Cooper Court, and take any action necessary.				
440					
113 114	Building Official Jeffrey Widmer came forth and provided brief background information concerning this				
114	Building Official Jeffrey Widmer came forth and provided brief background information concerning this request for a front yard fence. Mr. Phillip Weber, 318 Cooper Court, (the applicant) then came forth and				
114 115	Building Official Jeffrey Widmer came forth and provided brief background information concerning this request for a front yard fence. Mr. Phillip Weber, 318 Cooper Court, (the applicant) then came forth and conveyed that he and his wife would like to construct this front yard fence for the purpose of enclosing a				
114	Building Official Jeffrey Widmer came forth and provided brief background information concerning this request for a front yard fence. Mr. Phillip Weber, 318 Cooper Court, (the applicant) then came forth and conveyed that he and his wife would like to construct this front yard fence for the purpose of enclosing a swimming pool they wish to build. Brief discussion took place pertaining to the proposed fence material,				
114 115 116	Building Official Jeffrey Widmer came forth and provided brief background information concerning this request for a front yard fence. Mr. Phillip Weber, 318 Cooper Court, (the applicant) then came forth and conveyed that he and his wife would like to construct this front yard fence for the purpose of enclosing a				
114 115 116 117	Building Official Jeffrey Widmer came forth and provided brief background information concerning this request for a front yard fence. Mr. Phillip Weber, 318 Cooper Court, (the applicant) then came forth and conveyed that he and his wife would like to construct this front yard fence for the purpose of enclosing a swimming pool they wish to build. Brief discussion took place pertaining to the proposed fence material, (which Mr. Weber indicated would be wrought iron) the drainage swale on the property, and feedback				
114 115 116 117 118 119 120	Building Official Jeffrey Widmer came forth and provided brief background information concerning this request for a front yard fence. Mr. Phillip Weber, 318 Cooper Court, (the applicant) then came forth and conveyed that he and his wife would like to construct this front yard fence for the purpose of enclosing a swimming pool they wish to build. Brief discussion took place pertaining to the proposed fence material, (which Mr. Weber indicated would be wrought iron) the drainage swale on the property, and feedback solicited and received from neighbors. Following brief discussion, Mayor Pruitt moved to approve the				
114 115 116 117 118 119 120 121	Building Official Jeffrey Widmer came forth and provided brief background information concerning this request for a front yard fence. Mr. Phillip Weber, 318 Cooper Court, (the applicant) then came forth and conveyed that he and his wife would like to construct this front yard fence for the purpose of enclosing a swimming pool they wish to build. Brief discussion took place pertaining to the proposed fence material, (which Mr. Weber indicated would be wrought iron) the drainage swale on the property, and feedback solicited and received from neighbors. Following brief discussion, Mayor Pruitt moved to approve the special permit as requested. Mayor Pro Tem Fowler seconded the motion, which passed by a vote of 5 ayes with 2 absences (Daniels and Hohenshelt).				
114 115 116 117 118 119 120 121 122	Building Official Jeffrey Widmer came forth and provided brief background information concerning this request for a front yard fence. Mr. Phillip Weber, 318 Cooper Court, (the applicant) then came forth and conveyed that he and his wife would like to construct this front yard fence for the purpose of enclosing a swimming pool they wish to build. Brief discussion took place pertaining to the proposed fence material, (which Mr. Weber indicated would be wrought iron) the drainage swale on the property, and feedback solicited and received from neighbors. Following brief discussion, Mayor Pruitt moved to approve the special permit as requested. Mayor Pro Tem Fowler seconded the motion, which passed by a vote of 5 ayes with 2 absences (Daniels and Hohenshelt).				
114 115 116 117 118 119 120 121 122 123	 Building Official Jeffrey Widmer came forth and provided brief background information concerning this request for a front yard fence. Mr. Phillip Weber, 318 Cooper Court, (the applicant) then came forth and conveyed that he and his wife would like to construct this front yard fence for the purpose of enclosing a swimming pool they wish to build. Brief discussion took place pertaining to the proposed fence material, (which Mr. Weber indicated would be wrought iron) the drainage swale on the property, and feedback solicited and received from neighbors. Following brief discussion, Mayor Pruitt moved to approve the special permit as requested. Mayor Pro Tem Fowler seconded the motion, which passed by a vote of 5 ayes with 2 absences (Daniels and Hohenshelt). XI. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED 				
114 115 116 117 118 119 120 121 122 123 124	Building Official Jeffrey Widmer came forth and provided brief background information concerning this request for a front yard fence. Mr. Phillip Weber, 318 Cooper Court, (the applicant) then came forth and conveyed that he and his wife would like to construct this front yard fence for the purpose of enclosing a swimming pool they wish to build. Brief discussion took place pertaining to the proposed fence material, (which Mr. Weber indicated would be wrought iron) the drainage swale on the property, and feedback solicited and received from neighbors. Following brief discussion, Mayor Pruitt moved to approve the special permit as requested. Mayor Pro Tem Fowler seconded the motion, which passed by a vote of 5 ayes with 2 absences (Daniels and Hohenshelt).				
114 115 116 117 118 119 120 121 122 123 124 125	 Building Official Jeffrey Widmer came forth and provided brief background information concerning this request for a front yard fence. Mr. Phillip Weber, 318 Cooper Court, (the applicant) then came forth and conveyed that he and his wife would like to construct this front yard fence for the purpose of enclosing a swimming pool they wish to build. Brief discussion took place pertaining to the proposed fence material, (which Mr. Weber indicated would be wrought iron) the drainage swale on the property, and feedback solicited and received from neighbors. Following brief discussion, Mayor Pruitt moved to approve the special permit as requested. Mayor Pro Tem Fowler seconded the motion, which passed by a vote of 5 ayes with 2 absences (Daniels and Hohenshelt). XI. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS. 				
114 115 116 117 118 119 120 121 122 123 124 125 126	 Building Official Jeffrey Widmer came forth and provided brief background information concerning this request for a front yard fence. Mr. Phillip Weber, 318 Cooper Court, (the applicant) then came forth and conveyed that he and his wife would like to construct this front yard fence for the purpose of enclosing a swimming pool they wish to build. Brief discussion took place pertaining to the proposed fence material, (which Mr. Weber indicated would be wrought iron) the drainage swale on the property, and feedback solicited and received from neighbors. Following brief discussion, Mayor Pruitt moved to approve the special permit as requested. Mayor Pro Tem Fowler seconded the motion, which passed by a vote of 5 ayes with 2 absences (Daniels and Hohenshelt). XI. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS. 1. Departmental Reports 				
114 115 116 117 118 119 120 121 122 123 124 125 126 127	 Building Official Jeffrey Widmer came forth and provided brief background information concerning this request for a front yard fence. Mr. Phillip Weber, 318 Cooper Court, (the applicant) then came forth and conveyed that he and his wife would like to construct this front yard fence for the purpose of enclosing a swimming pool they wish to build. Brief discussion took place pertaining to the proposed fence material, (which Mr. Weber indicated would be wrought iron) the drainage swale on the property, and feedback solicited and received from neighbors. Following brief discussion, Mayor Pruitt moved to approve the special permit as requested. Mayor Pro Tem Fowler seconded the motion, which passed by a vote of 5 ayes with 2 absences (Daniels and Hohenshelt). XI. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS. 1. Departmental Reports Building Inspections Monthly Report - January 2019 				
114 115 116 117 118 119 120 121 122 123 124 125 126 127 128	 Building Official Jeffrey Widmer came forth and provided brief background information concerning this request for a front yard fence. Mr. Phillip Weber, 318 Cooper Court, (the applicant) then came forth and conveyed that he and his wife would like to construct this front yard fence for the purpose of enclosing a swimming pool they wish to build. Brief discussion took place pertaining to the proposed fence material, (which Mr. Weber indicated would be wrought iron) the drainage swale on the property, and feedback solicited and received from neighbors. Following brief discussion, Mayor Pruitt moved to approve the special permit as requested. Mayor Pro Tem Fowler seconded the motion, which passed by a vote of 5 ayes with 2 absences (Daniels and Hohenshelt). XI. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS. 1. Departmental Reports Building Inspections Monthly Report - January 2019 Fire Dept Monthly Report - January 2019 				
114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129	 Building Official Jeffrey Widmer came forth and provided brief background information concerning this request for a front yard fence. Mr. Phillip Weber, 318 Cooper Court, (the applicant) then came forth and conveyed that he and his wife would like to construct this front yard fence for the purpose of enclosing a swimming pool they wish to build. Brief discussion took place pertaining to the proposed fence material, (which Mr. Weber indicated would be wrought iron) the drainage swale on the property, and feedback solicited and received from neighbors. Following brief discussion, Mayor Pruitt moved to approve the special permit as requested. Mayor Pro Tem Fowler seconded the motion, which passed by a vote of 5 ayes with 2 absences (Daniels and Hohenshelt). XI. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS. 1. Departmental Reports Building Inspections Monthly Report - January 2019 Fire Dept Monthly Report - January 2019 GIS Division Monthly Report - January 2019 				
114 115 116 117 118 119 120 121 122 123 124 125 126 127 128	 Building Official Jeffrey Widmer came forth and provided brief background information concerning this request for a front yard fence. Mr. Phillip Weber, 318 Cooper Court, (the applicant) then came forth and conveyed that he and his wife would like to construct this front yard fence for the purpose of enclosing a swimming pool they wish to build. Brief discussion took place pertaining to the proposed fence material, (which Mr. Weber indicated would be wrought iron) the drainage swale on the property, and feedback solicited and received from neighbors. Following brief discussion, Mayor Pruitt moved to approve the special permit as requested. Mayor Pro Tem Fowler seconded the motion, which passed by a vote of 5 ayes with 2 absences (Daniels and Hohenshelt). XI. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS. 1. Departmental Reports Building Inspections Monthly Report - January 2019 Fire Dept Monthly Report - January 2019 				

- 132
- Police Department Monthly Report January 2019
- 133 **Recreation Monthly Report - January 2019**
- 134 Rockwall Animal Adoption Center Monthly Report - January 2019
- 135 STAR Transit Monthly Report - January 2019
- 136 2. City Manager's Report
- 137

138 City Manager Rick Crowley indicated that as of today, the NTMWD has begun its approximately 30 day 139 maintenance program (not adding ammonia to the disinfection program, continuing to provide the same 140 amount of chlorine). Any questions that the public may have may be addressed by the city manager, the 141 assistant city managers, the supervisor over water operations, or the city engineer. Mayor Pruitt clarified 142 that the same amount of chlorine will be present in the city's water system; however, the smell may be 143 more noticeable to residents/water users over the course of the next thirty days or so. Mayor Pruitt briefly mentioned that the city council and staff recently attended "Rockwall County Days" in Austin to 144 145 meet with our legislators, and it was a successful visit. He went on to point out that the City passed an order on tonight's Consent Agenda to cancel the May election since none of the incumbents drew any 146 147 opponents. Also, the school district is able to cancel its election as well. So, those monies will be saved 148 this year.

149

150 XII. **EXECUTIVE SESSION**

- 151 THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE: 152
- 153 **1.** Discussion regarding legal advice concerning road construction facility agreement(s), pursuant 154 to § Section 551.071 (Consultation with Attorney).
- 155 2. Discussion regarding legal advice associated with homeowners association (HOA) regulations 156 within the city pursuant to § Section 551.071 (Consultation with Attorney).
- 157 3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, 158 Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) 159 regarding water rates pursuant to Section §551.071 (Consultation with Attorney)
- 160 XIII. **RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**
- 161 Council did not reconvene in Executive Session following the close of the public meeting agenda.
- 162

163 XIV. ADJOURNMENT

- Mayor Pruitt adjourned the meeting at 6:17 p.m. 164
- 165 166
- PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 18th 167 168 DAY OF MARCH, 2019.
- 169 170
- ATTEST: 171
- 172
- 173 Kristy Cole, City Secretary

Jim Pruitt, Mayor

THIS PAGE INTENTIONALLY LEFT BLANK

CITY OF ROCKWALL, TEXAS ORDINANCE NO. <u>19-14</u>

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS DECLARING UNOPPOSED CANDIDATES FOR THE OFFICES OF MAYOR AND CITY COUNCILMEMBER PLACE 1, CITY COUNCILMEMBER PLACE 3, AND CITY COUNCILMEMBER PLACE 5, AS ELECTED; PROVIDING THAT THE MAY 4, 2019 GENERAL MUNICIPAL ELECTION SHALL NOT BE HELD; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall, Texas adopted Resolution No. 19-03 on February 4, 2019, ordering a general election to be held on May 4, 2019, for the purpose of electing a Mayor and three additional city officials - City Councilmember Place 1, City Councilmember Place 3, and City Councilmember Place 5; and

WHEREAS, pursuant to Sections 143.007 and 146.054, Texas Election Code, the deadline for filing applications for a place on the ballot and declaration of write-in candidacy for the City's general election have expired; and

WHEREAS, the City Secretary, in accordance with Section 2.052, Texas Election code, has certified in writing, attached hereto as Exhibit 'A', to the City Council that Jim Pruitt is unopposed for election to the office of Mayor; Bennie Daniels is unopposed for election to the office of Councilmember Place 1; Kevin Fowler is unopposed for election to the office of Councilmember Place 3, and Dana K. Macalik is unopposed for election to the office of Councilmember Place 5; and

WHEREAS, the City Council herby finds and determines that the candidates whose names were to appear on the ballot in said election are unopposed, that there are no declared write-in candidates, and that no propositions are to appear on the ballot for said election.

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

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct;

Section 2. In accordance with Section 2.053(a), Texas Election Code, the following unopposed candidates are hereby declared duly elected to the respective offices for a term of two years and shall be issued a certificate of election following the date on which the general election for Councilmembers would have otherwise been held:

- Jim Pruitt Mayor
- Bennie Daniels Councilmember, Place 1
- Kevin Fowler Councilmember, Place 3
- Dana K. Macalik Councilmember, Place 5

Section 3. Pursuant to Section 2.053(b), Texas Election code, the general municipal election for Mayor and Councilmember Place 1, Councilmember Place 3, and Councilmember Place 5 called and ordered by Resolution No. 19-03, for May 4, 2019, shall not be held and is hereby cancelled.

Section 4. The City Secretary is hereby directed to cause a copy of this Ordinance to be posted on Election Day, same being May 4, 2019, at all posting places that would have been used in said election.

Section 5. Term of office for the unopposed Mayor and Councilmembers shall commence on May 20, 2019 after the Oath of Office has been administered and executed.

Section 6. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 7. The Code of the City of Rockwall, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

Section 8. Should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable.

Section 9. It is hereby found and determined that the meeting at which this ordinance was passed was open to the public as required by Section 551.001 et seq., Texas Government Code, and that advance public notice of the time, place and purpose of said meeting was given.

Section 10. This ordinance shall take effect immediately upon its second reading as required by the City Charter, Section 3.11.

PRESENTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS 18th DAY OF MARCH, 2019.

ATTEST:

Jim Pruitt, Mayor

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1ST Reading: <u>03/04/2019</u>

2nd Reading: 03/18/2019

"EXHIBIT A"

CERTIFICATION OF UNOPPOSED CANDIDATES CERTIFICACIÓN DE CANDIDATOS ÚNICOS

To: Presiding Officer of the City Council *Al: Alcalde del Consejo de la ciudad*

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are <u>unopposed</u> for election to office for the election scheduled to be held May 4, 2019:

Como autoridad a cargo de la preparación de la boleta de votación oficial, por la presente certifico que los siguientes candidatos son candidatos únicos para elección para un cargo en la elección que se llevará a cabo el 4 de mayo de 2019:

Jim Pruitt - Mayor Bennie Daniels - Councilmember, Place 1 Kevin Fowler - Councilmember, Place 3 Dana K. Macalik - Councilmember, Place 5

Jim Pruitt – Alcalde Bennie Daniels – Miembro del Consejo, Puesto 1 Kevin Fowler – Miembro del Consejo, Puesto 3 Dana K. Macalik – Miembro del Consejo, Puesto 5

Signature (Firma)

Kristy Cole Printed name (Nombre en letra de molde)

City Secretary Title (Puesto)

March 1, 2019 Date of signing (Fecha de firma)



(Seal) (sello)

THIS PAGE INTENTIONALLY LEFT BLANK



MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Amy Williams, P.E., Director of Public Works/City Engineer

DATE: March 11, 2019

SUBJECT: SH 205 Speed Zone Study

State Highway 205 (SH 205) from the downtown couplet north to the City's corporate boundaries is a two lane roadway maintained by the State of Texas through the Texas Department of Transportation (TxDOT). Staff requested TxDOT to perform a speed study along this roadway. Staff has received complaints from citizens regarding the speed of vehicles along SH 205. The current speed limit for SH 205 varies from 45 miles per hour (mph) north of the couplet to 55 miles per hour (mph) at the City's corporate limits.

Staff received a response letter from TxDOT dated February 4, 2019 with the attached speed zone study. The results of the speed study recommend reducing the speed limit along SH 205 from MP.575 (north of FM 552/Dalton Road) to MP.837 (the City's corporate limits) from 55 mph to 50 mph.

TxDOT requires an approved City Ordinance adopting the speed recommended by their study. Upon receiving the executed ordinance from the City, TxDOT will furnish and install the necessary speed limit signs at the appropriate locations along SH 205.

Staff requests City Council consider approving the attached ordinance which establishes the speed limit along SH 205 at 50 mph between MP .575 (north of FM 552/Dalton) and MP .837 (the City's corporate limits).

If you have any questions, please advise.

AJW:em

Attachments

Cc:

Joey Boyd, Assistant City Manager Kirk Riggs, Chief of Police Jeremy White, P.E., Civil Engineer, CFM Billy Chaffin, Superintendent of Streets & Drainage File

CITY OF ROCKWALL, TEXAS

ORDINANCE # 19-____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON STATE HIGHWAY 205 OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY OF ROCKWALL, TEXAS, AS SET FORTH IN THIS ORDINANCE; PROVIDING A PENALTY OF A FINE NOT TO EXCEED SUM OF \$200.00 FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 545.356 of the Texas Transportation Code, provides that whenever the governing body of the City shall determine upon the basis of an engineering and traffic investigation that any prima facie speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the City, taking into consideration that width and condition of the pavement and other circumstances such portion of said street or highway, as well as the traffic thereon, said governing body may determine and declare a reasonable and safe prima facie speed limit thereat or thereon by the passage of an ordinance, which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or part of the street or highway;

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

SECTION 1. Upon the basis of an engineering and traffic investigation heretofore made as authorized by the provisions of Transportation Code, Section 545.356, the following prima facie speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described as follows:

SECTION 2. That from and after the date of the passage of this speed zone ordinance, no motor vehicle shall be operated along and upon State Highway 205 within the corporate limits of the City of Rockwall in excess of speeds now set forth in Exhibit "A."

SECTION 3. The Mayor of Rockwall is hereby authorized to cause to be erected, appropriated signs indicating such speed zones.

SECTION 4. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not to exceed Two Hundred Dollars (\$200.00).

SECTION 5. That 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 6. That this ordinance shall become effective immediately upon its passage and publication in accordance with the City Charter.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS THE 1^{ST} DAY OF APRIL, 2019.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: <u>03/18/2019</u>

2nd Reading: 04/01/2019









THIS PAGE INTENTIONALLY LEFT BLANK



CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Lea Ann Ewing, Purchasing Agent

DATE: March 5, 2019

SUBJECT: Contract Mowing Agreement Extension

Contract mowing service includes mowing of and debris removal from large tracks of land, rightof-ways, street medians, two closed landfill locations and drainage easements. The City receives competitive sealed bids for this service when applicable. The last sealed bid and contract was awarded to Grass Kisser Landscape Management by the City Council for an April 1, 2017 start date. This contract was renewed in 2018 with no amendments. The mowing contract amount is \$80,437.

The contract terms allow for annual extension at the end of the initial contract period for up to three consecutive years should the scope of work, pricing and bid terms/conditions remain the same. The contractor has agreed to a contract extension with no amendments for 2019. Grass Kisser has performed satisfactorily and staff has determined that it would be in the best interest of the City to renew the current contract at 2017 unit prices.

Staff asks the City Council to consider this extension amount of \$80,437. Funding for contract mowing service is approved in FY 2019 General Fund, Parks Department operating budget and the renewal contract is within budget.

THIS PAGE INTENTIONALLY LEFT BLANK



CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Andy Hesser, Parks and Recreation Director

DATE: March 11, 2019

SUBJECT: RESOLUTION FOR PARK GRANT FUNDING PROGRAM

The Texas Recreation and Parks Account is a fund administered by the Texas Parks and Wildlife Department (TPWD) to fund local park grants. The source of these funds is from a portion of state sales taxes collected from the sale of sporting goods within the state. These grant funds are used to assist local agencies with the cost of acquiring and/or the construction of local parks.

The Sporting Good Sales Tax (SGST) is also used to fund TPWD operations. In 2018 the SPST is estimated to be approximately \$277 million. A summary of the proceeds is included in your packet.

Though the source of the funding for the program is determined by state law, the amount of the funding is subject to budgetary appropriation procedures. In past sessions as much as 96% of those mandated proceeds were cut from the Texas Parks and Wildlife Department Grants programs, thus severely impacting local communities' park development opportunities.

Therefore Texas Senate Bill 526 and companion Texas House Bill 1214 were filed in the 86th Legislature to permanently dedicate the sporting good sales tax proceeds by means of an amendment to the Texas Constitution. If approved by the Texas Legislature, it would then go to the Texas voters in November for consideration.

Since 2001, the City of Rockwall has received approximately \$2,000,000 from the local grant program and over \$600,000 from the Boating Access Grant program. Rockwall has greatly benefitted from these programs with significant funding for Myers Park Phases II and III, the SH66 Public Boat Ramp, Stone Creek and Breezy Hill parks and 2003 recipient for the Community Outdoor Outreach Program (COOP) grant to fund the outdoor recreation programs.

Park Board voted unanimously to recommend that City Council consider passing a resolution to support the constitutional and therefore permanent dedication of the SGST to fund TPWD operations and the Texas Local Grants Program. Contingent on approval, a copy of the resolutions will be forwarded to our local state representatives as well as state wide via the Texas Recreation and Parks Society Legislative Committee.

CITY OF ROCKWALL, TEXAS RESOLUTION NO. <u>19-06</u>

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, REQUESTING THE MEMBERS OF THE 86th LEGISLATIVE SESSION OF THE STATE OF TEXAS TO SUPPORT LEGISLATION THAT PROVIDES STEWARDSHIP, HEALTH AND WELL BEING, AND CONNECTIVITY FOR LOCAL AND STATE PARKS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Texas communities, counties, and the State provide stewardship by protecting and enhancing the investments in all parks and open spaces throughout this great state; and

WHEREAS, conservation of open spaces and making public lands accessible for public use is achieved through support of the state's sporting goods sales tax and the land and water conservation fund; and

WHEREAS, supporting water and natural resources through conservation ensures the public's right to access nature, the outdoors and recreational amenities; and

WHEREAS, physical activity and improving health and wellness is made possible through the utilization of parks and recreation amenities and services; and

WHEREAS, political subdivisions throughout the State of Texas depend on funding for services and programs to ensure access for all people to connect to nature and the outdoors; and

WHEREAS, Texas Parks & Wildlife local grants help create livable, safe, and responsible communities by supporting safe recreational amenities, pathways and trails; and

WHEREAS, the Parks and Recreation Industry supports and celebrates the positive economic impacts that are realized by connecting our communities to nature and the outdoors; and

WHEREAS, it is the desire of the Rockwall City Council that a copy of this resolution with appropriate names affixed be presented to the Governor of Texas and the leadership of the 86th Texas Legislature.

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

SECTION 1. That members of the 86th Legislature of Texas are urged to seek support of legislation that provides stewardship, connectivity, health and well-being for local and state parks.

SECTION 2. That this resolution shall become effective immediately upon its passage, and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS THE 18^{TH} DAY OF MARCH, 2019.

ATTEST:

Jim Pruitt, Mayor

Kristy Cole, City Secretary

ADVOCACY ISSUES and OPPORTUNITIES for Texas Recreation & Park Society & 86th Texas Legislature (12.6.18)

- Protect and enhance our investments in all public parks, and open space (Stewardship)
 - Sporting Good Sales Tax
 - Support constitutional dedication of full amount
 - Oppose Tax Free weekend on sporting goods
 - Oppose appropriation riders to the TPWD local park grant programs.
 - Support conservation of open space and making public lands accessible for public use.
 - Support tree preservation.
 - Federal Funding
 - Support the Land Water Conservation Fund
 - Support the Sport Fish Restoration Boat Access program
 - Support the United States Department of Transportation Recreation Trails
 - o Water and Natural Resources
 - Support conservation
 - Support rights and access to recreational amenities.
 - Unfunded Mandates
 - Oppose exemptions that substantially erode the tax base.
 - Oppose tax limit on Municipalities.
- Increase physical activity and improve health and wellness by utilizing parks and recreation amenities & services (Health & Well-Being)
 - o Support funding for services and programs that ensure access for people with disabilities.
 - Such as, reducing the Medicaid Waiver waitlist.
 - o Support legislation in reducing the obesity and diabetes epidemics.
 - o Support funding for the connection of communities to nature and the outdoors.
- Create livable, safe, and responsible communities. (Connectivity & Safety)
 - o Support safe pathways, trails ... create safety zones
 - o Transportation
 - Support the United States Department of Transportation Recreation Trails
 - Support accessibility, so long as it does not impose an unfunded mandate.
 - o Support the progress of connecting our communities to nature and the outdoors
 - o Support the findings of the positive economic impact from the Parks & Recreation Industry.
 - Easement & Acquisition
 - Oppose eminent domain limits
 - Support the inclusion of commercial development in Parkland Dedication requirements.

TRAPS Board approved 2/27/18 TML Policy Committee approved 8/27/18 (Removed Safe Zone Item)



LEGISLATIVE BUDGET BOARD

Sporting Goods Sales Tax

PRESENTED TO THE SENATE COMMITTEE ON FINANCE LEGISLATIVE BUDGET BOARD STAFF

FEBRUARY 2018

Sporting Goods Sales Tax: Identify state and local park needs and determine whether the Sporting Goods Sales Tax is meeting those needs.

Methods of Financing Parks: Sporting Goods Sales Tax

Sporting Goods Sales Tax (SGST) is not a separate tax, but is the portion of state tax revenue estimated to be generated from the sale, storage, or use of sporting goods by the Comptroller of Public Accounts. SGST is revenue within the General Revenue Fund. Under current law, the Texas Parks and Wildlife Department (TPWD) is eligible to receive up to 94 percent of the total amount available and the Historical Commission is eligible to receive up to six percent.

In the TPWD budget, SGST may be transferred up to the maximum amount estimated in the Biennial Revenue Estimate between the four General Revenue-Dedicated accounts as determined by the Legislature during the appropriations process.

Account	Allowable Uses	2018-19 Allocations	Percentage of TPWD Allocation	
State Parks Account No. 64	State Parks operations and support.	\$188.1	67.7%	
Texas Recreation and Parks Account No. 467	Grants to city or county with population under 500,000 for local parks or other recreation opportunities.	\$20.6	7.4%	
Large County and Municipality Recreation and Parks Account No. 5150	Grants to cities or counties with populations over 500,000 for local parks or other recreation opportunities.	\$11.6	4.2%	
Conservation and Capital Account No. 5004	Acquisition and development, maintenance, and operation of state parks.	\$57.3	20.6%	
TOTAL		\$277.6	100.0%	
*Note: 2018-19 allocations include estimated amounts for employee benefits and debt service				

FEBRUARY 21, 2018

LEGISLATIVE BUDGET BOARD ID: 5180

SGST Appropriations Since the 1996-97 Biennium

The Eighty-fifth Legislature appropriated the 88.6 percent of SGST available in the 2018-19 biennium. In addition to amounts in TPWD and THC bill patterns (\$223.2 million), SGST appropriations also include estimated amounts for debt service on bonds for state parks-related projects and for payroll benefits (\$72.4 million).



FEBRUARY 21, 2018

LEGISLATIVE BUDGET BOARD ID: 5180

General Revenue-Dedicated Accounts Receiving SGST Transfers

State Parks Account No. 64

<u>Uses</u>: The operation and maintenance of state parks, including facilities and services at parks, park employee salaries, capital improvements, and administration of the state park system. This account provides funding for state parks peace officers, which are distinct from game wardens.

Revenue Sources (Fiscal Year 2017 Amounts):

- SGST transfer, which is tracked as a separate item of appropriation (TPWD direct appropriation of \$60.1 million excluding benefits and debt service);
- State park entrance fees and passes (\$56.2 million);
- Grants, gifts, and donations (\$1.2 million);
- Oil and gas royalties on state parks properties (\$1.5 million);
- Federal Receipts (\$1.9 million);
- Publication Sales (\$1.0 million); and
- A transfer of up to 15 percent of boat registration and titling fees from the General Revenue-Dedicated Game, Fish, and Water Safety Account No. 9 (\$2.9 million).

General Revenue-Dedicated Accounts

Conservation and Capital Account No. 5004

<u>Uses</u>: The Conservation and Capital Account No. 5004 (GR-D) can be used for the acquisition and development, maintenance, or operation of state parks, fisheries, and wildlife projects.

<u>Revenue Source</u>: The only active revenue source for the account in the 2018-19 biennium is SGST transfers, totaling \$57.3 million.

Texas Recreation and Parks Account No. 467

<u>Uses</u>: To provide assistance grants and direct state matching grants to local governments with populations under 500,000 to acquire and develop parks, recreation opportunities, open spaces, or programs.

<u>Revenue Source</u>: The only active revenue source for the account in the 2018-19 biennium is SGST transfers, totaling \$18.0 million (\$20.6 million including benefits).

General Revenue-Dedicated Accounts

Large County and Municipality Recreation and Parks Account No. 5150

<u>Uses</u>: To provide assistance grants and direct state matching grants to local governments with populations of 500,000 or more to acquire and develop parks, recreation opportunities, open spaces, or programs.

<u>Revenue Source</u>: The only active revenue source for the account in the 2018-19 biennium is SGST transfers, totaling \$9.7 million (\$11.6 million including benefits).

Recent Significant Enacted Legislation

The Eighty-fourth Legislature, Regular Session, 2015, enacted two bills amending the allocation process of SGST revenue, increasing flexibility for the Legislature and making all SGST revenue available for appropriation to effectively meet identified priorities. The provisions of HB 158 and SB 1366 made the following changes:

- In addition to the allowable uses of the four receiving accounts, statute requires that transfers of SGST revenue be used to (1) acquire, operate, maintain, or make capital improvements to parks; (2) for grants to local units of government and other entities; and (3) for state contributions for employee benefits; and
- Granted the Legislature greater discretion over the distribution of SGST to the four TPWD accounts that receive SGST transfers by eliminating statutory maximum allocation percentages to each of the four General Revenue-Dedicated accounts.


LEGISLATIVE BUDGET BOARD

Contact the LBB

Legislative Budget Board www.lbb.state.tx.us 512.463.1200

THIS PAGE INTENTIONALLY LEFT BLANK



MEMORANDUM

TO:	Rick Crowley, City Manager
FROM:	Mary Smith, Assistant City Manager
DATE:	March 14, 2019
SUBJECT:	Resolution Consenting to Forney Addition to Wastewater Interceptor

The cities of Rockwall, Heath, and Forney share in the debt service and operations cost for a wastewater interceptor line which conveys wastewater from the cities to the NTMWD treatment plant in Mesquite. Each city's proportionate share is determined by their respective flow into the line.

A provision in the contract allows each city to add services outside their respective city limits to the interceptor line with the consent of the other partners. This has happened several times over the life of the agreement with Heath adding Travis Ranch and Forney adding their high school site as well as a portion of the Devonshire development to the line. Rockwall added Sonoma Verde in Mclendon Chisholm to the line and bills the cost back to Mclendon Chisholm.

Forney requested to add just over 114 acres of their ETJ which is served by a MUD back in November 2018 which Rockwall granted by resolution. Forney is now asking for an additional 487 acres of the Devonshire addition to be added. Rockwall has been asked to consider the request at the next Council meeting. All costs for this addition to the interceptor flows will be borne entirely by Forney in keeping with the agreement now in place and staff does not anticipate any issues related to this addition.

The resolution is included on the Council's consent agenda for consideration.

CITY OF ROCKWALL RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AUTHORIZING AND CONSENTING TO THE CITY OF FORNEY, TEXAS PROVIDING SANITARY SEWER SERVICE TO 487 ADDITIONAL ACRES OF LAND THROUGH AN AMENDMENT TO THE CITY OF FORNEY WASTEWATER SERVICE CONTRACT WITH KAUFMAN COUNTY MUNICIPAL UTILITY DISTRICT NO. 3 AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the North Texas Municipal Water District (the "District"), the City of Rockwall, the City of Heath, and the City of Forney (collectively, the "Participants") originally entered into a "Buffalo Creek Interceptor System Contract," dated January 22, 2004 (the "Contract"); and

WHEREAS, the City of Forney currently desires the consent of the District and the Participants to provide service from the Interceptor System (as defined in the Contract) to an area outside the municipal limits of Forney; and

WHEREAS, the District and Participants have been requested to consent to the providing of sanitary sewer from the Interceptor System, through the City of Forney, to an area consisting of approximately 487 additional acres of land.

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

SECTION 1. That the City Council does authorize and consent to the City of Forney, Texas providing sanitary sewer service to an additional 487 acres of land through an amendment to the City of Forney Wastewater Service Contract with Kaufman County Municipal Utility District No. 3 as provided in the Second Amendment to Wastewater Service Contract between the City of Forney and the Kaufman County Municipal Utility District No. 3 effective March 5, 2019.

SECTION 2. That this Resolution shall take effect immediately from and upon its approval and it is so resolved.

PRESENTED AND PASSED by the City Council of the City of Rockwall, Texas, this the _____ day of ______, 2019.

CITY OF ROCKWALL, TEXAS

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

SECOND AMENDMENT TO WASTEWATER SERVICE CONTRACT

This Second Amendment to Wastewater Service Contract (the "Second Amendment") is executed by and between Kaufman County Municipal Utility District No. 3, a conservation and reclamation district created under the authority of Article XVI, Section 59 of the Texas Constitution by the Texas Commission on Environmental Quality ("KCMUD 3"), and the City of Forney, Texas ("Forney") (each a "Party" and, collectively, the "Parties"), to be effective the _____ day of ______, 2018 (the "Effective Date").

WHEREAS, Forney and Wynne/Jackson West Tract, L.P., a Texas limited partnership ("W/J"), entered into that certain Wastewater Service Contract dated March 1, 2005 (the "Original Contract"); and

WHEREAS, by Assumption of Contract dated June 30, 2006 (the "Assumption of Contract"), KCMUD 3 assumed and accepted all the rights, title, interest, obligations, liabilities, and responsibilities of W/J under the Original Contract; and

WHEREAS, Forney and KCMUD 3 entered into that certain First Amendment to Wastewater Service Contract dated October 16, 2007 (the "First Amendment"); and

WHEREAS, Forney has entered into the Buffalo Creek Interceptor System Contract with the City of Rockwall, the City of Heath and North Texas Municipal Water District, dated January 22, 2004 and a First Amendment to the Buffalo Creek Interceptor System Contract, dated October 28, 2004 (collectively, the "Interceptor Agreement"); and

WHEREAS, Section III.A. of the Original Contract states that the land being serviced pursuant to the Original Contract shall be only the Service Area, unless approved in writing by the parties to the Interceptor Agreement; and

WHEREAS, the Parties desire to amend the Original Contract to expand the Service Area, currently containing approximately 1,040 acres (as further described in Exhibit "A" of the Original Contract, as amended by the First Amendment), to include approximately 487 additional acres, as further set forth herein, and to obtain the approval of the City of Rockwall, City of Heath, and North Texas Municipal Water District of the expanded Service Area in accordance with Section III.A. of the Original Contract;

NOW THEREFORE, for and in consideration of the mutual obligations of the Parties set forth in the Original Contract, the First Amendment, and this Second Amendment, and for other good and valuable consideration the receipt and adequacy of which are acknowledged, the Parties hereto agree as follows:

1. <u>Terms</u>. Capitalized terms not defined herein have the meanings assigned in the Original Contract.

