

Holly Gray, Mayor Pro-Tem
Bryan Moyers, Councilmember
David Brundage, Councilmember



Carl E. Gierisch, Jr., Mayor

Brian Darby, Councilmember
Hogan Page, Councilmember
David Thompson, Councilmember

ROANOKE CITY COUNCIL AGENDA REGULAR MEETING

**AUGUST 12, 2025
7:00 PM
500 S. OAK STREET
ROANOKE, TEXAS 76262**

A. CALL CITY COUNCIL TO ORDER

Invocation and Pledge of Allegiance

B. ANNOUNCEMENTS

C. PUBLIC INPUT

This item is available for citizens to address the City Council on any issues that are not the subject of a public hearing. No action by law may be taken on the topic. The presiding officer reserves the right to impose a time limit on this portion of the agenda. In order to provide the highest quality audio, all speakers need to speak at the podium.

D. PRESENTATION

1. Mayor Pro Tem Holly Gray will update the Mayor and City Council on the Legislative Policy Committee.

E. CONSENT AGENDA

All items listed below are considered routine and will be enacted with one motion. There will be no separate discussion of items unless a Councilmember or citizen so requests, in which event the item will be removed and considered separately.

1. Consider approval of the minutes from the Special City Council meeting held on August 5, 2025.



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OF THE ROANOKE CITY COUNCIL**

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2. Consideration and action on approval of the minutes from the City Council Workshop held on August 5, 2025.
3. Consider approval of accepting Electronic Proposals and Bids for the City of Roanoke's Construction Proposals.

F. NEW BUSINESS

1. Consideration and action to place a proposal to adopt a tax rate of \$0.326182, including \$0.186998 dedicated to general operations funding and \$0.139184 dedicated to servicing the City's projected FY26 debt payments, on the August 26, 2025, City Council agenda. (take a record vote).
2. Public hearing to consider amending Planned Development District Ordinance No. 2000-124, and the Comprehensive Zoning Ordinance of the City of Roanoke, Texas, by amending Ordinance No. 2000-124 to allow a Townhome Use on an approximately 13.798-Acres of Land, being a portion of Lot 1R5, Block 1, PPR Roanoke Retail Addition. The property is generally located northeast of Marshall Creek Road and US Hwy 377. (Ordinance No. 2025-106)
No action will be taken on this item.
3. Consideration and action on Ordinance No. 2025-106 amending Ordinance No. 2000-124 of the City of Roanoke, Texas, to allow Townhomes use on approximately 13.798 acres of land consisting of Block 1, Lot 1R5, of the PPR Roanoke Retail Addition. The property is generally located northeast of Marshall Creek Road and US Hwy 377.
No action will be taken on this item.
4. Consideration and action on approval of Ordinance No. 2025-110, amending the code of ordinances, by adding a new Chapter 11, Article 11.2000, Sections 11.2001 to 11.2099 entitled "City of Roanoke Industrial Wastewater Ordinance, establishing methods for controlling the introduction of pollutants into the Municipal Separate Storm Sewer System in order to comply with the National Pollutant Discharge Elimination System (NPDES) permit conditions, sludge use and disposal requirements; providing a penalty clause; providing a severability clause; and providing for said ordinance to take effect from and after its date of publication.
5. Consideration and action on a Site Plan (SP 2025-01) request from Curtis Young with Sage Group, Inc., for 2 buildings, a multi-tenant building and restaurant and bar to be located on an approximate 1.041 acre parcel,



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being a part of the Reno Red Addition, Block A Lot 1, City of Roanoke Denton County, Texas; generally located on the east of N Hwy 377 and on the west side of N Oak, south of Lamar Street.

6. Consideration and action on Final Plat (FP-2025-02) request from Watermere on Oak for an approximate 18.507 acres located in the M.E.P. and P.R.R. Co Survey, abstract no. 923 and the John Bacon Survey, abstract no. 1565, City of Roanoke Texas, Denton County Texas. The property is generally located off of N. Walnut and Dorman Rd., north of Lois Street.
7. Consideration and action on a Site Plan (SP-2025-03) request from Integrated Roanoke North, LP for a senior living and single family development to be located on an approximate 18.507 acres of land located in the M.E.P. and P.R.R. Co Survey, abstract no. 923 and the John Bacon Survey, abstract no. 1565, City of Roanoke Texas, Denton County Texas. The property is generally located on N. Walnut and Dorman Rd., north of Lois Street.
8. Consideration and action on a Site Plan (SP-2025-04) request from Triangle Engineering LLC for a commercial building with a restaurant on the first floor and offices above to be located on an approximate 0.4280 acres of land, being a part of the Original Town of Roanoke, Block 1 Lot 2, City of Roanoke Texas, Denton County Texas. The property is generally located at 307 S Oak Street.
9. Consideration and action on Final Plat (FP-2025-03) request from Jacob Hawkins for an approximate 1.82 acres located in the M.E.P. and P.R.R. Co Survey, abstract no. 923, City of Roanoke Texas, Denton County Texas. The property is generally located at the corner of Dallas Dr. and Turner Ave.

G. EXECUTIVE SESSION

The City Council will hold a closed Executive Session meeting pursuant to the provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in:

Sections 551.071, 551.072, and 551.087 – to receive legal advice from the City Attorney; to deliberate the purchase, exchange, lease, or value of real property; and to deliberate commercial or financial information the City has received from a business prospect, and to deliberate the offer of a financial or other incentive to a business prospect - Nirvana Retirement Fund-II LLC



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Section 551.074 - To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Manager.

Section 551.087 - to deliberate commercial or financial information the City has received from a business prospect, and to deliberate the offer of a financial or other incentive to a business prospect.

RECONVENE INTO REGULAR SESSION

The City Council will reconvene into Regular Session, pursuant to the provisions of Chapter 551 of the Texas Government Code, to take any action necessary regarding:

Sections 551.071, 551.072, and 551.087 – to receive legal advice from the City Attorney; to deliberate the purchase, exchange, lease, or value of real property; and to deliberate commercial or financial information the City has received from a business prospect, and to deliberate the offer of a financial or other incentive to a business prospect - Nirvana Retirement Fund-II LLC

Section 551.074 - To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Manager.

Section 551.087 - to deliberate commercial or financial information the City has received from a business prospect, and to deliberate the offer of a financial or other incentive to a business prospect.

The City Council reserves the right to adjourn into Executive Session during the course of this meeting to discuss any item on the posted agenda as authorized by Chapter 551 of the Texas Government Code.

H. ADJOURNMENT

CERTIFICATION

I certify that the above notice was posted at City Hall, 500 South Oak Street, Roanoke, Texas, on Thursday, August 7, 2025, by 5:00 pm, in accordance with Chapter 551, Texas Government Code.

April S. Hill, City Secretary



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*Any person planning to attend this meeting that may require auxiliary aids or services should request accommodations two (2) days prior to the meeting by calling (817) 491-8152. **BRILLE IS NOT AVAILABLE.**

A public wireless network is now available in the Council Chambers for use during meetings. It is available from 7am to 11pm Monday thru Friday. The name of the network is: COR-Guests



CITY COUNCIL AGENDA ITEM

TO: Mayor and City Council

SUBJECT: 08/05/2025 - CC Minutes - Special Meeting

MEETING DATE: August 12, 2025

DEPARTMENT: City Secretary

ITEM SUMMARY:

Consider approval of the minutes from the Special City Council meeting held on August 5, 2025.

INFORMATION:**STAFF RECOMMENDATION:****SPECIAL CONSIDERATION:****FINANCIAL CONSIDERATION:****ATTACHMENTS:**

1. CCMin 08-05-2025 - Special Meeting

Holly Gray, Mayor Pro-Tem
Bryan Moyers, Council Member
David Brundage, Council Member



Carl E. Gierisch, Jr., Mayor

Brian Darby, Council Member
Hogan Page, Council Member
David Thompson, Council Member

**MINUTES
ROANOKE CITY COUNCIL
SPECIAL MEETING
AUGUST 5, 2025
CITY HALL COUNCIL CHAMBERS
500 S. OAK STREET
7:00 P.M.**

PRESENT: Mayor Carl E. "Scooter" Gierisch, Jr.; Mayor Pro Tem Holly Gray; Council Members: Hogan Page, Brian Darby, and David Thompson. City Manager Cody Petree, City Secretary April S. Hill, and City Attorney Jeff Moore.

DEPT. STAFF: Assistant City Manager Jeriahme Miller, Fire Chief Chris Addington, Chief of Police Jeff Williams, Public Engagement Manager Sandra Pettigrew, and Executive Assistant Babette Welch.

ABSENT: Council Members: Bryan Moyers David Brundage.

A. CALL CITY COUNCIL TO ORDER

City Council called to order at 7:01 p.m.
Invocation and Pledge of Allegiance given by Mayor Gierisch.

B. ANNOUNCEMENTS

City Manager Cody Petree announced the Farmers Market is held on Sunday's 9:00 a.m. to 1:00 p.m.

C. PUBLIC INPUT

No one wished to speak.

D. CONSENT AGENDA

All items listed below are considered routine and will be enacted with one motion. There will be no separate discussion of items unless a Councilmember or citizen so requests, in which event the item will be removed and considered separately.

1. Consider approval of the minutes from the regular City Council meeting held on July 8, 2025.

Motion made by Holly Gray second by David Thompson to approve Consent Agenda Item 1.

Motion carried unanimously.



**MINUTES FOR THE SPECIAL MEETING
OF THE ROANOKE CITY COUNCIL**

**August 5, 2025
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E. NEW BUSINESS

1. Motion made by Holly Gray second by David Thompson to schedule a public hearing for August 26, 2025, for the submitted FY 2025-2026 budget and to allow citizens the opportunity to express their opinions concerning items of expenditure, giving their reason for wishing to increase or decrease any items of expense. The public hearing will be held at 7:00 p.m., in the Roanoke City Council Chambers – 2nd Floor, 500 S. Oak Street, Roanoke, Texas, 76262.

Motion carried unanimously.

2. Motion made by Holly Gray second by David Thompson to schedule a public hearing on August 26, 2025, for the consideration and adoption of the proposed ad valorem tax rate.

Motion carried unanimously.

F. ADJOURNMENT

Motion made by Holly Gray second by Brian Darby to adjourn the meeting at 7:05 p.m.

Motion carried unanimously.

Carl E. "Scooter" Gierisch, Jr., Mayor

April S. Hill, City Secretary



AGENDA ITEM

TO: Mayor and City Council

SUBJECT: 08/05/2025 - CC Minutes - Workshop

MEETING DATE: August 12, 2025

DEPARTMENT: City Secretary

ITEM SUMMARY:

Consideration and action on approval of the minutes from the City Council Workshop held on August 5, 2025.

INFORMATION:

STAFF RECOMMENDATION:

SPECIAL CONSIDERATION:

FINANCIAL CONSIDERATION:

ATTACHMENTS:

1. CCMin 08-05-2025 - Budget Workshop

Holly Gray, Mayor Pro-Tem
Bryan Moyers, Council Member
David Brundage, Council Member



Carl E. Gierisch, Jr., Mayor

Brian Darby, Council Member
Hogan Page, Council Member
David Thompson, Council Member

**MINUTES
ROANOKE CITY COUNCIL
BUDGET WORKSHOP
AUGUST 5, 2025
1ST FLOOR COMMUNITY ROOM #132
500 S. OAK STREET
7:30 P.M.**

PRESENT: Mayor Carl E. "Scooter" Gierisch, Jr.; Mayor Pro Tem Holly Gray; Council Members: Hogan Page, Brian Darby, David Brundage, and David Thompson; City Manager Cody Petree, and City Secretary April S. Hill.

DEPT. STAFF: Assistant City Manager Jeriahme Miller, Chief of Police Jeff Williams, Parks and Recreation Director Ray McDonald, Public Works Director Shawn Wilkinson, Library Director Kelly Holt, Finance Director Kyle Lester, IT Manager Blake Gore, and Economic Development Manager Siale Langi.

ABSENT: Councilmember Bryan Moyers.

A. CALL CITY COUNCIL TO ORDER

City Council called to order at 7:30 p.m.

B. PUBLIC INPUT

No one wished to speak.

C. NEW BUSINESS

1. Overview and discussion of the proposed City of Roanoke Operating and Capital Budget for Fiscal Year 2025-2026, including the Roanoke Economic and Industrial Development Corporation (Type A) fiscal Year 2025-2026 Annual Budget.

Finance Director Kyle Lester provided an overview of the proposed budget, which included the General Fund and the Capital and Supplemental Requests. Open discussion of the proposed budget for the Fiscal Year October 1, 2025 through September 30, 2026.

D. ADJOURNMENT

Mayor Gierisch adjourned the meeting at 8:36 p.m.



**MINUTES FOR THE BUDGET
WORKSHOP
OF THE ROANOKE CITY COUNCIL**

**August 5, 2025
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Carl E. "Scooter" Gierisch, Jr., Mayor

April S. Hill, City Secretary



AGENDA ITEM

TO: Mayor and City Council

SUBJECT: Electronic Proposals and Bids

MEETING DATE: August 12, 2025

DEPARTMENT: City Manager

ITEM SUMMARY:

Consider approval of accepting Electronic Proposals and Bids for the City of Roanoke's Construction Proposals.

INFORMATION:

To allow proposals to be accepted electronically for upcoming projects.

STAFF RECOMMENDATION:

SPECIAL CONSIDERATION:

FINANCIAL CONSIDERATION:

ATTACHMENTS:

None



AGENDA ITEM

TO: Mayor and City Council

SUBJECT: Proposed Tax Rate

MEETING DATE: August 12, 2025

DEPARTMENT: Finance

ITEM SUMMARY:

Consideration and action to place a proposal to adopt a tax rate of \$0.0.326182 on the August 26, 2025, City Council agenda. (take a record vote).

Staff presented the City's FY26 proposed operating and capital budget on August 5, 2025. This proposed budget would require a tax rate of \$0.326182, including \$0.186998 dedicated to general operations funding and \$0.139184 dedicated to servicing the City's projected FY26 debt payments. The rate of \$0.326182 is equal to the State-calculated de Minimis rate for the City of Roanoke, and it would provide an additional \$475,000 in operating revenue and \$465,000 in debt service revenue for a total increase of \$940,000 in total property tax revenue over the FY25 budget. Proposing this rate effectively sets the maximum rate that Council can vote to adopt on August 26, 2025.

INFORMATION:

STAFF RECOMMENDATION:

SPECIAL CONSIDERATION:

FINANCIAL CONSIDERATION:

ATTACHMENTS:

None

2025 Tax Rate Calculation Notice

Taxing Unit Name: _____

Attached are the following documents:

No New Revenue and Voter Approval Tax Rate Worksheets

Notice of Tax Rates (*required to be posted on taxing unit website*)

Approving Rates: Section 8 on worksheet shows the following rates

No New Revenue Rate

Voter Approval Rate

Di Minimis Rate (if applicable)

Please review these documents carefully and notify our office of any changes that need to be made. If any changes are made, our office will send out new documents including the revisions. Once you are satisfied that the calculation is correct, please sign this document stating that you approve the calculation worksheet that is attached to this document.

Proposed M&O _____ (Maintenance & Operation Rate)

Proposed I&S _____ (Interest & Sinking or Debt Rate)
(proposed I&S rate must match line 49 on worksheet)

Proposed Total Rate _____

As a representative of _____, I approve the Tax Rate Calculation and have provided the proposed tax rate for the taxing entity listed above.

Printed name

Signature

Date

2025 Tax Rate Calculation Worksheet

Taxing Units Other Than School Districts or Water Districts

Form 50-856

CITY OF ROANOKE

Taxing Unit Name

Phone (area code and number)

Taxing Unit's Address, City, State, ZIP Code

Taxing Unit's Website Address

GENERAL INFORMATION: Tax Code Section 26.04(c) requires an officer or employee designated by the governing body to calculate the no-new-revenue (NNR) tax rate and voter-approval tax rate for the taxing unit. These tax rates are expressed in dollars per \$100 of taxable value calculated. The calculation process starts after the chief appraiser delivers to the taxing unit the certified appraisal roll and the estimated values of properties under protest. The designated officer or employee shall certify that the officer or employee has accurately calculated the tax rates and used values shown for the certified appraisal roll or certified estimate. The officer or employee submits the rates to the governing body by Aug. 7 or as soon thereafter as practicable.

School districts do not use this form, but instead use Comptroller Form 50-859 *Tax Rate Calculation Worksheet, School District without Chapter 313 Agreements* or Comptroller Form 50-884 *Tax Rate Calculation Worksheet, School District with Chapter 313 Agreements*.

Water districts as defined under Water Code Section 49.001(1) do not use this form, but instead use Comptroller Form 50-858 *Water District Voter-Approval Tax Rate Worksheet for Low Tax Rate and Developing Districts* or Comptroller Form 50-860 *Developed Water District Voter-Approval Tax Rate Worksheet*.

The Comptroller's office provides this worksheet to assist taxing units in determining tax rates. The information provided in this worksheet is offered as technical assistance and not legal advice. Taxing units should consult legal counsel for interpretations of law regarding tax rate preparation and adoption.

SECTION 1: No-New-Revenue Tax Rate

The NNR tax rate enables the public to evaluate the relationship between taxes for the prior year and for the current year based on a tax rate that would produce the same amount of taxes (no new taxes) if applied to the same properties that are taxed in both years. When appraisal values increase, the NNR tax rate should decrease.

The NNR tax rate for a county is the sum of the NNR tax rates calculated for each type of tax the county levies.

While uncommon, it is possible for a taxing unit to provide an exemption for only maintenance and operations taxes. In this case, the taxing unit will need to calculate the NNR tax rate separately for the maintenance and operations tax and the debt tax, then add the two components together.

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
1.	Prior year total taxable value. Enter the amount of the prior year taxable value on the prior year tax roll today. Include any adjustments since last year's certification; exclude Tax Code Section 25.25(d) one-fourth and one-third over-appraisal corrections from these adjustments. Exclude any property value subject to an appeal under Chapter 42 as of July 25 (will add undisputed value in Line 6). This total includes the taxable value of homesteads with tax ceilings (will deduct in Line 2) and the captured value for tax increment financing (adjustment is made by deducting TIF taxes, as reflected in Line 17). ¹	\$ 3,415,678,068
2.	Prior year tax ceilings. Counties, cities and junior college districts. Enter the prior year total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision last year or a prior year for homeowners age 65 or older or disabled, use this step. ²	\$ 107,521,283
3.	Preliminary prior year adjusted taxable value. Subtract Line 2 from Line 1.	\$ 3,308,156,785
4.	Prior year total adopted tax rate.	\$ 0.308039 /\$100
5.	Prior year taxable value lost because court appeals of ARB decisions reduced the prior year's appraised value. A. Original prior year ARB values: \$ 276,342,645 B. Prior year values resulting from final court decisions: - \$ 251,467,733 C. Prior year value loss. Subtract B from A.³	\$ 24,874,912
6.	Prior year taxable value subject to an appeal under Chapter 42, as of July 25. A. Prior year ARB certified value: \$ 561,066,684 B. Prior year disputed value: - \$ 112,213,336 C. Prior year undisputed value. Subtract B from A.⁴	\$ 448,853,348
7.	Prior year Chapter 42 related adjusted values. Add Line 5C and Line 6C.	\$ 473,728,260

¹ Tex. Tax Code §26.012(14)

² Tex. Tax Code §26.012(14)

³ Tex. Tax Code §26.012(13)

⁴ Tex. Tax Code §26.012(13)

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
8.	Prior year taxable value, adjusted for actual and potential court-ordered adjustments. Add Line 3 and Line 7.	\$ 3,781,885,045
9.	Prior year taxable value of property in territory the taxing unit deannexed after Jan. 1, 2024. Enter the prior year value of property in deannexed territory. ⁵	\$ 0
10.	Prior year taxable value lost because property first qualified for an exemption in the current year. If the taxing unit increased an original exemption, use the difference between the original exempted amount and the increased exempted amount. Do not include value lost due to freeport, goods-in-transit, temporary disaster exemptions. Note that lowering the amount or percentage of an existing exemption in the current year does not create a new exemption or reduce taxable value. A. Absolute exemptions. Use prior year market value: \$ 0 B. Partial exemptions. Current year exemption amount or current year percentage exemption times prior year value: + \$ 100,551,242 C. Value loss. Add A and B.⁶	\$ 100,551,242
11.	Prior year taxable value lost because property first qualified for agricultural appraisal (1-d or 1-d-1), timber appraisal, recreational/scenic appraisal or public access airport special appraisal in the current year. Use only properties that qualified for the first time in the current year; do not use properties that qualified in the prior year. A. Prior year market value: \$ 0 B. Current year productivity or special appraised value: - \$ 0 C. Value loss. Subtract B from A.⁷	\$ 0
12.	Total adjustments for lost value. Add Lines 9, 10C and 11C.	\$ 100,551,242
13.	Prior year captured value of property in a TIF. Enter the total value of the prior year captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the prior year taxes were deposited into the tax increment fund. ⁸ If the taxing unit has no captured appraised value in line 18D, enter 0.	\$ 0
14.	Prior year total value. Subtract Line 12 and Line 13 from Line 8.	\$ 3,681,333,803
15.	Adjusted prior year total levy. Multiply Line 4 by Line 14 and divide by \$100.	\$ 11,339,943
16.	Taxes refunded for years preceding the prior tax year. Enter the amount of taxes refunded by the taxing unit for tax years preceding the prior tax year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for the prior tax year. This line applies only to tax years preceding the prior tax year. ⁹	\$ 255,685
17.	Adjusted prior year levy with refunds and TIF adjustment. Add Lines 15 and 16. ¹⁰	\$ 11,595,628
18.	Total current year taxable value on the current year certified appraisal roll today. This value includes only certified values or certified estimate of values and includes the total taxable value of homesteads with tax ceilings (will deduct in Line 20). These homesteads include homeowners age 65 or older or disabled. ¹¹ A. Certified values: \$ 4,107,504,446 B. Counties: Include railroad rolling stock values certified by the Comptroller's office: + \$ C. Pollution control and energy storage system exemption: Deduct the value of property exempted for the current tax year for the first time as pollution control or energy storage system property: - \$ 0 D. Tax increment financing: Deduct the current year captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the current year taxes will be deposited into the tax increment fund. Do not include any new property value that will be included in Line 24 below.¹² - \$ 0 E. Total current year value. Add A and B, then subtract C and D.	\$ 4,107,504,446

⁵ Tex. Tax Code §26.012(15)⁶ Tex. Tax Code §26.012(15)⁷ Tex. Tax Code §26.012(15)⁸ Tex. Tax Code §26.03(c)⁹ Tex. Tax Code §26.012(13)¹⁰ Tex. Tax Code §26.012(13)¹¹ Tex. Tax Code §26.012, 26.04(c-2)¹² Tex. Tax Code §26.03(c)

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
19.	Total value of properties under protest or not included on certified appraisal roll. ¹³ A. Current year taxable value of properties under protest. The chief appraiser certifies a list of properties still under ARB protest. The list shows the appraisal district's value and the taxpayer's claimed value, if any, or an estimate of the value if the taxpayer wins. For each of the properties under protest, use the lowest of these values. Enter the total value under protest. ¹⁴ \$ <u>1,160,006</u> B. Current year value of properties not under protest or included on certified appraisal roll. The chief appraiser gives taxing units a list of those taxable properties that the chief appraiser knows about but are not included in the appraisal roll certification. These properties also are not on the list of properties that are still under protest. On this list of properties, the chief appraiser includes the market value, appraised value and exemptions for the preceding year and a reasonable estimate of the market value, appraised value and exemptions for the current year. Use the lower market, appraised or taxable value (as appropriate). Enter the total value of property not on the certified roll. ¹⁵ + \$ <u>0</u> C. Total value under protest or not certified. Add A and B.	\$ <u>1,160,006</u>
20.	Current year tax ceilings. Counties, cities and junior colleges enter current year total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision in the prior year or a previous year for homeowners age 65 or older or disabled, use this step. ¹⁶	\$ <u>125,243,550</u>
21.	Anticipated contested value. Affected taxing units enter the contested taxable value for all property that is subject to anticipated substantial litigation. ¹⁷ An affected taxing unit is wholly or partly located in a county that has a population of less than 500,000 and is located on the Gulf of Mexico. ¹⁸ If completing this section, the taxing unit must include supporting documentation in Section 9. ¹⁹ Taxing units that are not affected, enter 0.	\$ <u>0</u>
22.	Current year total taxable value. Add Lines 18E and 19C, then subtract Lines 20 and 21. ²⁰	\$ <u>3,983,420,902</u>
23.	Total current year taxable value of properties in territory annexed after Jan. 1, of the prior year. Include both real and personal property. Enter the current year value of property in territory annexed. ²¹	\$ <u>0</u>
24.	Total current year taxable value of new improvements and new personal property located in new improvements. New means the item was not on the appraisal roll in the prior year. An improvement is a building, structure, fixture or fence erected on or affixed to land. New additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the taxing unit after Jan. 1, of the prior year and be located in a new improvement. New improvements do include property on which a tax abatement agreement has expired for the current year. ²²	\$ <u>40,356,385</u>
25.	Total adjustments to the current year taxable value. Add Lines 23 and 24.	\$ <u>40,356,385</u>
26.	Adjusted current year taxable value. Subtract Line 25 from Line 22.	\$ <u>3,943,064,517</u>
27.	Current year NNR tax rate. Divide Line 17 by Line 26 and multiply by \$100. ²³	\$ <u>0.294076</u> /\$100
28.	COUNTIES ONLY. Add together the NNR tax rates for each type of tax the county levies. The total is the current year county NNR tax rate. ²⁴	\$ _____ /\$100

SECTION 2: Voter Approval Tax Rate

The voter-approval tax rate is the highest tax rate that a taxing unit may adopt without holding an election to seek voter approval of the rate. The voter-approval tax rate is split into two separate rates:

- Maintenance and Operations (M&O) Tax Rate:** The M&O portion is the tax rate that is needed to raise the same amount of taxes that the taxing unit levied in the prior year plus the applicable percentage allowed by law. This rate accounts for such things as salaries, utilities and day-to-day operations.
- Debt Rate:** The debt rate includes the debt service necessary to pay the taxing unit's debt payments in the coming year. This rate accounts for principal and interest on bonds and other debt secured by property tax revenue.

The voter-approval tax rate for a county is the sum of the voter-approval tax rates calculated for each type of tax the county levies. In most cases the voter-approval tax rate exceeds the no-new-revenue tax rate, but occasionally decreases in a taxing unit's debt service will cause the NNR tax rate to be higher than the voter-approval tax rate.