4810-9320-3072.v2

- 2. <u>Expansion of Service Area</u>. The Service Area is hereby expanded and shall include, in addition to the approximately 1,040 acres described in the Original Contract and First Amendment, the approximately 487 acres described in Exhibit "A" attached to this Second Amendment and incorporated herein for all purposes.
- 3. <u>Increase in Capacity Requirements</u>. The limitations regarding wastewater capacity shall be amended and increased as described in Exhibit "B" attached hereto and incorporated herein for all purposes.
- 4. <u>Consent</u>. By execution hereof, the City of Rockwall, City of Heath, and North Texas Municipal Water District hereby consent to the expansion of the Service Area to include the approximately 487 acres described in Exhibit "A."
- 5. <u>Recitals</u>. The "Recitals" set forth in this Second Amendment are true and correct and form the basis upon which the Parties have entered into this Second Amendment and are incorporated as part of this Second Amendment for all purposes.
- 6. <u>Full Force and Effect</u>. The Original Contract, as assumed by the Assumption of Contract and amended by the First Amendment and this Second Amendment, remains in full force and effect.
- 7. <u>Representations and Warranties</u>. Each Party to this Second Amendment represents and warrants that: (a) the execution of this Second Amendment has been approved and authorized by such Party in accordance with all applicable requirements; (b) this Second Amendment is binding upon and enforceable against such Party in accordance with the provisions hereof; (c) each Party has the authority to perform its duties and obligations under this Second Amendment; and (d) that the performance by each such Party of its duties and obligations under this Second Amendment will not violate any other agreement by which such Party is bound.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Executed and delivered as of the Effective Date.

KAUFMAN COUNTY MUNICIPAL UTILITY DISTRICT NO. 3

By:		
Name:		
Title:		

ATTEST:

By:			_	_
Name:				
Title:	_			

4810-9320-3072.v2

CITY OF FORNEY, TEXAS

Mayor

Ву:_____

ATTEST:

By: _____

ł.

City Secretary

4810-9320-3072,v2





DEVONSHIRE

KAUFMAN COUNTY, TEXAS FEBRUARY 2019 EXHIBIT "A" Avanti Properties Group

Haynes Development Company



45

Exhibit B

DEVONSHIRE WASTEWATER CAPACITY REQUEST

			CAPITA PER LOT	PROJECTED	GALLONS PER	AVG FLOW	PEAKING	PEAK FLOW
TRACT	SIZE (AC)	SF LOTS	(bqd)	POPULATION	CAPITA (gpd)	(MGD)	FACTOR	(MGD)
DEVONSHIRE - EXISTING CAPACITY PER CONTRACT	913	2950	3.25	9588	125	1.20	3,5	4.19
DEVONSHIRE CAPACITY INCREASE								
ADDITIONAL SINGLE-FAMILY LOTS		550	3.25	1788	125	0.22	3.5	0.78
FORNEY NORTH HIGH SCHOOL		N/A	N/A	2000	20	0.04	3.5	0.14
FUTURE FISD ELEMENTARY SCHOOL		N/A	N/A	600	20	0.01	3.5	0.04
		SUBTO	SUBTOTAL - DEVONSHIRE CAPACITY INCREASE REQUIRED	CAPACITY INCR	EASE REQUIRED	0.28		0.96
CAPACITY FOR LAND TO BE ANNEXED BY MUD 3								
TRACT 1	140	560	3.25	1820	125	0.23	3.5	0.80
TRACT 2	192	768	3.25	2496	125	0.31	3.5	1.09
TRACT 3	77	308	3.25	1001	125	0.13	3.5	0.44
TRACT 4	15	60	3.25	195	125	0.02	3.5	0.09
TRACT 5	63	252	3.25	819	125	0.10	3.5	0.36
		SI	SUBTOTAL - CAPACITY FOR TRACTS TO BE ANNEXED	TY FOR TRACTS 1	TO BE ANNEXED	0.79		2.77
			TOTAL	TOTAL CAPACITY INCREASE REQUIRED	ASE REQUIRED	1.07		3.73
				REVISED TO	REVISED TOTAL CACPACITY	2.27		7.93

THIS PAGE INTENTIONALLY LEFT BLANK



CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Andy Hesser, Parks and Recreation Director

DATE: March 11, 2019

SUBJECT: Mandatory park land dedication ordinance (est. of annual fees)

There are two major components of the City's Mandatory Park Land Dedication Ordinance. One is the <u>cash in lieu of land fee</u>. This fee is applied when the Park Board feels that it is in the best interest of the City to recommend accepting cash-in-lieu of land for neighborhood parkland. According to our Mandatory Parkland Dedication Ordinance, the Park Board shall annually make a recommendation to the City Council and Council will set the fee by resolution. The fee is based on the average cost of neighborhood park land across the entire City.

Bryan E. Humphries and Associates completed their appraisal in January of 2019 to determine the average cost per acre of land and provided a final report. To establish comparable parcels, the properties evaluated must have easy access to utilities, public street, not be within the 100 year flood plain and not possess any unusual topography rendering the land useless for organized recreational activities. According to Mr. Humphries' report, the average cost of one acre of neighborhood park land with the above restrictions within the City limits is **\$55,000**. I have attached the appraisal study and letter completed by Mr. Humphries.

Each year the cost to develop an 11 acre neighborhood park should be considered and set by Council resolution as well. That cost is estimated to be \$1,250,000. A residential developer's portion is 50% of that cost, which is \$625,000. This amount is used to set the "per neighborhood park" cost for the calculation of <u>neighborhood park development pro-rata equipment fees</u>.

At the March meeting, Park Board voted unanimously to recommend that Council set the per acre price of park land by resolution in the amount of \$55,000. Park Board also voted unanimously to recommend that the neighborhood park cost be set at \$625,000. Staff will be available to answer any questions.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. <u>19-04</u>

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ADOPTING THE PER NEIGHBORHOOD PARK DEVELOPMENT COST TO BE USED IN CALCULATION OF A NEW DEVELOPMENT'S PRO RATA SHARE CONTRIBUTION FOR NEIGHBORHOOD PARK DEVELOPMENT EQUIPMENT PROVIDING FEES: AN EFFECTIVE DATE

WHEREAS, the City of Rockwall desires to provide a park system which includes adequately sized and appropriately equipped Neighborhood Parks, and

WHEREAS, the City of Rockwall has adopted a Park and Recreation Master Plan designed to facilitate development of its Park Systems; and

WHEREAS, in Chapter 38. "Subdivisions," Article II. "Parkland Dedication" of the Code of Ordinances, the City of Rockwall has adopted Mandatory Neighborhood Parkland Dedication regulations designed to facilitate participation by developers (on a pro-rata basis) in acquisition and development of neighborhood parks; and

WHEREAS, said ordinance provisions provide that the City Council shall annually adopt a resolution establishing the "per neighborhood park development cost" to be used in calculation of a new development's pro-rata share contribution for neighborhood park development equipment fees.

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

SECTION 1. Based upon a recommendation of the City of Rockwall Parks and Recreation Board, <u>\$625,000.00</u> per neighborhood park is hereby adopted as the "per neighborhood park" park development cost to be used in calculation of pro-rata neighborhood park development fees;

SECTION 2. This resolution shall be in force and effect from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS <u>18th</u> day of <u>March</u>, <u>2019</u>.

ATTEST:

Jim Pruitt, Mayor

Kristy Cole, City Secretary

MARKET STUDY

REAL PROPERTY APPRAISAL CONSULTING REPORT

Prepared For

Andy Hesser, Parks and Recreation Manager City of Rockwall 108 E. Washington Rockwall, Texas, 75087

MARKET STUDY Average Price Per-Acre of Land in the City of Rockwall The City of Rockwall, Rockwall County, Texas

EFFECTIVE DATE OF CONSULTING ASSIGNMENT JANUARY 1, 2019

Prepared By

Bryan E. Humphries & Associates 4050 McKinney Avenue Suite 210 Dallas, Texas 75204

BRYAN E. HUMPHRIES & ASSOCIATES REAL ESTATE VALUATION AND SERVICES

January 15, 2019

Andy Hesser, Park and Recreation Manager City of Rockwall 108 E. Washington Rockwall, TX 75807

Re: Average Price Per- Acre of Land in the City of Rockwall City of Rockwall, Rockwall County, Texas

Mr. Andy Hesser,

We are pleased to transmit this gross market study/real property appraisal consulting report that was prepared for the purpose of valuing typical parkland in the City of Rockwall, This parkland is typically five acres and in the early stages of development. Please refer to identification of project on page 4 for further explanation of the project scope. This report is a gross market study (real property appraisal consulting report) and does not involve analysis of or the inspection of a physical subject property. The purpose of this gross market study is to derive an opinion of a fee simple market value of the average price per-acre of land in the City of Rockwall, as set forth in the City of Rockwall Park Land Dedication Ordinance, Section 24-45 (b). The effective date of this gross market study is January 1, 2019.

The client should not conclude that an appraisal has been prepared, and this report should not be used for condemnation purposes. This consulting report is only intended to assist the City of Rockwall, in establishing a general value trend and current market value of the average price per- acre of land in the City of Rockwall.

4054 McKinney Avenue, Suite 210, Dallas, Texas 75204

214/528-7584 E-Mail: <u>behinc@flash.net</u> FAX 214/528-2921

TABLE OF CONTENTS

Page	No.
------	-----

Table of Contents	1
Certification	2
General Information & Scope of Work	
Identification of Subject and Project	4
Inspection Information, Effective Date and Date of Report	4
Identification of the Client	4
Intended Users and Intended Use	4
Objective of the Assignment	4
Appraisal Report Option	5
Analysis Overview	5
Extraordinary Assumptions	5
Jurisdictional Exceptions	6
Hypothetical Conditions	6
Residential Market Analysis	8
Data Analysis	13
Conclusion of Value	21

<u>Addenda</u>

Qualifications of Appraisers Assumptions and Limiting Conditions Park Land Dedication Ordinance

CERTIFICATE

I certify that, to the best of my knowledge and belief,...

The statements of fact contained in this report are true and correct.

The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, unbiased professional analyses, opinions, and conclusions.

As of the date of the appraisal only, I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.

We have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

My engagement in this assignment was not contingent upon developing or reporting predetermined results.

My compensation for completing this assignment is not contingent on the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

Bryan Humphries has made a personal inspection of the property that is the subject of this report.

No one provided significant real property appraisal assistance to the persons signing this certificate.

I have performed a previous appraisal (1/1/13, 1/1/14, 1/1/15, 1/1/16, 1/1/17 and 1/1/18) involving the subject property within the three years prior to this assignment.

The report analysis, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and the Uniform Standards of Professional Appraisal Practice of the Appraisal Institute.

The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

As of the date of this Study, I have completed the requirements of the continuing education program of the Appraisal Institute.

Byon Humphries

Bryan Humphries, MAI, TX-1320676-G



GENERAL INFORMATION & SCOPE OF WORK

Identification of Subject and Project

The subject property is a typical, underdeveloped, Parcel in the City of Rockwall. The parcel represents the average in the City of Rockwall, as set forth in the City of Rockwall Park Land Dedication Ordinance, Section 24-45 (b). According to the ordinance, from time to time, developers must dedicate land to the City of Rockwall in order to meet the need for park land in the area. If the dedication is not feasible, the developers must then give the City cash in lieu of land that is reflective of typical residential land in Rockwall. The client has indicated that this average residential land is typically 5 acres and in the early stages of development.

Inspection Information, Effective Date and Date of Report

This analysis does not involve a physical subject property, only a hypothetical property, thus no inspection is required. The effective date of the assignment is January 1, 2019. The date of the report is the date of the signature on the first page of this report. Unless otherwise stated, all factors pertinent to a determination of value are considered as of this date.

Identification of the Client/Intended User

This real property appraisal consulting report is prepared for the City of Rockwall, Mr. Andy Hesser, 108 E. Washington, Rockwall, Texas 75087. Any other use or users are not intended or authorized.

Objective of the Assignment/Intended Use

This consulting assignment is only intended to assist the client in establishing an average price per-acre of land. The client should not conclude that an appraisal has been prepared, and this report should not be used for condemnation purposes.

Appraisal Report Option

This is a real property appraisal consulting assignment that complies with the reporting requirements set forth under Standard 5 of the *Uniform Standards of professional Appraisal Practices (USPAP)*. As such, it presents sufficient information to enable the client and other intended users, as identified, to understand it properly. The depth of discussion contained in this report is specific to the needs of the client and the intended users of this property appraisal consulting report.

Analysis Overview

As part of this consulting assignment, we have completed the following steps to gather, confirm, and analyze the data.

- Physically inspected the subject markets and the surrounding neighborhoods.
- Collected factual information about the surrounding market and confirmed that information with various sources.
- Collected market information needed to consider the three traditional approaches to value: Cost approach, sales comparison approach and income capitalization approach (if applicable).
- Prepared a real property appraisal consulting report setting forth the conclusion derived in this analysis as well as a summary of the information upon which the conclusions are based.

Extraordinary Assumptions

An extraordinary assumption is something that is assumed to be true, but it is not certain. If it turns out to be untrue, the value conclusion could be impacted. Extraordinary assumptions are those assumptions that are specific to the assignment, as opposed to general assumptions, which could be applicable to any assignment. In this assignment, we have assumed typical general assumptions and limiting conditions as cited above. In this particular assignment, the following extraordinary assumptions were made:

Sales and listing data obtained from the Multiple Listing Service is deemed to be sufficiently reliable data to establish overall market trends and the current market value of an average, price per-acre of land. While some knowledgeable real estate brokers and salespeople have been contacted to obtain and confirm data, the reader should be aware that not all of the sales and listing data analyzed was independently confirmed.

- ► The client should not conclude that an appraisal has been prepared, and this consulting report should not be used for condemnation purposes. This gross market study (real property appraisal consulting report) is only intended to assist the City of Rockwall in establishing a general value trend and current market value of an average price per-acre in the City of Rockwall.
- The purpose of this consultation report is to establish the average price per acre of land in the City of Rockwall. As set forth in the City of Rockwall, Park Land Dedication Ordinance, Section 24-45(b). However, it is beyond the scope of this consultation report to estimate the actual costs of adjacent street and site utilities as stated in the ordinance (see addenda).

Jurisdictional Exceptions

The Jurisdictional Exception Rule provides for severability preserving the balance of the *Uniform Standards of Professional Appraisal Practice (USPAP)*. If one or more parts of *USPAP* are "contrary to the law or public policy of any jurisdiction, only that part shall be void and of no force or effect in that jurisdiction." According to *USPAP*, "A law means a body of rules with binding legal force established by the controlling governmental authority." This includes federal and state constitutions, legislative and court made law, administrative rules, regulations and ordinances. In this assignment, there are no known conflicts of law or public policy that disregard the *USPAP*.

Hypothetical Conditions

A hypothetical condition is that which is contrary to what exists but is supposed for the purpose of analysis. In this particular assignment, the following hypothetical condition was made:

For purposes of this analysis, the subject property is a hypothetical, undeveloped, parcel in the City of Rockwall.



Residential Market Analysis

Boundaries

The neighborhood boundaries are generally defined as follows: City of Rockwall (Urban) Outlying areas of the City of Rockwall (Suburban)

Development Activities and Trends

Residential development comprises approximately $\pm 80\%$ of the development in Rockwall. According to ESRI, the median 2018 home value within a 1-mile, 3-mile, and 5-mile radius of the Subject is \$240,863, \$244,411 and \$242,909 respectively.

Recent single family building permit activity in Rockwall County summarized as follows:

	Rockwall County Single Family Building Permits									
Year	Units	% Change	Average Value	% Change						
2000	955	-	\$194,400	-						
2001	1.267	32.7%	\$171,000	-12%						
2002	1,224	-3.4%	\$171,000	0.0%						
2003	1,219	-0.4%	\$168,500	-1.5%						
2004	1,598	31.1%	\$168,100	-0.2%						
2005	1,756	9.9%	\$183,400	9.1%						
2006	1,190	-32.2%	\$201,800	10.0%						
2007	759	-36.2%	\$240,200	19.0%						
2008	589	-22.4%	\$192,800	-19.7%						
2009	545	-7.5%	\$166,500	-13.6%						
2010	489	-10.3%	\$200,800	20.6%						
2011	411	-16.0%	\$233,800	16.4%						
2012	675	+64.2%	\$247,700	5.9%						
2013	741	+9.8%	\$256,900	3.7%						
2014	965	+30.2	\$288,800	12.4%						
2015	1046	+8.4	\$284,600	-1.5%						
2016	1116	+6.7	\$317,000	11.4						
2017	1468	+31.5	\$293,700	-7.4%						
YTD Oct 18	1482		\$307,250							

1 Data provided by Texas A&M Real Estate Center

As indicated by the preceding chart, new single family home activity peaked in 2005 at 1,756 permits. Building permit activity dropped significantly in 2006, 2007, and 2008, but slowed to 7.5% in 2009. New construction continued to decline in 2010, but appears to have bottomed in 2011 with 411 homes as 487 building permits were issued through September 2012. For 2012, 2013, 2014, 2015, 2016,2017 and 2018 permits have rebounded significantly, being up over \pm 257% from 2011 levels.

Demographic Trends

Population growth in Rockwall County had been slow in relation to the Dallas-Fort Worth CMSA after Lake Ray Hubbard was impounded in the 1960's. That changed when IH-30 was upgraded and the bridge widened in the 1990s. While the entire county has benefited, most of the growth has taken place along or near IH-30, and from west to east. Access remains an important factor in Rockwall County's growth pattern.

Area	1980	1990	2000	2010	2010 to 2018	Estimated
					Compounded	2018
					Annual %Change	
City of Fate	NA	477	463	6,357	9.6%	13,240
City of Heath	1,459	2,108	4,149	6,921	2.11%	8,180
City of Rockwall	5,939	10,486	17,976	37,490	1.95%	43,750
City of Rowlett	7,522	23,260	44,503	56,199	.57%	58,830
City of Royse City	1,566	2,206	2,957	9,349	3.23%	12,060
Rockwall County	14,528	25,600	43,080	78,337	2.84%	97,990

Source: U.S. Bureau of the Census & State of Texas

The population in the City of Rockwall increased 1.95% compounded annually from 2010 to its 2018 level of 43,750. The Rockwall County grew 2.84% annually to 97,990 during the same period.

Demographics

The following chart summarizes demographic data in the Subject Neighborhood. The data was provided by ESRI, Inc., and is based on demographics in a 1,3, and 5-mile radius from the Subject Property.

2010-2018 Demographic Data (Source, ERSI, Inc.)										
Item	1 Mile	3 Mile	5 Mile							
2010 Population	6,945	32,537	82,777							
2018 Population	7,638	40,792	100,085							
2010-2018 Population Growth Rate	10.0%	25.4%	20.9%							
Projected 2023 Population	8,607	46,379	114,150							
Projected 5-Year Growth Rate- annually	2.42%	2.6%	2.66%							
2018 Households	2,762	14,029	32,962							
2018 Average Household Size	2.66	2.87	3.01							
2018 Median Household Income	\$82,062	\$88,551	\$91,959							
2018 Average Household Income	\$103,036	\$109,546	\$113,283							
2018 Per Capita Income	\$39,008	\$38,252	\$37,724							
2018 Housing Units	2,158	6,590	17,295							
2018 Owner Occupied Housing Units	73.9%	73.1%	80.9%							
2018 Renter Occupied Housing Units	20.9%	21.4%	14.4%							
2018 Vacant Housing Units	5.2%	5.6%	4.6%							
Projected 2023 Housing Units	3,250	16,773	38,868							
2018 Median Home Value	\$240,863	\$244,411	\$242,909							

The following data is compiled from the North Texas Real Estate Information Systems and analyzed by the Real Estate Center at Texas A&M University. According to the data as of December 2018 (includes residential, commercial and farm and ranch) the number of closed transactions year-to-date for lots and vacant land in the Rockwall market area has decreased 12% and the average price has increased 33%. The average sold to list price has remained at \pm 91% and the average days on market has increased 42%. Pending sales have decreased by 12% and months inventory has increased to 18.8 months. The decrease in pending sales is an indicator of possible decrease transaction levels in the coming months.

	Year-to-Date Sales Closed by Area for: December 2018										
Lots and Vacant Land – Part 1											
Area	Sales	%Change	Dollar	% Change	Average	% Change	Median	% Change			
		Year Ago	Volume	Year Ago	Price	Year Ago	Price	Year Ago			
34	138	-12%	\$28,087,140	-11%	\$203,556	0%	\$102,450	+18%			

	Year-to-Date Sales Closed by Area for: December 2018										
	Lots and Vacant Land – Part 11										
Area	Price	%Change	Sold to List	% Change	Со-ор	% Change	DOM	% Change			
	per SF	Year Ago	Price	Year Ago	Sales	Year Ago		Year Ago			
34			91%	0%	66%	-1%	179	+42%			

	Year-to-Date Sales Closed by Area for: December 2018										
	Lots and Vacant Land – Part 111										
Area	Pending	%Change	New	% Change	Active	% Change	Months	% Change			
	Sales	Year Ago	Listings	Year Ago	Listings	Year Ago	Inventory	Year Ago			
34	156	-12%	319	-10%	216	+17%	18.8	+32%			

The following data is also compiled from the North Texas Real Estate Information Systems and analyzed by the Real Estate Center at Texas A&M University. According to the data as of December 2018 the number of closed transactions year-to-date for single family residences in the Rockwall market area has remained the same and the average price increased 3%. The average price per square foot has increased 4% and the average days on market has increased 8%. Pending sales have remained the same and months of inventory has increased 22%.

Year-to-Date Sales Closed by Area for: December 2018									
Single Family – Part 1									
Area	Sales	%Change	Dollar Volume	% Change	Average	% Change	Median	% Change	
		Year Ago		Year Ago	Price	Year Ago	Price	Year Ago	
34	2135	0%	\$709,962,225	+3%	\$332,535	+3%	\$289,000	+2%	

Year-to-Date Sales Closed by Area for: December 2018									
Single Family – Part 11									
Area	Price	%Change	Sold to List	% Change	Со-ор	% Change	DOM	% Change	
	per SF	Year Ago	Price	Year Ago	Sales	Year Ago		Year Ago	
34	\$125	+4%	97%	0%	89%	+2%	53	+8	

Year-to-Date Sales Closed by Area for: December 2018									
Single Family – Part 111									
Area	Pending	%Change	New	% Change	Active	% Change	Months	% Change	
	Sales	Year Ago	Listings	Year Ago	Listings	Year Ago	Inventory	Year Ago	
34	2,271	0%	2,972	+4%	552	+22%	3.1	+22%	

Conclusions

Rockwall has shown strong population growth over the past twenty years and employment trends are positive. The area is rapidly being developed with commercial and residential uses. In the future, Rockwall County is anticipated to be a strong growing area of the Metropolex. The neighborhood is considered to be in a growth life stage and the overall aspects are considered to be good.

DATA ANALYSIS

Description and Analysis of the Subject

For purposes of this analysis, the subject property is a typical, undeveloped, parcel in the City of Rockwall. According to the client, the City of Rockwall will be using the data to value parklands ranging in size from 1 to 10 acres. The client instructed the appraisers to base adjustments on a typical 5 acre residential parcel.

Description of the Data and Analysis

The purpose of this analysis is to determine the average value of a residential, undeveloped, parcel within the City of Rockwall. The parcel is assumed to have paved street access, utilities and to be in the early stages of development.

Sales and listing data was obtained from the NTREIS Multiple Listing Service. Our queried data included all residential land sales from one tenth of an acre to twenty acres in the City of Rockwall. Included within the data are land sales of parcels improved with typical subdivision infra-structure (i.e. paved streets, utilities, engineering, platting, etc.) and those that do not have these improvements. These sales have been adjusted to reflect their condition above and below the average undeveloped parcel. Within our analysis we have also considered historical land sale prices and trends as these are good indicators of current prices and prices going forward and provide a helpful frame of reference for the overall market. Other factors considered and adjusted for within the sales data include parcel size and location.

Our queries presented the following raw data. The data is not adjusted to reflect the average, undeveloped parcel. The raw average price per acre is heavily biased and influenced by sales of lake front lots.

	2011	2012	2013	2014	2015	2016	2017	2018
Total Sales	79	90	97	68	92	84	61	57
Sale to List Ratio	85%	88%	92%	92%	97%	93%	93%	92%
Avg. Price Per Acre	\$75,231	\$59 <i>,</i> 877	\$89,958	\$67,148	\$80,105	\$84,744	170,548	\$163 <i>,</i> 390
Avg. Days on	371	90	282	154	255	247	184	225
Market								
Percentage of Sales	46%	37%	41%	53%	57%	48%	41%	40%
Under 1 Acre								

Data Analysis, continued

A trend analysis of the raw price per acre of lot sales listed in MLS from 2010 to 2018 suggests the price trend is to be to slightly increasing. The Trend Line graph is shown on page 15. However, little weight should be given in this data as it is heavily upward biased because of small lots located on or near the lake which sale at a premium price due to location and higher unit prices due to economies of scale. Likewise, at the other end of the spectrum, a few sales sold for \$300,000+. Only lot sales stated by MLS to be in the City of Rockwall were considered. In an attempt to reduce the skewing for the 2010 thru 2018 time period, the data set is narrowed to sales greater than 1.00 acres and up to 20 acres with a price \pm less than \$100,000. The following chart reflects the trend of these sales. The data indicates that the lots sales from 2010 to 2018 had an increasing trend. From 2010, the typical price per acre was \pm \$20,000, the price per acre increase to \pm \$53,494 in 2018. The average per acre price was \$31,393 for 2010 to 2018.



The most recent sales of lots is the 2018 data set and our analysis will focus on the 2018 sales. This data set contains 32 sales that MLS lists as in the City of Rockwall. The sales are all greater than 1.00 Acre up to 20 Acre and less than \$100,000/acre.

The data will first be adjusted for location and in infrastructure. These adjustments considered information included in the detail MLS write up sheets. The next adjustment is a lot size adjustment. The following chart represents the size adjustment of the data set.



Approximately 78% of the data is between 1 to 5 Acres, with 72% being between 1 & 2.5 Acres. Thus, the majority of the data is within the target size range, no size adjustment will be applied to the analysis.

Following are two charts. The first shows the 2018 per acre raw lot sales date unadjusted. This chart shows the data between \$10,525 per acre price to a \$145,985 per acre price. The average 2018 per acre price was \$53,200/Acre. The trend line indicates that the Acre price to be approximately \$51,000/Acre at the beginning of 2018 and around \$58,000/Acre at the end of 2018.



Data Analysis, continued

The second chart represents the 2018 data after adjustments for location and infrastructure. As shown on the chart, the data is represented in a range from \$25,741/Acre to \$153,285/Acre. The average for the adjusted data is \$55,034/Acre. The trend line indicates the price per acre at the beginning of 2018 to be approximately \$48,000/Acre and \$60,000/acre toward the end of the year.



Data Analysis, continued

Conclusions

Over the last seven years lot sales actively has been improving for both the number of sales as well as the price.

The following list a summary of our data findings over the past three years.

Average Per Acre Price 2010 to 2018 Unadjusted:	\$31,393/Acre
Average Per Acre Price 2018 Unadjusted:	\$53,494/Acre
Average per Acre Price 2018 Adjusted for Location, Infrastructure	
and Size:	\$55,034/Acre

The adjusted 2018 data represents the most recent range of lot sales. The trend line of the data indicates per acre lot sales increased during 2018 from \pm \$48,000/Acre to \pm \$60,000/Acre at the end of the year.

Based upon our analysis and conclusions, subject to parameters defined, my opinion of the average market value price per acre of residential land in the City of Rockwall as of 1/1/2019 is:

\$55,000/Acre

Respectfully Submitted,

Byon Humphies

Bryan Humphries, MAI, TX-1320676-G
Addendum

Qualifications

Assumptions & Limiting Conditions

City of Rockwall Park Land Ordinance

SUMMARY OF OUALIFICATIONS - Bryan E. Humphries, MAI

Currently

Owner, BRYAN E. HUMPHRIES, INC.

Experience

Over 40 years experience in the appraisal of real properties, including commercial, multi-family, industrial, and special purpose properties, for mortgage bankers, savings and loan associations, insurance companies, attorneys, private individuals, public utilities, and governmental agencies.

Education

Graduated from Texas Tech University in 1974: B.B.A. Business

Graduated from Texas Tech University in 1976: M.S. Finance

Completed college, SREA, and AIREA courses in real estate appraisal

Qualified as "Expert" in real estate valuation in various courts

Professional Designations and Affiliations

MAI	Member (#6514), Appraisal Institute
AI	Admissions Committee, North Texas Chapter 17, 1983-1992 (Chairman, 1989-1990); National Admissions Review (1994-1996); Education Committee (1988); Region 8 Representative (1994, 1996, 1997, 2002); North Texas Chapter 17 Board of Directors (1993 - 1995; 1999 – 2001) Appraisal Institute National Screener (1996-2005)
Broker	Licensed Broker (#216136-12), Texas Real Estate Commission
State Certified	Texas State Certified - General Real Estate Appraiser (#TX 1320676-G)
State Certified	Texas State Certified – Property Tax Consultant (00003440)
Member	North Texas Commercial Association of Realtors
Member	Real Estate Financial Executive Association

ASSUMPTIONS AND LIMITING CONDITIONS

- 1. It is assumed that title to the property herein appraised is good and merchantable, and in fee simple. The value is reported without regard to questions of title, boundaries, encroachments, environmental regulations, licenses, or other matters of a legal nature unless noncompliance has been stated, defined, and considered in the appraisal report.
- 2. The value is estimated under the assumption that there will be no international or domestic political, economic, or military actions that will seriously affect real estate values throughout the country.
- 3. Certain information concerning market and operating data was obtained from others. This information is verified and checked, where possible, and is used in this appraisal only if it is believed to be accurate and correct. However, such information is not guaranteed. Dimensions and areas of the Subject Property and of the comparables were obtained by various means and are not guaranteed to be exact.
- 4. Real estate values are influenced by a number of external factors. The information contained herein is all of the data we consider necessary to support the value estimate. We have not knowingly withheld any pertinent facts, but we do not guarantee that we have knowledge of all factors, which might influence the value of the Subject Property. Due to rapid changes in external factors, the value estimate is considered to be reliable only as of the date of the appraisal.
- 5. Opinions of value contained herein are estimates. This is the definition of an appraisal. There is no guarantee, written or implied, that the Subject Property will sell for the estimated value. The estimated value assumes that the property is under responsible ownership and has competent and prudent management.
- 6. The appraiser will not be required to provide testimony or attendance in court or before other legal authority by reason of this appraisal without prior agreement and arrangement between the employer and the appraiser.
- 7. Disclosure of the contents of this appraisal report is governed by the By-Laws and Regulations of the Appraisal Institute. Neither all nor any part of the contents of this report (especially any opinions, analyses, or conclusions concerning value, the identity of the appraiser or the firm with which he is connected, or any reference to the Appraisal Institute or the M.A.I. or SRA Designation) shall be disseminated to the public through advertising media, public relations media, news media, sales media, prospectus for securities, or any other public means of communication without prior written consent and approval of the undersigned.

- 8. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures which would render it more or less valuable, except as stated in this report. No responsibility is assumed for such conditions or for engineering, which may be required to discover them. It is assumed that a prudent owner/buyer would allow inspection of the property by a qualified soils or structure engineer if conditions so required.
- 9. The distribution of the total valuation in this report between land and improvements applies only under the reported highest and best use of the land. The allocation of value for land and improvements, if presented, must not be used in conjunction with any other appraisal and are invalid if so used.
- 10. Estimates of costs to cure deferred maintenance are difficult at best. Contractors approach such problems in various ways. The estimates, if any, provided within this report are probable costs given current market conditions, available information, and the appraiser's expertise.
- 11. No environmental impact studies were requested or made in conjunction with this appraisal, and the appraiser hereby reserves the right to alter, amend, revise, and/or rescind the value opinions based upon any subsequent environmental impact studies, research, or investigation.
- 12. This appraisal was prepared by <u>Bryan E. Humphries & Associates</u> and consists of trade secrets and commercial or financial information, which is privileged and confidential and is exempted from disclosure under 5 U.S.C. 552 (b) (4). Please notify <u>Bryan E. Humphries</u> <u>& Associates</u> of any request of reproduction of this appraisal.
- 13. Unless otherwise stated in this report, the existence of hazardous substances, including without limitation asbestos, polychlorinated biphenyl, petroleum leakage, or agricultural chemicals, which may or may not be present on the property or other environmental conditions, were not called to the attention of nor did the appraiser become aware of such during the appraiser's inspection. The appraiser has no knowledge of the existence of such materials on or in the property unless otherwise stated. The appraiser, however, is not qualified to test such substances or conditions. If the presence of such substances, such as asbestos, urea formaldehyde foam insulation, or other hazardous substances or environmental conditions, may affect the value of the property, the value estimated is predicated on the assumption that there is

no such condition on or in the property or in such proximity thereto that it would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them.

14. Anyone acting in reliance upon the opinions, judgments, conclusions, or data contained herein, who has the potential for monetary loss due to the reliance thereon, is advised to secure an independent review and verification of all such conclusions and/or facts.

The user agrees to notify the appraiser prior to any irrevocable loan or investment decision of any error, which would reasonably be determined from a thorough and knowledgeable review.

- 15. By acceptance and use of this report, the user agrees that any liability for errors, omissions or judgment of the appraiser is limited to the amount of the fee charged.
- 16. The limiting condition relating to the ADA is as follows:

This appraisal has not considered the effects of the enactment of the Americans with Disabilities Act of 1990 (ADA), which initially became effective January 26, 1992. We have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. Standards of this act are designed to provide access to all public facilities to all persons, regardless of mobility limitations. The act provides forceful encouragement for commercial establishments to enhance their accessibility and requires that renovations after this date fully comply with the access standards established by the Architectural and Transportation Barriers Compliance Board. Enhancements to buildings must be readily achievable and able to be carried out without much difficulty or expense. The act recognizes that "readily achievable" is different for companies depending on their resources. The first priority is to provide access from sidewalks, parking and transportation areas, with the second priority being to provide access to areas where goods and services are available to the public. Finally, access to restroom facilities must accommodate all persons. The modifications and costs that may be necessary for the property to conform to ADA can be ascertained only by a qualified architect. Should such a study be undertaken, and should the retrofit costs, if any, become known, then the appraisers reserve the right to reevaluate the Subject Property.

77

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING ARTICLE II. PARK LAND DEDICATION OF THE SUBDIVISION REGULATIONS OF THE CODE OF ORDINANCES AS SET FORTH HEREIN; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00); PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

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

Section 1. That the Subdivision Regulations of the Code of Ordinances shall be amended in Article II. Park Land Dedication, which shall hereafter read in its entirety as follows:

"ARTICLE II. PARK LAND DEDICATION

Sec. 24-41. Purpose.

(a) This article [Ordinance Number 87-1] is adopted to provide recreational areas in the form of neighborhood parks as a function of subdivision development in the City of Rockwall, Texas. This article is enacted in accordance with the Home Rule powers of the City of Rockwall, granted under the Texas Constitution, in statutes of the State of Texas, including but not by way of limitation, articles 974a and 1175. It is hereby declared by the city council that recreation areas in the form of neighborhood parks are necessary and in the public welfare, and that the only adequate procedure to provide for same is by integrating such a requirement into the procedure for planning and developing property or subdivisions in the city, whether such development consists of new construction on vacant land or rebuilding structures on existing residential property.

(b) Neighborhood parks are those parks providing for a variety of outdoor recreational opportunities, be a minimum of ten acres, and be within convenient distances for a majority of the residents to be served thereby. Park districts are established by the official park plan for the City of Rockwall, Texas, and shall be prima facie proof that any park located therein is within such convenient distance from any residence located therein. Primary cost of neighborhood parks shall be borne by the ultimate residential property owners, who, by reason of the proximity of their property to such parks, shall be the primary beneficiary of such facilities. Therefore, the following requirements are adopted to effect the purposes stated. (Ord. No. 87-1, § I, 1-5-87)

Sec. 24-42. Definitions.