¹³ Tex. Tax Code §26.01(c) and (d)

¹⁴ Tex. Tax Code §26.01(c)

¹⁵ Tex. Tax Code §26.01(d)

¹⁶ Tex. Tax Code §26.012(6)(B)

¹⁷ Tex. Tax Code §§26.012(6)(C) and 26.012(1-b)

¹⁸ Tex. Tax Code §26.012(1-a)

¹⁹ Tex. Tax Code §26.04(d-3)

²⁰ Tex. Tax Code §26.012(6)

²¹ Tex. Tax Code §26.012(17)

²² Tex. Tax Code §26.012(17)

²³ Tex. Tax Code §26.04(c)

²⁴ Tex. Tax Code §26.04(d)

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
29.	Prior year M&O tax rate. Enter the prior year M&O tax rate.	\$ 0.178187 /\$100
30.	Prior year taxable value, adjusted for actual and potential court-ordered adjustments. Enter the amount in Line 8 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 3,781,885,045
31.	Total prior year M&O levy. Multiply Line 29 by Line 30 and divide by \$100.	\$ 6,738,827
32.	Adjusted prior year levy for calculating NNR M&O rate. A. M&O taxes refunded for years preceding the prior tax year. Enter the amount of M&O taxes refunded in the preceding year for taxes before that year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2024. This line applies only to tax years preceding the prior tax year. + \$ 139,724 B. Prior year taxes in TIF. Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no current year captured appraised value in Line 18D, enter 0. - \$ 0 C. Prior year transferred function. If discontinuing all of a department, function or activity and transferring it to another taxing unit by written contract, enter the amount spent by the taxing unit discontinuing the function in the 12 months preceding the month of this calculation. If the taxing unit did not operate this function for this 12-month period, use the amount spent in the last full fiscal year in which the taxing unit operated the function. The taxing unit discontinuing the function will subtract this amount in D below. The taxing unit receiving the function will add this amount in D below. Other taxing units enter 0. +/- \$ 0 D. Prior year M&O levy adjustments. Subtract B from A. For taxing unit with C, subtract if discontinuing function and add if receiving function. \$ 139,724 E. Add Line 31 to 32D.	\$ 6,878,551
33.	Adjusted current year taxable value. Enter the amount in Line 26 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 3,943,064,517
34.	Current year NNR M&O rate (unadjusted). Divide Line 32E by Line 33 and multiply by \$100.	\$ 0.174446 /\$100
35.	Rate adjustment for state criminal justice mandate. ²⁶ A. Current year state criminal justice mandate. Enter the amount spent by a county in the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. \$ 0 B. Prior year state criminal justice mandate. Enter the amount spent by a county in the 12 months prior to the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. Enter zero if this is the first time the mandate applies. - \$ 0 C. Subtract B from A and divide by Line 33 and multiply by \$100. \$ 0.000000 /\$100 D. Enter the rate calculated in C. If not applicable, enter 0.	\$ 0.000000 /\$100
36.	Rate adjustment for indigent health care expenditures. ²⁷ A. Current year indigent health care expenditures. Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, of the prior tax year and ending on June 30, of the current tax year, less any state assistance received for the same purpose. \$ 0 B. Prior year indigent health care expenditures. Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2023 and ending on June 30, 2024, less any state assistance received for the same purpose. - \$ 0 C. Subtract B from A and divide by Line 33 and multiply by \$100. \$ 0.000000 /\$100 D. Enter the rate calculated in C. If not applicable, enter 0.	\$ 0.000000 /\$100

²⁵ [Reserved for expansion]²⁶ Tex. Tax Code §26.044²⁷ Tex. Tax Code §26.0441

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
37.	Rate adjustment for county indigent defense compensation. ²⁸ A. Current year indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals and fund the operations of a public defender's office under Article 26.044, Code of Criminal Procedure for the period beginning on July 1, of the prior tax year and ending on June 30, of the current tax year, less any state grants received by the county for the same purpose. \$ 0 B. Prior year indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals and fund the operations of a public defender's office under Article 26.044, Code of Criminal Procedure for the period beginning on July 1, 2023 and ending on June 30, 2024, less any state grants received by the county for the same purpose. \$ 0 C. Subtract B from A and divide by Line 33 and multiply by \$100. \$ 0.000000 /\$100 D. Multiply B by 0.05 and divide by Line 33 and multiply by \$100. \$ 0.000000 /\$100 E. Enter the lesser of C and D. If not applicable, enter 0.	\$ 0.000000 /\$100
38.	Rate adjustment for county hospital expenditures. ²⁹ A. Current year eligible county hospital expenditures. Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, of the prior tax year and ending on June 30, of the current tax year. \$ 0 B. Prior year eligible county hospital expenditures. Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2023 and ending on June 30, 2024. \$ 0 C. Subtract B from A and divide by Line 33 and multiply by \$100. \$ 0.000000 /\$100 D. Multiply B by 0.08 and divide by Line 33 and multiply by \$100. \$ 0.000000 /\$100 E. Enter the lesser of C and D, if applicable. If not applicable, enter 0.	\$ 0.000000 /\$100
39.	Rate adjustment for defunding municipality. This adjustment only applies to a municipality that is considered to be a defunding municipality for the current tax year under Chapter 109, Local Government Code. Chapter 109, Local Government Code only applies to municipalities with a population of more than 250,000 and includes a written determination by the Office of the Governor. See Tax Code Section 26.0444 for more information. A. Amount appropriated for public safety in the prior year. Enter the amount of money appropriated for public safety in the budget adopted by the municipality for the preceding fiscal year. \$ 0 B. Expenditures for public safety in the prior year. Enter the amount of money spent by the municipality for public safety during the preceding fiscal year. \$ 0 C. Subtract B from A and divide by Line 33 and multiply by \$100 \$ 0.000000 /\$100 D. Enter the rate calculated in C. If not applicable, enter 0.	\$ 0.000000 /\$100
40.	Adjusted current year NNR M&O rate. Add Lines 34, 35D, 36D, 37E, and 38E. Subtract Line 39D.	\$ 0.174446 /\$100
41.	Adjustment for prior year sales tax specifically to reduce property taxes. Cities, counties and hospital districts that collected and spent additional sales tax on M&O expenses in the prior year should complete this line. These entities will deduct the sales tax gain rate for the current year in Section 3. Other taxing units, enter zero. A. Enter the amount of additional sales tax collected and spent on M&O expenses in the prior year, if any. Counties must exclude any amount that was spent for economic development grants from the amount of sales tax spent. \$ 0 B. Divide Line 41A by Line 33 and multiply by \$100 \$ 0.000000 /\$100 C. Add Line 41B to Line 40.	\$ 0.174446 /\$100
42.	Current year voter-approval M&O rate. Enter the rate as calculated by the appropriate scenario below. Special Taxing Unit. If the taxing unit qualifies as a special taxing unit, multiply Line 41C by 1.08. - or - Other Taxing Unit. If the taxing unit does not qualify as a special taxing unit, multiply Line 41C by 1.035.	\$ 0.180551 /\$100

²⁸ Tex. Tax Code §26.0442²⁹ Tex. Tax Code §26.0443

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
D42.	Disaster Line 42 (D42): Current year voter-approval M&O rate for taxing unit affected by disaster declaration. If the taxing unit is located in an area declared a disaster area and at least one person is granted an exemption under Tax Code Section 11.35 for property located in the taxing unit, the governing body may direct the person calculating the voter-approval tax rate to calculate in the manner provided for a special taxing unit. The taxing unit shall continue to calculate the voter-approval tax rate in this manner until the earlier of: 1) the first year in which total taxable value on the certified appraisal roll exceeds the total taxable value of the tax year in which the disaster occurred; or 2) the third tax year after the tax year in which the disaster occurred. If the taxing unit qualifies under this scenario, multiply Line 41C by 1.08.³⁰ If the taxing unit does not qualify, do not complete Disaster Line 42 (Line D42).	\$ 0.000000 / \$100
43.	Total current year debt to be paid with property taxes and additional sales tax revenue. Debt means the interest and principal that will be paid on debts that: (1) are paid by property taxes; (2) are secured by property taxes; (3) are scheduled for payment over a period longer than one year; and (4) are not classified in the taxing unit's budget as M&O expenses. A. Debt also includes contractual payments to other taxing units that have incurred debts on behalf of this taxing unit, if those debts meet the four conditions above. Include only amounts that will be paid from property tax revenue. Do not include appraisal district budget payments. If the governing body of a taxing unit authorized or agreed to authorize a bond, warrant, certificate of obligation, or other evidence of indebtedness on or after Sept. 1, 2021, verify if it meets the amended definition of debt before including it here.³¹ Enter debt amount \$ 10,529,801 B. Subtract unencumbered fund amount used to reduce total debt. - \$ 0 C. Subtract certified amount spent from sales tax to reduce debt (enter zero if none) - \$ 0 D. Subtract amount paid from other resources - \$ 4,929,465 E. Adjusted debt. Subtract B, C and D from A. \$ 5,600,336	\$ 5,600,336
44.	Certified prior year excess debt collections. Enter the amount certified by the collector. ³²	\$ 0
45.	Adjusted current year debt. Subtract Line 44 from Line 43E.	\$ 5,600,336
46.	Current year anticipated collection rate. A. Enter the current year anticipated collection rate certified by the collector.³³ 100.00 % B. Enter the prior year actual collection rate..... 97.30 % C. Enter the 2023 actual collection rate. 101.45 % D. Enter the 2022 actual collection rate. 98.89 % E. If the anticipated collection rate in A is lower than actual collection rates in B, C and D, enter the lowest collection rate from B, C and D. If the anticipated rate in A is higher than at least one of the rates in the prior three years, enter the rate from A. Note that the rate can be greater than 100%.³⁴ 100.00 %	100.00 %
47.	Current year debt adjusted for collections. Divide Line 45 by Line 46E.	\$ 5,600,336
48.	Current year total taxable value. Enter the amount on Line 22 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 3,983,420,902
49.	Current year debt rate. Divide Line 47 by Line 48 and multiply by \$100.	\$ 0.140591 / \$100
50.	Current year voter-approval M&O rate plus current year debt rate. Add Lines 42 and 49.	\$ 0.321142 / \$100
D50.	Disaster Line 50 (D50): Current year voter-approval tax rate for taxing unit affected by disaster declaration. Complete this line if the taxing unit calculated the voter-approval tax rate in the manner provided for a special taxing unit on Line D42. Add Line D42 and 49.	\$ 0.000000 / \$100

³⁰ Tex. Tax Code §26.042(a)³¹ Tex. Tax Code §26.012(7)³² Tex. Tax Code §26.012(10) and 26.04(b)³³ Tex. Tax Code §26.04(b)³⁴ Tex. Tax Code §§26.04(h), (h-1) and (h-2)

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
51.	COUNTIES ONLY. Add together the voter-approval tax rates for each type of tax the county levies. The total is the current year county voter-approval tax rate.	\$ 0.000000 /\$100

SECTION 3: NNR Tax Rate and Voter Approval Tax Rate Adjustments for Additional Sales Tax to Reduce Property Taxes

Cities, counties and hospital districts may levy a sales tax specifically to reduce property taxes. Local voters by election must approve imposing or abolishing the additional sales tax. If approved, the taxing unit must reduce its NNR and voter-approval tax rates to offset the expected sales tax revenue.

This section should only be completed by a county, city or hospital district that is required to adjust its NNR tax rate and/or voter-approval tax rate because it adopted the additional sales tax.

Line	Additional Sales and Use Tax Worksheet	Amount/Rate
52.	Taxable Sales. For taxing units that adopted the sales tax in November of the prior tax year or May of the current tax year, enter the Comptroller's estimate of taxable sales for the previous four quarters. ³⁵ Estimates of taxable sales may be obtained through the Comptroller's Allocation Historical Summary webpage. Taxing units that adopted the sales tax before November of the prior year, enter 0.	\$ 0
53.	Estimated sales tax revenue. Counties exclude any amount that is or will be spent for economic development grants from the amount of estimated sales tax revenue. ³⁶ Taxing units that adopted the sales tax in November of the prior tax year or in May of the current tax year. Multiply the amount on Line 52 by the sales tax rate (.01, .005 or .0025, as applicable) and multiply the result by .95. ³⁷ - or - Taxing units that adopted the sales tax before November of the prior year. Enter the sales tax revenue for the previous four quarters. Do not multiply by .95.	\$ 0
54.	Current year total taxable value. Enter the amount from Line 22 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 3,983,420,902
55.	Sales tax adjustment rate. Divide Line 53 by Line 54 and multiply by \$100.	\$ 0.000000 /\$100
56.	Current year NNR tax rate, unadjusted for sales tax. ³⁸ Enter the rate from Line 27 or 28, as applicable, on the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 0.294076 /\$100
57.	Current year NNR tax rate, adjusted for sales tax. Taxing units that adopted the sales tax in November the prior tax year or in May of the current tax year. Subtract Line 55 from Line 56. Skip to Line 58 if you adopted the additional sales tax before November of the prior tax year.	\$ 0.294076 /\$100
58.	Current year voter-approval tax rate, unadjusted for sales tax. ³⁹ Enter the rate from Line 50, Line D50 (disaster) or Line 51 (counties) as applicable, of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$ 0.321142 /\$100
59.	Current year voter-approval tax rate, adjusted for sales tax. Subtract Line 55 from Line 58.	\$ 0.321142 /\$100

SECTION 4: Voter Approval Tax Rate Adjustment for Pollution Control

A taxing unit may raise its rate for M&O funds used to pay for a facility, device or method for the control of air, water or land pollution. This includes any land, structure, building, installation, excavation, machinery, equipment or device that is used, constructed, acquired or installed wholly or partly to meet or exceed pollution control requirements. The taxing unit's expenses are those necessary to meet the requirements of a permit issued by the Texas Commission on Environmental Quality (TCEQ). The taxing unit must provide the tax assessor with a copy of the TCEQ letter of determination that states the portion of the cost of the installation for pollution control.

This section should only be completed by a taxing unit that uses M&O funds to pay for a facility, device or method for the control of air, water or land pollution.

Line	Voter-Approval Rate Adjustment for Pollution Control Requirements Worksheet	Amount/Rate
60.	Certified expenses from the Texas Commission on Environmental Quality (TCEQ). Enter the amount certified in the determination letter from TCEQ. ⁴⁰ The taxing unit shall provide its tax assessor-collector with a copy of the letter. ⁴¹	\$ 0
61.	Current year total taxable value. Enter the amount from Line 22 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 3,983,420,902
62.	Additional rate for pollution control. Divide Line 60 by Line 61 and multiply by \$100.	\$ 0.000000 /\$100

³⁵ Tex. Tax Code §26.041(d)

³⁶ Tex. Tax Code §26.041(i)

³⁷ Tex. Tax Code §26.041(d)

³⁸ Tex. Tax Code §26.04(c)

³⁹ Tex. Tax Code §26.04(c)

⁴⁰ Tex. Tax Code §26.045(d)

⁴¹ Tex. Tax Code §26.045(i)

Line	Voter-Approval Rate Adjustment for Pollution Control Requirements Worksheet	Amount/Rate
63.	Current year voter-approval tax rate, adjusted for pollution control. Add Line 62 to one of the following lines (as applicable): Line 50, Line D50 (disaster), Line 51 (counties) or Line 59 (taxing units with the additional sales tax).	\$ 0.321142 /\$100

SECTION 5: Voter Approval Tax Rate Adjustment for Unused Increment Rate

The unused increment rate is the rate equal to the sum of the prior 3 years Foregone Revenue Amounts divided by the current taxable value. ⁴² The Foregone Revenue Amount for each year is equal to that year's adopted tax rate subtracted from that year's voter-approval tax rate adjusted to remove the unused increment rate multiplied by that year's current total value. ⁴³

The difference between the adopted tax rate and adjusted voter-approval tax rate is considered zero in the following scenarios:

- a tax year in which a taxing unit affected by a disaster declaration calculates the tax rate under Tax Code Section 26.042; ⁴⁴
- a tax year in which the municipality is a defunding municipality, as defined by Tax Code Section 26.0501(a); ⁴⁵ or
- after Jan. 1, 2022, a tax year in which the comptroller determines that the county implemented a budget reduction or reallocation described by Local Government Code Section 120.002(a) without the required voter approval. ⁴⁶

This section should only be completed by a taxing unit that does not meet the definition of a special taxing unit. ⁴⁷

Line	Unused Increment Rate Worksheet	Amount/Rate
64.	Year 3 Foregone Revenue Amount. Subtract the 2024 unused increment rate and 2024 actual tax rate from the 2024 voter-approval tax rate. Multiply the result by the 2024 current total value A. Voter-approval tax rate (Line 68) B. Unused increment rate (Line 67) C. Subtract B from A D. Adopted Tax Rate E. Subtract D from C F. 2024 Total Taxable Value (Line 60) G. Multiply E by F and divide the results by \$100. If the number is less than zero, enter zero.....	 \$ 0.300953 /\$100 \$ 0.000000 /\$100 \$ 0.300953 /\$100 \$ 0.308039 /\$100 \$ -0.007086 /\$100 \$ 3,884,211,524 \$ 0
65.	Year 2 Foregone Revenue Amount. Subtract the 2023 unused increment rate and 2023 actual tax rate from the 2023 voter-approval tax rate. Multiply the result by the 2023 current total value A. Voter-approval tax rate (Line 67) B. Unused increment rate (Line 66) C. Subtract B from A D. Adopted Tax Rate E. Subtract D from C F. 2023 Total Taxable Value (Line 60) G. Multiply E by F and divide the results by \$100. If the number is less than zero, enter zero.....	 \$ 0.300249 /\$100 \$ 0.000000 /\$100 \$ 0.300249 /\$100 \$ 0.308039 /\$100 \$ -0.007790 /\$100 \$ 3,769,489,827 \$ 0
66.	Year 1 Foregone Revenue Amount. Subtract the 2022 unused increment rate and 2022 actual tax rate from the 2022 voter-approval tax rate. Multiply the result by the 2022 current total value A. Voter-approval tax rate (Line 67) B. Unused increment rate (Line 66) C. Subtract B from A D. Adopted Tax Rate E. Subtract D from C F. 2022 Total Taxable Value (Line 60) G. Multiply E by F and divide the results by \$100. If the number is less than zero, enter zero.....	 \$ 0.330244 /\$100 \$ 0.000049 /\$100 \$ 0.330195 /\$100 \$ 0.339779 /\$100 \$ -0.009584 /\$100 \$ 3,241,206,088 \$ 0
67.	Total Foregone Revenue Amount. Add Lines 64G, 65G and 66G	\$ 0 /\$100
68.	2025 Unused Increment Rate. Divide Line 67 by Line 22 of the <i>No-New-Revenue Rate Worksheet</i> . Multiply the result by 100	\$ 0.000000 /\$100
69.	Total 2025 voter-approval tax rate, including the unused increment rate. Add Line 68 to one of the following lines (as applicable): Line 50, Line 51 (counties), Line 59 (taxing units with additional sales tax) or Line 63 (taxing units with pollution)	\$ 0.321142 /\$100

⁴² Tex. Tax Code §26.013(b)

⁴³ Tex. Tax Code §526.013(a)(1-a), (1-b), and (2)

⁴⁴ Tex. Tax Code §526.04(c)(2)(A) and 26.042(a)

⁴⁵ Tex. Tax Code §526.0501(a) and (c)

⁴⁶ Tex. Local Gov't Code §120.007(d)

⁴⁷ Tex. Local Gov't Code §26.04(c)(2)(B)

SECTION 6: De Minimis Rate

The de minimis rate is the rate equal to the sum of the no-new-revenue maintenance and operations rate, the rate that will raise \$500,000, and the current debt rate for a taxing unit.⁴⁸ This section should only be completed by a taxing unit that is a municipality of less than 30,000 or a taxing unit that does not meet the definition of a special taxing unit.⁴⁹

Line	De Minimis Rate Worksheet	Amount/Rate
70.	Adjusted current year NNR M&O tax rate. Enter the rate from Line 40 of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$ 0.174446 /\$100
71.	Current year total taxable value. Enter the amount on Line 22 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 3,983,420,902
72.	Rate necessary to impose \$500,000 in taxes. Divide \$500,000 by Line 71 and multiply by \$100.	\$ 0.012552 /\$100
73.	Current year debt rate. Enter the rate from Line 49 of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$ 0.140591 /\$100
74.	De minimis rate. Add Lines 70, 72 and 73.	\$ 0.327589 /\$100

SECTION 7: Voter Approval Tax Rate Adjustment for Emergency Revenue Rate

In the tax year after the end of the disaster calculation time period detailed in Tax Code Section 26.042(a), a taxing unit that calculated its voter-approval tax rate in the manner provided for a special taxing unit due to a disaster must calculate its emergency revenue rate and reduce its voter-approval tax rate for that year.⁵⁰

Similarly, if a taxing unit adopted a tax rate that exceeded its voter-approval tax rate, calculated normally, without holding an election to respond to a disaster, as allowed by Tax Code Section 26.042(d), in the prior year, it must also reduce its voter-approval tax rate for the current tax year.⁵¹

This section will apply to a taxing unit other than a special taxing unit that:

- directed the designated officer or employee to calculate the voter-approval tax rate of the taxing unit in the manner provided for a special taxing unit in the prior year; and
- the current year is the first tax year in which the total taxable value of property taxable by the taxing unit as shown on the appraisal roll for the taxing unit submitted by the assessor for the taxing unit to the governing body exceeds the total taxable value of property taxable by the taxing unit on January 1 of the tax year in which the disaster occurred or the disaster occurred four years ago. This section will apply to a taxing unit in a disaster area that adopted a tax rate greater than its voter-approval tax rate without holding an election in the prior year.

Note: This section does not apply if a taxing unit is continuing to calculate its voter-approval tax rate in the manner provided for a special taxing unit because it is still within the disaster calculation time period detailed in Tax Code Section 26.042(a) because it has not met the conditions in Tax Code Section 26.042(a)(1) or (2).

Line	Emergency Revenue Rate Worksheet	Amount/Rate
75.	2024 adopted tax rate. Enter the rate in Line 4 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 0.308039 /\$100
76.	Adjusted 2024 voter-approval tax rate. Use the taxing unit's Tax Rate Calculation Worksheets from the prior year(s) to complete this line. ⁵² If a disaster occurred in 2024 and the taxing unit calculated its 2024 voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) of the 2024 worksheet due to a disaster, complete the applicable sections or lines of <i>Form 50-856-a, Adjusted Voter-Approval Tax Rate for Taxing Units in Disaster Area Calculation Worksheet</i> . - or - If a disaster occurred prior to 2024 for which the taxing unit continued to calculate its voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) in 2024, complete form 50-856-a, <i>Adjusted Voter-Approval Tax Rate for Taxing Units in Disaster Area Calculation Worksheet</i> to recalculate the voter-approval tax rate the taxing unit would have calculated in 2024 if it had generated revenue based on an adopted tax rate using a multiplier of 1.035 in the years following the disaster. ⁵³ Enter the final adjusted 2024 voter-approval tax rate from the worksheet. - or - If the taxing unit adopted a tax rate above the 2024 voter-approval tax rate without calculating a disaster tax rate or holding an election due to a disaster, no recalculation is necessary. Enter the voter-approval tax rate from the prior year's worksheet.	\$ 0.000000 /\$100
77.	Increase in 2024 tax rate due to disaster. Subtract Line 76 from Line 75.	\$ 0.000000 /\$100
78.	Adjusted 2024 taxable value. Enter the amount in Line 14 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 3,681,333,803
79.	Emergency revenue. Multiply Line 77 by Line 78 and divide by \$100.	\$ 0
80.	Adjusted 2024 taxable value. Enter the amount in Line 26 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 3,943,064,517
81.	Emergency revenue rate. Divide Line 79 by Line 80 and multiply by \$100. ⁵³	\$ 0.000000 /\$100

⁴⁸ Tex. Tax Code §26.012(8-a)

⁴⁹ Tex. Tax Code §26.063(a)(1)

⁵⁰ Tex. Tax Code §26.042(b)

⁵¹ Tex. Tax Code §26.042(f)

⁵² Tex. Tax Code §26.042(c)

⁵³ Tex. Tax Code §26.042(b)

Line	Emergency Revenue Rate Worksheet	Amount/Rate
82.	Current year voter-approval tax rate, adjusted for emergency revenue. Subtract Line 81 from one of the following lines (as applicable): Line 50, Line D50 (disaster), Line 51 (counties), Line 59 (taxing units with the additional sales tax), Line 63 (taxing units with pollution control) or Line 69 (taxing units with the unused increment rate).	\$ 0.321142 /\$100

SECTION 8: Total Tax Rate

Indicate the applicable total tax rates as calculated above.

No-new-revenue tax rate. \$ 0.294076 /\$100

As applicable, enter the current year NNR tax rate from: Line 27, Line 28 (counties), or Line 57 (adjusted for sales tax).

Indicate the line number used: 27

Voter-approval tax rate. \$ 0.321142 /\$100

As applicable, enter the current year voter-approval tax rate from: Line 50, Line D50 (disaster), Line 51 (counties), Line 59 (adjusted for sales tax), Line 63 (adjusted for pollution control), Line 69 (adjusted for unused increment), or Line 82 (adjusted for emergency revenue).

Indicate the line number used: 50

De minimis rate. \$ 0.327589 /\$100

If applicable, enter the current year de minimis rate from Line 74.

SECTION 9: Addendum

An affected taxing unit that enters an amount described by Tax Code Section 26.012(6)(C) in line 21 must include the following as an addendum:

1. Documentation that supports the exclusion of value under Tax Code Section 26.012(6)(C); and
2. Each statement submitted to the designated officer or employee by the property owner or entity as required by Tax Code Section 41.48(c)(2) for that tax year.

Insert hyperlinks to supporting documentation:

SECTION 10: Taxing Unit Representative Name and Signature

Enter the name of the person preparing the tax rate as authorized by the governing body of the taxing unit. By signing below, you certify that you are the designated officer or employee of the taxing unit and have accurately calculated the tax rates using values that are the same as the values shown in the taxing unit's certified appraisal roll or certified estimate of taxable value, in accordance with requirements in the Tax Code.⁵⁴

print
here

Kyle Lester

Printed Name of Taxing Unit Representative

sign
here



Taxing Unit Representative

8/6/2025

Date

⁵⁴ Tex. Tax Code §§26.04(c-2) and (d-2)

Notice About 2025 Tax Rates

Property tax rates in CITY OF ROANOKE.

This notice concerns the 2025 property tax rates for CITY OF ROANOKE. This notice provides information about two tax rates used in adopting the current tax year's tax rate. The no-new-revenue tax rate would impose the same amount of taxes as last year if you compare properties taxed in both years. In most cases, the voter-approval tax rate is the highest tax rate a taxing unit can adopt without holding an election. In each case, these rates are calculated by dividing the total amount of taxes by the current taxable value with adjustments as required by state law. The rates are given per \$100 of property value.

This year's no-new-revenue tax rate	\$0.294076/\$100
This year's voter-approval tax rate	\$0.321142/\$100

To see the full calculations, please visit 1505 E. McKinney Street
Denton, TX 76209 for a copy of the Tax Rate Calculation Worksheet.

Unencumbered Fund Balance

The following estimated balances will be left in the taxing unit's accounts at the end of the fiscal year. These balances are not encumbered by corresponding debt obligation.

Type of Fund	Balance
GENERAL FUND	15,870,000
GENERAL DEBT SERVICE FUND	500,000

Current Year Debt Service

The following amounts are for long-term debts that are secured by property taxes. These amounts will be paid from upcoming property tax revenues *(or additional sales tax revenues, if applicable)*.

Description of Debt	Principal or Contract Payment to be Paid from Property Taxes	Interest to be Paid from Property Taxes	Other Amounts to be Paid	Total Payment
2016 CO'S	340,000	207,500	0	547,500
2017 CO'S	90,000	55,000	285,800	430,800
2018 GO RFDG	465,000	34,000	54,200	553,200
2018 SALES TAX RFDG	0	0	550,015	550,015
2020 GO RFDG	1,150,000	102,400	0	1,252,400
2020 CO'S	255,000	55,600	0	310,600
2021 GO RFDG	265,000	24,600	0	289,600
2021 CO'S	115,000	68,850	0	183,850
2022A CO'S	0	0	310,700	310,700
2022B CO'S	150,000	108,500	69,450	327,950
2023A CO'S	670,000	1,392,000	0	2,062,000
2023B CO'S	230,000	109,000	0	339,000
2024A CO'S	430,000	845,100	0	1,275,100
2024B CO'S	300,000	384,800	0	684,800
2025A CO'S	900,000	512,286		1,412,286

Total required for 2025 debt service	\$10,529,801
- Amount (if any) paid from funds listed in unencumbered funds	\$0
- Amount (if any) paid from other resources	\$4,929,465
- Excess collections last year	\$0
= Total to be paid from taxes in 2025	\$5,600,336
+ Amount added in anticipation that the unit will collect only 100.00% of its taxes in 2025	\$0
= Total debt levy	\$5,600,336

This notice contains a summary of actual no-new-revenue and voter-approval calculations as certified by Dawn Waye, Denton County Tax Assessor/Collector on 08/02/2025 .

Visit [Texas.gov/PropertyTaxes](https://www.texas.gov/PropertyTaxes) to find a link to your local property tax database on which you can

easily access information regarding your property taxes, including information about proposed tax rates and scheduled public hearings of each entity that taxes your property.

The 86th Texas Legislature modified the manner in which the voter-approval tax rate is calculated to limit the rate of growth of property taxes in the state.



AGENDA ITEM

TO: Planning and Zoning Commission

SUBJECT: PH Notice - ORD NO 2025-106 - Townhome Use

MEETING DATE: August 12, 2025

DEPARTMENT: City Secretary

ITEM SUMMARY:

Public hearing to consider amending Planned Development District Ordinance No. 2000-124, and the Comprehensive Zoning Ordinance of the City of Roanoke, Texas, by amending Ordinance No. 2000-124 to allow a Townhome Use on an approximately 13.798-Acres of Land, being a portion of Lot 1R5, Block 1, PPR Roanoke Retail Addition. The property is generally located northeast of Marshall Creek Road and US Hwy 377. (Ordinance No. 2025-106)

No action will be taken on this item.

INFORMATION:

The Planning and Zoning Commission tabled this item at their August 4, 2025, meeting.