For the purposes of this article, the following definitions shall apply:

Develop (VJ: The act of subdividing a parcel or tract of land and installation of community facilities in accordance with and as defined by the City of Rockwall Subdivision Ordinance.

Development (NJ: A parcel or tract of land proposed for subdivision in accordance with and as defined by the City of Rockwall Subdivision Ordinance.

Park development. The development of a park site by construction of streets, drainage, utilities, and recreational improvements to serve a neighborhood park district.

Recreational Improvements - Facilities: The park features set forth for a neighborhood park in the Activity Menu of the Park Plan. A uniform cost shall be prepared annually for these features and adopted by resolution by the City Council. The dedication factor shall be applied to this cost to determine the pro rata share per new dwelling unit for recreational improvements - facilities.

Pro rata share of required dedication. The amount of land that shall be dedicated (or the acreage figure used to calculate cash in lieu of land donation) as prescribed within this article. The pro rata share of required dedication in a neighborhood park district shall be calculated as follows: Pro rata share of required acreage dedication per new dwelling unit is the factor obtained when the 10 "acre area of park is divided by the ultimate residential dwelling unit holding capacity for park district in which the unit(s) is located.

The total number of residential units which a neighborhood park district is projected to have when fully developed shall be determined by the Impact Fee Land Use Assumptions as set forth in Table 1, Park Dedication Acreage Factor per Dwelling Unit, below. (Ord. No. 87-1, § II, 1-5-87)

Park District	Ultimate Dwelling Unit Holding Capacity	Dwelling Unit Dedication Factor (Acre)
1	653	.015
2	1151	.009
3	962	.010
4	1660	.006
5	1558	.007
6	978	.010
7	1282	.008
8	1856	.005
9	1524	.007
10	1041	.010
11	948	.011

TABLE 1

PARK DEDICATION ACREAGE FACTOR PER DWELLING UNIT

12	2663	.004
13	728	.014
14	1940	.005
15	870	.015
16	728	.014
17	1235	.008
18	801	.012
19	1071	.009
20	699	.014
21	1473	.007
22	1598	.006
Total	27,419	

Sec. 24-43. General Requirement for SF-16, SF-10, SF-7, ZL-5, 2-F and MF-15, to be used for single-family, zero lot line, duplex, and/or apartment multi family residential purposes.

(a) Whenever a final plat is filed of record with the county clerk of Rockwall County for development of a residential area in accordance with the planning and zoning ordinances of the City of Rockwall, such plat shall contain a clear fee simple dedication of an area of land to the City of Rockwall for park purposes, which area shall be equal to or greater than the property being subdivided's pro rata share of neighborhood park property required for the neighborhood park district in which the property being platted or subdivided is located as shown by the Park Master Plan. In addition, the developer shall make payment of money for pro-rata share and recreational improvement facilities as defined in this article. Any proposed plat submitted to the city for approval shall show the area proposed to be dedicated under this article. The requirement for dedication under this article may be met by a payment of money in lieu of land when permitted or required by the other provisions of this article.

(b) The city council declares the development of an area smaller than one acre for public park purposes to be impractical. Therefore, if less than one acre is calculated to be the pro rata share of a development plat filed for approval, the developer shall be required to pay the applicable cash in lieu of land amount provided for by Section 24-45(c) of this article, rather than dedicate any land area. No plat showing a dedication of less than one acre shall be approved.

(c) In instances where an area of less than six (6) acres but more than one acre is calculated to be the pro rata share of a development the city council shall have the option of requiring land dedication or cash in lieu of land in accordance with Section 24-45(c) of this article after consideration of the recommendation of the planning and zoning commission and the parks and recreation board. If the City determines that sufficient park area is already in the public domain in the area of the proposed development or the neighborhood park district, or if the recreation potential for that zone would be better served by expanding or improving an existing park, dedication may also be refused and cash in lieu of land may, likewise, be required.

(d) The dedication required by this article shall be made by filing of final plat or contemporaneously by separate instrument. If the actual number of completed dwelling units exceeds the figures upon which the original dedication is based, additional dedication shall be required and shall be made by payment in lieu of land amount described by Section 24-45(c) of this article, or by the conveyance of an entire numbered lot to the city. (Ord. No.87-1, § III, 1-5-87)

Sec. 24-44. Prior dedication; absence of prior dedication.

At the discretion of the city council, any former gift of land to the city may be credited on a per acre basis toward the eventual land dedication requirements imposed on the donor of such land. The city council shall consider recommendations of the planning and zoning commission and the parks and recreation board in exercising its discretion under this section. (Ord. No. 87-1, [IV, 1-5-87)

Sec. 24-45. Money in lieu of land.

(a) Subject to the veto of the city council and the terms of Section 24-43 of this article, a land owner responsible for dedication under this article may elect to meet the requirements of Section 24-43 in whole or in part by a cash payment in lieu of land, in an amount set forth in Section 24-45(c). Such payment in lieu of land shall be made at or prior to final plat approval.

(b) The city may from time to time decide to purchase land for parks in or near the area of actual or potential development. If the city does purchase park land in a neighborhood park district and said land purchased is used to meet the need for a neighborhood park, subsequent land dedications for that district shall be in cash only and calculated on a pro rata share basis to reimburse the city's actual cost of acquisition and development of such land for parks. The cash amount shall be equal to the sum of (1) the average price per acre of such land, and (2) the actual cost of adjacent streets and site utilities, or an estimate of such actual costs provided by the city engineer and the recreation improvement costs for facilities as set forth in the Park Master Plan for neighborhood parks. Once the city has been reimbursed entirely for all park land within a park zone, this section shall cease to apply and the other sections of this article shall be applicable.

(c) To the extent that Section 24-45(b) is not applicable, the dedication requirements shall be met by a cash payment in lieu of land on the basis of a per acre price. Said per acre price shall be determined annually by the city council and shall be based on current land values within the City. Once established the Council shall adopt the value(s) by resolution for appreciation as required in this subsection. Cash payments may be used only for acquisition or improvement of neighborhood parks located within the Same neighborhood park district as the development in accordance with the Park Master Plan. (Ord. No. 87-1, \S V, 1-5-87)

Sec. 24-46. Dedication of more than the pro rata share of park land.

The developer of a residential subdivision which is subject to the terms of this article may dedicate more land than the pro rata share calculated for the development if approved by the city council. If the developer dedicates an amount equal to or greater than the total required park land area for the neighborhood park district in which his subdivision is located, the city and the developer shall execute a pro rata refunding agreement in accordance with the City of Rockwall Subdivision Regulations which shall recover the cost of land dedicated in excess of the developer's pro rata share after streets, drainage, and utilities are constructed on the dedicated property.

The developer shall install the streets, drainage, and utilities to serve the neighborhood park, and the cost of same shall be included in the pro rata refunding agreement. The pro rata refunding agreement shall provide that future developers in the same neighborhood park district shall pay their pro rata share of the actual cost of park development which shall be calculated based on the per acre cash in lieu of land cost in effect at the time of dedication, plus the costs of streets, drainage, utilities, and recreational facilities installed to serve the dedicated neighborhood park. The cost of streets, drainage and utilities installed to serve the park shall be certified by the city engineer. In no case shall the developer receive pro rata payments after he has recovered an amount equal to the number of acres actually dedicated in excess of his pro rata share multiplied by the per acre cash in lieu of land figure in effect at the time of actual dedication, plus the costs of streets, drainage, and utilities as certified by the city engineer necessary to serve the neighborhood park. In no case shall the term of any pro rata agreement provided by this article be for a period in excess of five (5) years from the date of dedication. (Ord. No. 87-1, § VI, 1-5-87)

Sec. 24-47. Special fund established; right to refund.

(a) There is hereby established a special fund for the deposit of all cash funds in lieu of land dedication under this article, which fund shall be known as the "Park Land Dedication Fund."

(b) The city shall account for all sums paid in lieu of land dedication under this article referenced to individual plats involved. Any funds paid for such purposes must be expended by the city within eight (8) years from the date received by the city for acquisition and development of a neighborhood park as defined herein. Such funds shall be considered to be spent on a first/in first/out basis. If not so expended, the owners of the property on the last day of such period shall be entitled to a pro rata refund of such funds, calculated on a square footage basis. The owners of such property must request such refund within one year of entitlement; in writing, or such rights shall be barred. (Ord. No. 87-1, § VII, 1-5-87)

Sec. 24-48. Additional requirements and provisions.

(a) Any land dedicated to the city under this article shall be suitable for park and recreation use. The following characteristics of a proposed area are generally unsuitable:

- (1) Any area located in the one hundred-year floodplain;
- (2) Any area of unusual topography or slope which renders same unusable for organized recreational activities.

The above characteristics of park land dedication area may be grounds for refusal of a plat.

(b) Each park must have ready access to a public street.

(c) Unless provided otherwise herein, action by the city shall be by the city council after consideration of the recommendations of the planning and zoning commission and the parks and recreation board. Any proposal considered by the planning and zoning commission under this article shall have been reviewed by the parks and recreation board and its recommendation given to the commission. The commission may make a decision contrary to such recommendation only by a vote of at least five (5) members. Should the commission be unable to get this vote, the matter shall then be referred to the city council for final decision.

(d) If any provision of this article or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect any other provisions or applications of this article which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

(e) This article shall become effective upon adoption by the city council. (Ord. No. 87-1,§ VIII, 1-5-87)

Sec. 24-49. Review and updating parkmaster plan.

The City of Rockwall Parks and Recreation Department shall consider the need to update the Park Master Plan at least annually to insure that the plan remains current and provides an equitable, effective framework from which to pursue the acquisition and development of neighborhood park services for each neighborhood park district.

(Ord. No. 87-1, § XI, 1-5-87)

Sec. 24-50. Waiver of mandatory neighborhood park land dedication in the case of private developments.

If a development is proposed to be a private development where no public streets are dedicated for use by the public the city shall:

- (1) Calculate the pro rata share of the proposed private development as if it were to be a development where public streets were to be dedicated.
- (2) Waive the requirement for mandatory dedication if the private amenities of the proposed development meet or exceed the calculated pro rata share as calculated under Section 24-50(1) above.
- (3) Decrease the total acreage shown in the Park Master Plan as being required to meet the ultimate need for neighborhood parks in the applicable neighborhood park district by the acreage calculated under Section 24-50(1) above (for the purpose of future calculations of pro rata shares for future developments).
- (4) In a private development within a park district or a private development encompassing an entire park district, the park property within the private development must be easily accessible to the general public either through the use of the city trail system or public roadways. If the private development encompasses the entire park district and the ten acres of park land is not continuous, each separate section of park property must be accessible to the general public and connected by way of a minimum eight foot wide trail.

(Ord. No. 87-1, § IX, 1-5-87)

Sec. 24-51. Waiver of article requirements by city council.

The city council of the City of Rockwall, Texas may waive the requirements of this article upon a finding by the city council that said waiver is clearly in the best interest of the City of Rockwall. (Ord. No. 87-13, § I, 3-16-87)"

Section 2. Any person violating the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction be subject to a fine in accordance with the general provisions of the Code of Ordinances.

Section 3. 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 4. That this ordinance shall take effect immediately from and after its passage and approval, and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,

TEXAS, this

day of

, 1999.

Mayor City of Rockwall, Texas

ATTEST:

City Secretary City of Rockwall, Texas

APPROVED:

City Attorney City of Rockwall, Texas

Whereas the	e fee of \$625,000 is used as the Park	Equipment Fee
Park District	Max. Dwelling Units*	Equipment Fee Per Lot
1	457	\$1,368
2	1212	\$516
3	1398	\$447
4	1295	\$483
5	879	\$711
6	1227	\$509
7	2450	\$255
8	1194	\$523
9	1822	\$343
10	436	\$1,433
11	1110	\$563
12	1343	\$465
13	989	\$632
14	2780	\$225
15	1256	\$498
16	347	\$1,801
17	2774	\$225
18	687	\$910
19	1057	\$591
20	1174	\$532
21	1212	\$516
22	1178	\$531
23	1775	\$352
24	2115	\$296
25	490	\$1,276
26	966	\$647
27	2079	\$301
28	2418	\$258
29	2219	\$282
30	973	\$642
31	994	\$629
32	561	\$1,114
33 =	1875	\$333
34	2050	\$305
35	3004	\$208
dwoalling whithalding	compatity from Dould I and Ordinance	Amondod Mar 19 2015

Table 2Mandatory Park Land Dedication OrdinancePro-Rata Equipment Fees

*Ultimate dwelling unit holding capacity from Park Land Ordinance Amended - May 18, 2015 *Park Equipment Fee Amended Feb 2017

THIS PAGE INTENTIONALLY LEFT BLANK



CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Park Board

FROM: Andy Hesser, Parks and Recreation Director

DATE: March 5, 2019

SUBJECT: MANDATORY PARK LAND DEDICATION ORDINANCE

A component of our Mandatory Park Land Dedication Ordinance is the cash in lieu of land fee. This fee is applied when the Park Board feels that it is in the best interest of the City to accept cash-in-lieu of land for neighborhood parkland. According to our Mandatory Parkland Dedication Ordinance, the Park Board shall annually make a recommendation to the City Council and Council will set the fee by resolution. The fee is based on the average cost of neighborhood park land across the entire City.

Bryan E. Humphries and Associates completed their appraisal in January of 2019 to determine the average cost per acre of land and provided a final report. To establish comparable parcels, the properties evaluated must have easy access to utilities, public street, not be within the 100 year flood plain and not possess any unusual topography rendering the land useless for organized recreational activities. According to Mr. Humphries' report, the average cost of one acre of neighborhood park land with the above restrictions within the City limits is **\$55,000**.

Each year the cost to develop an 11 acre neighborhood park should be considered and set by Council resolution as well. It is currently set at \$1,250,000. Staff does not foresee that this needs to be increased for 2019. I have attached the appraisal letter completed by Mr. Humphries. \$625,000.00 would be the "per neighborhood park" cost to be used in calculation of pro-rata neighborhood park development equipment fees associated with the developer's share of the park.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. <u>19-05</u>

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ESTABLISHING THE "COST PER ACRE" TO BE USED IN CALCULATION OF A NEW DEVELOPMENT'S PRO RATA SHARE CONTRIBUTION FOR NEIGHBORHOOD PARK LAND; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Rockwall desires to provide a park system which includes adequately sized and appropriately equipped Neighborhood Parks, and

WHEREAS, the City of Rockwall has adopted a Park and Recreation Master Plan designed to facilitate development of its Park Systems, and

WHEREAS, in Chapter 38. "Subdivisions" Article II. "Parkland Dedication" of the Code of Ordinances, the City of Rockwall has adopted Mandatory Neighborhood Parkland Dedication Ordinance, designed to facilitate participation by developers (on a pro-rata basis) in acquisition and development of neighborhood parks, and

WHEREAS, said ordinance provisions provide that the City Council shall annually adopt a resolution establishing the "cost per acre" to be used in calculation of a new development's pro rata share contribution for neighborhood park land;

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

Section 1. Based upon a recommendation of the City of Rockwall Parks and Recreation Board, **<u>\$55,000.00</u>** is hereby adopted as the "cost per acre" park development cost to be used in calculation of pro-rata neighborhood park development matters;

Section 2. This resolution shall be in force and effect from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS <u>18th</u> day of <u>March</u>, <u>2019</u>.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

MARKET STUDY

REAL PROPERTY APPRAISAL CONSULTING REPORT

Prepared For

Andy Hesser, Parks and Recreation Manager City of Rockwall 108 E. Washington Rockwall, Texas, 75087

MARKET STUDY Average Price Per-Acre of Land in the City of Rockwall The City of Rockwall, Rockwall County, Texas

EFFECTIVE DATE OF CONSULTING ASSIGNMENT JANUARY 1, 2019

Prepared By

Bryan E. Humphries & Associates 4050 McKinney Avenue Suite 210 Dallas, Texas 75204

BRYAN E. HUMPHRIES & ASSOCIATES REAL ESTATE VALUATION AND SERVICES

January 15, 2019

Andy Hesser, Park and Recreation Manager City of Rockwall 108 E. Washington Rockwall, TX 75807

Re: Average Price Per- Acre of Land in the City of Rockwall City of Rockwall, Rockwall County, Texas

Mr. Andy Hesser,

We are pleased to transmit this gross market study/real property appraisal consulting report that was prepared for the purpose of valuing typical parkland in the City of Rockwall, This parkland is typically five acres and in the early stages of development. Please refer to identification of project on page 4 for further explanation of the project scope. This report is a gross market study (real property appraisal consulting report) and does not involve analysis of or the inspection of a physical subject property. The purpose of this gross market study is to derive an opinion of a fee simple market value of the average price per-acre of land in the City of Rockwall, as set forth in the City of Rockwall Park Land Dedication Ordinance, Section 24-45 (b). The effective date of this gross market study is January 1, 2019.

The client should not conclude that an appraisal has been prepared, and this report should not be used for condemnation purposes. This consulting report is only intended to assist the City of Rockwall, in establishing a general value trend and current market value of the average price per- acre of land in the City of Rockwall.

4054 McKinney Avenue, Suite 210, Dallas, Texas 75204

214/528-7584 E-Mail: <u>behinc@flash.net</u> FAX 214/528-2921

TABLE OF CONTENTS

Page	No.
------	-----

Table of Contents	1
Certification	2
General Information & Scope of Work	
Identification of Subject and Project	4
Inspection Information, Effective Date and Date of Report	4
Identification of the Client	4
Intended Users and Intended Use	4
Objective of the Assignment	4
Appraisal Report Option	5
Analysis Overview	5
Extraordinary Assumptions	5
Jurisdictional Exceptions	6
Hypothetical Conditions	6
Residential Market Analysis	8
Data Analysis	13
Conclusion of Value	21

<u>Addenda</u>

Qualifications of Appraisers Assumptions and Limiting Conditions Park Land Dedication Ordinance

CERTIFICATE

I certify that, to the best of my knowledge and belief,...

The statements of fact contained in this report are true and correct.

The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, unbiased professional analyses, opinions, and conclusions.

As of the date of the appraisal only, I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.

We have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

My engagement in this assignment was not contingent upon developing or reporting predetermined results.

My compensation for completing this assignment is not contingent on the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

Bryan Humphries has made a personal inspection of the property that is the subject of this report.

No one provided significant real property appraisal assistance to the persons signing this certificate.

I have performed a previous appraisal (1/1/13, 1/1/14, 1/1/15, 1/1/16, 1/1/17 and 1/1/18) involving the subject property within the three years prior to this assignment.

The report analysis, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and the Uniform Standards of Professional Appraisal Practice of the Appraisal Institute.

The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

As of the date of this Study, I have completed the requirements of the continuing education program of the Appraisal Institute.

Byon Humphries

Bryan Humphries, MAI, TX-1320676-G



GENERAL INFORMATION & SCOPE OF WORK

Identification of Subject and Project

The subject property is a typical, underdeveloped, Parcel in the City of Rockwall. The parcel represents the average in the City of Rockwall, as set forth in the City of Rockwall Park Land Dedication Ordinance, Section 24-45 (b). According to the ordinance, from time to time, developers must dedicate land to the City of Rockwall in order to meet the need for park land in the area. If the dedication is not feasible, the developers must then give the City cash in lieu of land that is reflective of typical residential land in Rockwall. The client has indicated that this average residential land is typically 5 acres and in the early stages of development.

Inspection Information, Effective Date and Date of Report

This analysis does not involve a physical subject property, only a hypothetical property, thus no inspection is required. The effective date of the assignment is January 1, 2019. The date of the report is the date of the signature on the first page of this report. Unless otherwise stated, all factors pertinent to a determination of value are considered as of this date.

Identification of the Client/Intended User

This real property appraisal consulting report is prepared for the City of Rockwall, Mr. Andy Hesser, 108 E. Washington, Rockwall, Texas 75087. Any other use or users are not intended or authorized.

Objective of the Assignment/Intended Use

This consulting assignment is only intended to assist the client in establishing an average price per-acre of land. The client should not conclude that an appraisal has been prepared, and this report should not be used for condemnation purposes.

Appraisal Report Option

This is a real property appraisal consulting assignment that complies with the reporting requirements set forth under Standard 5 of the *Uniform Standards of professional Appraisal Practices (USPAP)*. As such, it presents sufficient information to enable the client and other intended users, as identified, to understand it properly. The depth of discussion contained in this report is specific to the needs of the client and the intended users of this property appraisal consulting report.

Analysis Overview

As part of this consulting assignment, we have completed the following steps to gather, confirm, and analyze the data.

- Physically inspected the subject markets and the surrounding neighborhoods.
- Collected factual information about the surrounding market and confirmed that information with various sources.
- Collected market information needed to consider the three traditional approaches to value: Cost approach, sales comparison approach and income capitalization approach (if applicable).
- Prepared a real property appraisal consulting report setting forth the conclusion derived in this analysis as well as a summary of the information upon which the conclusions are based.

Extraordinary Assumptions

An extraordinary assumption is something that is assumed to be true, but it is not certain. If it turns out to be untrue, the value conclusion could be impacted. Extraordinary assumptions are those assumptions that are specific to the assignment, as opposed to general assumptions, which could be applicable to any assignment. In this assignment, we have assumed typical general assumptions and limiting conditions as cited above. In this particular assignment, the following extraordinary assumptions were made:

Sales and listing data obtained from the Multiple Listing Service is deemed to be sufficiently reliable data to establish overall market trends and the current market value of an average, price per-acre of land. While some knowledgeable real estate brokers and salespeople have been contacted to obtain and confirm data, the reader should be aware that not all of the sales and listing data analyzed was independently confirmed.

- ► The client should not conclude that an appraisal has been prepared, and this consulting report should not be used for condemnation purposes. This gross market study (real property appraisal consulting report) is only intended to assist the City of Rockwall in establishing a general value trend and current market value of an average price per-acre in the City of Rockwall.
- The purpose of this consultation report is to establish the average price per acre of land in the City of Rockwall. As set forth in the City of Rockwall, Park Land Dedication Ordinance, Section 24-45(b). However, it is beyond the scope of this consultation report to estimate the actual costs of adjacent street and site utilities as stated in the ordinance (see addenda).

Jurisdictional Exceptions

The Jurisdictional Exception Rule provides for severability preserving the balance of the *Uniform Standards of Professional Appraisal Practice (USPAP)*. If one or more parts of *USPAP* are "contrary to the law or public policy of any jurisdiction, only that part shall be void and of no force or effect in that jurisdiction." According to *USPAP*, "A law means a body of rules with binding legal force established by the controlling governmental authority." This includes federal and state constitutions, legislative and court made law, administrative rules, regulations and ordinances. In this assignment, there are no known conflicts of law or public policy that disregard the *USPAP*.

Hypothetical Conditions

A hypothetical condition is that which is contrary to what exists but is supposed for the purpose of analysis. In this particular assignment, the following hypothetical condition was made:

For purposes of this analysis, the subject property is a hypothetical, undeveloped, parcel in the City of Rockwall.



Residential Market Analysis

Boundaries

The neighborhood boundaries are generally defined as follows: City of Rockwall (Urban) Outlying areas of the City of Rockwall (Suburban)

Development Activities and Trends

Residential development comprises approximately $\pm 80\%$ of the development in Rockwall. According to ESRI, the median 2018 home value within a 1-mile, 3-mile, and 5-mile radius of the Subject is \$240,863, \$244,411 and \$242,909 respectively.

Recent single family building permit activity in Rockwall County summarized as follows:

Rockwall County Single Family Building Permits								
Year	Units	% Change	Average Value	% Change				
2000	955	-	\$194,400	-				
2001	1.267	32.7%	\$171,000	-12%				
2002	1,224	-3.4%	\$171,000	0.0%				
2003	1,219	-0.4%	\$168,500	-1.5%				
2004	1,598	31.1%	\$168,100	-0.2%				
2005	1,756	9.9%	\$183,400	9.1%				
2006	1,190	-32.2%	\$201,800	10.0%				
2007	759	-36.2%	\$240,200	19.0%				
2008	589	-22.4%	\$192,800	-19.7%				
2009	545	-7.5%	\$166,500	-13.6%				
2010	489	-10.3%	\$200,800	20.6%				
2011	411	-16.0%	\$233,800	16.4%				
2012	675	+64.2%	\$247,700	5.9%				
2013	741	+9.8%	\$256,900	3.7%				
2014	965	+30.2	\$288,800	12.4%				
2015	1046	+8.4	\$284,600	-1.5%				
2016	1116	+6.7	\$317,000	11.4				
2017	1468	+31.5	\$293,700	-7.4%				
YTD Oct 18	1482		\$307,250					

1 Data provided by Texas A&M Real Estate Center

As indicated by the preceding chart, new single family home activity peaked in 2005 at 1,756 permits. Building permit activity dropped significantly in 2006, 2007, and 2008, but slowed to 7.5% in 2009. New construction continued to decline in 2010, but appears to have bottomed in 2011 with 411 homes as 487 building permits were issued through September 2012. For 2012, 2013, 2014, 2015, 2016,2017 and 2018 permits have rebounded significantly, being up over \pm 257% from 2011 levels.

Demographic Trends

Population growth in Rockwall County had been slow in relation to the Dallas-Fort Worth CMSA after Lake Ray Hubbard was impounded in the 1960's. That changed when IH-30 was upgraded and the bridge widened in the 1990s. While the entire county has benefited, most of the growth has taken place along or near IH-30, and from west to east. Access remains an important factor in Rockwall County's growth pattern.

Area	1980	1990	2000	2010	2010 to 2018 Compounded	Estimated 2018
					Annual %Change	
City of Fate	NA	477	463	6,357	9.6%	13,240
City of Heath	1,459	2,108	4,149	6,921	2.11%	8,180
City of Rockwall	5,939	10,486	17,976	37,490	1.95%	43,750
City of Rowlett	7,522	23,260	44,503	56,199	.57%	58,830
City of Royse City	1,566	2,206	2,957	9,349	3.23%	12,060
Rockwall County	14,528	25,600	43,080	78,337	2.84%	97,990

Source: U.S. Bureau of the Census & State of Texas

The population in the City of Rockwall increased 1.95% compounded annually from 2010 to its 2018 level of 43,750. The Rockwall County grew 2.84% annually to 97,990 during the same period.

Demographics

The following chart summarizes demographic data in the Subject Neighborhood. The data was provided by ESRI, Inc., and is based on demographics in a 1,3, and 5-mile radius from the Subject Property.

2010-2018 Demographic Data (Source, ERSI, Inc.)								
Item	1 Mile	3 Mile	5 Mile					
2010 Population	6,945	32,537	82,777					
2018 Population	7,638	40,792	100,085					
2010-2018 Population Growth Rate	10.0%	25.4%	20.9%					
Projected 2023 Population	8,607	46,379	114,150					
Projected 5-Year Growth Rate- annually	2.42%	2.6%	2.66%					
2018 Households	2,762	14,029	32,962					
2018 Average Household Size	2.66	2.87	3.01					
2018 Median Household Income	\$82,062	\$88,551	\$91,959					
2018 Average Household Income	\$103,036	\$109,546	\$113,283					
2018 Per Capita Income	\$39,008	\$38,252	\$37,724					
2018 Housing Units	2,158	6,590	17,295					
2018 Owner Occupied Housing Units	73.9%	73.1%	80.9%					
2018 Renter Occupied Housing Units	20.9%	21.4%	14.4%					
2018 Vacant Housing Units	5.2%	5.6%	4.6%					
Projected 2023 Housing Units	3,250	16,773	38,868					
2018 Median Home Value	\$240,863	\$244,411	\$242,909					

The following data is compiled from the North Texas Real Estate Information Systems and analyzed by the Real Estate Center at Texas A&M University. According to the data as of December 2018 (includes residential, commercial and farm and ranch) the number of closed transactions year-to-date for lots and vacant land in the Rockwall market area has decreased 12% and the average price has increased 33%. The average sold to list price has remained at \pm 91% and the average days on market has increased 42%. Pending sales have decreased by 12% and months inventory has increased to 18.8 months. The decrease in pending sales is an indicator of possible decrease transaction levels in the coming months.

	Year-to-Date Sales Closed by Area for: December 2018 Lots and Vacant Land – Part 1									
Area	Sales	%Change	Dollar	% Change	Average	% Change	Median	% Change		
		Year Ago	Volume	Year Ago	Price	Year Ago	Price	Year Ago		
34	138	-12%	\$28,087,140	-11%	\$203,556	0%	\$102,450	+18%		

	Year-to-Date Sales Closed by Area for: December 2018									
	Lots and Vacant Land – Part 11									
Area	Price	%Change	Sold to List	% Change	Со-ор	% Change	DOM	% Change		
	per SF	Year Ago	Price	Year Ago	Sales	Year Ago		Year Ago		
34			91%	0%	66%	-1%	179	+42%		

	Year-to-Date Sales Closed by Area for: December 2018										
	Lots and Vacant Land – Part 111										
Area	Pending	%Change	New	% Change	Active	% Change	Months	% Change			
	Sales	Year Ago	Listings	Year Ago	Listings	Year Ago	Inventory	Year Ago			
34	156	-12%	319	-10%	216	+17%	18.8	+32%			

The following data is also compiled from the North Texas Real Estate Information Systems and analyzed by the Real Estate Center at Texas A&M University. According to the data as of December 2018 the number of closed transactions year-to-date for single family residences in the Rockwall market area has remained the same and the average price increased 3%. The average price per square foot has increased 4% and the average days on market has increased 8%. Pending sales have remained the same and months of inventory has increased 22%.

Year-to-Date Sales Closed by Area for: December 2018											
Single Family – Part 1											
Area	Sales	%Change	Dollar Volume	% Change	Average	% Change	Median	% Change			
		Year Ago		Year Ago	Price	Year Ago	Price	Year Ago			
34	2135	0%	\$709,962,225	+3%	\$332,535	+3%	\$289,000	+2%			

Year-to-Date Sales Closed by Area for: December 2018									
Single Family – Part 11									
Area	Price	%Change	Sold to List	% Change	Со-ор	% Change	DOM	% Change	
	per SF	Year Ago	Price	Year Ago	Sales	Year Ago		Year Ago	
34	\$125	+4%	97%	0%	89%	+2%	53	+8	

Year-to-Date Sales Closed by Area for: December 2018										
Single Family – Part 111										
Area	Pending	%Change	New	% Change	Active	% Change	Months	% Change		
	Sales	Year Ago	Listings	Year Ago	Listings	Year Ago	Inventory	Year Ago		
34	2,271	0%	2,972	+4%	552	+22%	3.1	+22%		

Conclusions

Rockwall has shown strong population growth over the past twenty years and employment trends are positive. The area is rapidly being developed with commercial and residential uses. In the future, Rockwall County is anticipated to be a strong growing area of the Metropolex. The neighborhood is considered to be in a growth life stage and the overall aspects are considered to be good.

DATA ANALYSIS

Description and Analysis of the Subject

For purposes of this analysis, the subject property is a typical, undeveloped, parcel in the City of Rockwall. According to the client, the City of Rockwall will be using the data to value parklands ranging in size from 1 to 10 acres. The client instructed the appraisers to base adjustments on a typical 5 acre residential parcel.

Description of the Data and Analysis

The purpose of this analysis is to determine the average value of a residential, undeveloped, parcel within the City of Rockwall. The parcel is assumed to have paved street access, utilities and to be in the early stages of development.

Sales and listing data was obtained from the NTREIS Multiple Listing Service. Our queried data included all residential land sales from one tenth of an acre to twenty acres in the City of Rockwall. Included within the data are land sales of parcels improved with typical subdivision infra-structure (i.e. paved streets, utilities, engineering, platting, etc.) and those that do not have these improvements. These sales have been adjusted to reflect their condition above and below the average undeveloped parcel. Within our analysis we have also considered historical land sale prices and trends as these are good indicators of current prices and prices going forward and provide a helpful frame of reference for the overall market. Other factors considered and adjusted for within the sales data include parcel size and location.

Our queries presented the following raw data. The data is not adjusted to reflect the average, undeveloped parcel. The raw average price per acre is heavily biased and influenced by sales of lake front lots.

	2011	2012	2013	2014	2015	2016	2017	2018
Total Sales	79	90	97	68	92	84	61	57
Sale to List Ratio	85%	88%	92%	92%	97%	93%	93%	92%
Avg. Price Per Acre	\$75,231	\$59 <i>,</i> 877	\$89,958	\$67,148	\$80,105	\$84,744	170,548	\$163 <i>,</i> 390
Avg. Days on	371	90	282	154	255	247	184	225
Market								
Percentage of Sales	46%	37%	41%	53%	57%	48%	41%	40%
Under 1 Acre								

Data Analysis, continued

A trend analysis of the raw price per acre of lot sales listed in MLS from 2010 to 2018 suggests the price trend is to be to slightly increasing. The Trend Line graph is shown on page 15. However, little weight should be given in this data as it is heavily upward biased because of small lots located on or near the lake which sale at a premium price due to location and higher unit prices due to economies of scale. Likewise, at the other end of the spectrum, a few sales sold for \$300,000+. Only lot sales stated by MLS to be in the City of Rockwall were considered. In an attempt to reduce the skewing for the 2010 thru 2018 time period, the data set is narrowed to sales greater than 1.00 acres and up to 20 acres with a price \pm less than \$100,000. The following chart reflects the trend of these sales. The data indicates that the lots sales from 2010 to 2018 had an increasing trend. From 2010, the typical price per acre was \pm \$20,000, the price per acre increase to \pm \$53,494 in 2018. The average per acre price was \$31,393 for 2010 to 2018.



The most recent sales of lots is the 2018 data set and our analysis will focus on the 2018 sales. This data set contains 32 sales that MLS lists as in the City of Rockwall. The sales are all greater than 1.00 Acre up to 20 Acre and less than \$100,000/acre.

The data will first be adjusted for location and in infrastructure. These adjustments considered information included in the detail MLS write up sheets. The next adjustment is a lot size adjustment. The following chart represents the size adjustment of the data set.



Approximately 78% of the data is between 1 to 5 Acres, with 72% being between 1 & 2.5 Acres. Thus, the majority of the data is within the target size range, no size adjustment will be applied to the analysis.

Following are two charts. The first shows the 2018 per acre raw lot sales date unadjusted. This chart shows the data between \$10,525 per acre price to a \$145,985 per acre price. The average 2018 per acre price was \$53,200/Acre. The trend line indicates that the Acre price to be approximately \$51,000/Acre at the beginning of 2018 and around \$58,000/Acre at the end of 2018.


Data Analysis, continued

The second chart represents the 2018 data after adjustments for location and infrastructure. As shown on the chart, the data is represented in a range from \$25,741/Acre to \$153,285/Acre. The average for the adjusted data is \$55,034/Acre. The trend line indicates the price per acre at the beginning of 2018 to be approximately \$48,000/Acre and \$60,000/acre toward the end of the year.



Data Analysis, continued

Conclusions

Over the last seven years lot sales actively has been improving for both the number of sales as well as the price.

The following list a summary of our data findings over the past three years.

Average Per Acre Price 2010 to 2018 Unadjusted:	\$31,393/Acre
Average Per Acre Price 2018 Unadjusted:	\$53,494/Acre
Average per Acre Price 2018 Adjusted for Location, Infrastructure	
and Size:	\$55,034/Acre

The adjusted 2018 data represents the most recent range of lot sales. The trend line of the data indicates per acre lot sales increased during 2018 from \pm \$48,000/Acre to \pm \$60,000/Acre at the end of the year.

Based upon our analysis and conclusions, subject to parameters defined, my opinion of the average market value price per acre of residential land in the City of Rockwall as of 1/1/2019 is:

\$55,000/Acre

Respectfully Submitted,

Byon Humphries

Bryan Humphries, MAI, TX-1320676-G

Addendum

Qualifications

Assumptions & Limiting Conditions

City of Rockwall Park Land Ordinance

SUMMARY OF OUALIFICATIONS - Bryan E. Humphries, MAI

Currently

Owner, BRYAN E. HUMPHRIES, INC.