STAFF RECOMMENDATION:

SPECIAL CONSIDERATION:

FINANCIAL CONSIDERATION:

ATTACHMENTS:

1. PH Notice - ORD NO 2025 -106 - Zoning Text Amendment - Amend 2000-124 - townhome use - CC ONLY - 08122025



City of Roanoke Notice of Public Hearing Zoning Amendment

NOTICE OF PUBLIC HEARING ZONING AMENDMENT

CITY OF ROANOKE NOTICE OF PUBLIC HEARING ZONING AMENDMENT

THE ROANOKE CITY COUNCIL WILL HOLD A PUBLIC HEARING ON TUESDAY, AUGUST 12, 2025, TO CONSIDER AMENDING PLANNED DEVELOPMENT DISTRICT ORDINANCE NO. 2000-124, AND THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROANOKE, TEXAS, BY AMENDING ORDINANCE NO. 2000-124 TO ALLOW A TOWNHOME USE ON AN APPROXIMATELY 13.798-ACRES OF LAND, BEING A PORTION OF LOT 1R5, BLOCK 1, PPR ROANOKE RETAIL ADDITION, AN ADDITION TO THE CITY OF ROANOKE, DENTON COUNTY, TEXAS. THE PUBLIC HEARING WILL BE HELD AT 7:00 P.M. AT THE ROANOKE CITY HALL LOCATED AT 500 S. OAK STREET, ROANOKE, TEXAS.

CERTIFICATION

I certify that the above notice was posted at City Hall, 500 South Oak Street, Roanoke, Texas, on Wednesday, July 23, 2025, by 5:00 p.m.

April S. Hill, City Secretary

*Any person planning to attend this meeting that may require auxiliary aids or services should request accommodations two (2) days prior to the meeting by calling (817) 491-8152. **BRAILLE IS NOT AVAILABLE.**

📶 A public wireless network is now available in the Council Chambers for use during meetings. It is available from 7am to 11pm Monday thru Friday. The name of the network is: City Hall Guests



CITY COUNCIL AGENDA ITEM

TO: Planning and Zoning Board

SUBJECT: Ordinance 2025-106

MEETING DATE: August 12, 2025

DEPARTMENT: Planning

ITEM SUMMARY:

Consideration and action on Ordinance No. 2025-106 amending Ordinance No. 2000-124 of the City of Roanoke, Texas, to allow Townhomes use on approximately 13.798 acres of land consisting of Block 1, Lot 1R5, of the PPR Roanoke Retail Addition. The property is generally located northeast of Marshall Creek Road and US Hwy 377.

No action will be taken on this item.

INFORMATION:

The Planning and Zoning Commission tabled this item at their August 4, 2025 meeting.

The applicant is requesting an amendment to this PD to change the permitted uses from commercial retail to residential attached single-family dwelling townhomes. The proposed development would include 164 total units and one amenity center with a swimming pool located outdoors. a complete data table with proposed setbacks and area regulations are included in the concept plan as an attachment.

Planning Analysis

- **Sec. 12.622. - Planned Development Requirements.**

Any development requirements for a particular PD district that deviate from those of the base zoning district(s) shall be set forth in the amending ordinance granting the PD district. These shall include, but may not be limited to: allowed or additional uses, lot/tract area, lot/tract width, lot/tract depth, yard depths and widths, building height and size, building exterior construction, lot/tract coverage, floor area ratio, parking, access, screening, landscaping, accessory buildings, signs, lighting, project phasing or



CITY COUNCIL AGENDA ITEM

scheduling, property management associations, and other requirements as the City Council and Planning and Zoning Commission may deem appropriate.

Access - One new access point will be provided on Marshall Creek Rd in addition to exiting access along Hwy 377.

Height - 2 stories, 27ft.

Masonry - 25% masonry, 75% cementitious fiber board. 65% masonry on front elevations.

Garage Configuration - Proposed, front access. Required, rear access.

A minimum of two (2) enclosed parking spaces for each dwelling unit, located behind, beside or incorporated into the dwelling unit, and accessed only from the rear via an alley, and located on the same lot/tract as each dwelling unit (see article VII, division 2 of this chapter, Off-Street Parking and Loading Requirements).

Densities - Required, 8 units per gross acre, Provided, 12 units per gross acre.

STAFF RECOMMENDATION:

It is staff's recommendation this property remain retail, as it is currently zoned. The proposed amendment does not meet the area regulations listed in our Comprehensive Zoning Ordinance for single-family attached residential. The densities are higher than what is currently permitted for attached residential units and garages are required to be located in the rear portion of the lots, accessed by an alley.

SPECIAL CONSIDERATION:

FINANCIAL CONSIDERATION:

ATTACHMENTS:

1. Zoning Application- Marshall Creek Townhomes - Use for CivicClerk
2. ORD NO 2025-106 - Zoning Amendment - PD2000-124 - Allow Townhomes - jlm draft - 041825
3. JPI_Concept Plan
4. JPI_Landscape Plan
5. Roanoke Vista Traffic Impact Analysis
6. CFA Support Letter



CITY OF ROANOKE
500 S. OAK STREET
ROANOKE, TEXAS 76262
(817) 491-2411 FAX (817) 491-2242

ZONING APPLICATION

Applicant/Agent Name Rich Darragh		Home Phone	Mobile Phone 314-954-2051
Address 9001 Cypress Waters Blvd.		City / State Irving	Zip 75019
Property Owner(s) Darrell Lake		Home Phone	Work Phone 817-657-1180
Address, City, State, Zip			
Present Zoning Classification PD	Requested Zoning Classification PD "As Is" with the addition of SFA	Acreage/Lot of Requested Zoning Classification 13.3 Acres	

Are any Deed restrictions in place that would prevent this property being used in the manner herein proposed?

☐ Yes ☒ No

If yes, list restrictions _____

Proposed use: Townhomes

Justification for requested zoning change: Tough visibility and site shape for retail to succeed. Furthermore, this site could be developed as multiple hotel sites and townhomes fit in better with the surroundings.

I authorize the City of Roanoke to place one change of zoning sign on the subject property to remain in place for the duration of the zoning change process.

[Signature]
Applicant Signature and Date

Attach one (1) electronic copy in a pdf format of the Metes & Bounds description of the property and a survey map of the property. Fees for Zoning Request is \$250.00 plus \$10.00 per acre. Fees are subject to change if amended by Ordinance.

Authorization:

I/We PPR Roanoke Retail Ltd owner(s) of the above described property do hereby authorize _____ to act on my/our behalf in making and representing this zoning change application.

[Signature]
Signature of owner

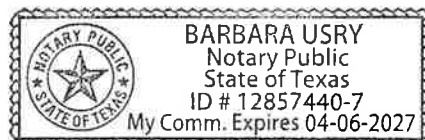
3.17.25
Date

State of Texas

County of Harris

Sworn to and subscribed before me on the 17 day of March, 2025 by William Darrell Lake
(year) (name of owner).

Notary Seal



[Signature]
Notary Public's Signature

07/20/2023

Please submit to permits@roanoketexas.com with supporting documents. City of Roanoke | 500 S. Oak Street | Roanoke, TX 76262 | 817-491-2411

ORDINANCE No. 2025-106

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROANOKE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY AMENDING ORDINANCE NO. 2000-124, TO ALLOW A TOWNHOME USE ON AN APPROXIMATELY 13.798 ACRES OF LAND, BEING A PORTION OF LOT 1R5, BLOCK 1, PPR ROANOKE RETAIL ADDITION, AN ADDITION TO THE CITY OF ROANOKE, DENTON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN *EXHIBIT A* OF THIS ORDINANCE, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES; PROVIDING A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 12.124(b) of the Code of Ordinances of the City of Roanoke, Texas, provides as follows, “[f]or requests involving proposed changes to the text of the Zoning Ordinance, notice of the Planning and Zoning Commission hearing shall be accomplished by publishing the purpose, time and place of the public hearing in the official newspaper of the City before the fifteenth (15th) calendar day prior to the date of the public hearing. Changes in the Ordinance text which do not change zoning district boundaries do not require written notification to individual property owners;” and

WHEREAS, Section 12.127(c) of the Code of Ordinances of the City of Roanoke, Texas, provides as follows, “[n]otice of the City Council public hearing for a zoning, rezoning or Zoning Ordinance text amendment request shall be given in the same manner as that for the public hearing before the Planning and Zoning Commission as required in Section 12.124;” and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Roanoke, Texas, in compliance with the laws of the State of Texas, and the Code of Ordinances of the City of Roanoke, Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested, and the City Council of the City of Roanoke, Texas, is of the opinion and finds that said changes should be granted and that the Zoning Ordinance should be amended.

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

Section 1. FINDINGS INCORPORATED

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2.

That the Comprehensive Zoning Ordinance of the City of Roanoke, Texas, is hereby amended for an approximately 13.798-acres of land, being a portion of Lot 1R5, Block 1, PPR Roanoke Retail Addition, an addition to the City of Roanoke, Denton County, Texas, and being more particularly described in *Exhibit A* of this Ordinance, which is attached hereto and incorporated herein for all purposes, by amending Table 1 of Ordinance Number 2000-124 approved by the City Council of the City of Roanoke, Texas, on November 14, 2000, entitled “Allowed Uses” to allow a Townhome use on said 13.798-acres of land.

Section 3. PENALTY CLAUSE

Any person, firm, or corporation violating any of the provisions or terms of this Ordinance shall be guilty of a misdemeanor and upon conviction, shall be fined a sum not to exceed \$2,000.00 for each offense, and each and every violation or day such violation shall continue or exist, shall be deemed a separate offense.

Section 4. SEVERABILITY CLAUSE

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 5. REPEALER CLAUSE

Any provision of any prior ordinance of the City whether codified or uncoded, which are in conflict with any provision of the Ordinance, are hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City whether codified or uncoded, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section 6. EFFECTIVE DATE

This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Roanoke, Texas, on this the 27th day of May, 2025.

APPROVED:

Carl E. Gierisch, Jr., Mayor

ATTEST:

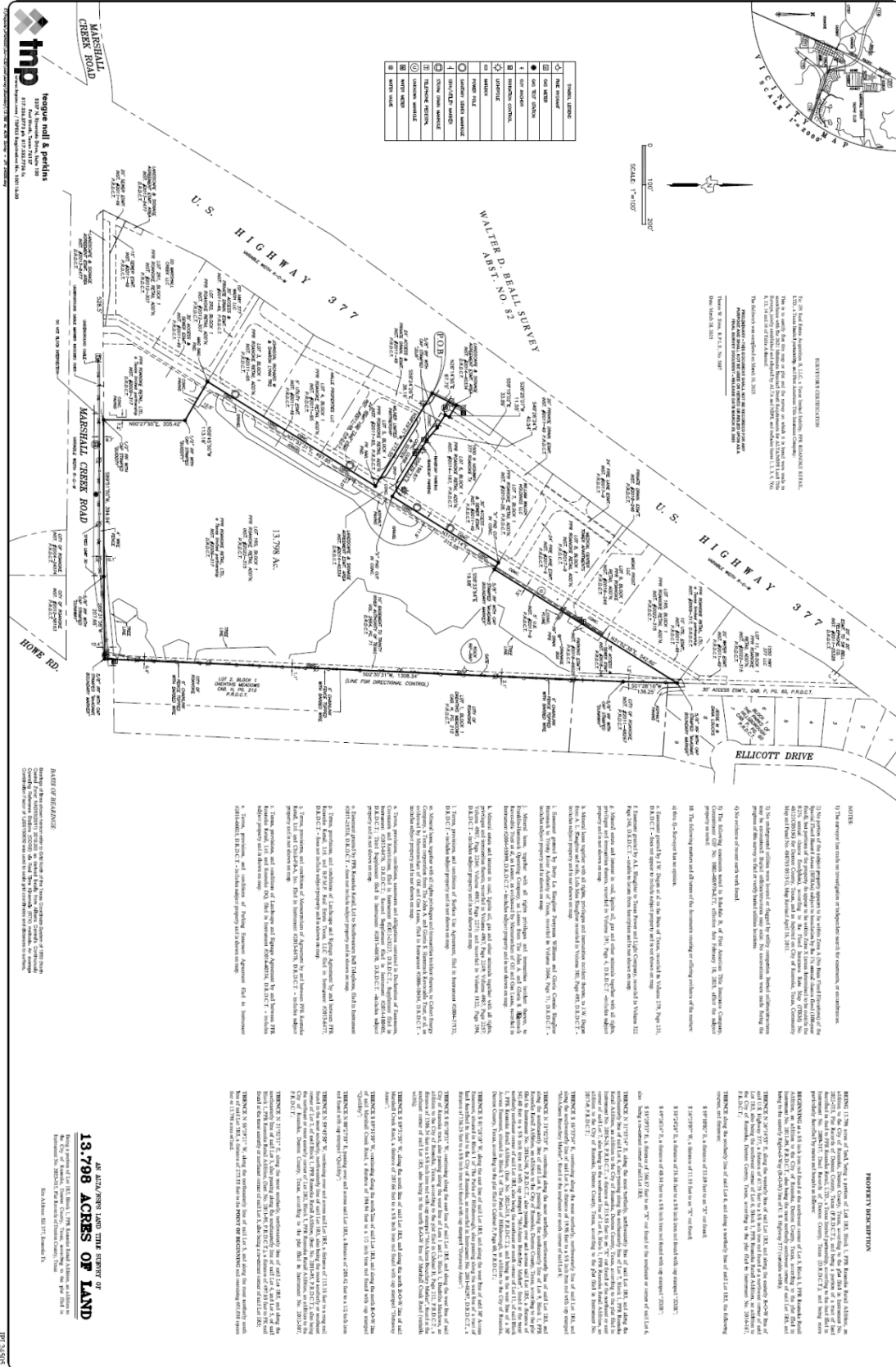
April S. Hill, City Secretary

APPROVED AS TO FORM:

Jeff Moore, City Attorney

Exhibit A

[Legal Description and/or Depiction of the Property]

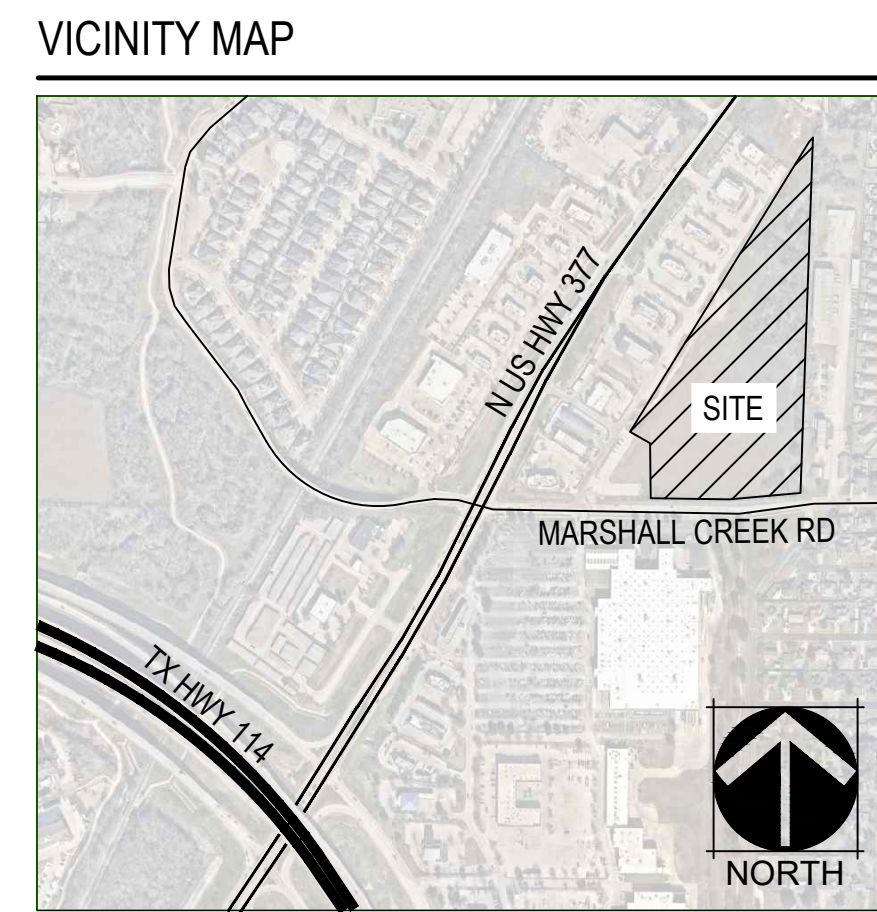


NOTES:

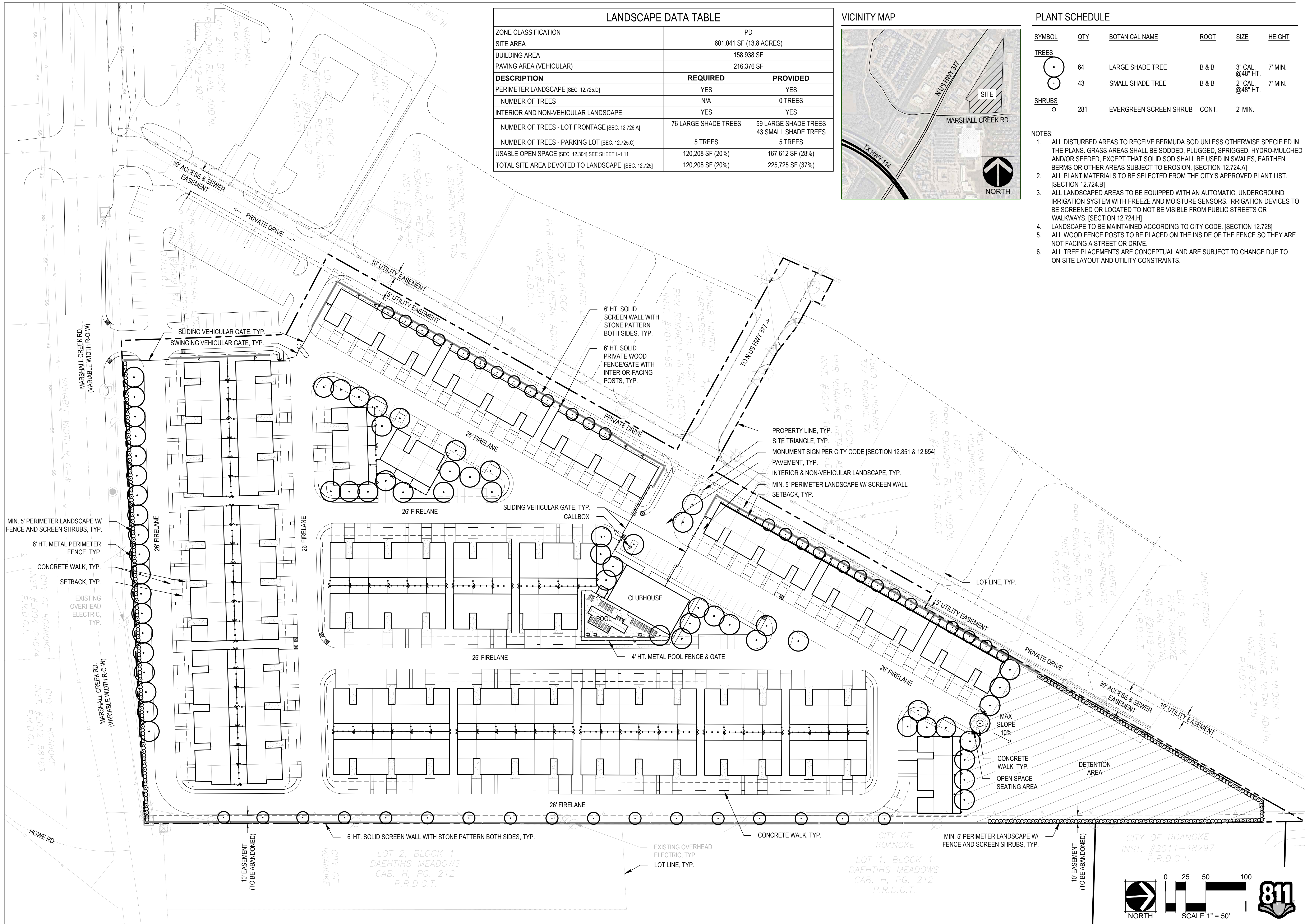
1. ALL DISTURBED AREAS TO RECEIVE BERMUDA SOD UNLESS OTHERWISE SPECIFIED IN THE PLANS. GRASS AREAS SHALL BE SODDED, PLUGGED, SPRIGGED, HYDRO-MULCH AND/OR SEED, EXCEPT THAT SOLID SOD SHALL BE USED IN SWALES, EARTHEN BERMS OR OTHER AREAS SUBJECT TO EROSION. [SECTION 12.724.A]
2. ALL PLANT MATERIALS TO BE SELECTED FROM THE CITY'S APPROVED PLANT LIST. [SECTION 12.724.B]
3. ALL LANDSCAPED AREAS TO BE EQUIPPED WITH AN AUTOMATIC, UNDERGROUND IRRIGATION SYSTEM WITH FREEZE AND MOISTURE SENSORS. IRRIGATION DEVICES TO BE SCREENED OR LOCATED TO NOT BE VISIBLE FROM PUBLIC STREETS OR WALKWAYS. [SECTION 12.724.H]
4. LANDSCAPE TO BE MAINTAINED ACCORDING TO CITY CODE. [SECTION 12.728]
5. ALL WOOD FENCE POSTS TO BE PLACED ON THE INSIDE OF THE FENCE SO THEY ARE NOT FACING A STREET OR DRIVE.
6. ALL TREE PLACEMENTS ARE CONCEPTUAL AND ARE SUBJECT TO CHANGE DUE TO ON-SITE LAYOUT AND UTILITY CONSTRAINTS.

NOTES:

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LANDSCAPE DATA TABLE		
ZONE CLASSIFICATION		PD
SITE AREA		601,041 SF (13.8 ACRES)
BUILDING AREA		158,938 SF
PAVING AREA (VEHICULAR)		216,376 SF
DESCRIPTION	REQUIRED	PROVIDED
PERIMETER LANDSCAPE [SEC. 12.725.D]	YES	YES
NUMBER OF TREES	N/A	0 TREES
INTERIOR AND NON-VEHICULAR LANDSCAPE	YES	YES
NUMBER OF TREES - LOT FRONTAGE [SEC. 12.726.A]	76 LARGE SHADE TREES	59 LARGE SHADE TREES 43 SMALL SHADE TREES
NUMBER OF TREES - PARKING LOT [SEC. 12.725.C]	5 TREES	5 TREES
USABLE OPEN SPACE [SEC. 12.304] SEE SHEET L-1.11	120,208 SF (20%)	167,612 SF (28%)
TOTAL SITE AREA DEVOTED TO LANDSCAPE [SEC. 12.725]	120,208 SF (20%)	225,725 SF (37%)