Experience

Over 40 years experience in the appraisal of real properties, including commercial, multi-family, industrial, and special purpose properties, for mortgage bankers, savings and loan associations, insurance companies, attorneys, private individuals, public utilities, and governmental agencies.

Education

Graduated from Texas Tech University in 1974: B.B.A. Business

Graduated from Texas Tech University in 1976: M.S. Finance

Completed college, SREA, and AIREA courses in real estate appraisal

Qualified as "Expert" in real estate valuation in various courts

Professional Designations and Affiliations

MAI	Member (#6514), Appraisal Institute
AI	Admissions Committee, North Texas Chapter 17, 1983-1992 (Chairman, 1989-1990); National Admissions Review (1994-1996); Education Committee (1988); Region 8 Representative (1994, 1996, 1997, 2002); North Texas Chapter 17 Board of Directors (1993 - 1995; 1999 – 2001) Appraisal Institute National Screener (1996-2005)
Broker	Licensed Broker (#216136-12), Texas Real Estate Commission
State Certified	Texas State Certified - General Real Estate Appraiser (#TX 1320676-G)
State Certified	Texas State Certified – Property Tax Consultant (00003440)
Member	North Texas Commercial Association of Realtors
Member	Real Estate Financial Executive Association

ASSUMPTIONS AND LIMITING CONDITIONS

- 1. It is assumed that title to the property herein appraised is good and merchantable, and in fee simple. The value is reported without regard to questions of title, boundaries, encroachments, environmental regulations, licenses, or other matters of a legal nature unless noncompliance has been stated, defined, and considered in the appraisal report.
- 2. The value is estimated under the assumption that there will be no international or domestic political, economic, or military actions that will seriously affect real estate values throughout the country.
- 3. Certain information concerning market and operating data was obtained from others. This information is verified and checked, where possible, and is used in this appraisal only if it is believed to be accurate and correct. However, such information is not guaranteed. Dimensions and areas of the Subject Property and of the comparables were obtained by various means and are not guaranteed to be exact.
- 4. Real estate values are influenced by a number of external factors. The information contained herein is all of the data we consider necessary to support the value estimate. We have not knowingly withheld any pertinent facts, but we do not guarantee that we have knowledge of all factors, which might influence the value of the Subject Property. Due to rapid changes in external factors, the value estimate is considered to be reliable only as of the date of the appraisal.
- 5. Opinions of value contained herein are estimates. This is the definition of an appraisal. There is no guarantee, written or implied, that the Subject Property will sell for the estimated value. The estimated value assumes that the property is under responsible ownership and has competent and prudent management.
- 6. The appraiser will not be required to provide testimony or attendance in court or before other legal authority by reason of this appraisal without prior agreement and arrangement between the employer and the appraiser.
- 7. Disclosure of the contents of this appraisal report is governed by the By-Laws and Regulations of the Appraisal Institute. Neither all nor any part of the contents of this report (especially any opinions, analyses, or conclusions concerning value, the identity of the appraiser or the firm with which he is connected, or any reference to the Appraisal Institute or the M.A.I. or SRA Designation) shall be disseminated to the public through advertising media, public relations media, news media, sales media, prospectus for securities, or any other public means of communication without prior written consent and approval of the undersigned.

- 8. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures which would render it more or less valuable, except as stated in this report. No responsibility is assumed for such conditions or for engineering, which may be required to discover them. It is assumed that a prudent owner/buyer would allow inspection of the property by a qualified soils or structure engineer if conditions so required.
- 9. The distribution of the total valuation in this report between land and improvements applies only under the reported highest and best use of the land. The allocation of value for land and improvements, if presented, must not be used in conjunction with any other appraisal and are invalid if so used.
- 10. Estimates of costs to cure deferred maintenance are difficult at best. Contractors approach such problems in various ways. The estimates, if any, provided within this report are probable costs given current market conditions, available information, and the appraiser's expertise.
- 11. No environmental impact studies were requested or made in conjunction with this appraisal, and the appraiser hereby reserves the right to alter, amend, revise, and/or rescind the value opinions based upon any subsequent environmental impact studies, research, or investigation.
- 12. This appraisal was prepared by <u>Bryan E. Humphries & Associates</u> and consists of trade secrets and commercial or financial information, which is privileged and confidential and is exempted from disclosure under 5 U.S.C. 552 (b) (4). Please notify <u>Bryan E. Humphries</u> <u>& Associates</u> of any request of reproduction of this appraisal.
- 13. Unless otherwise stated in this report, the existence of hazardous substances, including without limitation asbestos, polychlorinated biphenyl, petroleum leakage, or agricultural chemicals, which may or may not be present on the property or other environmental conditions, were not called to the attention of nor did the appraiser become aware of such during the appraiser's inspection. The appraiser has no knowledge of the existence of such materials on or in the property unless otherwise stated. The appraiser, however, is not qualified to test such substances or conditions. If the presence of such substances, such as asbestos, urea formaldehyde foam insulation, or other hazardous substances or environmental conditions, may affect the value of the property, the value estimated is predicated on the assumption that there is

no such condition on or in the property or in such proximity thereto that it would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them.

14. Anyone acting in reliance upon the opinions, judgments, conclusions, or data contained herein, who has the potential for monetary loss due to the reliance thereon, is advised to secure an independent review and verification of all such conclusions and/or facts.

The user agrees to notify the appraiser prior to any irrevocable loan or investment decision of any error, which would reasonably be determined from a thorough and knowledgeable review.

- 15. By acceptance and use of this report, the user agrees that any liability for errors, omissions or judgment of the appraiser is limited to the amount of the fee charged.
- 16. The limiting condition relating to the ADA is as follows:

This appraisal has not considered the effects of the enactment of the Americans with Disabilities Act of 1990 (ADA), which initially became effective January 26, 1992. We have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. Standards of this act are designed to provide access to all public facilities to all persons, regardless of mobility limitations. The act provides forceful encouragement for commercial establishments to enhance their accessibility and requires that renovations after this date fully comply with the access standards established by the Architectural and Transportation Barriers Compliance Board. Enhancements to buildings must be readily achievable and able to be carried out without much difficulty or expense. The act recognizes that "readily achievable" is different for companies depending on their resources. The first priority is to provide access from sidewalks, parking and transportation areas, with the second priority being to provide access to areas where goods and services are available to the public. Finally, access to restroom facilities must accommodate all persons. The modifications and costs that may be necessary for the property to conform to ADA can be ascertained only by a qualified architect. Should such a study be undertaken, and should the retrofit costs, if any, become known, then the appraisers reserve the right to reevaluate the Subject Property.

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING ARTICLE II. PARK LAND DEDICATION OF THE SUBDIVISION REGULATIONS OF THE CODE OF ORDINANCES AS SET FORTH HEREIN; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00); PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

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

Section 1. That the Subdivision Regulations of the Code of Ordinances shall be amended in Article II. Park Land Dedication, which shall hereafter read in its entirety as follows:

"ARTICLE II. PARK LAND DEDICATION

Sec. 24-41. Purpose.

(a) This article [Ordinance Number 87-1] is adopted to provide recreational areas in the form of neighborhood parks as a function of subdivision development in the City of Rockwall, Texas. This article is enacted in accordance with the Home Rule powers of the City of Rockwall, granted under the Texas Constitution, in statutes of the State of Texas, including but not by way of limitation, articles 974a and 1175. It is hereby declared by the city council that recreation areas in the form of neighborhood parks are necessary and in the public welfare, and that the only adequate procedure to provide for same is by integrating such a requirement into the procedure for planning and developing property or subdivisions in the city, whether such development consists of new construction on vacant land or rebuilding structures on existing residential property.

(b) Neighborhood parks are those parks providing for a variety of outdoor recreational opportunities, be a minimum of ten acres, and be within convenient distances for a majority of the residents to be served thereby. Park districts are established by the official park plan for the City of Rockwall, Texas, and shall be prima facie proof that any park located therein is within such convenient distance from any residence located therein. Primary cost of neighborhood parks shall be borne by the ultimate residential property owners, who, by reason of the proximity of their property to such parks, shall be the primary beneficiary of such facilities. Therefore, the following requirements are adopted to effect the purposes stated. (Ord. No. 87-1, § I, 1-5-87)

Sec. 24-42. Definitions.

For the purposes of this article, the following definitions shall apply:

Develop (VJ: The act of subdividing a parcel or tract of land and installation of community facilities in accordance with and as defined by the City of Rockwall Subdivision Ordinance.

Development (NJ: A parcel or tract of land proposed for subdivision in accordance with and as defined by the City of Rockwall Subdivision Ordinance.

Park development. The development of a park site by construction of streets, drainage, utilities, and recreational improvements to serve a neighborhood park district.

Recreational Improvements - Facilities: The park features set forth for a neighborhood park in the Activity Menu of the Park Plan. A uniform cost shall be prepared annually for these features and adopted by resolution by the City Council. The dedication factor shall be applied to this cost to determine the pro rata share per new dwelling unit for recreational improvements - facilities.

Pro rata share of required dedication. The amount of land that shall be dedicated (or the acreage figure used to calculate cash in lieu of land donation) as prescribed within this article. The pro rata share of required dedication in a neighborhood park district shall be calculated as follows: Pro rata share of required acreage dedication per new dwelling unit is the factor obtained when the 10 "acre area of park is divided by the ultimate residential dwelling unit holding capacity for park district in which the unit(s) is located.

The total number of residential units which a neighborhood park district is projected to have when fully developed shall be determined by the Impact Fee Land Use Assumptions as set forth in Table 1, Park Dedication Acreage Factor per Dwelling Unit, below. (Ord. No. 87-1, § II, 1-5-87)

Park District	Ultimate Dwelling Unit Holding Capacity	Dwelling Unit Dedication Factor (Acre)
1	653	.015
2	1151	.009
3	962	.010
4	1660	.006
5	1558	.007
6	978	.010
7	1282	.008
8	1856	.005
9	1524	.007
10	1041	.010
11	948	.011

TABLE 1

PARK DEDICATION ACREAGE FACTOR PER DWELLING UNIT

12	2663	.004
13	728	.014
14	1940	.005
15	870	.015
16	728	.014
17	1235	.008
18	801	.012
19	1071	.009
20	699	.014
21	1473	.007
22	1598	.006
Total	27,419	

Sec. 24-43. General Requirement for SF-16, SF-10, SF-7, ZL-5, 2-F and MF-15, to be used for single-family, zero lot line, duplex, and/or apartment multi family residential purposes.

(a) Whenever a final plat is filed of record with the county clerk of Rockwall County for development of a residential area in accordance with the planning and zoning ordinances of the City of Rockwall, such plat shall contain a clear fee simple dedication of an area of land to the City of Rockwall for park purposes, which area shall be equal to or greater than the property being subdivided's pro rata share of neighborhood park property required for the neighborhood park district in which the property being platted or subdivided is located as shown by the Park Master Plan. In addition, the developer shall make payment of money for pro-rata share and recreational improvement facilities as defined in this article. Any proposed plat submitted to the city for approval shall show the area proposed to be dedicated under this article. The requirement for dedication under this article may be met by a payment of money in lieu of land when permitted or required by the other provisions of this article.

(b) The city council declares the development of an area smaller than one acre for public park purposes to be impractical. Therefore, if less than one acre is calculated to be the pro rata share of a development plat filed for approval, the developer shall be required to pay the applicable cash in lieu of land amount provided for by Section 24-45(c) of this article, rather than dedicate any land area. No plat showing a dedication of less than one acre shall be approved.

(c) In instances where an area of less than six (6) acres but more than one acre is calculated to be the pro rata share of a development the city council shall have the option of requiring land dedication or cash in lieu of land in accordance with Section 24-45(c) of this article after consideration of the recommendation of the planning and zoning commission and the parks and recreation board. If the City determines that sufficient park area is already in the public domain in the area of the proposed development or the neighborhood park district, or if the recreation potential for that zone would be better served by expanding or improving an existing park, dedication may also be refused and cash in lieu of land may, likewise, be required.

(d) The dedication required by this article shall be made by filing of final plat or contemporaneously by separate instrument. If the actual number of completed dwelling units exceeds the figures upon which the original dedication is based, additional dedication shall be required and shall be made by payment in lieu of land amount described by Section 24-45(c) of this article, or by the conveyance of an entire numbered lot to the city. (Ord. No.87-1, § III, 1-5-87)

Sec. 24-44. Prior dedication; absence of prior dedication.

At the discretion of the city council, any former gift of land to the city may be credited on a per acre basis toward the eventual land dedication requirements imposed on the donor of such land. The city council shall consider recommendations of the planning and zoning commission and the parks and recreation board in exercising its discretion under this section. (Ord. No. 87-1, [IV, 1-5-87)

Sec. 24-45. Money in lieu of land.

(a) Subject to the veto of the city council and the terms of Section 24-43 of this article, a land owner responsible for dedication under this article may elect to meet the requirements of Section 24-43 in whole or in part by a cash payment in lieu of land, in an amount set forth in Section 24-45(c). Such payment in lieu of land shall be made at or prior to final plat approval.

(b) The city may from time to time decide to purchase land for parks in or near the area of actual or potential development. If the city does purchase park land in a neighborhood park district and said land purchased is used to meet the need for a neighborhood park, subsequent land dedications for that district shall be in cash only and calculated on a pro rata share basis to reimburse the city's actual cost of acquisition and development of such land for parks. The cash amount shall be equal to the sum of (1) the average price per acre of such land, and (2) the actual cost of adjacent streets and site utilities, or an estimate of such actual costs provided by the city engineer and the recreation improvement costs for facilities as set forth in the Park Master Plan for neighborhood parks. Once the city has been reimbursed entirely for all park land within a park zone, this section shall cease to apply and the other sections of this article shall be applicable.

(c) To the extent that Section 24-45(b) is not applicable, the dedication requirements shall be met by a cash payment in lieu of land on the basis of a per acre price. Said per acre price shall be determined annually by the city council and shall be based on current land values within the City. Once established the Council shall adopt the value(s) by resolution for appreciation as required in this subsection. Cash payments may be used only for acquisition or improvement of neighborhood parks located within the Same neighborhood park district as the development in accordance with the Park Master Plan. (Ord. No. 87-1, \S V, 1-5-87)

Sec. 24-46. Dedication of more than the pro rata share of park land.

The developer of a residential subdivision which is subject to the terms of this article may dedicate more land than the pro rata share calculated for the development if approved by the city council. If the developer dedicates an amount equal to or greater than the total required park land area for the neighborhood park district in which his subdivision is located, the city and the developer shall execute a pro rata refunding agreement in accordance with the City of Rockwall Subdivision Regulations which shall recover the cost of land dedicated in excess of the developer's pro rata share after streets, drainage, and utilities are constructed on the dedicated property.

The developer shall install the streets, drainage, and utilities to serve the neighborhood park, and the cost of same shall be included in the pro rata refunding agreement. The pro rata refunding agreement shall provide that future developers in the same neighborhood park district shall pay their pro rata share of the actual cost of park development which shall be calculated based on the per acre cash in lieu of land cost in effect at the time of dedication, plus the costs of streets, drainage, utilities, and recreational facilities installed to serve the dedicated neighborhood park. The cost of streets, drainage and utilities installed to serve the park shall be certified by the city engineer. In no case shall the developer receive pro rata payments after he has recovered an amount equal to the number of acres actually dedicated in excess of his pro rata share multiplied by the per acre cash in lieu of land figure in effect at the time of actual dedication, plus the costs of streets, drainage, and utilities as certified by the city engineer necessary to serve the neighborhood park. In no case shall the term of any pro rata agreement provided by this article be for a period in excess of five (5) years from the date of dedication. (Ord. No. 87-1, § VI, 1-5-87)

Sec. 24-47. Special fund established; right to refund.

(a) There is hereby established a special fund for the deposit of all cash funds in lieu of land dedication under this article, which fund shall be known as the "Park Land Dedication Fund."

(b) The city shall account for all sums paid in lieu of land dedication under this article referenced to individual plats involved. Any funds paid for such purposes must be expended by the city within eight (8) years from the date received by the city for acquisition and development of a neighborhood park as defined herein. Such funds shall be considered to be spent on a first/in first/out basis. If not so expended, the owners of the property on the last day of such period shall be entitled to a pro rata refund of such funds, calculated on a square footage basis. The owners of such property must request such refund within one year of entitlement; in writing, or such rights shall be barred. (Ord. No. 87-1, § VII, 1-5-87)

Sec. 24-48. Additional requirements and provisions.

(a) Any land dedicated to the city under this article shall be suitable for park and recreation use. The following characteristics of a proposed area are generally unsuitable:

- (1) Any area located in the one hundred-year floodplain;
- (2) Any area of unusual topography or slope which renders same unusable for organized recreational activities.

The above characteristics of park land dedication area may be grounds for refusal of a plat.

(b) Each park must have ready access to a public street.

(c) Unless provided otherwise herein, action by the city shall be by the city council after consideration of the recommendations of the planning and zoning commission and the parks and recreation board. Any proposal considered by the planning and zoning commission under this article shall have been reviewed by the parks and recreation board and its recommendation given to the commission. The commission may make a decision contrary to such recommendation only by a vote of at least five (5) members. Should the commission be unable to get this vote, the matter shall then be referred to the city council for final decision.

(d) If any provision of this article or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect any other provisions or applications of this article which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

(e) This article shall become effective upon adoption by the city council. (Ord. No. 87-1,§ VIII, 1-5-87)

Sec. 24-49. Review and updating parkmaster plan.

The City of Rockwall Parks and Recreation Department shall consider the need to update the Park Master Plan at least annually to insure that the plan remains current and provides an equitable, effective framework from which to pursue the acquisition and development of neighborhood park services for each neighborhood park district.

(Ord. No. 87-1, § XI, 1-5-87)

Sec. 24-50. Waiver of mandatory neighborhood park land dedication in the case of private developments.

If a development is proposed to be a private development where no public streets are dedicated for use by the public the city shall:

- (1) Calculate the pro rata share of the proposed private development as if it were to be a development where public streets were to be dedicated.
- (2) Waive the requirement for mandatory dedication if the private amenities of the proposed development meet or exceed the calculated pro rata share as calculated under Section 24-50(1) above.
- (3) Decrease the total acreage shown in the Park Master Plan as being required to meet the ultimate need for neighborhood parks in the applicable neighborhood park district by the acreage calculated under Section 24-50(1) above (for the purpose of future calculations of pro rata shares for future developments).
- (4) In a private development within a park district or a private development encompassing an entire park district, the park property within the private development must be easily accessible to the general public either through the use of the city trail system or public roadways. If the private development encompasses the entire park district and the ten acres of park land is not continuous, each separate section of park property must be accessible to the general public and connected by way of a minimum eight foot wide trail.

(Ord. No. 87-1, § IX, 1-5-87)

Sec. 24-51. Waiver of article requirements by city council.

The city council of the City of Rockwall, Texas may waive the requirements of this article upon a finding by the city council that said waiver is clearly in the best interest of the City of Rockwall. (Ord. No. 87-13, § I, 3-16-87)"

Section 2. Any person violating the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction be subject to a fine in accordance with the general provisions of the Code of Ordinances.

Section 3. 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 4. That this ordinance shall take effect immediately from and after its passage and approval, and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,

TEXAS, this

day of

, 1999.

Mayor City of Rockwall, Texas

ATTEST:

City Secretary City of Rockwall, Texas

APPROVED:

City Attorney City of Rockwall, Texas

Where	as \$55,000 is adopted as the per acre amou	nt:
Park District	Max. Dwelling Units*	\$ Per Lot
1	457	\$1,324
2	1212	\$499
3	1398	\$433
4	1295	\$467
5	879	\$688
6	1227	\$493
7	2450	\$247
8	1194	\$507
9	1822	\$332
10	436	\$1,388
11	1110	\$545
12	1343	\$450
13	989	\$612
14	2780	\$218
15	1256	\$482
16	347	\$1,744
17*	2774	\$218
18	687	\$881
19	1057	\$572
20	1174	\$515
21	1212	\$499
22	1178	\$514
23	1775	\$341
24	2115	\$286
25	490	\$1,235
26	966	\$626
27	2079	\$291
28	2418	\$250
29	2219	\$273
30	973	\$622
31	994	\$609
32	561	\$1,078
33	1875	\$323
34	2050	\$295
35	3004	\$201
1 11* *** 1 1**		1 1 1 1 1 1 0 00

Table 1Land: Cash in Lieu of LAND

*Ultimate dwelling unit holding capacity from Park Land Ordinance Amended - May 18, 2015

* Per acre amount amended Feb 2019

126

THIS PAGE INTENTIONALLY LEFT BLANK



CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT 385 S. GOLIAD STREET • ROCKWALL, TX 75087 PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, <i>City Manager</i> Mary Smith, <i>Assistant City Manager</i> Joey Boyd, <i>Assistant City Manager</i> Ryan Miller, <i>Director of Planning and Zoning</i>
FROM:	David Gonzales, Planning and Zoning Manager
DATE:	March 18, 2019
SUBJECT:	SP2019-004; Alternative Tree Mitigation Settlement Agreement

The applicant, Carolina Molina of Alvaplast US, Inc. (*SPR Packaging*), is requesting the approval of an *Alternative Tree Mitigation Settlement Agreement*. On the approved site plan, the applicant indicated a total of 7,919-caliper inches of tree being removed from the site. Of the caliper inches being removed, 1,554.25-inches require mitigation. In order to satisfy the mitigation balance, the applicant is proposing to plant 660-inches of trees adjacent to the approved Phase I warehouse building and 752-inches of trees adjacent to the Park Place neighborhood. This totals 1,412-caliper inches being replaced on-site and leaves a mitigation balance of 142.25-caliper inches.

According to Section 5.7, of Article IX, of the Unified Development Code (UDC), "(i)n certain cases, the City Council -- upon recommendation from the Planning and Zoning Commission -- may consider an Alternative Tree Mitigation Settlement Agreement where, due to hardship, the applicant is unable to meet the requirements of this article or where it is determined that adherence to the tree mitigation requirements will create a hardship for an applicant. These funds will be deposited in the City's Tree Mitigation Fund and will be used for planting trees in the City's parks, medians, street right-of-ways, or other similar areas as determined by the Parks and Recreation Department." SPR Packaging prefers to settle the remaining mitigation balance of 142.25-caliper inches through an Alternative Tree Mitigation Settlement Agreement by paying into the City's Tree Mitigation Fund the full amount due of \$14,225.00 (*i.e.* 142.25-caliper inches x \$100 per inch = \$14,225.00). If approved by the City Council, the applicant will need to satisfy the balance at the time of filing the final plat.

On March 12, 2019, the Planning and Zoning Commission unanimously approved a motion to recommend approval of the *Alternative Tree Mitigation Settlement Agreement* by a vote of 4-0 with Commissioners Lyons, Logan, and Moeller absent. Attached to this memo is the applicant's letter of request, and the approved treescape plan and landscape plan. The approval of the applicant's request is a discretionary decision for the City Council.



bellefirma.com

March 5, 2019

Mr. David Gonzales Planner City of Rockwall 385 South Goliad Street Rockwall, Texas 75087

Re: SPR Packaging SP2019-004

Dear Mr. Gonzales:

Thank you for your comments on the above-mentioned project. In an effort to address your comments concisely and simplify your next review, we have summarized your comments and our responses below.

Tree Mitigation

1. Alternative tree mitigation settlement agreement in the amount of \$49,125.00 (i.e. 491.25-inch mitigation) requires approval of the City Council. With the additional screening requested, the mitigation cost has been reduced to \$14,225.00 or 142.25 inches of mitigation.

<u>Landscape</u> Plan

- 10-foot Landscape Buffer along Industrial Blvd. and Airport Road to have trees for each 50 linear feet of frontage. Move the necessary number of trees into the landscape buffer strip. Per our conversation, the required trees have been moved as close as they can to the 10' Landscape Buffer due to an existing sewer easement that runs the entire length of the street frontage. A 30' landscape buffer has been added to accommodate the required trees along the street frontages.
- The use of hydromulch requires the hydromulch to be established a minimum height of one (1) inch and at a minimum coverage of 75% for disturbed areas prior to the release of a Certificate of Occupancy (CO). Sod is preferred. Change notes regarding the use of hydromulch to reflect the required standard of use sod.

Hydromulch note has been updated. Please refer to Landscape Plan L2.01, Hydromulch Note #8.

Please let me know if you have any questions or need anything else.

Sincerely

Kori Haug, ALA CLARB President Belle Firma, Inc.





<u>SITE I</u>	DATA:	
	(LI) LIGHT IND	USTRIAL
<u>E:</u>	OFFICE, WAREHOUSE, I	VANUFACTURING
	11.37 AC. (49	5,340 SF)
	68,465	SF
E:	74,750	SF
	143,215	SF
CE/1000 SF):	68	SPACES
E (1 SPACE/100SF):	75	SPACES
, , , ,	143	SPACES
	86	SPACES
	79	SPACES
	165	SPACES
PROVIDED:	5	SPACES
DED IN TOTAL ABOVE		

EXISTING TREE LEGEND

EXISTING TREE TO REMAIN Ø

EXISTING TREE TO BE REMOVED

TREE PROTECTION FENCING TO REMAIN DURING CONSTRUCTION REFER TO 01/L1.01

TREE PRESERVATION NOTES

- 1. EXISTING TREES TO REMAIN SHALL BE PROTECTED DURING CONSTRUCTION FROM TREE STRUCTURE DAMAGE AND COMPACTION OF SOIL UNDER AND AROUND DRIP LINE (CANOPY) OF TREE.
- 2. IF ANY ROOT STRUCTURE IS DAMAGED DURING ADJACENT EXCAVATION / CONSTRUCTION, NOTIFY OWNER'S AUTHORIZED REPRESENTATIVE IMMEDIATELY. IT IS RECOMMENDED THAT A LICENSED ARBORIST BE SECURED FOR THE TREATMENT OF ANY POSSIBLE TREE WOUNDS.
- 3. NO DISTURBANCE OF THE SOIL GREATER THAN 4" SHALL BE LOCATED CLOSER TO THE TREE TRUNK THAN 1/2 THE DISTANCE OF THE DRIP LINE TO THE TREE TRUNK. A MINIMUM OF 75% OF THE DRIP LINE AND ROOT ZONE SHALL BE PRESERVED AT NATURAL GRADE.
- 4. ANY FINE GRADING DONE WITHIN THE CRITICAL ROOT ZONES OF THE PROTECTED TREES MUST BE DONE WITH LIGHT MACHINERY SUCH AS A BOBCAT OR LIGHT TRACTOR. NO EARTH MOVING EQUIPMENT WITH TRACKS IS ALLOWED WITHIN THE CRITICAL ROOT ZONE OF THE TREES.
- 5. NO MATERIALS INTENDED FOR USE IN CONSTRUCTION OR WASTE MATERIALS ACCUMULATED DUE TO EXCAVATION OR DEMOLITION SHALL BE PLACED WITHIN THE LIMITS OF THE DRIP LINE OF ANY TREE.
- 6. NO EQUIPMENT MAY BE CLEANED OR TOXIC SOLUTIONS, OR OTHER LIQUID CHEMICALS, SHALL BE DEPOSITED WITHIN THE LIMITS OF THE DRIP LINE OF A TREE, INCLUDING BUT NOT LIMITED TO: PAINT, OIL, SOLVENTS, ASPHALT, CONCRETE, MORTAR, PRIMERS, ETC.
- 7. NO SIGNS, WIRES OR OTHER ATTACHMENTS, OTHER THAN THOSE OF A PROTECTIVE NATURE, SHALL BE ATTACHED TO ANY TREE.
- 8. NO VEHICULAR / CONSTRUCTION EQUIPMENT TRAFFIC OR PARKING IS ALLOWED WITHIN THE LIMITS OF THE DRIP LINE OF TREES.
- 9. BORING OF UTILITIES MAY BE PERMITTED UNDER PROTECTED TREES IN CERTAIN CIRCUMSTANCES. THE MINIMUM LENGTH OF THE BORE SHALL BE THE WIDTH OF THE TREE'S CANOPY AND SHALL BE A MINIMUM DEPTH OF FORTY-EIGHT (48") INCHES.
- 10. IRRIGATION TRENCHING WHICH MUST BE DONE WITHIN THE CRITICAL ROOT ZONE OF A TREE SHALL BE DUG BY HAND AND ENTER THE AREA IN A RADIAL MANNER.
- 11. ALL TREES TO BE REMOVED FROM THE SITE SHALL BE FLAGGED BY THE CONTRACTOR WITH BRIGHT RED VINYL TAPE (3" WIDTH) WRAPPED AROUND THE MAIN TRUNK AT A HEIGHT OF FOUR (4') FEET ABOVE GRADE. FLAGGING SHALL BE APPROVED BY OWNER'S AUTHORIZED REPRESENTATIVE PRIOR TO ANY TREE REMOVAL. CONTRACTOR SHALL CONTACT OWNER'S AUTHORIZED REPRESENTATIVE WITH 72 HOURS NOTICE TO SCHEDULE ON-SITE MEETING.
- 12. ALL TREES TO REMAIN, AS NOTED ON DRAWINGS SHALL HAVE PROTECTIVE FENCING LOCATED AT THE TREE'S DRIP LINE. THE PROTECTIVE FENCING MAY BE COMPRISED OF SNOW FENCING, ORANGE VINYL CONSTRUCTION FENCING, CHAIN LINK FENCE OF OTHER SIMILAR FENCING WITH A FOUR (4') FOOT APPROXIMATE HEIGHT. THE PROTECTIVE FENCING SHALL BE LOCATED AS INDICATED ON THE TREE PROTECTION DETAIL.
- 13. WHEN A LOW HANGING LIMB IS BROKEN DURING THE COURSE OF CONSTRUCTION, THE CONTRACTOR SHALL NOTIFY THE OWNER'S AUTHORIZED REPRESENTATIVE IMMEDIATELY. UNDER NO CIRCUMSTANCE SHALL THE CONTRACTOR PRUNE ANY PORTION OF THE DAMAGED TREE WITHOUT THE PRIOR APPROVAL BY THE OWNER'S AUTHORIZED REPRESENTATIVE.

REFER TO PLAN FOR EXISTING TREE TO REMAIN

SNOW FENCE, ORANGE VINYL - CONSTRUCTION FENCE, OR CHAINLINK FENCE

METAL T-POST PLACED NO FURTHER THAN 15' APART

EXISTING GRADE TO REMAIN UNDISTURBED

LIMITS OF DRIPLINE

01 TREE PROTECTIVE FENCING NOT TO SCALE



TREE PRESERVATION PLAN







 \sim



4245 North Central Expy Suite 501 Dallas, Texas 75205 • 214.865.7192 office



 \mathbf{X}

Ú

·· Ω





















EXISTING TREE TO REMAIN

EXISTING TREE TO BE REMOVED

TREE PROTECTION FENCING TO REMAIN DURING CONSTRUCTION REFER TO 01/L1.01

KEY MAP SCALE: 1" = 700'



TREE PRESERVATION PLAN









• 4245 North Central Expy Suite 501 Dallas, Texas 75205 • 214.865.7192 office







	Dia. (inches)	Species (common name)	Status	Condition	Remarks	Protection Status	Mitigation Requir
1	7	HACKBERRY HACKBERRY	TO REMAIN TO REMAIN	GOOD GOOD	OFFSITE	NON-PROTECTED NON-PROTECTED	
3	5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
4 5	6.5 7.5	HACKBERRY	TO BE REMOVED	GOOD GOOD	WITHIN R.O.W.	NON-PROTECTED NON-PROTECTED	
6	6.5	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W. WITHIN R.O.W.	NON-PROTECTED	
7 8	9 9.5	HACKBERRY	TO BE REMOVED	GOOD GOOD	WITHIN R.O.W.	NON-PROTECTED	
9	9.5 6.5	HACKBERRY HACKBERRY	TO BE REMOVED	POOR	WITHIN R.O.W. WITHIN R.O.W.	NON-PROTECTED	
10	4	HERCULES CLUB	TO BE REMOVED	GOOD GOOD	WITHIN R.O.W.	PRIMARY PROTECTED	4
11 12	14	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W. WITHIN R.O.W.	NON-PROTECTED SECONDARY PROTECTED	7
13	5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
14 15	9	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD	WITHIN R.O.W. WITHIN R.O.W.	NON-PROTECTED NON-PROTECTED	
16	11	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	SECONDARY PROTECTED	5.5
17 18	6.5 10	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD	WITHIN R.O.W. WITHIN R.O.W.	NON-PROTECTED NON-PROTECTED	
19	8	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
20 21	8 5.5	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD	WITHIN R.O.W. WITHIN R.O.W.	NON-PROTECTED	
22	8.5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	7.05
23 24	14.5 7.5	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W. WITHIN R.O.W.	SECONDARY PROTECTED	7.25
25	5.5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
26 27	8 7.5	HACKBERRY	TO BE REMOVED	GOOD GOOD	WITHIN R.O.W. WITHIN R.O.W.	NON-PROTECTED	
28	4	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
29 30	7	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W. WITHIN R.O.W.	NON-PROTECTED	
31	7.5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
32 33	6.5 9.5	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD	WITHIN R.O.W. WITHIN R.O.W.	NON-PROTECTED	
34	7	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
35 36	4.5	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD	WITHIN R.O.W. WITHIN R.O.W.	NON-PROTECTED	
37	8.5	HACKBERRY	TO BE REMOVED	POOR	WITHIN R.O.W.	NON-PROTECTED	
38 39	11 7	HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD GOOD	WITHIN R.O.W. WITHIN R.O.W.	SECONDARY PROTECTED	5.5
40	13	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	SECONDARY PROTECTED	6.5
41 42	8	HACKBERRY	TO BE REMOVED	GOOD GOOD	WITHIN R.O.W. WITHIN R.O.W.	NON-PROTECTED	
43	9.5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
44 45	10 5	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD POOR	WITHIN R.O.W. WITHIN R.O.W.	NON-PROTECTED NON-PROTECTED	
46	10	HACKBERRY	TO BE REMOVED	POOR	WITHIN R.O.W.	NON-PROTECTED	
47 48	7 19	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD	WITHIN R.O.W. WITHIN R.O.W.	NON-PROTECTED SECONDARY PROTECTED	9.5
49	4	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	9.0
50	9	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
51 52	4 8.5	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD	WITHIN R.O.W. WITHIN R.O.W.	NON-PROTECTED NON-PROTECTED	
53	7	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	5.5
54 55	11 10	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W. WITHIN R.O.W.	SECONDARY PROTECTED	5.5
56	5.5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
57 58	4	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD	WITHIN R.O.W.	NON-PROTECTED	
59	7	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
60 61	6 5	HACKBERRY	TO BE REMOVED	GOOD POOR	WITHIN R.O.W. WITHIN R.O.W.	NON-PROTECTED	
62	13	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
63 64	7	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
65	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
66 67	12 9	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6
68	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
69 70	9.5 6.5	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED	
71	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
72 73	7 6.5	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	-
74	8.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
75 76	9	HONEY LOCUST HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
77	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
78 79	4.5	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
80	8.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
81 82	5 5.5	HACKBERRY HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD GOOD		NON-PROTECTED NON-PROTECTED	
83	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
84 85	5	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED	
86	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
87 88	10 8	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED	
89	6.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
90 91	6	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED	
92	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
93 94	5.5 4	HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED	
95	6.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
96 97	6 6.5	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED	
98	11	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	5.5
99 100	9 4.5	HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED NON-PROTECTED	
101	6.5	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
102 103	10.5 5	BOIS D'ARC HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD GOOD		NON-PROTECTED NON-PROTECTED	
104	4	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
105 106	10 8	HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED NON-PROTECTED	
107	8	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
108 109	4.5 18.5	HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED SECONDARY PROTECTED	9.25
110	8.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	0.20
111 112	4	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED NON-PROTECTED	
112 113	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
114	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
115 116	5.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
117	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
118	9	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED	
119		HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
119 120	7.5	111 012				NON-PROTECTED	
119	8.5 6	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
119 120 121	8.5						

No.	Dia. (inches)	Species (common name)	Status	SURVEY FIE	Remarks	Protection Status	Mitigation Require
127 128	6 5	BOIS D'ARC BOIS D'ARC	TO BE REMOVED	GOOD GOOD		NON-PROTECTED NON-PROTECTED	
129	4.5	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
130 131	9 12	BOIS D'ARC HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED SECONDARY PROTECTED	6
132	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
133 134	4	HONEY LOCUST BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
135	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
136 137	9 6	BOIS D'ARC HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED	
138 139	4	BOIS D'ARC BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED NON-PROTECTED	
140	7	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
141 142	7.5 6	HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD GOOD		NON-PROTECTED NON-PROTECTED	
143	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
144 145	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
146	12.5	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
147 148	4	BOIS D'ARC HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
149	4.5	HONEY LOCUST	TO BE REMOVED	GOOD		NON-PROTECTED	
150 151	10 5.5	EASTERN RED CEDAR BRADFORD PEAR	TO BE REMOVED	GOOD GOOD		NON-PROTECTED PRIMARY PROTECTED	5.5
152 153	45.5 10	BLACK WILLOW GREEN ASH	TO BE REMOVED	GOOD GOOD		NON-PROTECTED PRIMARY PROTECTED	10
153	4.5	AMERICAN ELM	TO BE REMOVED	GOOD		PRIMARY PROTECTED	4.5
155 156	5	HACKBERRY	TO REMAIN TO REMAIN	GOOD GOOD	OFFSITE	NON-PROTECTED	
157	15	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
158 159	7	HACKBERRY	TO REMAIN TO REMAIN	GOOD GOOD	OFFSITE	NON-PROTECTED	
160	12	BOIS D'ARC	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
161 162	11	HACKBERRY	TO REMAIN TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED SECONDARY PROTECTED	
163	8.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
164 165	12 8	BOIS D'ARC BOIS D'ARC	TO REMAIN TO REMAIN	GOOD POOR	OFFSITE	NON-PROTECTED	
166	7	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
167 168	6 9	EASTERN RED CEDAR HACKBERRY	TO REMAIN TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
169	10	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
170 171	10	HACKBERRY BOIS D'ARC	TO REMAIN TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
172 173	10 5	HACKBERRY BOIS D'ARC	TO REMAIN TO REMAIN	GOOD GOOD	OFFSITE	NON-PROTECTED NON-PROTECTED	
173	12	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
175 176	6.5 6	HACKBERRY HACKBERRY	TO REMAIN TO REMAIN	GOOD GOOD	OFFSITE	NON-PROTECTED NON-PROTECTED	
177	6.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
178 179	11	HACKBERRY	TO REMAIN TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
180	15	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
181 182	7	HACKBERRY	TO REMAIN TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
183	7.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
184 185	9 13.5	HACKBERRY BOIS D'ARC	TO REMAIN TO REMAIN	GOOD GOOD	OFFSITE	NON-PROTECTED	
186	10	BOIS D'ARC	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
187 188	9.5 17.5	HACKBERRY BOIS D'ARC	TO REMAIN TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
189 190	4 9.5	HACKBERRY BOIS D'ARC	TO REMAIN TO REMAIN	GOOD GOOD	OFFSITE	NON-PROTECTED NON-PROTECTED	
190	9.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
192 193	4	HACKBERRY	TO REMAIN TO REMAIN	GOOD GOOD	OFFSITE	NON-PROTECTED	
194	5	BOIS D'ARC	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
195 196	9 9.5	BOIS D'ARC BOIS D'ARC	TO REMAIN TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
197	13	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
198 199	14 10	BOIS D'ARC HACKBERRY	TO REMAIN TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
200	9	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
201 202	4 12.5	HACKBERRY BOIS D'ARC	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
203 204	7 13	HACKBERRY BOIS D'ARC	TO REMAIN TO REMAIN	GOOD GOOD	OFFSITE	NON-PROTECTED	
205	5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
206 207	8	HACKBERRY	TO REMAIN TO REMAIN	GOOD GOOD	OFFSITE	NON-PROTECTED SECONDARY PROTECTED	
208	12	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
209 210	6 4	HACKBERRY HACKBERRY	TO REMAIN TO REMAIN	GOOD	OFFSITE	NON-PROTECTED NON-PROTECTED	
211	6	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
212 213	7.5	HACKBERRY HACKBERRY	TO REMAIN TO REMAIN	GOOD	OFFSITE	NON-PROTECTED SECONDARY PROTECTED	
214	10	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
215 216	9 5	HACKBERRY	TO BE REMOVED	GOOD GOOD	OFFSITE	NON-PROTECTED	
217	10.5	HACKBERRY BOIS D'ARC	TO BE REMOVED	GOOD GOOD	OFFSITE	NON-PROTECTED	
218 219	11 7	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE OFFSITE	NON-PROTECTED	
220 221	7	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED NON-PROTECTED	
222	5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
223 224	23 10	BOIS D'ARC HACKBERRY	TO BE REMOVED	GOOD GOOD	OFFSITE	NON-PROTECTED NON-PROTECTED	
225	6.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
226 227	5.5 8.5	HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD GOOD	OFFSITE	NON-PROTECTED NON-PROTECTED	
228	7.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
229 230	14.5 6	BOIS D'ARC HACKBERRY	TO BE REMOVED	GOOD GOOD	OFFSITE	NON-PROTECTED NON-PROTECTED	
231	8.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
232 233	4 8.5	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD	OFFSITE	NON-PROTECTED	
234	6	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
235 236	7.5	HACKBERRY BOIS D'ARC	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
237	6.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
238 239	14 6.5	BOIS D'ARC HACKBERRY	TO BE REMOVED	GOOD GOOD	OFFSITE	NON-PROTECTED	
240	8.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
241 242	25 5	BOIS D'ARC HACKBERRY	TO BE REMOVED	GOOD GOOD	OFFSITE	NON-PROTECTED	
243	4	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
244 245	7 5	HACKBERRY	TO BE REMOVED	GOOD GOOD	OFFSITE	NON-PROTECTED	
246	8.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
247	6.5 16	HACKBERRY BOIS D'ARC	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
248		and a second s second second secon					
248 249 250	6 16	HACKBERRY BOIS D'ARC	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	



No.	Dia. (inches)	Species (common name)	TREE Status	SURVEY FI	ELD DATA Remarks	Protection Status	Mitigation Required
253	4	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
254 255	5 6.5	HACKBERRY	TO BE REMOVED	GOOD GOOD	OFFSITE	NON-PROTECTED NON-PROTECTED	
256 257	6	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED NON-PROTECTED	
258	6	HACKBERRY BOIS D'ARC	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
259 260	11 7.5	HACKBERRY BOIS D'ARC	TO BE REMOVED TO BE REMOVED	GOOD GOOD	OFFSITE	SECONDARY PROTECTED	5.5
261	7	BOIS D'ARC	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
262 263	6 9	HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
264	15.5	BOIS D'ARC	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
265 266	9	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
267	8	EASTERN RED CEDAR	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
268 269	4.5 6	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
270	5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
271 272	13 6	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	SECONDARY PROTECTED	6.5
273	8	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
274 275	11.5 4	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	SECONDARY PROTECTED NON-PROTECTED	5.75
276	7.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
277 278	4	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED NON-PROTECTED	
279	4	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
280 281	6.5 11	HACKBERRY HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED SECONDARY PROTECTED	5.5
282	4	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
283 284	4	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
285	11	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	SECONDARY PROTECTED	5.5
286 287	4	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
288	9	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
289 290	6 4.5	EASTERN RED CEDAR HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED NON-PROTECTED	
291	4.5	EASTERN RED CEDAR	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
292 293	10 7	HACKBERRY HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD GOOD	OFFSITE	NON-PROTECTED	
294	7.5	EASTERN RED CEDAR	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
295 296	6.5 7	HACKBERRY HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD GOOD	OFFSITE	NON-PROTECTED NON-PROTECTED	
297	9.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
298 299	4	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
300	10	EASTERN RED CEDAR	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
301 302	9.5	EASTERN RED CEDAR HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
303	4	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
304 305	5.5 10	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
306	7.5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
307 308	6 5	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
309	13	HACKBERRY	TO BE REMOVED	GOOD	OFFSITE	SECONDARY PROTECTED	6.5
310 311	6.5 5	EASTERN RED CEDAR EASTERN RED CEDAR		GOOD		NON-PROTECTED	
312	6	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
313 314	4	EASTERN RED CEDAR EASTERN RED CEDAR		GOOD		NON-PROTECTED	
315	6.5	GREEN ASH	TO REMAIN	GOOD		PRIMARY PROTECTED	
316 317	10.5 5	BOIS D'ARC HACKBERRY	TO REMAIN TO BE REMOVED	GOOD		NON-PROTECTED	
318	7.5	HONEY LOCUST	TO BE REMOVED	GOOD		NON-PROTECTED	
319 320	6 8	HONEY LOCUST HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
321	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
322 323	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
324	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
325 326	4.5	HACKBERRY EASTERN RED CEDAR	TO BE REMOVED TO BE REMOVED	GOOD		NON-PROTECTED	
327	8.5		TO BE REMOVED	GOOD		NON-PROTECTED	
328 330	18	EASTERN RED CEDAR HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED NON-PROTECTED	9
331	13	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6.5
332 333	10	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED SECONDARY PROTECTED	8.5
334	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
335 336	12 12.5	BOIS D'ARC BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
337 338	8.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED SECONDARY PROTECTED	5.5
338	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	0.0
340 340	6 8.5	HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD		NON-PROTECTED NON-PROTECTED	
341	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
342 343	4	HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD		NON-PROTECTED	
344	8.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
345 346	6	HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD		NON-PROTECTED	
347	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
348 349	5	HACKBERRY BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
350	5.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
351 352	10 6	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED NON-PROTECTED	
353	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	0.5
354 355	13 8	HACKBERRY EASTERN RED CEDAR	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6.5
356	20	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	10
357 358	6 15	HACKBERRY EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED SECONDARY PROTECTED	7.5
359	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
360 361	13 4	HACKBERRY	TO BE REMOVED	GOOD GOOD		SECONDARY PROTECTED	6.5
362 363	15.5 8	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED NON-PROTECTED	7.75
363	8 11	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	5.5
365 366	4	HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD		NON-PROTECTED NON-PROTECTED	
366	6 10.5	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
368 369	8	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
370	12	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6
371 372	4	EASTERN RED CEDAR EASTERN RED CEDAR		GOOD		NON-PROTECTED NON-PROTECTED	
373	8.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
374 375	5 4.5	HACKBERRY EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED NON-PROTECTED	
	39	HACKBERRY	TO BE REMOVED	GOOD		FEATURE TREE	78
376 377	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	

TREE PRESERVATION NOTES

.

•

٠

•



• 4245 North Central Expy Suite 501 Dallas, Texas 75205 • 214.865.7192 office

		NAY	checked Kal	date:	01/15/19	
DATE DESCRIPTION	02/14/19 CITY COMMENTS	03/04/19 CITY COMMENTS				
D #	0	0				
<u> </u>						





job no sheet L1.03

No.	Dia. (inches)	Species (common name)	Status	Condition	Remarks	Protection Status	Mitigation Requ
379	7.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
380 381	8.5 4	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
382	9.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
383 384	7	HACKBERRY HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD		NON-PROTECTED NON-PROTECTED	
385	5	EASTERN RED CEDAR		GOOD		NON-PROTECTED	
386	16	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	8
387 388	4.5	EASTERN RED CEDAR BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
389	6	EASTERN RED CEDAR		GOOD		NON-PROTECTED	
390	16.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	8.25
391 392	7.5	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED SECONDARY PROTECTED	5.75
393	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
394	33	HACKBERRY	TO BE REMOVED	GOOD		FEATURE TREE	66
395 396	5	EASTERN RED CEDAR HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
397	15	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	7.5
398 399	19.5 8	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED NON-PROTECTED	9.75
400	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
401	18	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	9
402 403	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
404	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
405	10.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
406 407	7	HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED SECONDARY PROTECTED	6
408	22	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	11
409	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
410 411	4	EASTERN RED CEDAR HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
411	23	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	11.5
413	4	EASTERN RED CEDAR		GOOD		NON-PROTECTED	e e=
414 415	12.5 4	HACKBERRY EASTERN RED CEDAR	TO BE REMOVED	GOOD		SECONDARY PROTECTED NON-PROTECTED	6.25
415	4	EASTERN RED CEDAR		GOOD		NON-PROTECTED	
417	12.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6.25
418 419	13	HACKBERRY HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD		SECONDARY PROTECTED FEATURE TREE	6.5 54
420	4	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
421	14	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	7
422 423	20	HACKBERRY HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD		SECONDARY PROTECTED SECONDARY PROTECTED	10 6.25
424	30	HACKBERRY	TO BE REMOVED	GOOD		FEATURE TREE	60
425 426	4	EASTERN RED CEDAR HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
420	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
428	6	EASTERN RED CEDAR		GOOD		NON-PROTECTED	
429 430	4	BOIS D'ARC HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
431	5.5	EASTERN RED CEDAR		GOOD		NON-PROTECTED	
432	4	EASTERN RED CEDAR		GOOD		NON-PROTECTED	
433 434	7	HACKBERRY EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
435	5	EASTERN RED CEDAR		GOOD		NON-PROTECTED	
436	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
437 438	13	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6.5
439	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
440	7.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
441 442	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED SECONDARY PROTECTED	7.25
443	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
444	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
445 446	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
447	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
448 449	4.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
449	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
451	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
452 453	9	HACKBERRY	TO BE REMOVED TO BE REMOVED	A CONTRACTOR OF THE REAL		NON-PROTECTED	
454	10.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
455	5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
456 457	4	HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD		NON-PROTECTED	
458	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
459	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
460 461	8.5 11.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED SECONDARY PROTECTED	5.75
461	11.5 11	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	5.75 5.5
463	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
464 465	12	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED NON-PROTECTED	6
466	11	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
467	9	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
468 469	6	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED NON-PROTECTED	
470	9.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
471	9.5	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
472 473	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
474	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
475	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
476 477	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED NON-PROTECTED	
478	5.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
479 480	10	BOIS D'ARC HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD GOOD		NON-PROTECTED SECONDARY PROTECTED	6
480	5.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	U
482	9	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
483 484	8	BOIS D'ARC BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
484	13	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
486	8.5	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
487 488	5 13.5	HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD		NON-PROTECTED SECONDARY PROTECTED	6.75
488 489	13.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	0.75
490	9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
491 492	4.5 5.5	HACKBERRY HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD		NON-PROTECTED	
492 493	5.5	HACKBERRY	TO BE REMOVED			SECONDARY PROTECTED	5.5
494	4.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
495	15	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	7.5
496 497	4.5 9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
498	7.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
499	10.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
500 501	8	HONEY LOCUST BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
	8	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	·
502 503	10	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	

on Required	No.	(inches)	Species (common name)	Status	SURVEY FI	Remarks	Protection Status	Mitigation Requi
	505 506		HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD		SECONDARY PROTECTED SECONDARY PROTECTED	5.75 5.75
	507	14.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	7.25
	508 509	in the second	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD		SECONDARY PROTECTED SECONDARY PROTECTED	5.5 8.5
	510 511	270 C (274)	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
8	512	12.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6.25
	513 514		BOIS D'ARC BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
	515	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
3.25	516		HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED	
5.75	518	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
66	519 520		HACKBERRY HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED NON-PROTECTED	8.75
	521		HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
7.5	522 523		HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED NON-PROTECTED	
9.75	524 525		HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED NON-PROTECTED	
	526	9.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
9	527 528		HACKBERRY HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
	529	19	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	9.5
	530 531		HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED SECONDARY PROTECTED	7.5
	532	12	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6
6 11	533 534		HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED FEATURE TREE	68
	535	11	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	5.5
	536 537		HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED	
1.5	538		HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
.25	539 540		HACKBERRY HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD		NON-PROTECTED NON-PROTECTED	
	541		HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	E 75
.25	542 543		HACKBERRY BOIS D'ARC	TO BE REMOVED	GOOD GOOD		SECONDARY PROTECTED NON-PROTECTED	5.75
5.5 54	544 545		HACKBERRY HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED NON-PROTECTED	6.5
74	546		HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
7 10	547 548		HACKBERRY BOIS D'ARC	TO BE REMOVED	GOOD GOOD		NON-PROTECTED	
.25	549	7	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
60	550		HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
	552	10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
	553		HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
	555		HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
	556 557		HACKBERRY HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
	558 559	Construction of the second	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
	560		HONEY LOCUST BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED NON-PROTECTED	
	561 562		HACKBERRY HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED NON-PROTECTED	
5.5	563		HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6.5
ĺ,	564 565	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD		SECONDARY PROTECTED	6.5
	566	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
.25	567		HACKBERRY BOIS D'ARC	TO BE REMOVED	GOOD POOR		NON-PROTECTED	
	569	4	CHINABERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
	570	and the second sec	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED SECONDARY PROTECTED	5.75
	572 573	212312	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	5.75
	574	Med 12 X	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED	
	575 576		HACKBERRY HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED SECONDARY PROTECTED	9.5 5.75
	577	5 (P (2)	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	10.5
	578 579	131	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
	580	6.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
	581	100 C C C C C C C C C C C C C C C C C C	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED SECONDARY PROTECTED	9
	583	12.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6.25
	584 585		HACKBERRY	TO BE REMOVED	GOOD GOOD		SECONDARY PROTECTED	6.5
75	586	22	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	11
75 .5	587 588		HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD		SECONDARY PROTECTED SECONDARY PROTECTED	6 6.5
	589	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
5	590 591		HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD		SECONDARY PROTECTED NON-PROTECTED	8
	592 593		HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED NON-PROTECTED	
	594	21	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	10.5
	595 596	072220	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED NON-PROTECTED	
	597	7	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
	598 599		HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED SECONDARY PROTECTED	8.75
	600	14	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	7
	601 602		HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED NON-PROTECTED	
	603	20.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	10.25
	604 605		HACKBERRY HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED SECONDARY PROTECTED	7.5
3	606	18	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	9
	607 608		HACKBERRY HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
	609 610		HACKBERRY	TO BE REMOVED	GOOD GOOD		SECONDARY PROTECTED	8
-1	611	4.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
	612	5.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
75	613 614		HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
	615		HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6.25
	616		HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
5	618		HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	F 75
.5	619 620		HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED NON-PROTECTED	5.75
.5	621		HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
	622 623	6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
	624 625		HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED NON-PROTECTED	
	626	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
	627 628		HACKBERRY HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED NON-PROTECTED	
	629		HACKBERRY	TO BE REMOVED			SECONDARY PROTECTED	12.5

Dia.	Species	TREE Status	SURVEY FI	ELD DATA Remarks	Protection Status	Mitigation Required
(inches) 4	(common name) EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
10 15	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED SECONDARY PROTECTED	7.5
4.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	C 69 23
15 26	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED FEATURE TREE	7.5 52
5 6	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED	
10.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
6 5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
8 4.5	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED	
13 5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED NON-PROTECTED	6.5
11.5 5.5	HACKBERRY	TO BE REMOVED	GOOD GOOD		SECONDARY PROTECTED	5.75
5	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
8 7	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
7 20	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED SECONDARY PROTECTED	10
6	HERCULES CLUB	TO BE REMOVED	GOOD		PRIMARY PROTECTED	6
12 10	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED NON-PROTECTED	6
14 6	HACKBERRY HERCULES CLUB	TO BE REMOVED	GOOD GOOD		SECONDARY PROTECTED PRIMARY PROTECTED	7
4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	0
8	HACKBERRY CEDAR ELM	TO BE REMOVED TO BE REMOVED	GOOD		NON-PROTECTED PRIMARY PROTECTED	8
8	HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED	
9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
8.5 10	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED	
7	HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD GOOD		NON-PROTECTED	
8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
7.5 38	HACKBERRY BOIS D'ARC	TO BE REMOVED TO BE REMOVED	GOOD GOOD	WITHIN R.O.W.	NON-PROTECTED	
4.5 4	HACKBERRY	TO BE REMOVED	GOOD GOOD	WITHIN R.O.W. WITHIN R.O.W.	NON-PROTECTED	
4.5	HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
12 12	HACKBERRY BOIS D'ARC	TO BE REMOVED	GOOD GOOD	WITHIN R.O.W. WITHIN R.O.W.	SECONDARY PROTECTED NON-PROTECTED	6
4 20	CEDAR ELM HACKBERRY	TO BE REMOVED	GOOD	WITHIN R.O.W. WITHIN R.O.W.	PRIMARY PROTECTED SECONDARY PROTECTED	4
6 23	EASTERN RED CEDAR BOIS D'ARC		GOOD GOOD	WITHIN R.O.W. WITHIN R.O.W.	NON-PROTECTED NON-PROTECTED	
6.5	BOIS D'ARC	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
6 6	CEDAR ELM EASTERN RED CEDAR	TO BE REMOVED	GOOD	WITHIN R.O.W. WITHIN R.O.W.	PRIMARY PROTECTED NON-PROTECTED	6
4	CEDAR ELM EASTERN RED CEDAR	TO BE REMOVED	GOOD GOOD	WITHIN R.O.W. WITHIN R.O.W.	PRIMARY PROTECTED	4
7	EASTERN RED CEDAR	TO BE REMOVED	GOOD	WITHIN R.O.W.	NON-PROTECTED	
35 4	BOIS D'ARC CEDAR ELM	TO BE REMOVED	GOOD GOOD	WITHIN R.O.W. WITHIN R.O.W.	NON-PROTECTED PRIMARY PROTECTED	4
7 6	HACKBERRY HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD	WITHIN R.O.W. WITHIN R.O.W.	NON-PROTECTED	
4.5 7	HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED	
9	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
6 14.5	EASTERN RED CEDAR EASTERN RED CEDAR		GOOD		NON-PROTECTED SECONDARY PROTECTED	7.25
10 6.5	HERCULES CLUB HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD		PRIMARY PROTECTED	10
6 7.5	HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED NON-PROTECTED	
4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
6.5 8	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED	
8.5 10.5	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED	
7 7.5	HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED NON-PROTECTED	
5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
6 21	HACKBERRY PECAN	TO BE REMOVED	GOOD		NON-PROTECTED PRIMARY PROTECTED	21
5 9	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
7 7		TO BE REMOVED	GOOD GOOD		NON-PROTECTED	
8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
4 15	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED SECONDARY PROTECTED	7.5
8.5 4	HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED	
5.5 10.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED NON-PROTECTED	
8.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
8.5 5	HACKBERRY HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED	
6 5	HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD GOOD		NON-PROTECTED	
18 7	HACKBERRY EASTERN RED CEDAR	TO BE REMOVED	GOOD GOOD		SECONDARY PROTECTED	9
6.5	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
4	EASTERN RED CEDAR EASTERN RED CEDAR		GOOD GOOD		NON-PROTECTED	
10 6	HACKBERRY EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
5.5	BOIS D'ARC	TO BE REMOVED	GOOD		NON-PROTECTED	
6 4	EASTERN RED CEDAR HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED	
24.5 10	BOIS D'ARC HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED	
7 4.5	HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED	
7.5	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED NON-PROTECTED	
9	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
8 14.5	HACKBERRY HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD GOOD		NON-PROTECTED SECONDARY PROTECTED	7.25
4	HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD GOOD		NON-PROTECTED NON-PROTECTED	
4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
7 5	HACKBERRY	TO BE REMOVED	GOOD GOOD		NON-PROTECTED	
9.5 14	HACKBERRY HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD GOOD		NON-PROTECTED SECONDARY PROTECTED	7
9	HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD		NON-PROTECTED SECONDARY PROTECTED	7
8	EASTERN RED CEDAR		GOOD		NON-PROTECTED NON-PROTECTED	
4	FASTERN PETT	the second of Ell				

No.

TREE PRESERVATION NOTES

•

•

٠

•



• 4245 North Central Expy Suite 501 Dallas, Texas 75205 • 214.865.7192 office

		NAY	checked Kal	date:	01/15/19	
DESCRIPTION	CITY COMMENTS	CITY COMMENTS				
DATE	02/14/19 0	03/04/19 0				
#						
						-





job no sheet L1.04 133

No.	Dia.	Species		SURVEY FIELD DATA Condition Remarks	Protection Status	Mitigation Required	No.	Dia.	Species		SURVEY I	FIELD DATA	Mitigation Require
757	(inches) 4.5	(common name)	TO BE REMOVED		NON-PROTECTED		883	(inches) 7	(common name) HACKBERRY	TO BE REMOVED		NON-PROTECTED	
758 759	4	HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD	NON-PROTECTED		884 885	7.5	HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD	NON-PROTECTED NON-PROTECTED	
760	7	HACKBERRY	TO BE REMOVED	GOOD	NON-PROTECTED		886	10	HACKBERRY	TO BE REMOVED	GOOD	NON-PROTECTED	
761 762	6 5.5		TO BE REMOVED		NON-PROTECTED		887 888	6 10.5	HACKBERRY	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
763	<mark>1</mark> 3	HACKBERRY	TO BE REMOVED	GOOD	SECONDARY PROTECTED	6.5	889	15	BOIS D'ARC	TO BE REMOVED	GOOD	NON-PROTECTED	-
764 765	10 10		TO BE REMOVED	A THE POINT AT A THE	NON-PROTECTED		890 891	4.5 9.5	HACKBERRY	TO BE REMOVED	GOOD	NON-PROTECTED NON-PROTECTED	-
766	6		TO BE REMOVED		NON-PROTECTED		892 893	14	HACKBERRY	TO BE REMOVED	GOOD	SECONDARY PROTECTED	7
767 768	5	HACKBERRY EASTERN RED CEDAR	TO BE REMOVED		NON-PROTECTED		893	7.5 7	GREEN ASH	TO BE REMOVED		NON-PROTECTED PRIMARY PROTECTED	7
769 770	6	EASTERN RED CEDAR EASTERN RED CEDAR			NON-PROTECTED SECONDARY PROTECTED	5.5	895 896	25 9.5	BLACK WILLOW HONEY LOCUST	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
771	4		TO BE REMOVED		NON-PROTECTED	5.5	890		EASTERN RED CEDA			NON-PROTECTED	
772 773	4		TO BE REMOVED		PRIMARY PROTECTED SECONDARY PROTECTED	4	898 899	9 4.5	HACKBERRY	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
774	5	HACKBERRY	TO BE REMOVED	GOOD	NON-PROTECTED		900	6.5	COTTONWOOD	TO BE REMOVED	GOOD	NON-PROTECTED	
775 776	5		TO BE REMOVED		NON-PROTECTED		901 902	4.5 5	BLACK WILLOW BLACK WILLOW	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
777	4.5	HACKBERRY	TO BE REMOVED	GOOD	NON-PROTECTED		903	4	BLACK WILLOW	TO BE REMOVED	GOOD	NON-PROTECTED	
778 779	15.5	and the second sec	TO BE REMOVED		NON-PROTECTED SECONDARY PROTECTED	7.75	904 905	5.5 4	BLACK WILLOW BLACK WILLOW	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
780 781	10 4.5	HACKBERRY EASTERN RED CEDAR	TO BE REMOVED		NON-PROTECTED NON-PROTECTED		906 907	5.5 9.5	COTTONWOOD COTTONWOOD	TO BE REMOVED		NON-PROTECTED	
782	7.5		TO BE REMOVED		PRIMARY PROTECTED	7.5	908	9.5	COTTONWOOD	TO BE REMOVED		NON-PROTECTED	
783 784	6	EASTERN RED CEDAR EASTERN RED CEDAR			NON-PROTECTED		909 910	12.5 8	BLACK WILLOW	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
785	5	EASTERN RED CEDAR	and a second sec		NON-PROTECTED		911	4.5	BLACK WILLOW	TO BE REMOVED		NON-PROTECTED	
786 787	5.5	EASTERN RED CEDAR EASTERN RED CEDAR			NON-PROTECTED		912 913	5.5 8	BLACK WILLOW	TO BE REMOVED	GOOD GOOD	NON-PROTECTED NON-PROTECTED	
788	4	EASTERN RED CEDAR	the second s	GOOD	NON-PROTECTED		914	7	BLACK WILLOW	TO BE REMOVED	GOOD	NON-PROTECTED	
789 790	6	EASTERN RED CEDAR HACKBERRY	TO BE REMOVED TO BE REMOVED	POOR GOOD	NON-PROTECTED NON-PROTECTED		915 916	7	COTTONWOOD	TO BE REMOVED	GOOD	NON-PROTECTED NON-PROTECTED	
791	5	EASTERN RED CEDAR	TO BE REMOVED	GOOD	NON-PROTECTED		917	4.5	BLACK WILLOW	TO BE REMOVED	GOOD	NON-PROTECTED	
792 793	8		TO BE REMOVED TO BE REMOVED		NON-PROTECTED		918 919	4.5 4	BLACK WILLOW COTTONWOOD	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
794	7	HACKBERRY	TO BE REMOVED	GOOD	NON-PROTECTED		920	6	BLACK WILLOW	TO BE REMOVED	GOOD	NON-PROTECTED	
795 796	19.5 10.5		TO BE REMOVED		SECONDARY PROTECTED NON-PROTECTED	9.75	921 922	6.5 5	COTTONWOOD	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
797	4	EASTERN RED CEDAR	TO BE REMOVED	GOOD	NON-PROTECTED		923	4.5	BLACK WILLOW	TO BE REMOVED	GOOD	NON-PROTECTED	
798 799	4	EASTERN RED CEDAR EASTERN RED CEDAR			NON-PROTECTED		924 925	5 8	COTTONWOOD	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
800	8	EASTERN RED CEDAR	TO BE REMOVED	GOOD	NON-PROTECTED	-	926	5.5	BLACK WILLOW	TO BE REMOVED	GOOD	NON-PROTECTED	
801 802	9		TO BE REMOVED		NON-PROTECTED		927 928	5	COTTONWOOD BLACK WILLOW	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
803 804	21 4.5	BOXELDER	TO BE REMOVED TO BE REMOVED	GOOD	PRIMARY PROTECTED PRIMARY PROTECTED	21 4.5	929	5.5	BLACK WILLOW	TO BE REMOVED	GOOD	NON-PROTECTED	
804	4.5		TO BE REMOVED		NON-PROTECTED	4.5	930 931	5.5 5.5	COTTONWOOD COTTONWOOD	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
806	7		TO BE REMOVED		NON-PROTECTED		932	4.5	BLACK WILLOW	TO BE REMOVED		NON-PROTECTED	
807 808	5		TO BE REMOVED		PRIMARY PROTECTED	5	933 934	8.5 6	CHINABERRY BLACK WILLOW	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
809 810	6 4,5	EASTERN RED CEDAR EASTERN RED CEDAR			NON-PROTECTED		935 936	8 6.5	COTTONWOOD BLACK WILLOW	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
811	6.5	CEDAR ELM	TO BE REMOVED	GOOD	PRIMARY PROTECTED	6.5	937	4	BLACK WILLOW	TO BE REMOVED	GOOD	NON-PROTECTED	
812 813	4.5	EASTERN RED CEDAR HERCULES CLUB	TO BE REMOVED		NON-PROTECTED PRIMARY PROTECTED	10	938	5	BLACK WILLOW	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
814	4	HERCULES CLUB	TO BE REMOVED	GOOD	PRIMARY PROTECTED	4	940	7.5	BLACK WILLOW	TO BE REMOVED	GOOD	NON-PROTECTED	
815 816	33 5.5	BOIS D'ARC EASTERN RED CEDAR	TO BE REMOVED		NON-PROTECTED	_	941	8.5 4.5	BLACK WILLOW	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
817	5		TO BE REMOVED		PRIMARY PROTECTED	5	943	4	BLACK WILLOW	TO BE REMOVED	GOOD	NON-PROTECTED	
818 819	8	EASTERN RED CEDAR HACKBERRY	TO BE REMOVED		NON-PROTECTED		944 945	4.5	BLACK WILLOW BLACK WILLOW	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
820 821	5		TO BE REMOVED		PRIMARY PROTECTED PRIMARY PROTECTED	5	946	4.5	BLACK WILLOW	TO BE REMOVED		NON-PROTECTED	
822	5		TO BE REMOVED		NON-PROTECTED	4	947 948	7.5 4.5	COTTONWOOD COTTONWOOD	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	-
823 824	5	THE PARTY AND ADDRESS OF	TO BE REMOVED		PRIMARY PROTECTED NON-PROTECTED	5	949 950	4.5 5	BLACK WILLOW	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
825	6	HACKBERRY	TO BE REMOVED	GOOD	NON-PROTECTED		951	7.5	BLACK WILLOW	TO BE REMOVED	GOOD	NON-PROTECTED	-
826 827	5		TO BE REMOVED TO BE REMOVED		NON-PROTECTED	5	952 953	4	BLACK WILLOW	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
828	5.5	HACKBERRY	TO BE REMOVED	GOOD	NON-PROTECTED		954	5.5	BLACK WILLOW	TO BE REMOVED	GOOD	NON-PROTECTED	
829 830	5.5 5		TO BE REMOVED		NON-PROTECTED		955	5.5 5.5	BLACK WILLOW BLACK WILLOW	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
831	5		TO BE REMOVED		NON-PROTECTED PRIMARY PROTECTED		957	7.5	BLACK WILLOW	TO BE REMOVED	GOOD	NON-PROTECTED	
832 833	5		TO BE REMOVED	and the second se	PRIMARY PROTECTED	5	958	4.5	BLACK WILLOW	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
834 835	5		TO BE REMOVED		PRIMARY PROTECTED	5	960	4	BLACK WILLOW	TO BE REMOVED		NON-PROTECTED	
836	4	HERCULES CLUB	TO BE REMOVED	GOOD	PRIMARY PROTECTED	4	961 962	4	BLACK WILLOW BLACK WILLOW	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
837 838	4 10.5		TO BE REMOVED		NON-PROTECTED NON-PROTECTED		963 964	4	BLACK WILLOW	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
839	6.5	HACKBERRY	TO BE REMOVED	GOOD	NON-PROTECTED		965	6.5	BLACK WILLOW	TO BE REMOVED	GOOD	NON-PROTECTED	
840 841	5 4.5		TO BE REMOVED		NON-PROTECTED		966 967	5.5 5.5	BLACK WILLOW BLACK WILLOW	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
842	10	HACKBERRY	TO BE REMOVED	GOOD	NON-PROTECTED		968	4.5	BLACK WILLOW	TO BE REMOVED	GOOD	NON-PROTECTED	
843 844	5.5 7		TO BE REMOVED		NON-PROTECTED		969 970	6 5.5	BLACK WILLOW BLACK WILLOW	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
845 846	5.5	HACKBERRY	TO BE REMOVED TO BE REMOVED	GOOD	NON-PROTECTED	-	971	4	BLACK WILLOW	TO BE REMOVED	GOOD	NON-PROTECTED	
846 847	4.5	HACKBERRY	TO BE REMOVED	GOOD	NON-PROTECTED		972 973	4 4.5	BLACK WILLOW BLACK WILLOW	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
848 849	4.5 6.5		TO BE REMOVED		NON-PROTECTED PRIMARY PROTECTED	6.5	974 975	7	BLACK WILLOW	TO BE REMOVED TO BE REMOVED	GOOD	NON-PROTECTED NON-PROTECTED	
850	4.5	CEDAR ELM	TO BE REMOVED	GOOD	PRIMARY PROTECTED	4.5	975 976	5	BLACK WILLOW	TO BE REMOVED	GOOD	NON-PROTECTED NON-PROTECTED	
851 852	5.5 4	EASTERN RED CEDAR CEDAR ELM	TO BE REMOVED		NON-PROTECTED PRIMARY PROTECTED	4	977 978	4 10	BLACK WILLOW	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
853	6.5	CEDAR ELM	TO BE REMOVED	GOOD	PRIMARY PROTECTED	6.5	979	6	BOIS D'ARC	TO BE REMOVED	GOOD	NON-PROTECTED	
854 855	6.5 5.5		TO BE REMOVED		PRIMARY PROTECTED PRIMARY PROTECTED	6.5 5.5	980 981	8 4.5	BOIS D'ARC BLACK WILLOW	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
856	4.5	HERCULES CLUB	TO BE REMOVED	GOOD	PRIMARY PROTECTED	4.5	982	4	BLACK WILLOW	TO BE REMOVED	GOOD	NON-PROTECTED	
857 858	9 4		TO BE REMOVED		NON-PROTECTED		983 984	4.5	BLACK WILLOW BLACK WILLOW	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
859 860	5		TO BE REMOVED TO BE REMOVED		PRIMARY PROTECTED	5	985	6.5	BLACK WILLOW	TO BE REMOVED	GOOD	NON-PROTECTED	
861	5	GREEN ASH	TO BE REMOVED	GOOD	PRIMARY PROTECTED	5	986 987	7.5 5.5	BLACK WILLOW BLACK WILLOW	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
862 863	4.5 5	CEDAR ELM EASTERN RED CEDAR	TO BE REMOVED		PRIMARY PROTECTED	4.5	988	4	BLACK WILLOW BLACK WILLOW	TO BE REMOVED TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
864	4	EASTERN RED CEDAR	TO BE REMOVED	GOOD	NON-PROTECTED		989 990	6 10.5	BLACK WILLOW	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
865 866	4	HERCULES CLUB EASTERN RED CEDAR			PRIMARY PROTECTED NON-PROTECTED	4	991 992	10.5 14	BLACK WILLOW	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
867	6	EASTERN RED CEDAR	TO BE REMOVED	GOOD	NON-PROTECTED		992 993	14 4	BLACK WILLOW BLACK WILLOW	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
868 869	5 8.5	EASTERN RED CEDAR EASTERN RED CEDAR			NON-PROTECTED NON-PROTECTED		994 995	10.5	BLACK WILLOW	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
870	6.5	EASTERN RED CEDAR	TO BE REMOVED	GOOD	NON-PROTECTED		995 996	6	BLACK WILLOW BLACK WILLOW	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
871 872	5		TO BE REMOVED TO BE REMOVED		NON-PROTECTED		997 998	8.5	BLACK WILLOW BLACK WILLOW	TO BE REMOVED TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
873	4	EASTERN RED CEDAR	TO BE REMOVED	GOOD	NON-PROTECTED		998 999	9.5 5	BLACK WILLOW	TO BE REMOVED	GOOD	NON-PROTECTED	
874 875	6 5.5		TO BE REMOVED		NON-PROTECTED PRIMARY PROTECTED	5.5	1000 1001	5	BLACK WILLOW COTTONWOOD	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
876	5.5	CEDAR ELM	TO BE REMOVED	GOOD	PRIMARY PROTECTED	5.5	1002	5.5	COTTONWOOD	TO BE REMOVED	GOOD	NON-PROTECTED	
877 878	4.5 5.5		TO BE REMOVED		PRIMARY PROTECTED PRIMARY PROTECTED	4.5	1003 1004	4	COTTONWOOD COTTONWOOD	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
879	7	CEDAR ELM	TO BE REMOVED	GOOD	PRIMARY PROTECTED	7	1005	5	COTTONWOOD	TO BE REMOVED	GOOD	NON-PROTECTED	
880 881	7		TO BE REMOVED		PRIMARY PROTECTED NON-PROTECTED	Ö	1006 1007	4.5 4	COTTONWOOD	TO BE REMOVED		NON-PROTECTED NON-PROTECTED	
			TO BE REMOVED		NON-PROTECTED		1008	6	COTTONWOOD	TO BE REMOVED		NON-PROTECTED	



• 4245 North Central Expy • Suite 501 Dallas, Texas 75205 ٠ • 214.865.7192 office

TREE PRESERVATION NOTES

.