CHECKED BY: RL, JW
DRAWN BY: EH

ROANOKE TOWNHOMES

US 377 AND MARSHALL CREEK ROAD

ROANOKE, TEXAS

OWNER:
JPI DEVELOPMENT
9001 CYPRESS WATERS BLVD.
SUITE 2A
DALLAS, TX 75019
CONTACT: ANISH JOSPEH

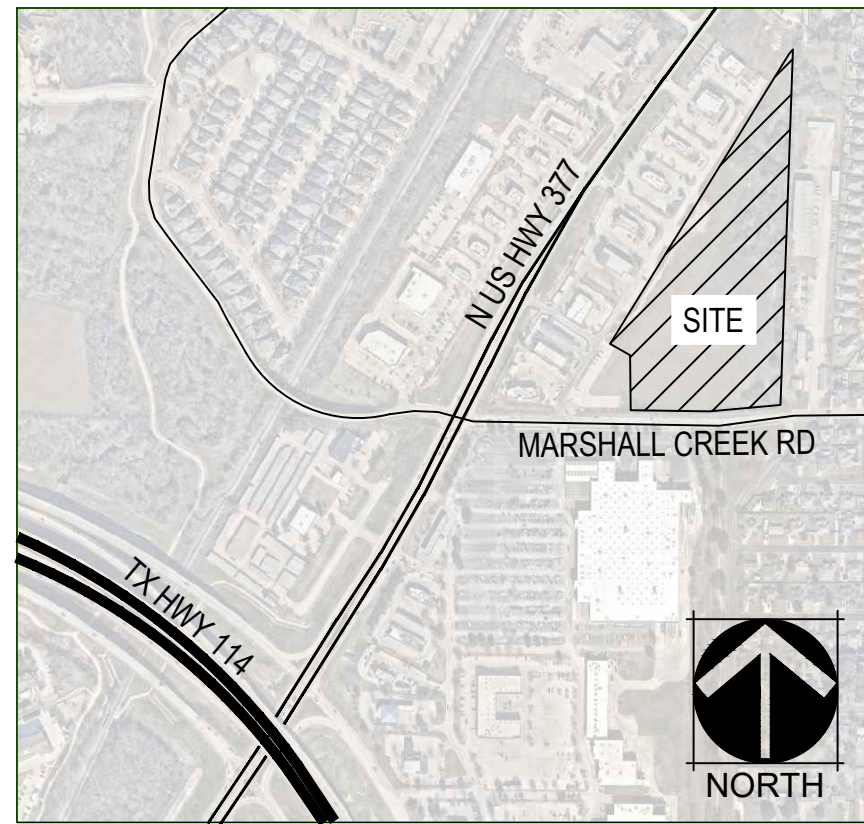
NOT FOR
CONSTRUCTION

DATE:
04/07/2025 SITE PLAN

SHEET TITLE:
OPEN SPACE
PLAN

L 1.11

VICINITY MAP

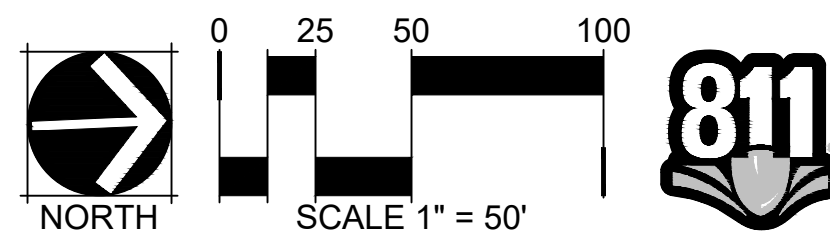


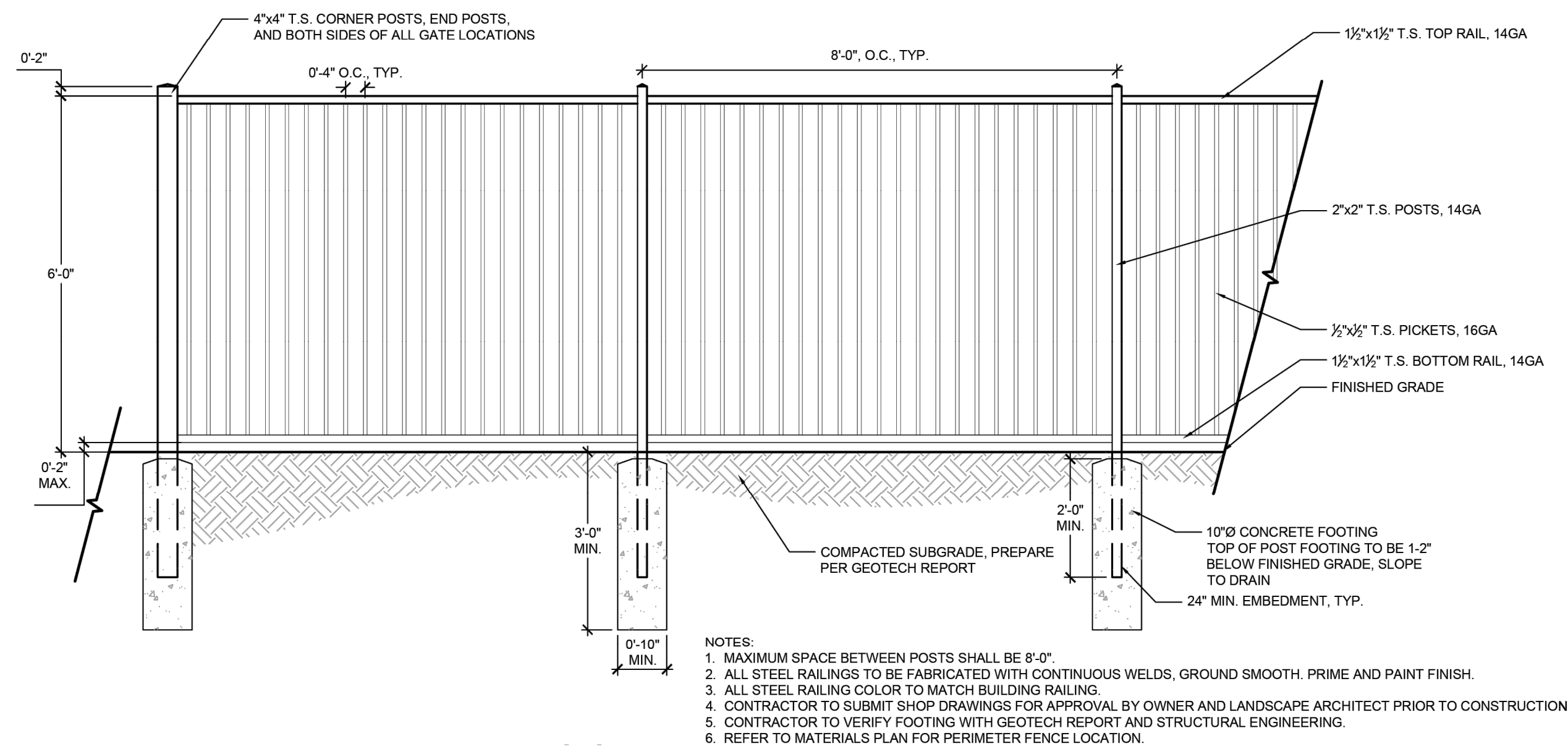
GENERAL LEGEND

USABLE OPEN SPACE

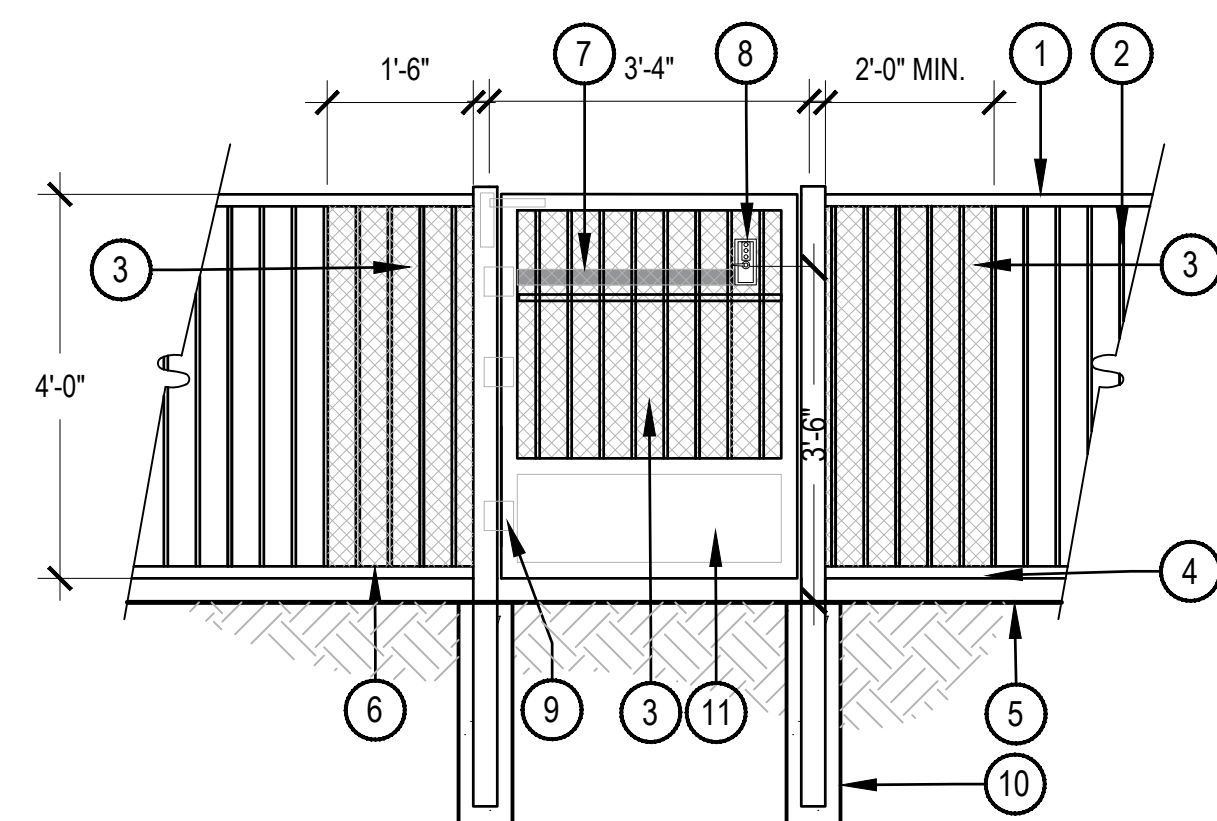
NOTES:
1. SEE CHART ON SHEET L-1.10 FOR QUANTITIES.

CHECKED BY: RL, JW
DRAWN BY: EH





1 PERIMETER FENCE



- ① 1-1/2" (IN) X 2" (IN) TOP RAIL
- ② 3/4" (IN) SQ. PICKET .4" (IN) O.C.
- ③ NO. 16 EXPANDED METAL 1/2" MAXIMUM OPENING FULLY OVER GATE AND FENCE PANEL FOR FIRST 2 PAST GATE. PAINT TO MATCH GATE AND FENCE
- ④ 1-1/2" (IN) X 2" (IN) BOTTOM RAIL
- ⑤ FINISHED GRADE
- ⑥ 4' (FT) TALL POOL PERIMETER FENCE
- ⑦ EMERGENCY EGRESS PUSH BAR LOCATED ON INSIDE OF GATE
- ⑧ KEY PAD LOCK ON EXTERIOR SIDE AND PASSAGE LEVER ON OPPOSITE SIDE. INSTALL GATE WITH EMERGENCY LOCK BOX
- ⑨ SELF-CLOSING GATE HINGES
- ⑩ CONCRETE FOOTING, REF. STRUCTURAL
- ⑪ MIN. 10" HEIGHT METAL KICKPLATE, BOTH SIDES OF GATE

NOTES:

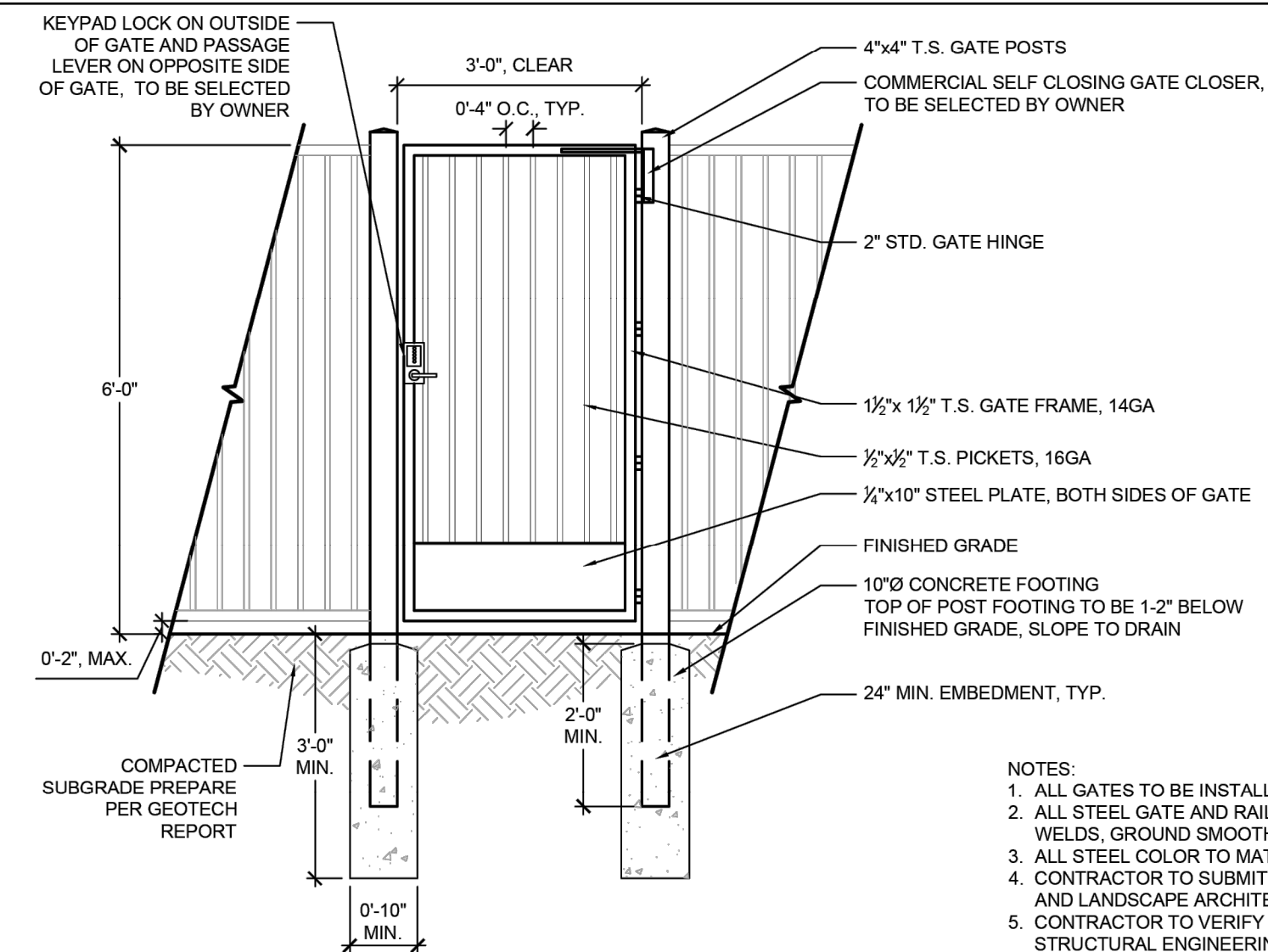
1. NORRIS DESIGN HAS PROVIDED THIS DETAIL FOR REFERENCE PURPOSE, THIS DETAIL HAS NOT BEEN ENGINEERED.
2. NORRIS DESIGN IS NOT RESPONSIBLE FOR STRUCTURAL DESIGN AND CALCULATIONS.
3. ALL FENCE PANELS SHALL BE SET LEVEL WITH STEPS TO FOLLOW GRADE. THE MAXIMUM STEP SHALL BE 6". ADJUST POST SPACING AS NEEDED SO THERE IS NO GREATER THAN A 6" GAP FROM THE BOTTOM RAIL TO FINISH GRADE.
4. CONTRACTOR TO PROVIDE SHOP DRAWINGS FOR APPROVAL BY OWNER.
5. GATES TO HAVE MIN. 18"W X 60"D NET CLEAR PULL SIDE CLEARANCE AND MIN. 12"W X 48"D NET CLEAR PUSH SIDE CLEARANCES.
6. GATE HARDWARE TO BE LEVER TYPE, LOCATED ON BOTH SIDES OF GATES, MOUNTED WITHIN 48" A.F.F., AND OPERATING FORCE NOT TO EXCEED MAX. 8.5 LBS.
7. STRUCTURAL PLANS, FOOTINGS, AND REINFORCEMENTS TO BE PROVIDED BY CONTRACTOR.
8. PICKET DIMENSIONS MEASURED TO CENTERLINE OF PICKET.
9. FENCE POLES AND STRINGS TO BE MOUNTED TO THE INSIDE OF THE LOT TO NOT BE SEEN FROM A STREET OR DRIVE.

③ POOL FENCE & GATE

SCALE: 1/2" = 1'-0"

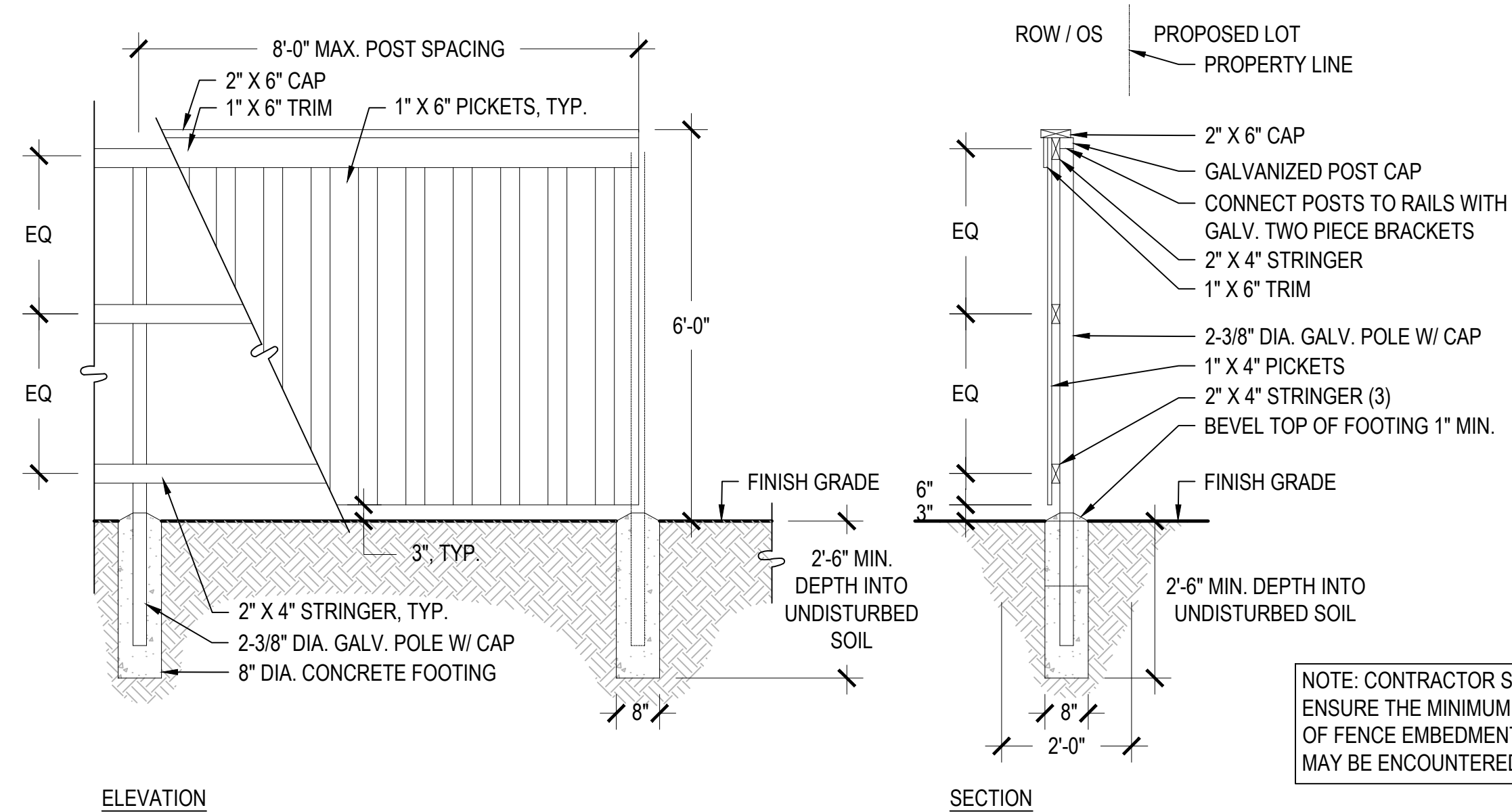
SCALE: 1/2" = 1'-0"

2 PERIMETER GATE



- NOTES:
1. ALL GATES TO BE INSTALLED WITH EMERGENCY LOCKBOX.
 2. ALL STEEL GATE AND RAILINGS TO BE FABRICATED WITH CONTINUOUS WELDS, GROUND SMOOTH, PRIME AND PAINT FINISH.
 3. ALL STEEL COLOR TO MATCH BUILDING RAILING.
 4. CONTRACTOR TO SUBMIT SHOP DRAWINGS FOR APPROVAL BY OWNER AND LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION.
 5. CONTRACTOR TO VERIFY FOOTING WITH GEOTECH REPORT AND STRUCTURAL ENGINEERING.
 6. ALL GATES TO COMPLY WITH CURRENT LOCAL, STATE AND FEDERAL ADA STANDARDS AND GUIDELINES.
 7. REFER TO MATERIALS PLAN FOR PERIMETER GATE LOCATIONS.