•

4	HACKBERRY	TO BE REMOVED	COOD		NON PROTECTED	1.1111
	HACKBERRY	TO BE REMOVED	GOOD	OFFOITE	NON-PROTECTED	
11	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
9	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
15	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
7	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
15	BOIS D'ARC	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
9.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
8	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
13.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
9	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
12	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
5.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
7.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
				OFFOITE		
12.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
12.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
15.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
5.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
10	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
				OFFOITE	SECONDARY PROTECTED	
14	HACKBERRY	TO REMAIN	GOOD	OFFSITE		
21	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
8	EASTERN RED CEDAR	TO BE REMOVED	GOOD		NON-PROTECTED	
6	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
4.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
5.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
4	HACKBERRY	TO BE REMOVED	GOOD	-	NON-PROTECTED	
				OFFOITE		
8	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
27	HACKBERRY	TO REMAIN	GOOD	OFFSITE	FEATURE TREE	
9	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
4.5	HERCULES CLUB	TO BE REMOVED	GOOD		PRIMARY PROTECTED	4.5
4.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	2017. B 1987A
11	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
8	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
4	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	
11	BLACK WILLOW	TO BE REMOVED	POOR		NON-PROTECTED	
12	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
8	HACKBERRY	TO BE REMOVED	GOOD	OTTOTIL	NON-PROTECTED	
6	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
6.5	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
13	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
9.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
4.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
14	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
6	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
15.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
7.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
6.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
4	EASTERN RED CEDAR		GOOD	GITGHE	NON-PROTECTED	
				OFFOITE		
8	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
4.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
4.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
4.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
15	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
4	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
		and the second				
4.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
4.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
4.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
6.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
10.5			GOOD		NON-PROTECTED	
	HACKBERRY	TO REMAIN		OFFSITE		
13	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
8.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
4	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
6.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
10	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
	and the second					
8	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
9	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
6.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
4	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
4	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
4	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
11	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
8.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
	description of the second second second					
4.5	HACKBERRY	TO REMAIN	POOR	CUT IN HALF - OFFSITE	NON-PROTECTED	
14.5	HACKBERRY	TO REMAIN	POOR	CUT IN HALF - OFFSITE	SECONDARY PROTECTED	
5	HACKBERRY	TO REMAIN	POOR	CUT IN HALF - OFFSITE	NON-PROTECTED	
11.5	HACKBERRY	TO REMAIN	POOR	CUT IN HALF - OFFSITE	SECONDARY PROTECTED	
5	HACKBERRY	TO REMAIN	POOR	CUT IN HALF - OFFSITE	NON-PROTECTED	
10	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
5.5	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
11	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
7	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
4	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
5	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
4	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
5.5	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
6	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
16.5	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
6.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
13	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
11	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
4.5	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
9.5	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1000						

12			5.5.570 <i>7</i>	a second second second second	IELD DATA	-	12202
No.	Dia. (inches)	Species (common name)	Status	Condition	Remarks	Protection Status	Mitigation Required
1009	6	HACKBERRY	TO BE REMOVED			NON-PROTECTED	
1010 1011	4.5	HACKBERRY BOIS D'ARC	TO BE REMOVED	GOOD GOOD		NON-PROTECTED	
1012	6.5	CHINABERRY	TO BE REMOVED			NON-PROTECTED	
1013	8.5	CHINABERRY	TO BE REMOVED			NON-PROTECTED	
1014	7	CHINABERRY	TO BE REMOVED			NON-PROTECTED	
1015 1016	5.5 7.5	CHINABERRY	TO BE REMOVED TO BE REMOVED			NON-PROTECTED	
1017	6.5	CHINABERRY	TO BE REMOVED	GOOD		NON-PROTECTED	1
1018	5.5	CHINABERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1019	6.5	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
1020	7 4.5	COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
1021 1022	6.5	BOIS D'ARC COTTONWOOD	TO BE REMOVED	GOOD		NON-PROTECTED	
1023	9	COTTONWOOD	TO BE REMOVED			NON-PROTECTED	
1024	5.5	HACKBERRY	TO BE REMOVED			NON-PROTECTED	
1025	9	HACKBERRY	TO BE REMOVED			NON-PROTECTED	
1026 1027	6	HACKBERRY	TO BE REMOVED	120102000000000000000000000000000000000		NON-PROTECTED NON-PROTECTED	
1027	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1029	4.5	EASTERN RED CEDAR	TO BE REMOVED			NON-PROTECTED	
1030	9.5	HACKBERRY	TO BE REMOVED			NON-PROTECTED	
1031 1032	5 11	HACKBERRY	TO BE REMOVED TO REMAIN	GOOD	OFFSITE	NON-PROTECTED SECONDARY PROTECTED	
1032	9.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1034	7.5	HACKBERRY	TO BE REMOVED			NON-PROTECTED	
1035	14	BLACK WILLOW	TO BE REMOVED	POOR		NON-PROTECTED	
1036	9	EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1037 1038	9	HACKBERRY	TO REMAIN TO BE REMOVED	GOOD	OFFSITE	NON-PROTECTED	
1038	12.5	HACKBERRY	TO BE REMOVED	GOOD		SECONDARY PROTECTED	6.25
1040	4	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1041	11	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
1042	9 15	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1043 1044	15	HACKBERRY	TO REMAIN TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
1044	15	BOIS D'ARC	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1046	9.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1047	8	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1048	13.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
1049 1050	9 12	EASTERN RED CEDAR BLACK WILLOW	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1051	5.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1052	7.5	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1053	12.5	HACKBERRY	TOREMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
1054 1055	6 12.5	HACKBERRY	TO BE REMOVED TO REMAIN	GOOD	OFFSITE	NON-PROTECTED SECONDARY PROTECTED	
1055	15.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
1057	5.5	HACKBERRY	TO BE REMOVED			NON-PROTECTED	
1058	10	HACKBERRY	TO BE REMOVED			NON-PROTECTED	
1059	14	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
1060 1061	21	EASTERN RED CEDAR EASTERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED NON-PROTECTED	
1062	6	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1063	4.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1064	5.5	HACKBERRY	TO BE REMOVED			NON-PROTECTED	
1065	4	HACKBERRY	TO BE REMOVED		OFFOITE	NON-PROTECTED	
1066 1067	8	HACKBERRY	TO REMAIN TO REMAIN	GOOD	OFFSITE	NON-PROTECTED FEATURE TREE	
1068	9	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1069	4.5	HERCULES CLUB	TO BE REMOVED	GOOD		PRIMARY PROTECTED	4.5
1070	4.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1071 1072	11 8	HACKBERRY BLACK WILLOW	TO REMAIN TO BE REMOVED	GOOD	OFFSITE	SECONDARY PROTECTED NON-PROTECTED	
1072	4	BLACK WILLOW	TO BE REMOVED	GOOD		NON-PROTECTED	-
1074	11	BLACK WILLOW	TO BE REMOVED	POOR		NON-PROTECTED	
1075	12	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
1076	8	HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
1077 1078	6 6.5	HACKBERRY EASTERN RED CEDAR	TO BE REMOVED TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1078	13	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
1080	9.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1081	4.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1082	14 6	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
1083 1084	15.5	HACKBERRY	TO REMAIN TO REMAIN	GOOD	OFFSITE	NON-PROTECTED SECONDARY PROTECTED	
1085	7.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1086	6.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1087	4	EASTERN RED CEDAR			OFFOIT	NON-PROTECTED	
1088 1089	8 4.5	HACKBERRY	TO REMAIN TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1089	4.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1091	4.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1092	15	HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
1093	4	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1094 1095	4.5	HACKBERRY	TO REMAIN TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1095	5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1097	4.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1098	6.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1099 1100	10.5 13	HACKBERRY	TO REMAIN TO REMAIN	GOOD	OFFSITE	NON-PROTECTED SECONDARY PROTECTED	
1100	8.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1102	4	HACKBERRY	TO BE REMOVED		5, , ONE	NON-PROTECTED	
1103	4	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1104	6.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1105	10	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1106 1107	8	HACKBERRY HACKBERRY	TO REMAIN TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1108	6.5	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1109	4	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1110	4	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1111	4	HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
1112 1113	11 8.5	HACKBERRY	TO REMAIN TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED NON-PROTECTED	
1114	4.5	HACKBERRY	TO REMAIN	POOR	CUT IN HALF - OFFSITE	NON-PROTECTED	
1115	14.5	HACKBERRY	TO REMAIN	POOR	CUT IN HALF - OFFSITE	SECONDARY PROTECTED	
1116	5	HACKBERRY	TO REMAIN	POOR	CUT IN HALF - OFFSITE	NON-PROTECTED	
1117	11.5	HACKBERRY	TO REMAIN	POOR	CUT IN HALF - OFFSITE	SECONDARY PROTECTED	





No.
1135
1136
1137
1138
1139
1140
1141
1142
1143
1144
1145
1146
1147
1148
1149
1150
1151
1152
1153
1154
1155
1156
1157
Total Caliper
Total Caliper
Total Mitigat
Total Mitigat
Total Mitigat
Tree Preserv

Species (common name) HACKBERRY STERN RED CEDAR	Status TO REMAIN	Condition	Remarks	Protection Status	Mitigation Required
HACKBERRY	TO REMAIN				in ganen needanee
	TO REMAIN				
STERN RED CEDAR		GOOD	OFFSITE	NON-PROTECTED	
	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
HACKBERRY	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
STERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
STERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
STERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
STERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
STERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
STERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
STERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
STERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	SECONDARY PROTECTED	
STERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
STERN RED CEDAR	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
HACKBERRY	TO REMAIN	GOOD	OFFSITE	NON-PROTECTED	
STERN RED CEDAR	TO BE REMOVED	GOOD		SECONDARY PROTECTED	8.00
HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
CHINABERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
CHINABERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
CHINABERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
HACKBERRY	TO BE REMOVED	GOOD		NON-PROTECTED	
	STERN RED CEDAR STERN RED CEDAR STERN RED CEDAR HACKBERRY STERN RED CEDAR STERN RED CEDAR STERN RED CEDAR STERN RED CEDAR HACKBERRY STERN RED CEDAR HACKBERRY STERN RED CEDAR HACKBERRY CHINABERRY CHINABERRY CHINABERRY CHINABERRY	STERN RED CEDARTO REMAINSTERN RED CEDARTO REMAINSTERN RED CEDARTO REMAINHACKBERRYTO REMAINSTERN RED CEDARTO BE REMOVEDHACKBERRYTO BE REMOVEDCHINABERRYTO BE REMOVEDHACKBERRYTO BE REMOVEDHACKBERRYTO BE REMOVEDCHINABERRYTO BE REMOVED	STERN RED CEDARTO REMAINGOODSTERN RED CEDARTO REMAINGOODSTERN RED CEDARTO REMAINGOODHACKBERRYTO REMAINGOODSTERN RED CEDARTO REMAINGOODHACKBERRYTO REMAINGOODSTERN RED CEDARTO REMAINGOODHACKBERRYTO REMAINGOODSTERN RED CEDARTO REMAINGOODHACKBERRYTO BE REMOVEDGOODHACKBERRYTO BE REMOVEDGOODCHINABERRYTO BE REMOVEDGOODHACKBERRYTO BE REMOVEDGOODCHINABERRYTO BE REMOVEDGOODCHINABERRYTO BE REMOVEDGOODCHINABERRYTO BE REMOVEDGOOD	STERN RED CEDARTO REMAINGOODOFFSITESTERN RED CEDARTO REMAINGOODOFFSITESTERN RED CEDARTO REMAINGOODOFFSITEHACKBERRYTO REMAINGOODOFFSITESTERN RED CEDARTO REMAINGOODOFFSITEHACKBERRYTO REMAINGOODOFFSITEHACKBERRYTO REMAINGOODOFFSITESTERN RED CEDARTO REMAINGOODOFFSITEHACKBERRYTO BE REMOVEDGOODOFFSITEHACKBERRYTO BE REMOVEDGOODCHINABERRYTO BE REMOVEDGOODCHINABERRYTO BE REMOVEDHACKBERRYTO BE REMOVEDGOODCHINABERRYTO BE REMOVEDGOODCHINABERRYTO BE REMOVEDHACKBERRYTO BE REMOVEDGOODCHINABERRYTO BE REMOVEDGOODCHINABERRYTO BE REMOVEDCHINABERRYTO BE REMOVEDGOODCHINABERRYCHINABERRYTO BE REMOVEDGOODCHINABERRYCHINABERRYTO BE REMOVEDGOODCHINABERRYCHINABERRYTO BE REMOVEDGOODCHINABERRYCHINABERRYTO BE	STERN RED CEDARTO REMAINGOODOFFSITENON-PROTECTEDSTERN RED CEDARTO REMAINGOODOFFSITENON-PROTECTEDSTERN RED CEDARTO REMAINGOODOFFSITENON-PROTECTEDHACKBERRYTO REMAINGOODOFFSITENON-PROTECTEDSTERN RED CEDARTO REMAINGOODOFFSITENON-PROTECTEDHACKBERRYTO REMAINGOODOFFSITENON-PROTECTEDHACKBERRYTO REMAINGOODOFFSITENON-PROTECTEDHACKBERRYTO REMAINGOODOFFSITENON-PROTECTEDHACKBERRYTO BE REMOVEDGOODSECONDARY PROTECTEDHACKBERRYTO BE REMOVEDGOODNON-PROTECTEDHACKBERRYTO BE REMOVEDGOODNON-PROTECTEDHACKBERRYTO BE REMOVEDGOODNON-PROTECTEDHACKBERRYTO BE REMOVEDGOODNON-PROTECTEDHACKBERRYTO BE REMOVEDGOODNON-PROTECTEDHACKBERRYTO BE REMOVEDGOODNON-PROTECTEDHACKBERRYTO BE REMOVED<

DATEDESCRIPTION02/14/19CITY COMMENTS03/04/19CITY COMMENTS03/04/19CITY COMMENTS01/15/19CITY COMMENTS01/15/19COT/15/19



#







TREE PRESERVATION NOTES

•



4245 North Central Expy Suite 501 Dallas, Texas 75205 214.865.7192 office job no sheet **L1.06** 135



SCALE: 1" = 80'-0" 0 40 80



• 4245 North Central Expy Suite 501 Dallas, Texas 75205
214.865.7192 office

sheet

L1.00



PLANT LEGEND SYMBOL COMMON NAME Dwarf Abelia 'Edward Goucher' AB AN

BC

IH

LE

Andorra Juniper Bald Cypress Bur Oak BO Cedar Elm CE CO Chinkapin Oak Eastern Redcedar ERC Indian Hawthorne 'Clara' Lacebark Elm Live Oak LO MFG Mexican Feathergrass Shumard Red Oak SO

REFER TO L2.03 FOR PLANT LIST

KEY MAP SCALE: 1" = 700'

.



LANDSCAPE PLAN

4245 North Central Expy • Suite 501 . • Dallas, Texas 75205 • 214.865.7192 office

		NAY	checked Kal	date:	01/15/19	
DESCRIPTION	CITY COMMENTS	CITY COMMENTS				
# DATE	02/14/19	03/04/19				
#						





job no sheet L2.02 137

THIS PAGE INTENTIONALLY LEFT BLANK



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:	March 18, 2019
APPLICANT:	Mathias Haubert; Bohler Engineering
CASE NUMBER:	P2019-009; Lot 1, Block A, Brakes Plus Addition

SUMMARY

Discuss and consider a request by Mathias Haubert of Bohler Engineering on behalf of Daniel J. Porter of Dynamic Development for the approval of a replat for Lot 1, Block A, Brakes Plus Addition being a 0.653-acre tract of land currently identified as Lots 1 & 2, Billy Peoples #1 Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1902 & 2000 S. Goliad Street [SH-205], and take any action necessary.

PLAT INFORMATION

- ☑ The applicant is requesting to replat a 0.653-acre tract of land for the suppose of combining two (2) lots (*i.e. Lots 1 & 2, Billy Peoples # Addition*) into one (1) lot (*i.e. Lot 1, Block A, Brakes Plus Addition*) for the purpose of constructing a minor auto repair garage (*i.e. Brakes Plus*). A minor auto repair garage is permitted with a Specific Use Permit (SUP) in a General Retail (GR) District. The subject property was annexed prior to 1959, is situated within the SH-205 Overlay (SH-205 OV) District, and is zoned General Retail (GR) District.
- ☑ On October 1, 2018, the City Council approved a request [*Case No. Z2018-040*] for the approval of a Specific Use Permit (SUP) [*Ordinance No. 18-45, SUP No. S-197*] to allow a *minor auto repair* garage (*i.e. Brakes Plus*) in a General Retail (GR) District. Currently the property has two (2) vacant buildings (*i.e. formerly EZ-Mart Gas Station and Pizza Hut*) that will need to be demolished in order to develop the site.
- ☑ On November 11, 2018, the Planning and Zoning Commission approved a site plan [*Case No. SP2018-030*] and recommended conditional approval (*i.e. with the condition that two* [2] faux windows be added to the east elevation) of the associated variances (*i.e. variances to the vertical and horizontal articulation requirements and pitched roof requirements*) for a minor auto repair garage (*i.e. Brakes Plus*). Subsequently, on November 19, 2018, the City Council approved the variances associated with the approved site plan.
- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat conforming to the requirements for final plats as stated in the Subdivision Ordinance in the Municipal Code of Ordinances -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- ☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- ☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the *Municipal Code of Ordinances*.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the replat for *Lot 1, Block A, Brakes Plus Addition*, staff would propose the following conditions of approval:

- (1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;
- (2) The development shall adhere to the *Operational Conditions* stipulated by Specific Use Permit (SUP) No. S-197 [*Ordinance No. 18-45*]; and
- (3) Any construction resulting from the approval of this site plan 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 March 12, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat with staff's *Conditions of Approval* passed by a vote of 4-0 with Chairman Lyons and Commissioners Logan and Moeller absent.





City of Rockwall

Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75032 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



141







LOCATION MAP SCALE: N.T.S.

	LINE TABLE	-
NO.	BEARING	LENGTH
L1	S30°49'43"E	68.49'
L2	N59°10'17"E	24.00'
L3	N30°49'43"W	81.46'
L4	N45°03'57"E	28.87'
L5	N30°49'43"W	28.40'
L6	N75°35'41"W	34.42'
L7	S59°10'17"W	106.57'
L8	S14°24'19"W	26.74'
L9	S31°05'51"E	26.50'

	LINE TABLE	
NO.	BEARING	LENGTH
L10	N59°09'19"E	1.25'
L11	N14°24'19"E	35.97'
L12	N59°10'17"E	90.31'
L13	S75°35'41"E	46.25'
L14	S30°49'43"E	5.00'
L15	S59°10'17"W	21.10'
L16	N31°06'11"W	5.00'
L17	N59°10'17"E	21.12'

CURVE TABLE											
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING	CHORD					
C1	11.90'	034°04'50"	20.00'	6.13'	S47°52'08"E	11.72'					
C2	5.31'	012°10'02"	25.00'	2.66'	N24°44'42"W	5.30'					



LOT 1R, BLOCK A

BEING ALL OF LOT 1 AND LOT 2, BLOCK A BILLY PEOPLES ADDITION NO. 1 CAB A, PG 277.

0.653 ACRES OUT OF THE JAMES CADLE SURVEY, ABSTRACT NO. 65;

CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS



APPLICANT: EXPRESS OIL CHANGE, LLC 1800 SOUTHPARK DR BIRMINGHAM, AL 35244 PHONE:(205) 397-1164 CONTACT: JOHN DAVIS

OWNER'S CERTIFICATION:

STATE OF TEXAS

COUNTY OF ROCKWALL §

WHEREAS, EZ MART #77 and J.E.Y. INVESTMENTS being the owners of a tract of land situated in the City of Rockwall, Rockwall County, Texas, a part of the James Cadle Survey, Abstract Number 65, being all of Lot 1 and a part of Lot 2, Block A, Billy People's Addition No. 1, an Addition to the City of Rockwall, as recorded in Cabinet A, Slide 277, Plat Records Rockwall County, Texas, and being further described as follows:

BEGINNING at a one-half inch iron rod with cap stamped "Weir & Associates" found at the east corner of said Lot 1, said point being the north corner of Lot 2, Loretta Anderson Addition, an Addition to the City of Rockwall, as recorded in Cabinet C, Slide 153, Plat Records Rockwall County, Texas and said point being in the southwest line of South Goliad Street a.k.a State Highway 205 (a variable width right-of-way);

THENCE South 59 degrees 09 minutes 02 seconds West, 149.19 feet along the southeast line of said Lot 1 (Billy People's Addition No. 1) and along the northwest line of said Lot 2 (Loretta Anderson Addition) to a one-half inch iron rod found at the south corner of said Lot 1 (Billy People's Addition No. 1), said point being the east corner of Lot 1R, Muckleroy Addition, an Addition to the City of Rockwall, as recorded in Cabinet D, Slide 185, Plat Records Rockwall County, Texas;

THENCE North 31 degrees 06 minutes 11 seconds West, along the northeast line of said Lot 1R, at 167.13 feet passing an "X" cut found marking the north corner of said Lot 1R, continuing along the southwest line of said Lot 2 (Billy People's Addition No. 1) in all a total distance of 172.11 feet to a one-half inch iron rod with yellow cap stamped "PROP. COR. BOHLER" set at the west corner of said Lot 2 (Billy People's Addition No. 1), said point being in the southeast line of West Yellowjacket Lane (a variable width right-of-way);

THENCE North 45 degrees 03 minutes 57 seconds East, 138.99 feet along the northwest line of said Lot 2 (Billy People's Addition No. 1) and along the southeast line of West Yellowjacket Lane to a one-half inch iron rod with yellow cap stamped "PROP. COR. BOHLER" set at the west end of a corner clip at the intersection of the southeast line of West Yellowjacket Lane with the southwest line of South Goliad Street a.k.a State Highway 205;

THENCE South 82 degrees 45 minutes 01 seconds East, 19.34 feet along said corner clip to a one-half inch iron rod with cap stamped "Weir & Associates" found in the northeast line of said Lot 2 (Billy People's Addition No. 1), said point being in the southwest line of South Goliad Street a.k.a State Highway 205;

THENCE South 30 degrees 49 minutes 43 seconds East, 194.00 feet along the southwest line of South Goliad Street a.k.a State Highway 205 to the POINT OF BEGINNING and containing 28,452 square feet or 0.653 of an acre of land.

KNOW ALL MEN THESE PRESENTS:

That I, Billy M. Logsdon, Jr, do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision.

"Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document".

Billy M. Logsdon, Jr. Registered Professional Land Surveyor No. 6487 FEBRUARY 14, 2019

STATE OF TEXAS §

BOHLER ENGINEERING- ALL RIGHTS RESERVED. THE COPYING OR REUSE OF THIS DOCUMENT, OR PORTIONS THEREOF, FOR COUNTY OF COLLIN §

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared BILLY M. LOGSDON, JR, Land Surveyor, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____day of _____, 2019.

Notary Public in and for The State of Texas

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS §

COUNTY OF ROCKWALL §

I (we) the undersigned owner(s) of the land shown on this plat, and de PLUS subdivision to the City of Rockwall, Texas, and whose name is the use of the public forever all streets, alleys, parks, water courses, of thereon shown on the purpose and consideration therein expressed. I parties who have a mortgage or lien interest in the BRAKES PLUS su signed this plat. I (we) understand and do hereby reserve the easement purposes stated and for the mutual use and accommodation of all utilit (we) also understand the following;

- No buildings shall be constructed or placed upon, over, or ach herein.
- 2. Any public utility shall have the right to remove and keep remo fences, trees, shrubs, or other growths or improvements whic with construction, maintenance or efficiency of their respective strips; and any public utility shall at all times have the right of the said easement strips for purpose of construction, reconstr maintaining, and either adding to or removing all or part of the necessity of, at any time, procuring the permission of anyone.
- 3. The City of Rockwall will not be responsible for any claims of occasioned by the establishment of grade of streets in the su
- 4. The developer and subdivision engineer shall bear total response
- The developer shall be responsible for the necessary facilities drainage controls such that properties within the drainage are drainage from the development.
- 6. No house dwelling unit, or other structure shall be constructed owner or any other person until the developer and/or owner h the Subdivision Regulations of the City of Rockwall regarding entire block on the street or streets on which property abuts, i streets with the required base and paving, curb and gutter, wa storm structures, storm sewers, and alleys, all according to th Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improver engineer and/or city administrator, computed on a private commercial city secretary, accompanied by an agreement signed by the developer make such improvements at prevailing private commercial rates, or ha and pay for the same out of the escrow deposit, should the developer the required improvements within the time stated in such written agree obligated to make such improvements itself. Such deposit may be use progress payments as the work progresses in making such improvem the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the cost of such improvements for the designated area, guaranteeing the stated in the bond, which time shall be fixed by the city council of the

I (we) further acknowledge that the dedications and/or exaction's made of the Subdivision upon the public services required in order that the present and future growth needs of the City; I (we), my (our) successed claim, damage, or cause of action that I (we) may have as a result of herein.

Property Owner Signature EZ Mart #77

Property Owner Signature J.E.Y. Investments

GENERAL NOTES:

- All corners are one-half inch iron rods with yellow cap star
 The basis of bearing is derived from the Texas WDS RTK
- North Central Zone (4202), NAD83.3. Selling a portion of this addition by metes and bounds is a
- and withholding of utilities and building permits.It shall be the policy of the City of Rockwall to withhold issi
- 4. It shall be the policy of the City of Rockwall to withhold issidrainage systems have been accepted by the City. The appreciation, assurance or guarantee that any building therefore issued, nor shall such approval constitute any readequacy and availability for water for personal use and fi 83-54.
- 5. According to Community Panel No. 48397C0040L, dated S Agency, National Flood Insurance Program Map, this prop 500-year floodplain), which is not a special flood hazard ar area, this flood statement does not imply that the property damage. On rare occasions, greater floods can and will oc natural causes. This statement shall not create liability on
- Property owner is responsible for all maintenance, repair a
 The zoning of the subject tract is General Retail (GR) according to the subject tract is General Retail (GR) according to the subject tract is General Retail (GR) according to the subject tract is General Retail (GR) according to the subject tract is General Retail (GR).

	STATE OF TEXAS §									
	COUNTY OF	§								
	Before me, the undersigned authority, appeared subscribed to the foregoing instrument	, known to me to be the , and acknowledged to n			е					
esignated herein as the BRAKES subscribed hereto, hereby dedicate to drains, easements and public places I (we) further certify that all other ubdivision have been notified and ent strips shown on this plat for the lities desiring to use or using same. I	for the purpose and consideration ther Given upon my hand and seal of office			<u>.</u> , 2019.						
ross the utility easements as described	Notary Public in and for the State of Te	exas	My Commissio	on Expires						
noved all or part of any buildings,										
ch in any way endanger or interfere ve system on any of these easement ingress or egress to, from and upon ruction, inspecting, patrolling, eir respective system without the	STATE OF TEXAS § COUNTY OF	-								
any nature resulting from or	Before me, the undersigned authority, appeared	, known to me to be the								
bdivision. onsibility for storm drain improvements.	subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.									
s to provide drainage patterns and ea are not adversely affected by storm	Given upon my hand and seal of office	e this day of _		<u>,</u> 2019.						
d on any lot in this addition by the has complied with all requirements of g improvements with respect to the including the actual installation of vater and sewer, drainage structures, he specifications of the City of	Notary Public in and for the State of Te	exas	My Commissio	on Expires						
ments, as determined by the city's Il rate basis, has been made with the		APPROVED								
er and/or owner, authorizing the city to have the same made by a contractor r and/or owner fail or refuse to install eement, but in no case shall the City be hed by the owner and/or developer as nents by making certified requisitions to	I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Planning Director of the City of Rockwall on theday of, 2019.									
ne city secretary in a sum equal to the	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.									
e installation thereof within the time City of Rockwall.	Said addition shall be subject to all the requirements of the Subdivision Regulations									
de herein are proportional to the impact development will comport with the ors and assigns hereby waive any the dedication of exactions made	of the City of Rockwall.									
	Director of Planning & Zoning	Ci	ity Engineer							
Date										
		CITY F	PROJECT							
Date			-	REPLA						
			BRAI	KES	PLUS					
			LOT	1R, BLO	OCK A					
mp "Prop Cor Bohler" unless otherwise note Cooperative Network - Texas State Plane		BEING I	ALL OF LC BILLY PEOF	PLES AD	DITION N	BLOCK	A			
a violation of town ordinance and state law a	and is subject to fines		CAE	BA, PG	277.					
uing building permits until all streets, water, pproval of a plat by the City does not consti within such plat shall be approved, authoriz	tute any ed or permit	JAMES	0.653 AG CADLE SU		UT OF TH ABSTRAC		5;			
epresentation, assurance or guarantee by the protection within such plat, as required u		CITY OF	ROCKWALL	, ROCK	WALL COU	JNTY, TE	XAS			
September 26, 2008 of the Federal Emerge perty is within Flood Zone "X", (areas deterr area. If this site is not within an identified spect and/or the structures thereon will be free fr ccur and flood heights may be increased by in the part of the Surveyor. and replacement of all on-site drainage system	nined to be outside ecial flood hazard rom flooding or flood man-made or	LAND SURV SUSTAINAB	EYING PROG	NEE	ULTING ENGIN GEMENT LAT	TBPE No. 18 TBPLS No. 1	KAS 75034) ngineering.com 065 0194413 CHITECTURE			
ording to City of Rockwall Zoning Map.	Ī	FILE NO. DATE TSD180033 12/10/18	DRAWN F	REVIEWED BL	APPROVED BL	SCALE NA	DWG. NO.			

Geometric Closure Report

Client:

Express Oil Change, LLC Lots 1 and 2, Block A Billy Peoples Addition No. 1

Prepared by:

Aaron Andree

Bohler Engineering

6017Main Street

Date: 2/26/2019 8:35:12 AM

Parcel Name: Site 1 - 1 Description: Process segment order counterclockwise: False Enable mapcheck across chord: False North:7,021,624.5346' East:2,596,776.7198'

Segment# 1: Line Course: S59° 09' 02"W North: 7,021,548.0324'

Segment# 2: Line Course: N31° 06' 11"W North: 7,021,695.3998'

Segment# 3: Line Course: N45° 03' 57"E North: 7,021,793.5676'

Segment# 4: Line Course: S82° 45' 01"E North: 7,021,791.1270'

Segment# 5: Line Course: S30° 49' 43"E North: 7,021,624.5384' Length: 149.19' East: 2,596,648.6375'

Length: 172.11' East: 2,596,559.7291'

Length: 138.99' East: 2,596,658.1228'

Length: 19.34' East: 2,596,677.3082'

Length: 194.00' East: 2,596,776.7277'
Perimeter: 673.63' Error Closure: 0.0087 Error North : 0.00374

Precision 1: 77,428.74

Area: 28,452.22Sq.Ft. Course: N64° 33' 28"E East: 0.00787

THIS PAGE INTENTIONALLY LEFT BLANK



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:	March 18, 2019
APPLICANT:	Jeff Bresee; SET Engineers
CASE NUMBER:	Z2019-003; SUP for RISD Practice Field

SUMMARY

Hold a public hearing to discuss and consider a request by Jeff Bresee of SET Engineers on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of a Specific Use Permit (SUP) for a Private Sports Arena, Stadium or Track on a 35.295-acre parcel of land identified as Lot 1, Block A, Rockwall High School Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 901 W. Yellow Jacket Lane, and take any action necessary.

BACKGROUND

The subject property is located at the southeast corner of the intersection of Yellow Jacket Lane and Greencrest Boulevard and is addressed as 901 W, Yellow Jacket Lane. The property was annexed in 1960, is situated within the IH-30 Overlay (IH-30 OV) District, and is zoned Commercial (C) District. On February 18, 1991, the City Council approved a request [*Case No. P&Z 91-03-Z/SP/PP*] for a change in zoning from a Multi-Family 15 (MF-15) District to a Commercial (C) District. Included with that request was the approval of a site plan and a preliminary plat for a school (*i.e. Rockwall High School*). In June, 1991, the City Council approved a request [*Case No. P&Z 91-21-CUP*] for a Conditional Use Permit (CUP) [*Ordinance No. 91-28*] to allow less than 90% masonry materials on the façade of the building, and later amended the Conditional Use Permit (CUP) [*Ordinance No. 91-51*] to include an additional structure. In August 1998, the City Council approved a site plan [*Case No. PZ-1998-39-2*] for an additional parking lot for the existing school (*i.e. Rockwall High School*).

PURPOSE

The applicant is requesting the approval of a Specific Use Permit (SUP) for a *Private Sports Arena, Stadium, or Track* on the subject property. Currently, the Rockwall Independent School District (RISD) utilizes this area as an existing multi-purpose field that serves as a practice facility for various sports (e.g. softball, baseball, football, soccer, discus, etc.). According to the applicant, in order to protect vehicles and/or patrons of the commercial businesses (e.g. Rooms-To-Go, Heritage Buick-GMC, and the future Texas Roadhouse Restaurant and Marriott Towneplace Suites hotel) adjacent to the field, the school is requesting to construct a 40-foot fence/netting combination around the perimeter of the field.

ADJACENT LAND USES AND ACCESS

The subject property is located 901 W. Yellow Jacket Lane. The land uses adjacent to the subject property are as follows:

<u>North</u>: Directly north of the subject property is Yellow Jacket Lane, which is identified as a M4D (*major collector, four [4]-lane, divided roadway*) on the City's Master Thoroughfare Plan. Beyond this is a sports complex (*i.e. Spring Sports Complex*) followed by a single-family residential subdivision (*i.e. Waterstone Estates*). These areas are zoned Single-Family 7 (SF-7) District.

<u>South</u>: Directly south of the subject property are several commercial businesses (*e.g. Rooms-To-Go and the future Texas Roadhouse and Marriott Towneplace Suites hotel*). Beyond this is IH-30, which is identified as a *TxDOT Roadway* on the City's Master Thoroughfare Plan. Following this are several commercial businesses (*e.g. Sleep Experts, FedEx, and Chipotle*) that are zoned Commercial (C) District.

<u>East</u>: Directly east of the subject property is a car dealership (*i.e. Heritage Buick-GMC*) followed by Kyle Drive, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan. Beyond this is a Rockwall Independent School District (RISD) athletics field for track and field events, and a multi-family residential development (*i.e. Missions Rockwall Apartments*). These areas are zoned Commercial (C) and Multi-Family 14 (MF-14) Districts. Beyond this are two (2) car dealerships (*i.e. Rockwall Chrysler and Rockwall Ford*) that are zoned Commercial (C) District.

<u>West</u>: Directly west of the subject property is a tract of land that is being developed for a hotel (*i.e. Marriott Towneplace Suites*). Beyond this is a vacant tract of land followed by Greencrest Boulevard, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan. Following, are several commercial businesses (*e.g. Dominos, Fireside Chicken and Tacos, Wal-Mart*) that are zoned Commercial (C) District.

CHARACTERISTICS OF THE REQUEST

The applicant is proposing to replace the existing natural grass field with artificial turf, to utilize a ten (10) foot tall black vinyl coated chain link fence installed one (1) foot inside the boundaries of the practice field. The fence will be topped with 30-foot tall black netting and lights, which will be installed at the top of the poles adjacent to the north and south boundaries of the field. The proposed field will be serve as a practice field for the school's sports teams, intramural sports, physical education classes, and some other uses not identified by the applicant. According to the applicant, the field will be utilized mostly during the day; however, the applicant intends on the field being utilized (on a limited basis) at night. According to the applicant, this project is a part of the Rockwall Independent School District's (RISD's) bond program that includes a provision for a practice facility for the softball and baseball team. Granting this request will enable the field to be more functional and meet that purpose.

CONFORMANCE WITH THE CITY'S CODES

According to Subsection 3.3, Minimum Requirements, of Section 3, Outdoor Lighting for Non-Residential Properties, of Article VII. Environmental Performance, of the Unified Development Code (UDC), "...the maximum allowable light intensity measured at the property line of any non-residentially zoned lot shall be 0.2 of one [1] footcandle (FC)..." It goes on to state "...for planned shopping centers or other commercial developments that contain more than one (1) lot, the Planning and Zoning Commission may consider lighting plans that result in light spillover across common lots within the same development...however; in no case shall light levels exceed 0.2 of one [1] footcandle (FC) at the property lines adjacent to the street and/or along the perimeter of the development..." In this case, the photometric plan submitted by the applicant shows that the light intensity along the east and west boundaries range from 0.1 FC to 0.3 FC. Along the north and south boundaries (i.e. where the lights will be installed), the light intensity range from 0.1 FC to 0.9 FC. Staff should note, this practice field is located toward the rear of the school (i.e. away from the property lines adjacent to the street) and this request does not appear to affect the light intensity levels adjacent to the street (i.e. adjacent to Yellow Jacket Lane). With that being said, since the proposed lighting exceeds the maximum light intensity of 0.2 FC at the southeast property line approving this request will effectively waive the lighting requirements with regard to lighting spillover. Additionally, the Unified Development Code (UDC) requires that light sources be oriented down and toward the center of the site or shielded so as not to be visible from the property line. The proposed light fixtures will be oriented toward the center of the site and partially shielded; however, due to the proposed use (i.e. to light a practice field) combined the height of the light poles (*i.e. 40-feet in height*), there is a possibility that the lights will be visible from the property line. Since this does not meet the requirements of the Unified Development Code (UDC),

approving this request will effectively waive the lighting requirements with regard to the shielding and orientation of the lights. Subsection 6.01G, *Lighting Standards*, of Subsection 6.01, *Overlay Districts*, of Article V, *District Development Standards*, of the Unified Development Code (UDC), "...any light fixture, light pole, pole base, or a combination thereof shall not exceed a height of 30-feet..." within the IH-30 Corridor Overlay (IH-30 OV) District. In this case, the proposed light fixtures will be mounted on the top of 40-foot tall light poles and oriented toward the field. Since this exceeds the maximum allowable height of 30-feet, approval of this request will effectively waive the lighting requirements with regard to the maximum allowable height of light poles within the IH-30 Overlay (IH-30 OV) District.

Article XI, *Fences*, of Chapter 10, *Buildings and Building Regulations* of the Municipal Code of Ordinances requires all chain link fences to be setback a minimum of 10-feet from the property line unless "...completely screened from the adjacent public areas by a structure or a solid landscape screening..." In this case, the proposed fence appears to be partially screened from Yellow Jacket Lane by the main building and partially screened from IH-30 by the adjacent commercial business (*i.e. Rooms-To-Go and Heritage Buick-GMC*) and will seemingly have limited visibility from Yellow Jacket Lane and IH-30. With that being said, the City Council is tasked with determining if the existing buildings provide sufficient screening of the adjacent public areas, if additional screening/landscaping is required, and/or if approval of this request is warranted.

STAFF ANALYSIS

When analyzing the applicant's request (*i.e. to install fencing, netting, and lighting on the practice field*), it appears that the proposal generally conforms to the Unified Development Code (UDC) with the exception of the items listed above. Given the proposed use (i.e. a practice field), one could reasonably expect this type of development to vary from the lighting standard. Typical fields of this type appear to utilize similar light fixtures. According to the applicant, the proposed lighting is designed to provide the minimum level of light needed for a practice field (i.e. the design is lower intensity than typical stadiums and other competition facilities). The applicant has stated that since the surrounding properties are commercial land uses and utilizes similar lighting, the proposed lighting will not adversely affect the neighboring properties. Staff should note, although the neighboring commercial businesses utilize lighting that is similar in *height*, the light fixtures are shielded and oriented downward. The Unified Development Code (UDC) allows the Planning and Zoning Commission to consider lighting plans that result in spillover for planned shopping centers or other commercial developments with common lot lines. Although Rockwall High School and the adjacent commercial developments are not considered to be a planned shopping center, the adjacent commercial businesses and the main building on campus seem to serve as a buffer from the residential properties to the north. When looking at the proposed chain link fence and netting, the fence appears to have limited visibility from IH-30. Specifically, the Rooms-To-Go, which is located adjacent to the practice field, ranges from 28-feet to 43-feet in height. Additionally, the Room-To-Go appears to rest at a slightly higher elevation than the practice field (i.e. ~572-feet v. s. 570-feet above sea level); however, this does not negate the possibility of the netting and lights being visible from IH-30. Given the location of the proposed field combined with the height of the proposed netting and lights, the Planning and Zoning Commission is tasked with considering if this request will adversely affect the neighboring properties and providing a recommendation to the City Council. Should this request be approved, staff has recommended to the applicant to provide a thick vegetative screening along the adjacent property lines (outside of the fence), which consists of a combination of mature trees, bushes, and tall grasses. This will require the applicants to provide staff with an updated concept plan reflecting the proposed screening. Additionally, this may require that the proposed fence is shifted inward to accommodate the additional landscaping. At the Planning and Zoning Commission meeting on March 12, 2019, the applicant stated that he did not wish to provide additional landscaping citing disfavor of maintaining the landscaping.

NOTIFICATIONS

On February 22, 2019, staff mailed notifications to 39 property owners/residents within 500-feet of the subject property. Additionally, staff notified the Turtle Cove and Waterstone Homeowner's Associations

(HOA's), which are the only Homeowner's Associations/Neighborhood Organizations that are within 1,500-feet of the subject property and participating in the Neighborhood Notification Program. At the time this report was written, staff had not received any notices concerning this case.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request, staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and summarized as follows:
 - a) The private arena, stadium, or track shall generally conform to concept and photometric plans and elevations depicted in Exhibits '*B*', '*C*', and '*D*' of the attached ordinance;
 - b) The applicant shall provide a thick vegetative screening utilizing a combination of mature trees, bushes, and/or grasses adjacent to the property line;
 - c) The applicant shall submit a revised concept plan showing the location of the proposed landscaping; and
 - d) The light fixtures shall not be mounted above 40-feet in height.
- (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 March 12, 2019, the Planning and Zoning Commission's motion to recommend approval of the Specific Use Permit (SUP) with staff's *Conditions of Approval* passed by a vote of 4-0 with Chairman Lyons and Commissioners Logan and Moeller absent.





City of Rockwall

Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75032 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



151

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:Z2019-003Case Name:SUP for Rockwall High SchoolCase Type:ZoningZoning:Commercial (C) DistrictCase Address:901 W. Yellowjacket Lane

Date Created: 2/19/2019 For Questions on this Case Call (972) 771-7745



Brooks, Korey

From:	Morales, Laura
Sent:	Friday, February 22, 2019 1:35 PM
То:	
Cc:	Miller, Ryan; Gonzales, David; Brooks, Korey
Subject:	Neighborhood Notification Program: Notice of zoning request
Attachments:	HOA Map.pdf; PUBLIC NOTICE.PDF

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that was published in the Rockwall Herald Banner *February 22, 2019*. The Planning and Zoning Commission will hold a public hearing on *Tuesday 3/12/2019 at 6:00 p.m.*, and the City Council will hold a public hearing on *Tuesday, 3/18/2019 at 6:00 p.m.*. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at

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

Z2019-003 Hold a public hearing to discuss and consider a request by Jeff Bresee of SET Engineers on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of a Specific Use Permit (SUP) for a *Private Sports Arena, Stadium or Track* on a 35.295-acre parcel of land identified as Lot 1, Block A, Rockwall High School Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 901 W. Yellow Jacket Lane, and take any action necessary.

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

Sincerely,

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

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:Z2019-003Case Name:SUP for Rockwall High SchoolCase Type:ZoningZoning:Commercial (C) DistrictCase Address:901 W. Yellowjacket Lane



Date Created: 2/15/2019 For Questions on this Case Call (972) 771-7745 MIKULSKI ANTONY AND MICHELLE 119 JULIAN DR ROCKWALL, TX 75087

> CURRENT RESIDENT 131 JULIAN DR ROCKWALL, TX 75032

JLIU ASSET MANAGEMENT LTD 1711 E BELTLINE RD COPPELL, TX 75019

> FAHERTY FRANK 2005 RIDGE RD ROCKWALL, TX 75087

> SINGH RITU W AND 207 JULIAN DRIVE ROCKWALL, TX 75087

> CURRENT RESIDENT 2135 RIDGE RD ROCKWALL, TX 75032

MOUNTAINPRIZE INC 3225 CUMBERLAND BLVD SUITE 100 ATLANTA, GA 30339

SYVRUD JAMES P & MARY JEAN 519 E INTERSTATE 30 ROCKWALL, TX 75087

ROADHOUSE ENTERPRISES INC 6040 DUTCHMANS LANE LOUSIVILLE, KY 40205

> ROCKWALL I S D 801 E WASHINGTON ST ROCKWALL, TX 75087

WOODWARD LAURA 123 JULIAN DR ROCKWALL, TX 75087

GIPSON CAMERON 135 JULIAN DRIVE ROCKWALL, TX 75087

CURRENT RESIDENT 2001 RIDGE RD ROCKWALL, TX 75032

SHIPP DONALD W & MAUREEN 202 JULIAN DR ROCKWALL, TX 75087

> PROCK CHARLES 209 RUSSELL DR ROCKWALL, TX 75032

HARPER EMILY ERIN 215 JULIAN DR ROCKWALL, TX 75087

ROCKWALL-PINE PROPERTIES LLC 400 PERIMETER CENTER TERRACE 0 ATLANTA, GA 30346

IX MC 923 YELLOW JACKET LANE LP 591 W PUTNAM AVE GREENWICH, CT 06830

> CURRENT RESIDENT 782 I30 ROCKWALL, TX 75032

CURRENT RESIDENT 825 YELLOW JACKET LN ROCKWALL, TX 75032 RYAN BRIAN 127 JULIAN DR ROCKWALL, TX 75087

FRANK RUSSELL 15 PRINGLE LANE ROCKWALL, TX 75087

CURRENT RESIDENT 2003 RIDGE RD ROCKWALL, TX 75032

ANDREWS GRACE L 203 JULIAN DR ROCKWALL, TX 75087

WHITTAKER SANDRA 211 JULIAN DR ROCKWALL, TX 75087

CURRENT RESIDENT 2302 GREENCREST BLVD ROCKWALL, TX 75032

> IN YUNG H & 512 SUNSTONE DR IRVING, TX 75060

GAMEZ SUSAN AND 602 LAURENCE HEATH, TX 75032

ROCKWALL DIRT CO LTD 800 GESSNER RD 0 HOUSTON, TX 77024

CURRENT RESIDENT 901 YELLOWJACKET RD ROCKWALL, TX 75032 CURRENT RESIDENT 912 E I30 ROCKWALL, TX 75032

TARBELL AUTOMOTIVE INC 930 E I-30 ROCKWALL, TX 75087

ROCKWALL ASC REAL ESTATE LLC PO BOX 1208 ROCKWALL, TX 75087 CURRENT RESIDENT 920 I-30 ROCKWALL, TX 75032 CURRENT RESIDENT 923 YELLOW JACKET LN ROCKWALL, TX 75032

CURRENT RESIDENT 970 E 130 ROCKWALL, TX 75032

WAL-MART REAL ESTATE PO BOX 8050 BENTONVILLE, AR 72712 AGOURA HILLS, CA 91301

AMERICAN RESIDENTIAL LEASING COMPANY LLC ATTN: PROPERTY TAX DEPARTMENT 0

> ROCKWALL RENTAL PROPERTIES LP PO BOX B TERRELL, TX 75160

February 13, 2019

David Gonzales, AICP City of Rockwall Texas 385 S. Goliad Street

Re: Rockwall High School Multipurpose Synthetic Turf Field – Field Netting & Lights

Dear Mr. Gonzales:

Rockwall ISD desires to convert their existing natural grass multipurpose field at Rockwall High School (field that lies immediately North of Rooms-To-Go) into a synthetic turf field. As this field is surrounded by commercial properties on three sides, in order to protect vehicles and/or patrons at these businesses, the school desires to construct a 40-foot tall fence/netting combination (10-foot black coated vinyl chain link fence topped with 30-foot black netting) around the perimeter of the field. This will also enable the fields to be more functional for their intended purpose (project is part of RISD's bond program to provide a practice facility for the softball and baseball teams (although the field will be used for football, soccer, discus and lacrosse practice as well) and it will prevent balls from leaving the field area.

In addition to the netting system, the District desires to install lights atop each of the netting poles that align the North and South sides of the field. As the field will be used by many of the school's sports teams for practice as well intermural teams, PE and other uses, it is desired that the field be made useable during night hours (limited of course by city ordinance).

In adding the lights, the District is seeking variance to the ordinance limiting light spillage to 0.2 lumens or less beyond the line 1-foot outside of the District's property lines. The deign of the proposed lights (for which we have included a photometric plan) is to provide the minimum level of light needed for the practice of school sports (design is not to the level typical for stadiums and other competition facilities). As the surrounding properties are commercial entities that also light their grounds, the District feels that the proposed lighting design will not adversely affect the neighboring properties.

I have included cut sheet information for the netting system and the lights. Please let me know if you need anything further or have any questions.

Sincerely,

SET Engineer, Inc.

Mfg (). Brese

Jeff Bresee, P.E.







LEGEND

EXISTING			
e	EAST OR ELECTRIC	— OHT —	OVERHEAD TELEPHONE
n	NORTH	— OHTV —	OVERHEAD TV
oh s	OVERHEAD SOUTH OR SEWER	<u> </u>	SANITARY SEWER
t	TELEPHONE	— UGE —	UNDERGROUND ELECTRIC
Ug W	UNDERGROUND WEST OR WATER	— UGE&T —	UNDERGROUND ELECTRIC AND TELEPHONE
	PROPERTY LINE	— UGT —	UNDERGROUND TELEPHONE
	RIGHT OF WAY LINE	— UGTV —	UNDERGROUND TV
	STORM DRAIN	— X''W —	WATER
— X"G —	GAS	.5-10-11 50.5	TREE INFO .5 = DIAMETER OF TRUNK IN FEET
— OHE —	OVERHEAD ELECTRIC		10 = HEIGHT OF TREE IN FEET
	OVERHEAD ELECTRIC AN	ID TELEPHONE	<i>11 = CANOPY DIAMETER IN FEET 50.5 = ELEVATION AT BASE OF TREE</i>

FIELD EQUIPMENTS TO BE PROVIDED BY CONTRACTOR

• SYNTHETIC TURF BASE. SPORTS FIELD SPECIALITIES TURF BASE OR EQUAL 6 BASES TOTAL.

• SYNTHETIC TURF HOME PLATE. SPORTS FIELD SPECIALITIES TURF BASE OR EQUAL 2 PLATES TOTAL.

• SYNTHETIC TURF PITCHERS PLATE. SPORTS FIELD SPECIALITIES TURF BASE OR EQUAL 2 PLATES TOTAL.

• PORTABLE FOOTBALL GOAL POST. AAE SPORTS. ROLLAWAY H GOAL POST (HS), OR EQUAL. TWO GOAL POSTS TOTAL.

• PORTABLE SOCCER GOAL POST KWIK GOAL EVO II. SOCCER GOAL WITH WHEELS OR EQUAL 2 GOALS TOTAL.

STORAGE AREA / ASPHALT

NEW CONSTRUCTION 1 FOOT INSIDE PROPERTY LINE

SET Engineers, Inc. Experts in Outdoor Sports Design & Construction Management Licensed Civil Engineers • Planners • Designers 817-507-8305 Phone | 682-518-9825 FAX 2/14/19 JJB TKM SAW 31023 CEI PROJECT NO. INITIAL DATE DPOR PM DES DRW F-7524 🥏 الكالعائم والمعد Engineering Associates, Inc. HH / ENGINEERS • PLANNERS • LANDSCAPE ARCHITECTS • ENVIRONMENTAL SURVEYOR SCIENTIST 3108 S.W. REGENCY PARKWAY, SUITE 2 (479)273-9472 Bentonville, AR 72712 FAX (479)273-0844 ROCKWALL HIGH SCHOOL 901 W YELLOWJACKET LANE ROCKWALL TEXAS REV DATE SHEET NO SITE PLAN 2/14/19 REV-0 1 OF 3

© 2019 CEI ENGINEERING ASSOCIATES, INC.







LEGEND

EXISTING			
е	EAST OR ELECTRIC	— <i>OHT</i> —	OVERHEAD TELEPHONE
n	NORTH	— OHTV —	OVERHEAD TV
oh s	OVERHEAD SOUTH OR SEWER	— X"SS —	SANITARY SEWER
ť	TELEPHONE	- UGE -	UNDERGROUND ELECTRIC
Ug W	UNDERGROUND WEST OR WATER	UGE&T	UNDERGROUND ELECTRIC AND TELEPHONE
	PROPERTY LINE	UGT —	UNDERGROUND TELEPHONE
	RIGHT OF WAY LINE	— UGTV —	UNDERGROUND TV
	STORM DRAIN	— X''W —	WATER
— X''G —	GAS	.5-10-11 50.5	TREE INFO .5 = DIAMETER OF TRUNK IN FEET
— <i>OHE</i> —	OVERHEAD ELECTRIC		<i>10 = HEIGHT OF TREE IN FEET</i>
	OVERHEAD ELECTRIC AND TE	ELEPHONE	<i>11 = CANOPY DIAMETER IN FEET 50.5 = ELEVATION AT BASE OF TREE</i>

	SET Engineers, Inc. Experts in Outdoor Sports Design & Construction Management Licensed Civil Engineers • Planners • Designers 817-507-8305 Phone 682-518-9825 FAX							
	31023	2/14/19	JJB	TKM	SAW	SAW		
	CEI PROJECT NO.	INITIAL DATE	DPOR	РМ	DES	DRW		
F-7524		Engineerir IGINEERS INDSCAPE ARCHITE WAY, SUITE 2	PLANNE	RS • IVIRONME	SU	RVEYORS DENTISTS 73-9472		
	ROCK	WALL HI	GH S	CHC	DOL			
	901 W Rockv	I YELLOWJA VALL	ICKET	LANE TEXA				
	40- FOOT NETTIN	NG POST LOC	CATION	S 2/1	DATE 4/19 W-O	SHEET NO. 2 OF 3		
			© 2019	CEI ENGINE	ERING ASS	SOCIATES, INC.		



31023 DRAWING: 31023-CS.dwg LAST SAVED BY: SALAM LOCATION: P: \31000\31023.0\Drawings\Design\Rev-0\31023-CS.



Pole Summary Pole Wattage Summary			Luminaire Schedule														
Scene: GAME			Scene: GA	ME	Scene: GAME												
Poles	# Lums	MH	Label	Total Watts	Symbol	Qty	Label			LLF	Lum.	Watts /	Arrangem	nent			
P01	2	40	P01	1538	\odot	8	AF-750-3	-57		0.950	769	2	SINGLE				
P02	2	40	P02	1538	- O	8	AF-750-4	-57		0.950	769	2	SINGLE				
P03	2	40	P03	1538	Ō	16	AF-750-5	-57		0.950	769	2	SINGLE				
P04	2	40	P04	1538								4					
P05	2	40	P05	1538	Calculation &	Summary											
P06	2	40	P06	1538	Scene: GAME			1								1	
P07	2	40	P07	1538	Label		ea Size	Units	Avg	Max	Min	Max/Min	# Pts	-	PtSpcTb		UG
P08	2	40	P08	1538	FOOTBALL	36	0'x160'	FC	32.21	44.7	23.5	1.90	72	30	30	0.19	1.87
P09	2	40	P09	1538	SOCCER			Fc	32.21	44.7	23.5	1.90	72	30	30	0.19	1.87
P10	2	40	P10	1538	SPILL @100'			FC	0.48	0.9	0.1	9.00	63	30	N.A.	0.60	N.A.
P11	2	40	P11	1538	SPILL @25'			Fc	3.01	8.7	1.4	6.21	43	30	N.A.	0.47	N.A.
P12	2	40	P12	1538	SPILL @50'			Fc	1.25	1.6	0.6	2.67	50	30	N.A.	0.22	N.A.
P13	2	40	P13	1538													
P14	2	40	P14	1538													
P15	2	40	P15	1538	1												
P16	2	40	P16	1538	1												
		-	TOTAL	24608	-												





Introducing the latest in LED sports lighting innovation



The All-Field 750 is the most versatile LED fixture available for your sporting venue.

Versatile mounting bracket is designed for ease of installation in new or retrofit applications

Weather-tight design ensures durability even in harsh environments

Solid-state design (no moving parts) provides maintenance free operation

Ability to monitor health and status of each light

Low electromagnetic interference (EMI) noise generation eliminates interference with surrounding electrical systems

Wireless control options provide flexibility for operational usage and fan experience enhancements

Custom engineered optics direct light precisely where needed while minimizing glare.

Easy **RETROFIT** to your existing sports lighting system



800.500.3161 sportlighting.com



Techline Sports Lighting introduces the All-Field 750 Sport LED fixture, the ideal solution for any setting including little league, municipal parks, high school, college and semi-professional outdoor sports venues. The All-Field 750 is the leading choice for all outdoor applications including football, soccer, tennis, baseball, softball, lacrosse, and field hockey. Maintenance free operation and precisely delivered HDTV quality light make the All-Field 750 the perfect choice for any application and provide an excellent return on investment.



The All-Field 750 Sport LED is available with wireless or wired control to provide operational, monitoring and entertainment capabilities. Entertainment options include individual LED cluster control and 0-10V dimming. Fixture connectivity options are available from standard wired DMX to wireless Air-Mesh technology. Celluar, WiFi, or Bluetooth link enables telemetry to monitor health and status of each sport LED fixture.

		ORDERIN	G OPTIONS	
MODEL	WATTAGE	OPTICS	VOLTAGE	CONTROLS
AF	750	NEMA 2	VH - HIGH VOLTAGE	NC - NO CONTROLS
	550	NEMA 3	VL - LOW VOLTAGE	AM - AIR MESH
	400	NEMA 4		
		NEMA 5	SPILL CONTROL OPTIC	ON - EYELID

1. The specifications listed were obtained under optimal testing conditions. Changes in options, features and conditions may result in slightly different perfomance specifications among fixtures.

2. Weight may vary depending on mounting bracket selection

Clean power is required to ensure proper function and lifetime of LED fixtures. Prior to installation, an analysis should be performed to verify site power meets these requirements:

- High frequency voltage should be below -40dB or .01V between 3KH and 100KHz - High frequency current should be below -50dB or .019A between 3KHz and 100KHz

Surge protection alone is not adequate. Techline Sports Lighting will not be liable for damage to fixtures due to poor power quality. Contact Techline Sports Lighting for more information.





Rockwall High School 40' UltraCross® Dyneema Pole-to-Pole Tension Netting

Prepared for: Paragon Sports Constructors, LLC

Prepared by: Sportsfield Specialties, Inc.

Submitted by: JJ Darling Southwest Regional Sales Manager



January 31, 2019



Excellence from Design to Installation

SSI TENSION NETTING SYSTEM POLES ARE DESIGNED TO STRENGTH, NOT DEFLECTION. As a result, some deflection will occur during installation and should be considered normal. Deflection may also be evident in calm conditions, particularly on the outer most poles of a given tension netting system.



46.48' POLE SPACING EACH

Ball Safety Tension Netting System Product Layout Submittal Disclaimer:

This ball safety tension netting system layout document is intended for the sole use of illustrative product submittal review purposes and should not be construed as a product installation document. All final ball safety tension netting system layouts, field dimensions and/or measurements should be both confirmed on the project plans and/or specifications and approved by the project designer of record prior to the start of the product installation.

Sportsfield Specialties, Inc. dba Promats Athletics cannot be held liable for any use of this ball safety tension netting system layout document that deviates and/or differs from the above stated illustrative product submittal review process and furthermore, Sportsfield Specialties, Inc. dba Promats Athletics cannot be held accountable for these actions.

Sportsfield Specialties, Inc. dba Promats Athletics protective netting systems are designed and intended as a complete netting system. In the event your facility purchases an extension to an existing protective netting system, Sportsfield Specialties, Inc. dba Promats Athletics does not make any representations or warranty relating to the overall design of the combined facility and/or the connection points to and the cables that are part of the existing netting system. Owner's decision to proceed with an extension in lieu of a complete new netting system will be at Owner's sole risk and without liability to Sportsfield Specialties, Inc. dba Promats Athletics and Owner shall indemnify and hold harmless Sportsfield Specialties, Inc. dba Promats Athletics from all claims, damages, losses and expenses arising out of or resulting therefrom.

PROPRIETARY AND CONFIDENTIAL THE INFORMATION CONTAINED IN THIS DRAWING IS THE SOLE PROPERTY OF SPORTSFIELD SPECIALITES INC. ANY REPRODUCTION IN PART OR AS A WHOLE WITHOUT THE WRITTEN PERMISSION OF SPORTSFIELD SPECIALITES INC. IS PROHIBITED.

ROCKWALL HIGHSCHOOL PERIMETER NETTING NETTING LAYOUT SUBMITTAL

NOT TO SCALE

165

SPORTSFIELD SPECIALTIES





Excellence from Design to Installation
41155 State Highway 10, PO Box 231, Delhi, NY 13753 CALL: 888-975-3343 FAX: 607-746-8481
FAX: 607-746-8481



- Length, Height and Configuration as Required
- Ultra Cross Knotless Dyneema® Netting
- Dyneema® Ultra-High Molecular Weight Polyethylene (UHMWPE) SK-75 Black Fiber Construction
- 4 Ply, 1.2 mm (0.0472") Diameter Twine
- 95% Open Mesh Area (See-Through Visibility)
- 58,445 psi Minimum Breaking Strength
- 30% Maximum Elongation at Break
- 1-3/4" (44 mm) Square Mesh Size, 0.009 lbs. per Square Foot
- 4 Strand, Braided, Continuous Monofilament Dyneema® Fiber
- Sewn Perimeter Black Multi-Filament Polypropylene Solid Braid Rope Bound Border - 1/4" Diameter, 530 lb. Minimum Breaking Strength
- Urethane Black Bonded Finish (Other Color Choices Available)
- Strong Resistance to Ultraviolet (UV) Light Degradation
- Excellent Resistance to Chemicals and Water Absorption

PROPRIETARY AND CONFIDENTIAL THE INFORMATION CONTAINED IN THIS DRAWING IS THE SOLE PROPERTY OF SPORTSFIELD SPECIALTIES INC. ANY REPRODUCTION IN PART OR AS A WHOLE WITHOUT THE WRITTEN PERMISSION OF SPORTSFIELD SPECIALTIES INC. IS PROHIBITED.

BSSNUC
Ultra Cross Knotless Dyneema® Netting - I-3/4" Square Mesh

NOT TO SCALE

SPORTSFIELD SPECIALTIES THE 03282016



Ground Sleeve Install



- 1. Mark the locations of the ground sleeves on the field. Being sure to match the center distance to the desired system.
- 2. Excavate holes for foundations and set the concrete forms.
- 3. Center the ground sleeve in the form and secure it in a plumb and level position. The top of the ground sleeve should be set according to the site plans (Generally level with Finish Grade).
- 4. Pour concrete foundation to the top of the sleeve. Allow concrete to adequately cure.
- 5. Caulk all around the top of the ground sleeve, using backer rod where needed to prevent the caulk from falling into the ground sleeve.

2. Assembling Hardware

- a) Start by laying out the cables to ensure the proper lengths are present for each run. Cut the cable as necessary based on each run, adding a 6" turn back at each end of the cable.
- b) Start the horizontal tensioned cables (5/16" DIA) by assembling a 5/8" x 12" turnbuckle to an eye bolt at one end (Figure 1). The wire will pass through the poles at which the cable run does not terminate (Figure 2). At the poles where the cable run terminates, attach the cable with turn back and rope clips directly to the eye bolt at opposite end (Figure 3).





Figure 3

c) The horizontal cables can be finished with the bottom (1/4" DIA) cable. This cable is assembled the same way as the tensioned cables. Start the cable by attaching to an eye bolt at one end (Figure 4). The cable will pass through a series of eye bolts (recommended 5' spacing) or equivalent guides, then through the poles at which the cable run does not terminate (Figure 5). At the end pole where the cable run terminates, attach the cable (with turn back and rope clips) directly to the eye bolt (Figure 6).





d) Vertical cables (1/4" DIA) can be done the same way as the tensioned cables, with a 1/2" x 9" turnbuckle at the top of the pole (Figure 7) and a heavy-duty shackle at the bottom of the pole (Figure 9). Make sure to thread the vertical cables through the guide tube (Figure 8).



e) Once all of the cables have been mounted on the poles, tension the horizontal and vertical cables with the turnbuckles. Do not tighten turnbuckles so much that the poles themselves deflect.

f) Now the nets can be hung from the assembled cables. Using the zip-ties, pull the net to the top, each side cable, the remaining horizontal cables and then the bottom cable. Finally, the net can be secured to the cables using the supplied braided rope, looping through each square of the net binding and around the cable (Figure 10). For Ultra Cross netting systems, it's important to leave excess material along the net perimeter (i.e. no short tag ends and a minimum of one extra square) so that the net intersection doesn't fail prematurely.



Figure 10

SSI tension netting system poles are designed to strength, not deflection. As a result, some deflection will occur during installation and should be considered normal. Deflection may also be evident in calm conditions, particularly on the outer most poles of a given tension netting system.

CITY OF ROCKWALL

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

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, AMENDING TEXAS. THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF ROCKWALL. ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A PRIVATE SPORTS ARENA, STADIUM, OR TRACK IN A COMMERCIAL (C) DISTRICT, SITUATED ON A 35.295-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, **ROCKWALL HIGH SCHOOL ADDITION, CITY OF ROCKWALL,** ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL **CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO** EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE: PROVIDING FOR A SEVERABILITY PROVIDING FOR A REPEALER CLAUSE: CLAUSE: **PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City has received a request from Jeff Breese of SET Engineers on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of a Specific Use Permit (SUP) to allow a *private sports arena, stadium, or track* in a Commercial (C) District on a 35.295-acre parcel of land being described as Lot 1, Block A, Rockwall High School Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 901 W. Yellow Jacket Lane, and being more specifically depicted in *Exhibit* 'A' of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing a *private sports arena, stadium, or track* as stipulated by Section 1, *Land Use Schedule,* of Article IV, *Permissible Uses,* of the Unified Development Code (UDC) [*Ordinance No. 04-38*], on the *Subject Property;* and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 4.4, *Commercial (C) District*, of Section 4, *Commercial Districts*, and Subsection 6.06, *IH-30 Overlay (IH-30 OV) District*, of Section 6, *Overlay Districts*, of Article V, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] as heretofore amended and as may be amended in the future, and shall be subject to the following:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *private sports arena, stadium, or track* on the *Subject Property* and conformance to these stipulations is required for continued operations:

- 1) The *private sports arena, stadium, or track* shall generally conform to the concept plan, photometric plan, and building elevations depicted in *Exhibits 'B'*, 'C' and 'D' of this ordinance;
- 2) The light poles shall not exceed 40-feet in height.

2.2 COMPLIANCE

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

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

SECTION 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 1st DAY OF APRIL, 2019.

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: <u>March 18, 2019</u>

2nd Reading: <u>April 1, 2019</u>

Page 3

City of Rockwall, Texas

Jim Pruitt, Mayor

<u>Address:</u> 901 Yellow Jacket Lane <u>Legal Description:</u> Lot 1, Block A, Rockwall High School Addition



4






THIS PAGE INTENTIONALLY LEFT BLANK



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:	March 18, 2019
APPLICANT:	Kevin Orsonio
CASE NUMBER:	P2019-008; Lots 1 & 2, Block A, N. E. & J. O. Addition

SUMMARY

Hold a public hearing to discuss and consider a request by Kevin Osornio on behalf of Jeaniffer Osornio for the approval of a replat for Lots 1 & 2, Block A, N. E. & J.O. Addition being a 0.46-acre parcel of land identified as Lot 2, Block A, Sanger Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SOV) District, addressed as 705 Peters Colony, and take any action necessary.

PLAT INFORMATION

- ☑ The applicant is requesting to replat a 0.46-acre parcel of land for the purpose of subdividing one (1) lot (*i.e. Lot 2, Block A, Sanger Addition*) into two (2) lots (*i.e. Lots 1 & 2, Block A, N. E. & J. O. Addition*) in order to construct single-family homes on Lots 1 & 2. The subject property was annexed prior to 1959, is situated within the Southside Residential Neighborhood Overlay (SOV) District, and is zoned Single-Family 7 (SF-7) District.
- ☑ On March 5, 2019, the Parks and Recreation Board reviewed the proposed *replat* and made the following recommendations:
 - 1) The developer shall pay pro-rata equipment fees for Park District No. 21 in the amount of \$516.00 for Lot 2. This will need to be paid at time of final plat and is subject to change pending the City Council's adoption of the 2019 fees; and
 - 2) The developer shall pay cash-in-lieu of land fees for Park District No. 21 in the amount of \$416.00 for Lot 2. This will need to be paid at time of final plat and is subject to change pending the City Council's adoption of the 2019 fees.
- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat conforming to the requirements for final plats as stated in the Subdivision Ordinance in the Municipal Code of Ordinances -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- ☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- ☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the *Municipal Code of Ordinances*.

NOTIFICATIONS

On February 22, 2019, staff mailed notifications to 39 property owners/residents within 200-feet of the subject property in accordance with the requirements as stipulated by Texas Local Government Code for residential replats. At the time this report was written, staff had not received any notices concerning this case.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the replat for *Lots 1 & 2, Block A, N. E. & J. O. Addition*, staff would propose the following conditions of approval:

- (1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;
- (2) The developer shall be responsible for new water and sewer connections, which may include pavement removal and replacement along Peters Colony;
- (3) The developer shall be assessed impact fees for extra water and sewer connections for Lot 2; and
- (4) Any construction resulting from the approval of this site plan 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 March 18, 2019, the Planning and Zoning Commission's motion to recommend approval of the replat with staff's Conditions of Approval passed by a vote of 4-0 with Chairman Lyons and Commissioners Logan and Moeller absent.





City of Rockwall

Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75032 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



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 provide timely and accurate information, we make no to 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.





E BOURN ST

MONARCH DR

EMIMA JANE ST

GLENN AVE

SUMINIT RIDGE OR

WHITMORE DB

85 JUSTIN RD

PEREZ MARIA D 1002 E WOODIN BLVD DALLAS, TX 75126

BALL JUSTIN 1370 FAIRLAKES POINTE ROCKWALL, TX 75087

HAMANN BRENT 315 ROLLING MEADOWS CIR ROCKWALL, TX 75087

> GRUBBS JOHN W 501 E BOYDSTUN AVE ROCKWALL, TX 75087

> JACOBS J D 5961 CONNIE LN ROCKWALL, TX 75032

BOUAS MARAYA D & JEFFREY D 605 E ROSS STREET ROCKWALL, TX 75087

> CURRENT RESIDENT 608 E BOYDSTUN AVE ROCKWALL, TX 75087

> GAMEZ DAVID 614 E BOYDSTUN AVE ROCKWALL, TX 75087

CURRENT RESIDENT 705 DAVY CROCKETT ROCKWALL, TX 75087

DABNEY AUDRY 706 PETERS COLONY ROCKWALL, TX 75087 SLATER RODNEY E 1103 S 29TH ST COPPERAS COVE, TX 76522

PIERATT ALAN & MELODY 1540 MEADOWS CIR ROCKWALL, TX 75087

TAYLOR THOMAS M & KAY D 402 E BOYDSTUN AVE ROCKWALL, TX 75087

> CURRENT RESIDENT 507 E BOYDSTUN AVE ROCKWALL, TX 75087

NIX NICHOLAS & ROSALIA 602 E BOYDSTUN AVE ROCKWALL, TX 75087

GAMEZ DAVID 606 E BOYDSTUN AVE ROCKWALL, TX 75087

HUBBARD ALPHINEEZES 609 E ROSS ST ROCKWALL, TX 75087

ROSS LESLIE 703 SHERMAN ST ROCKWALL, TX 75087

CURRENT RESIDENT 705 PETERS COLONY ROCKWALL, TX 75087

KATELY CHARLES LEE & THELMA S 706 SHERMAN ST ROCKWALL, TX 75087 JOHNSON PAMELA 1310 COLONY DR GARLAND, TX 75040

HANEY W 2824 MISTY RIDGE ROCKWALL, TX 75032

JONES MARGARINE ESTATE 410 E BOYDSTUN AVE ROCKWALL, TX 75087

LEW AND LIN INVESTING LLC 5221 BEACON LN MCKINNEY, TX 75071

> MOORE JAMES L 604 S CLARK ROCKWALL, TX 75087

> GAMEZ PETRA 606 E BOYDSTUN AVE ROCKWALL, TX 75087

SCHUMANN LAURIE A 610 E BOYDSTUN AVE ROCKWALL, TX 75087

SCROGGINS MURRAY 704 SHERMAN ST ROCKWALL, TX 75087

STRANGE ANTHONY I SR & LISA D 705 N SHERMAN ROCKWALL, TX 75087

> CRENSHAW LORENZA 707 DAVY CROCKETT ST ROCKWALL, TX 75087

ABARCA JOANNE 707 SHERMAN ST ROCKWALL, TX 75087

HEJI PAUL M 709 PETERS COLONY ROCKWALL, TX 75087

CURRENT RESIDENT 711 LAMAR ROCKWALL, TX 75087

CABERA JUAN R & NOEMI E 715 PETERS COLONY ROCKWALL, TX 75087 CURRENT RESIDENT 708 PETERS COLONY ROCKWALL, TX 75087

CURRENT RESIDENT 710 PETERS COLONY ROCKWALL, TX 75087

CURRENT RESIDENT 712 SHERMAN ST ROCKWALL, TX 75087

CURRENT RESIDENT 725 PETERS COLONY ROCKWALL, TX 75087 CURRENT RESIDENT 708 SHERMAN ST ROCKWALL, TX 75087

SANCHEZ FATIMA L 710 SHERMAN ST ROCKWALL, TX 75087

LINVEL MELBA RUTH ESTATE 712 PETERS COLONY ROCKWALL, TX 75087



OWNER'S CERTIFICATE (Public Dedication)

STATE OF TEXAS COUNTY OF ROCKWALL

WHEREAS JEANIFFER OSORNIO and NOHEMA ESTRADA, BEING THE OWNER OF A TRACT of land in the County of Rockwall, State of Texas, said tract being described as follows

BEING all of Lot 2, Block A, Sanger Brothers Addition, an Addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Volume Q, Page 100 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner at the northwest corner of Lot 2, and the southwest corner of Lot 1 and being in the east right-of-way line of Peters Colony Street;

THENCE S. 89 deg. 17 min. 19 sec. E. along the common line of Lot 1 and 2, a distance of 200.00 feet to a 1/2" iron rod found for corner at the northeast corner of Lots 2 and being in the west right-of-way of Lamar Street;

THENCE S. 00 deg. 40 min. 26 sec. W. along said right-of-way line, a distance of 100.00 feet to a 1/2" iron rod found for corner at the southeast corner of Lot 2 and northeast corner of Lot 3;

THENCE N. 89 deg. 17 min. 19 sec. W. along the common line between Lot 2 and Lot 3, a distance of 200.00 feet to a 1/2" iron rod found for corner in the east right-of-way line of Peters Colony Street;

THENCE N. 00 deg. 40 min. 26 sec. E. along said right-of-way line, a distance of 100.00 feet to the POINT OF BEGINNING and containing 20,000 square feet or 0.46 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 N.E. & J. O. ADDITION, LOTS 1 & 2, BLOCK A, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in N.E. & J. O. ADDITION, LOTS 1 & 2, BLOCK A, 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;

No buildings shall be constructed or placed upon, over, or across the utility 1. easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maint aining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

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

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Roc kwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, sto rm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

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

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

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

JEANIFFER OSORNIO	

NOHEMA ESTRADA

STATE OF TEXAS COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared JEANIFFER OSORNIO known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein

Given upon my hand and seal of office this _____day of _

Notary Public in and for the State of Texas

My (Commission	Expires:	

STATE OF TEXAS COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared NOHEMA ESTRADA known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein

Given upon my hand and seal of office this _____day of _

Notary Public in and for the State of Texas

My Commission Expires:

SURVEYOR'S CERTIFICATE	

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.
TE OF TE+ AP REGISTERED FO
Harold D. Fetty, III Registered Professional Land Surveyor No. 5034
RECOMMENDED FOR FINAL APPROVAL
Planning and Zoning Commission Date
APPROVED
I hereby certify that the above and foregoing plat of N.E. & J.O. ADDITION, LOTS 1 & 2, BLOCK A, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the day of,,
This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.
Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.
WITNESS OUR HANDS, this day of,
Mayor, City of Rockwall City Secretary City of Rockwall
City Engineer Date
FINAL PLAT
N.E. & J.O. ADDITION

LOTS 1 & 2, BLOCK A

BEING A REPLAT OF LOT 2, BLOCK A SANGER BROTHERS ADDITION 0.46 ACRES OR 20,000 S.F. (2 LOTS)AN ADDITION TO THE CITY OF ROCKWALL ROCKWALL COUNTY, TEXAS



NOHEMA ESTRADA 705 LAKESIDE DRIVE ROCKWALL, TEXAS 75032

OWNER:

6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com CITY CASE NO P2019-008

THIS PAGE INTENTIONALLY LEFT BLANK



MEMORANDUM

TO: Rick Crowley, City Manager

FROM: Mary Smith, Assistant City Manager

DATE: March 15, 2019

SUBJECT: Household Hazardous Waste Collection Agreement

For the past 19 years the City has contracted with a company to manage our single-day household hazardous waste collection event. This has worked well and took tremendous quantities of these materials out of the waste stream in a safe and cost-effective manner. The chief complaints about the event were the long waits – often 2+ hours in line, and a need for an alternative if the resident was out of town on the day. Unfortunately all we could say was hang on to the items until next year. HHW day 2018 had lines all day, with long waits and people still in line an hour past closing time. When the contractor submitted their invoice they informed staff that they had not raised their rate to us in ten-years and needed to immediately do so. The price would have escalated from about \$108,000 that we've paid for many years to \$170,000 for the day's collection. This doesn't include the costs of staffing, e-waste disposal, and paper shredding.

With the price escalation and an inability to fix the chief two complaints we studied alternatives to the program.

HHW Solutions is a company which provides curb-side or porch pickup of household hazardous waste for several communities around the Metroplex. The company was founded by two former waste company executives who saw an unmet need with communities looking for a means to deal with the collection and disposal of products such as paints, lawn chemicals, pool chemicals, batteries and other such items regularly found in households. Mr. Dick Demien will be at the Council meeting to represent the company and explain in more detail their approach.

HHW Solutions has proposed to provide curb-side collection to residential properties on as much as a monthly basis. They provide an online solution and phone number for the resident to schedule a pickup when they are ready to dispose of items. They will have a designated HHW pickup day in Rockwall – we are working on that being Wednesday, which is not a Republic collection day, so the items won't be confused with those set out for regular trash days. They will set a limit on the number of households which can be collected on the next scheduled day. When the list is full the resident will go on the next week's list. Either way the resident will be

instructed which day to put out their items and how to do so. They will collect e-waste in the same manner.

HHW Solutions will also place a container at our Service Center to collect up to 1,000 tires per year. Residents will be able to bring those to the location for proper disposal. They will also sponsor two shredding events per year for us.

HHW Solutions will charge the City 99 cents per household per month. The City will provide the house count based on the number that we bill for garbage the previous month. We've been assessing 70 cents per month per resident for many years. We've collected \$56,000 so far this budget year which can be applied to the cost difference for the remainder of the calendar year. We will pay HHW Solutions 99 cents per household and continue to charge residents 70 cents per month until the next rate adjustment period.

The contract is being reviewed by City Attorney, Frank Garza at this time. If Council desires to move ahead with this program then the authorization for the City Manager should be to finalize contract language and execute the agreement. Upon execution HHW Solutions will complete a notification process to the TCEQ which takes about 45 days and then we can begin the service.

NON-EXCLUSIVE AGREEMENT FOR THE COLLECTION, HAULING, RECYCLING AND DISPOSAL OF HOUSEHOLD HAZARDOUS WASTE IN THE CITY OF ROCKWALL, TEXAS

STATE OF TEXAS

COUNTY OF ROCKWALL

THIS NON-EXCLUSIVE AGREEMENT (this "Agreement") is made and entered into as of _______, 2019, by and between Doliver Enterprises, LLC., a Texas Corporation, dba HHW Solutions (the "Service Provider"), and the City of Rockwall, Texas (the "City").

WHEREAS, the City, subject to the terms and conditions set forth herein and the ordinances and regulations of the City, desires to grant to the Service Provider the exclusive license and privilege to collect, haul and recycle or dispose of Household Hazardous Waste (as such terms are defined herein) within the City's corporate limits.

NOW, THEREFORE, in consideration of the premises and the mutual promises, covenants and agreements set forth herein, the Service Provider and the City hereby agree as follows:

SECTION 1. DEFINED TERMS.

The following terms, as used herein, will be defined as follows:

<u>Aggregate</u> - The act of bringing together household hazardous waste that, after being separated from other household waste, is collected from two or more households and accumulated at a collection event, permanent collection center, point of generation pick-up service, mobile collection unit, or transporter's facility for the purpose of reusing, recycling, or disposing the material.

<u>Business Day</u> - Any day that is not a Saturday, a Sunday, or other day on which banks are required or authorized by law to be closed in the City.

<u>Collector</u> - Any person who accepts from two or more households any waste materials that have been separated from other household waste and offered to the collector because the generator either knows or considers the materials to be household hazardous waste.

<u>Hazardous Waste</u> - Waste identified or listed as a hazardous waste by the administrator of the United States Environmental Protection Agency (EPA) under the federal Solid Waste Disposal Act *as* amended by the Resource Conservation and Recovery Act of 1976, as amended, or so classified by any federal or State of Texas statute, rule, order or regulation.

Holidays - The following days:

- (1) New Yeats Day (January 1st)
- (2) Memorial Day
- (3) Independence Day (July 4th)
- (4) Labor Day
- (5) Thanksgiving Day
- (6) Christmas Day (December 25th).

<u>Household Hazardous Waste</u> - Any solid waste generated in a household by a consumer which, except for the exclusion provided in 40 Code of Federal Regulations (CFR) §261.4 (b) (1), would be classified as a hazardous waste under 40 CFR Part 261. The term has the same meaning as "hazardous household waste.

<u>Household Hazardous waste processing, storage or disposal facility</u> - A hazardous waste processing, storage, or disposal facility that has received a United States Environmental Protection Agency (EPA) permit (or a facility with interim status) in accordance with the requirements of 40 Code of Federal Regulations (CFR) Parts 270 and 124, or that has received a permit from a state authorized in accordance with 40 CFR Part 271.

<u>Landfill</u> - Any facility or area of land receiving Municipal Solid Waste or Construction and Demolition Waste and operating under the regulation and authority of the Texas Commission on Environmental Quality (TCEQ) within the State of Texas, or the appropriate governing agency for landfills located outside the State of Texas.

<u>Mobile collection unit</u> - A vehicle (such as a truck or trailer) that is used to aggregate household *waste* materials delivered by the public prior to transporting the material to a permanent collection center, collection event, or registered hazardous waste transporter facility.

<u>Operator</u> - A person responsible for the collection, aggregation and storage of household hazardous waste and household materials at a collection event or permanent collection center, in a point of generation pick-up service or mobile collection unit, or in any combination of collection programs.

<u>Personnel</u> - All individuals who perform tasks at or oversee the operations of a collection event, permanent collection center, mobile collection unit, or point of generation pick-up service.

<u>Point of generation pick-up service</u> - A service to collect household hazardous waste at generating households through direct contact with the generators or by collection of household hazardous waste left either at curbside or in another location at the household.

<u>Residential Unit</u> - Any residential dwelling that is either a Single-Family Residential Units or a Multi-Family Residential Units such as a duplex. Excluding Multi-family dwellings such as apartments, townhouses, or hi rise units.

<u>Single-Family Residential Unit</u> - Any residential dwelling that is designed for, and inhabited by, a single person or family unit and that generates and accumulates Household Hazardous Waste.

SECTION 2. OPERATIONS.

- A. <u>Scope of Operations.</u> It is expressly understood and agreed that the Service Provider will collect, haul and recycle or dispose of all Household Hazardous Waste (i) generated and accumulated by Residential Units, and (ii) placed for collections by those Residential Units receiving the services of the Service Provider all within the City's corporate limits, including any territories annexed by the City during the term of this Agreement (the Services).
- B. <u>Nature of Operations.</u> The City hereby grants to the Service Provider, in accordance with the City's ordinances and regulations governing the collection, hauling and recycling or disposal of Household Hazardous Waste, the title to all Household Hazardous Waste collected, hauled and recycled or disposed of by the Service Provider over, upon, along and across the City's present and future streets, alleys, bridges and public properties. All title to and liability for materials excluded from this Agreement shall remain with the generator of such materials.

SECTION 3. SINGLE-FAMILY RESIDENTIAL UNIT COLLECTIONS.

A. <u>Single-Family Residential Units.</u> The Service Provider will collect Household Hazardous Waste from Single-Family Residential Units once per month; provided that (i) such Household Hazardous Waste items are placed within five (5) feet of the curbside or right of way adjacent to the Single-Family Residential Unit no later than 8:00 a.m. on the scheduled collection day.

Collections will also be made closer to the Residential Unit such as at the doorstep or driveway adjacent to the Unit.

- B. Materials accepted include the following:
 - Aerosol products
 - Ammunition, explosives or fireworks
 - Antifreeze
 - Auto fluids
 - Ballasts (non-PCB & PCB)
 - Batteries auto, sump, power tool & household sizes
 - Blacktop sealer oil based
 - Cleaning products
 - Cooking Oil
 - Fire Extinguishers
 - Fluorescent bulbs (tubes and CFLs)
 - Gasoline & oil/gas mixtures
 - HID (headlight bulbs)
 - Hobby & photo chemicals
 - Lawn chemicals
 - Mercury containing Devices (thermostats, etc.)
 - Motor oil
 - Oxygen tanks
 - Paint (Oil-based paints, stains, varnishes; and Latex Paint)
 - Pharmaceuticals/medications
 - Pool chemicals 160 3
 - Propane tanks Resins, Glues, Adhesives
 - Smoke Detectors
 - Solvents
 - E-Waste

Items not accepted include the following:

- Acetylene cylinders
- Biological or medical waste
- Business generated waste
- Foam cylinders (Part A/Part B)
- MAPP gases
- Radioactive Material
- Syringes/needles
- Farm machinery oil

Item limits per collection per month:

- Fluorescent light bulbs: Minimum 1, Maximum 8
- · Used motor oils or antifreeze: Minimum 1 gallon, Maximum 2 gallons
- Paints and supplies; Pool & Household Chemicals: Minimum 1 gallons, Maximum 4 gallons
- Household Cleaners; Pesticides & Fertilizers: Minimum 1 items, Maximum 8 items
- Household Batteries: Minimum 1; Maximum 20

Year Round Scrap Tire Container

- Container to be placed at City facility
- Tires only, wheels and rims must be removed
- Annual maximum of 1000 tires

Two Paper Shredding Events per Year

- Each event consists of two shred trucks
- · Events last four hours or until trucks are full
- Event to occur at a City facility

SECTION 4. RATES AND FEES.

Subject to adjustment, as provided in Section *5* hereof, the rates and fees to be charged and received by the Service Provider are as follows:

A. <u>Single-Family Residential Unit Services</u>. For the Services provided to Single-Family Residential Units under Section 4.A. hereof, the Service Provider shall charge:

1. \$0.99 per month for each Single-Family Residential Unit.

These rates apply to all Single Family Residential Units that are located within the City's corporate limits and billed by the City for water and sewer services.

SECTION 5. RATE ADJUSTMENT.

A. <u>CPI-U Adjustment</u>. Rate adjustment shall be considered by the City to be effective January 1st of the contract year following the first full year of the initial contract. On January 1st of this Agreement, the Service Provider shall have the right, and upon giving 60 days prior written notice to the City, to increase or decrease the rates set forth in Section 4 hereof (the "Initial Rates") in accordance with the CPI-U. As used herein, "CPI-U" shall mean the revised Consumer Price Index rate for all urban consumers (all items included) for the nearest available metropolitan area, based on the latest available figures from the Department of Labor's Bureau of Labor Statistics (the "Bureau"). The CPI-U used will be the CPI-U published by the Bureau during the month ninety (90) days preceding the adjustment under this Section 5A. The amount of the increase or decrease under this Section 5A shall be equal to the percentage that the CPI-U has increased or decreased over the previous twelve (12) month period.

SECTION 6. EXCLUSIONS.

Notwithstanding anything to the contrary contained herein, this Agreement shall not cover the collection, hauling, recycling or disposal of any Non-Hazardous Solid Waste, animal or human, dead animals, auto parts or used tires from any Residential Unit.

SECTION 7. TERM OF AGREEMENT.

The term of this Agreement shall be for a period of five (5) years, commencing on ______, 2019 and concluding on ______, 2024. At the expiration of the term of this Agreement, the Agreement may be renewed with mutually agreed upon terms of both parties.

SECTION 8. ASSIGNMENT.

This Agreement shall not be assignable or otherwise transferable by the Service Provider without the prior written consent of the City; provided however that the Service Provider may assign this Agreement to any direct or indirect affiliate or subsidiary of the Service Provider or to any person or entity succeeding to all or substantially all of the Service Provider's assets (whether by operation of law, merger, consolidation or otherwise) without the City's consent.

SECTION 9. PROCESSING, BILLING AND FEES.

A. <u>Billings for Single-Family Residential Unit Services.</u> On a monthly basis, the City agrees to bill and collect the rates and fees charged under Section 4A. hereto from all Single-Family Residential Units possessing active water meters within the City's corporate limits, as well as from all other Single-Family Residential Units requiring the collection, hauling, recycling and disposal of Household Hazardous Waste within the City's corporate limits (the Residential Billing) plus any applicable sales, use or services taxes assessed or payable in connection with the Services provided hereunder. B. <u>Taxes.</u> The City will be responsible to collect any applicable sales taxes that result in the execution of this contract.

SECTION 10. HOURS OF SERVICE.

For all the Services provided hereunder, the Service Provider's hours of service shall be between 8:00 a.m. to 6:00 p.m., Monday through Friday. The Service Provider will not be required to provide service on weekends or Holidays except during natural disasters or emergencies, and may, at its sole discretion, observe Holidays during the term of this Agreement; provided however, that the Service Provider shall provide such services on the immediately following business day. Collection will occur on the same day of the week throughout the year unless Service is affected by Holiday then Service Provider must designate an alternate day of that week.

SECTION 11. CUSTOMER SERVICE.

The Service Provider agrees to field all inquiries from Residential Units relating to the collection, hauling, recycling and disposal of Household Hazardous Waste. The Service Provider and the City agree to cooperate with each other in the response to any such inquiries and the resolution of any such complaints. Service Provider shall provide means for residents to call or use the Service Provider's portal to self-schedule a pick up for HHW and/or E-Waste items.

SECTION 12. COMPLIANCE WITH APPLICABLE LAWS.

The Service Provider shall comply with all applicable federal and state laws regarding the collection, hauling, recycling and disposal of Household Hazardous Waste, including existing and future laws that may be enacted, as well as any regulations reasonably passed by the City that are not in derogation of this Agreement. Nothing in this Agreement shall be construed in any manner to abridge the City's right to pass or enforce necessary police and health regulations for the reasonable protection of its inhabitants. The City shall have the right to make reasonable inspections of the Service Provider in order to insure compliance with this Section 12.

SECTION 13. DUE CARE.

The Service Provider shall exercise due care and caution in providing the Services so that the City's public and private property, including streets and parking areas, will be protected and preserved.

SECTION 14. PERSONNEL AND PERFORANCE STANDARDS.

The Service Provider shall not deny employment to any person on the basis of race, creed or religion, and will insure that all federal and state laws pertaining to salaries, wages and operating requirements are met or exceeded. The Service Provider, its agents, servants and employees shall perform the Services in a courteous, competent and professional manner. During the term of this Agreement and any extension thereof: the Service Provider shall be responsible for the actions of its agents, servants and employees while such agents, servants and employees are acting within the scope of their employment or agency.

SECTION 15. INSURANCE COVERAGE AND BONDS.

Pursuant to this Agreement, the Service Provider shall carry the following types of insurance in an amount equal to or exceeding the limits specified below:

Coverages:

- (1) Worker's Compensation
- (2) Employer1s Liability
- (3) Commercial General Liability

Limits of Liability Statutory \$1,000,000 \$1,000,000 per occurrence, \$2,000,000 in the aggregate,

(4) Automobile LiabilityCombined single limit for Bodily Injury and Property Damage Liability\$1,000,000 per occurrence combined single limit for Bodily Injury and Property Damage Liability

The City shall be named as an additional insured on all the above coverages with the exception of workers compensation insurance. To the extent permitted by law, any or all of the insurance coverage required by this Section 15 may be provided under a plan(s) of self-insurance, including coverage provided by the Service Provider's parent corporation. Upon the City's request, the Service Provider shall furnish the City with a certificate of insurance verifying the insurance coverage required by this Section 15.

SECURITY FOR FAITHFUL PERFORMANCE

Service Provider will be required to furnish a performance bond as security for the faithful performance of this Contract. Said performance bond must be in an amount equal to One Hundred and Fifty Thousand Dollars (\$150,000) for the contract term. The Service Provider shall pay bond premium as described. A certificate from the surety showing that the bond premiums are paid in full shall accompany the bond. Such certificate shall be submitted to the City with the bond on an annual basis. The surety on the bond shall be a duly authorized corporate surety authorized to do business in the State of Texas.

SECTION 16. INDEMNITY.

To the extent covered by applicable insurance, the Service Provider assumes all risks of loss or injury to property or persons caused by its performance of the Services. The Service Provider agrees to indemnify and hold harmless the City and its agents, directors, employees, officers and servants from and against any and all suits, actions, legal proceedings, claims, demands, damages, cost's, liabilities, losses or expenses (including, but not limited to, reasonable attorneys' fees) caused by a willful or negligent act or omission of the Service Provider, its officers and employees. However, the Service Provider shall not be liable for any legal proceedings, claims, demands, damages, costs, expenses and attorneys' fees caused by a willful or negligent act or omission of the City, its agents, directors, employees, officers and servants.

SECTION 17. SAVINGS PROVISION.

In the event that any term or provision of this Agreement shall be determined by a court of competent jurisdiction to be invalid or unenforceable, this Agreement shall, to the extent reasonably possible, remain in force as to the balance of its terms and provisions as if such invalid term or provision were not a part hereof.

SECTION 18. TERMINATION.

Any failure by either party or its successors and assigns to observe the terms and conditions of this Agreement shall, if continuing or persisting without remedy for more than thirty (30) days after the receipt of due written notice from the other party, constitute grounds for forfeiture and immediate termination of all the defaulting party's rights under this Agreement, and all such rights shall become null and void.

SECTION 19. FORCE MAJEURE.

The performance of this Agreement may be suspended and the obligations hereunder excused in the event and during the period that such performance is prevented by a cause or causes beyond reasonable control of such party. The performance of this Agreement will be suspended and the obligations hereunder excused only until the condition preventing performance is remedied. Such conditions shall include but not be limited to, *acts of God, acts of war, accident, explosion, fire, flood, riot, sabotage, acts of terrorists, unusually severe weather, lack of adequate fuel or judicial or governmental laws or regulations.*

SECTION 20. GOVERNING LAW.

This Agreement shall be governed in all respects including as to validity, interpretation and effect, by the internal laws of the State of Texas, without giving effect to the conflict of laws rules thereof. The parties hereby irrevocably submit to the jurisdiction of the courts of the State of Texas and the Federal courts of the United States located in the State of Texas, solely in respect of the interpretation and enforcement of the provisions of this Agreement, and hereby waive, and agree not to assert as a defense in any action. suit or proceeding for the interpretation or enforcement hereof: that it is not subject thereto or that such action suit or proceeding may not be brought or is not maintainable in said courts or that the venue thereof may not be appropriate or that this Agreement may be enforced in or by said courts, and the parties hereto irrevocably agree that all claims with respect to such action or proceeding shall be heard and determined in such a Texas State or Federal court. The parties hereby consent to and grant any such court jurisdiction over the person of such parties and over the subject matter of any such dispute and agree that mailing of process or other papers in connection with any such action or proceeding to the addresses of the parties listed below, or in such other manner as may be permitted by law, shall be valid and sufficient service thereof.

SECTION 21. NOTICES.

Any notices required or permitted to be delivered hereunder shall be in writing and shall be deemed to be delivered when deposited in the United States mail, postage prepaid- certified mail, return receipt requested, addressed to the respective party at the address set forth below.

If to the City: City of Rockwall *385 S. Goliad Street* Rockwall, Texas 75087 Attn: City Manager

If to the Service Provider: HHW Solutions 1240 Coastal Rockwall, Texas 75087 Attn: Dick Demien

With a Copy *to:* HHW Solutions 4090 Hackberry Cir Caddo Mills, Texas 75135 Attn: Tim Oliver

or such other addresses as the parties may hereafter specify by written notice and delivered in accordance herewith.

SECTION 22. ATTORNEYS' FEES.

The prevailing party in any dispute between the parties arising out of the interpretation, application or enforcement of any provision hereof shall be entitled to recover all of its reasonable attorneys' fees and costs whether suit be filed or not including without limitation costs and attorneys' fees related to or arising out of any trial or appellate proceedings.

SECTION 23. ACCEPTANCE.

PASSED AND APPROVED BY THE CITY OF	F ROCKWALL COUNCIL MEETING AT A	TIME AND
PLACE IN COMPLETE CONFORMITY WITH	I THE OPEN LAWS OF THE STATE OF T	EXAS AND ALL
OTHER APPLICABLE LAWS THIS DAY OF		_, 2019.

DOLIVER ENTERPRISES, LLC

CITY OF ROCKWALL, TEXAS

DBA HHW SOLUTIONS

Ву:	Ву:	
Name:	Name:	
Title:	T :41	

ATTEST:
Ву:
Name:
Title:

THIS PAGE INTENTIONALLY LEFT BLANK



CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087 PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Rick Crowley, <i>City Manager</i> Mary Smith, <i>Assistant City Manager</i> Joey Boyd, <i>Assistant City Manager</i>
FROM:	Ryan Miller, Director of Planning and Zoning
DATE:	March 18, 2019
SUBJECT:	IH-30 Commercial Corridor Planning Study Work Session

At the February 19, 2019 City Council Work Session Meeting, the City Council directed staff to prioritize the strategies listed in the IH-30 Commercial Corridor Planning Study based on the corridor zone that the strategy was intended to support. In response to this direction, staff has prepared several maps that summarize and prioritize the strategies for each of the targeted corridor zones. In prioritizing each strategy, staff took into account [1] the estimated costs of the strategy, [2] the time needed to implement the strategy, and [3] the perceived impact of the strategy.

The following are the priorities identified for each of the targeted zones. Strategies in *RED* indicate strategies that may not be appropriate for the City of Rockwall; however, all strategies would be at the discretion of the City Council. For a more detailed description of each of these strategies please review the language provided in Chapter 6, *Corridor Strategies & Implementation Plan*, of the IH-30 Commercial Corridor Planning Study.

<u>ALL ZONES</u>

- (1) Inconsistent zoning requests.
- (2) Limit single use, big-box development.
- (3) Adopt policies targeted at supporting small businesses.
- (4) Revamp the City's parking standards.
- (5) Work with the Texas Department of Transportation (TXDOT).
- (6) Work with the REDC and Chamber of Commerce to coordinate business recruitment and retention efforts.
- (7) Actively market the corridor.
- (8) Develop a position for business relation/retention in the corridor.
- (9) Implement a corridor beautification strategy.
- (10) Incentives.

TRANSITIONAL ZONES

- (1) Prevent the oversaturation of certain land uses in the corridor.
- (2) Inconsistent zoning requests.
- (3) Discourage strip development.
- (4) Limit single use, big-box development.
- (5) Adaptive reuse ordinance or strategy.
- (6) Adopt policies targeted at supporting small businesses.
- (7) Revamp the City's parking standards.
- (8) Existing building code.
- (9) CIP projects.
- (10) Demolition permit fee waiver.
- (11) Work with the Texas Department of Transportation (TXDOT).
- (12) Work with the REDC and Chamber of Commerce to coordinate business recruitment and retention efforts.
- (13) Actively market the corridor.
- (14) Develop a position for business relation/retention in the corridor.

- (15) Implement a corridor beautification strategy.
- (16) Incentives.

PRESERVATION ZONES

- (1) Prevent the oversaturation of certain land uses in the corridor.
- (2) Inconsistent zoning requests.
- (3) Discourage strip development.
- (4) Limit single use, big-box development.
- (5) Adopt policies targeted at supporting small businesses.
- (6) Adaptive reuse ordinance or strategy.
- (7) Revamp the City's parking standards.
- (8) CIP projects.
- (9) Work with the Texas Department of Transportation (TXDOT).
- (10) Work with the REDC and Chamber of Commerce to coordinate business recruitment and retention efforts.
- (11) Actively market the corridor.
- (12) Develop a position for business relation/retention in the corridor.
- (13) Implement a corridor beautification strategy.
- (14) Incentives.

OPPORTUNITY ZONES

- (1) Inconsistent zoning requests.
- (2) City initiated zoning.
- (3) Residential density bonuses for projects that incorporate a mixture of land uses.
- (4) Limit single use, big-box development.
- (5) Promote the incorporation of open space in larger developments.
- (6) Adopt policies targeted at supporting small businesses.
- (7) Create a model zoning ordinance for regional mixed-use development.
- (8) Revamp the City's parking standards.
- (9) Small area plans.
- (10) Work with the Texas Department of Transportation (TXDOT).
- (11) Work with the REDC and Chamber of Commerce to coordinate business recruitment and retention efforts.
- (12) Actively market the corridor.
- (13) Develop a position for business relation/retention in the corridor.
- (14) Implement a corridor beautification strategy.
- (15) Incentives.

Based on the priorities listed above, staff is requesting that the City Council consider the information that has been provided and decide which strategies -- *if any* -- should be incorporated into departmental policies and the OURHometown Vision 2040 Comprehensive Plan. In addition, staff is requesting direction concerning the Planning Framework, which provided the following technical recommendations:

- (1) Adoption of the corridor zones.
- (2) Adoption of the strategically located properties and the potential regional development models.
- (3) Adoption of the proposed monumentation locations.
- (4) Changes to the Master Thoroughfare Plan.
- (5) Changes to the Future Land Use Map (this has already been adopted by the City Council with the Comprehensive Plan Update).

All of the proposed changes would be incorporated into the OURHometown Vision 2040 Comprehensive Plan. Should the City Council have any questions staff will be available at the Work Session on <u>March 18, 2019</u>.



















n	1	2	5	
U		2	J	

0.5

0.75



STRATEGIES FOR OPPORTUNITY ZONES **PRIORITY** (1) INCONSISTENT ZONING REQUESTS. PRIORITY 2 CITY INITIATED ZONING. PRIORITY (3) RESIDENTIAL DENSITY BONUSES FOR PROJECTS THAT INCORPORATE A MIXTURE OF LAND USES. PRIORITY 4 LIMIT SINGLE USE, BIG-BOX DEVELOPMENT. **PRIORITY 6** PROMOTE THE INCORPORATION OF OPEN SPACE IN LARGER DEVELOPMENTS. **PRIORITY (6)** ADOPT POLICIES TARGETED AT SUPPORTING SMALL BUSINESSES. PRIORITY 7 CREATE A MODEL ZONING ORDINANCE FOR REGIONAL MIXED-USE DEVELOPMENT. **PRIORITY (8)** REVAMP THE CITY'S PARKING STANDARDS. PRIORITY (9) SMALL AREA PLANS. PRIORITY 10 WORK WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT). PRIORITY 1 WORK WITH THE REDC AND CHAMBER OF COMMERCE TO COORDINATE BUSINESS RECRUITMENT AND RETENTION EFFORTS. PRIORITY 12 ACTIVELY MARKET THE CORRIDOR. PRIORITY (B) DEVELOP A POSITION FOR BUSINESS RELATION/RETENTION IN THE CORRIDOR. **PRIORITY** (4) IMPLEMENT A CORRIDOR BEAUTIFICATION STRATEGY. PRIORITY (5) INCENTIVES.

30

208

205





OPPORTUNITY ZONE STRATEGIES

THIS PAGE INTENTIONALLY LEFT BLANK