SCALE: 1/2" = 1'-0"



NOTE: CONTRACTOR SHALL
ENSURE THE MINIMUM DEPTH
OF FENCE EMBEDMENT. ROCK
MAY BE ENCOUNTERED.

④ 6' WOOD FENCE

SCALE: 1/2" = 1'-0"

SCENARIO	LAND USE	QUANTITY	DAILY TRIP ENDS (WEEKDAY)	AM PEAK HOUR TRIP ENDS (ADJACENT STREET PEAK)			PM PEAK HOUR TRIP ENDS (ADJACENT STREET PEAK)		
				In	Out	Total	In	Out	Total
Site Plan	Townhomes 164 Dwelling Units ITE LUC #215 (Single Family Attached)	164	1,199	20	60	80	56	39	94
	SubTotal		1,199	20	60	80	56	39	94
Scenario 1	3 Hotels 125 keys each ITE LUC #312 (Business Hotel)	375	1,508	53	82	135	64	52	116
	Retail/Medical Space 25,000 sqft ITE LUC #822 (Strip Retail Plaza <40k)	25	1,361	35	24	59	82	82	165
	SubTotal		2,869	88	106	194	146	135	281
Scenario 2	Retail 135,800 sqft ITE LUC #821 (Shopping Plaza 40-150k, Supermarket - Yes)	135.8	12,832	297	182	479	589	638	1,226
	SubTotal		12,832	297	182	479	589	638	1,226



May 19, 2025

Hello Members of the Planning & Zoning Commission for Roanoke, Texas!

My name is James Spitzer and I've had the pleasure of meeting recently with both Roanoke's City Manager, Cody Petree, and J.R. Hames, Development Services Manager, to review and discuss Chick-fil-A's reinvestment plans to purchase just over one-acre of adjoining property owned by an entity managed by Darrell Lake. Our existing CFA restaurant in Roanoke at 1300 N. Hwy 377 has consistently been a strong performing restaurant thanks to both the strong residential and business growth within the Roanoke community and surrounding trade area, and the excellent leadership and exceptional service from our Roanoke Operator Sandy Lamb and her team!

The primary purpose for my letter this evening to each of you Commissioners and Roanoke's Leadership is to express Chick-fil-A's strong support for Amending the existing Planned Development District Ordinance No. 2000-124 from Commercial Retail Zoning to allow for JPI's proposed \$80M quality development of 164 Residential attached Single-Family Townhomes and related Amenity Center/Clubhouse.

My first and foremost reason for Chick-fil-A's complete support for approving the Townhome development is JPI's significant financial commitment with a long-standing reputation as first-class Developer's to help the City of Roanoke, CFA and Roanoke residents solve the long-standing daily traffic congestion at the Hwy 377 & Marshall Creek intersection adjacent to our restaurant! We are excited and 100% onboard with JPI's plan to widen Marshall Creek east of Hwy 377 to install 2 left-turn lanes going southbound on Hwy 377 to help morning traffic flow, 1 thru lane for access to Briarwyck & Roanoke Elementary, and 1 right-turn lane for northbound traffic on Hwy 377. The Marshall Creek widening completion alone will be a tremendous benefit to Chick-fil-A, WalMart, and all the other retail/restaurant tenants near this intersection, as well as the residents of Roanoke!

Secondly, after reviewing the JPI Traffic Impact Analysis, the proposed 164 Townhomes to be developed on under 14-acres will generate significantly less additional traffic flow and daily trips at this already busy intersection than a traditional retail shopping center or potential Grocery tenant. A first-class, well-maintained Townhome development by JPI with only 164 units will be a more complimentary use for the existing Roanoke retail & restaurant tenants, without compounding the daily traffic congestion.

Lastly, JPI has a long-standing reputation as one of the premier Developer's in the country, and these Townhome Units should be excellent housing options for a diverse range of residential prospects looking to live in Roanoke from young couples with or without children. Also, these attractive Townhomes will be appealing to empty-nester residents of Roanoke ready to downsize and forego the burden of ongoing home maintenance! Either way, in my opinion the JPI Townhome development will be

a positive addition to the City of Roanoke, and Chick-fil-A welcomes their new residents as our future neighbors!!

Sincerely,

A handwritten signature in black ink, appearing to read "James Spitzer".

James Spitzer
Director, Real Estate
Chick-fil-A, Inc.
5200 Buffington Road
Atlanta, GA 30349

Chick-fil-A, Inc. | 5200 Buffington Road Atlanta, Georgia 30349-2998 | chick-fil-a.com | 404.765.8000



AGENDA ITEM

TO: Mayor and Council

SUBJECT: Ordinance 2025-110 Amending Chapter 11 by adding Article 11.2000 Sections 11.2001 to 11.2099

MEETING DATE: August 12, 2025

DEPARTMENT: Public Works

ITEM SUMMARY:

Consideration and action on approval of Ordinance No. 2025-110, amending the code of ordinances, by adding a new Chapter 11, Article 11.2000, Sections 11.2001 to 11.2099 entitled "City of Roanoke Industrial Wastewater Ordinance, establishing methods for controlling the introduction of pollutants into the Municipal Separate Storm Sewer System in order to comply with the National Pollutant Discharge Elimination System (NPDES) permit conditions, sludge use and disposal requirements; providing a penalty clause; providing a severability clause; and providing for said ordinance to take effect from and after its date of publication.

INFORMATION:

The DCRWS Pretreatment Program is required by the Texas Commission on Environmental Quality (TCEQ) under the TPDES Permit for the Trinity River Authority's (TRA) Denton Creek Regional Wastewater Treatment Plant (DCRWS WWTP). The program was developed to implement Technically Based Local Limits (TBLLs) and control harmful pollutants at their source. The TBLLs were deemed "technically complete" by the TCEQ. The next steps for the program involve the customer cities providing public notice, obtaining a signed Attorney Statement, and passing the required program elements (ordinance, enforcement response plan, and funding/endorsement resolution) through their city councils. Once these are passed, they will be legal and enforceable. The DCRWS Pretreatment Program will be subject to TCEQ audits, which happen approximately every five years.

STAFF RECOMMENDATION:

Staff recommends approval

SPECIAL CONSIDERATION:



AGENDA ITEM

FINANCIAL CONSIDERATION:

ATTACHMENTS:

1. Roanoke - Ord - Industrial Wastewater - jlm rev redline - 061925
2. ORD NO 2025-110 - Industrial Wastewater - jlm rev clean - 061925

ORDINANCE No. 20222025-xxx

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROANOKE, TEXAS, AMENDING THE CODE OF ORDINANCES, BY ADDING A NEW CHAPTER 11, ARTICLE 11.452000, SECTIONS 11.452001 TO 11.452099 ENTITLED "CITY OF ROANOKE INDUSTRIAL WASTEWATER ORDINANCE," ESTABLISHING METHODS FOR CONTROLLING THE INTRODUCTION OF POLLUTANTS INTO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM IN ORDER TO COMPLY WITH THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT CONDITIONS, SLUDGE USE, AND DISPOSAL REQUIREMENTS; PROVIDING A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR SAID ORDINANCE TO TAKE EFFECT FROM AND AFTER ITS DATE OF PUBLICATION.

WHEREAS, the objective of this Ordinance is to prevent the introduction of pollutants into Publicly Owned Treatment Works ("POTW's"); and

WHEREAS, the objective of this Ordinance is also to promote reuse and recycling of industrial wastewater and sludge from POTW's; and

WHEREAS, the Texas Commission on Environmental Quality required much of the specific wording in this Ordinance; and

WHEREAS, the City Council of the City of Roanoke, Texas, has determined that the following regulation is necessary in order to protect public health, safety, and welfare of the citizens of the City of Roanoke, Texas.

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

Section 1. FINDINGS INCORPORATED

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2. That Chapter 11, of the Code of Ordinances of the City of Roanoke, Texas, is hereby amended by adding a new Article 11.452000, Section 11.452001 to 11.452099, entitled "City of Roanoke Industrial Wastewater Ordinance," which shall read as follows:

"ARTICLE 11.452000 - CITY OF ROANOKE INDUSTRIAL WASTEWATER ORDINANCE

Division 1. General Provisions.

Sec. 11.452001. Purpose and Policy.

- (a) This Ordinance sets forth uniform requirements for Users of the Publicly Owned Treatment Works ("POTW") for the City of Roanoke, and enables the City to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code § 1251 et seq.) and the General Pretreatment Regulations (40 Code of Federal Regulations Part 403). The objectives of this Ordinance are:

- (1) To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will interfere with its operation;
 - (2) To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will pass through the Publicly Owned Treatment Works, inadequately treated, into receiving waters, or otherwise be incompatible with the Publicly Owned Treatment Works;
 - (3) To protect both Publicly Owned Treatment Works personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
 - (4) To promote reuse and recycling of industrial wastewater and sludge from the Publicly Owned Treatment Works;
 - (5) To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the Publicly Owned Treatment Works; and
 - (6) To enable the Control Authority to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other Federal or State laws to which the Publicly Owned Treatment Works is subject.
- (b) This Ordinance shall apply to all Users of the Publicly Owned Treatment Works. The Ordinance authorizes the issuance of wastewater discharge permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires User reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

Sec. 11.452002. Administration.

Except as otherwise provided herein, the Designated City Official ("DCO") shall administer, implement, and enforce the provisions of this Ordinance. Any powers granted to or duties imposed upon the DCO may be delegated by the DCO to other City personnel.

Sec. 11.452003. Abbreviations.

The following abbreviations, when used in this Ordinance, shall have the designated meanings:

BOD - Biochemical Oxygen Demand
BMP - Best Management Practice
BMR - Baseline Monitoring Report
CFR - Code of Federal Regulations
CIU - Categorical Industrial User
COD - Chemical Oxygen Demand
DCRWS – Trinity River Authority of Texas Denton Creek Regional Wastewater System
DCO - Designated City Official
EPA - U.S. Environmental Protection Agency
gpd - gallons per day
IU - Industrial User
mg/l - milligrams per liter

NAICS - North American Industry Classification System
NPDES - National Pollutant Discharge Elimination System
NSCIU - Non-Significant Categorical Industrial User
POTW - Publicly Owned Treatment Works
RCRA - Resource Conservation and Recovery Act
SIC - Standard Industrial Classification
SIU - Significant Industrial User
SNC - Significant Noncompliance
TCEQ - Texas Commission on Environmental Quality
TPDES - Texas Pollutant Discharge Elimination System
TRA - Trinity River Authority
TSS - Total Suspended Solids
TTO - Total Toxic Organics
U.S.C. - United States Code

Sec. 11.152004. Definitions.

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this Ordinance, shall have the meanings hereinafter designated.

- (a) **Act or "the Act."** The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. § 1251 et. seq.
- (b) **Approval Authority.** The Executive Director of the Texas Commission on Environmental Quality ("TCEQ") where the state has been delegated NPDES permit authority and has an approved pretreatment program
- (c) **Authorized Representative of the User.**
 - (1) If the user is a corporation:
 - (A) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or
 - (B) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 - (2) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

- (3) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
- (4) The individuals described in subsections (1) through (3) above, may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the City.
- (d) **Biochemical Oxygen Demand or BOD.** The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20° centigrade, usually expressed as a concentration (e.g., mg/l).
- (e) **Best Management Practices or BMPs.** means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 11.452010(a) and (b) of this Ordinance [40 CFR 403.5(a)(1) and (b)]. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.
- (f) **Categorical Pretreatment Standard or Categorical Standard.** Any regulation containing pollutant discharge limits promulgated by EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. § 1317) which apply to a specific category of Users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.
- (g) **Categorical Industrial User (CIU).** An Industrial User subject to a categorical Pretreatment Standard or Categorical Standard.
- (h) **City.** The City of Roanoke, Texas, or the City Council of the City of Roanoke, Texas, contracting party of the Trinity River Authority Denton Creek Regional Wastewater System.
- (i) **Composite Sample.** A sample that is collected over time, formed either by continuous sampling or by mixing discrete samples. The sample may be composites either as a time composite sample: composed of discrete sample aliquots collected at constant time intervals providing a sample irrespective of stream flow; or as a flow proportional composite sample: collected either as a constant sample volume at time intervals proportional to flow, or collected by increasing the volume of each aliquot as the flow increases while maintaining a constant time interval between the aliquots.
- (j) **Control Authority.** Trinity River Authority of Texas as holder of the NPDES permit.
- (k) **Daily Maximum Limit.** The maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

- (l) **Designated City Official (DCO).** The Director of Public Works or the Utility Superintendent as designated by the City of Roanoke.
- (m) **Environmental Protection Agency or EPA.** The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, or other duly authorized official of said agency.
- (n) **Existing Source.** Any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.
- (o) **Extrajurisdictional User.** A User the City has determined requires a permit to discharge, other than a local government, which is located outside the jurisdiction of the City, and which discharges or plans to discharge to the POTW.
- (p) **Grab Sample.** A sample, which is taken from a waste stream without regard to the flow in the waste stream and over a period of time not to exceed fifteen (15) minutes.
- (q) **Indirect Discharge or Discharge.** The introduction of pollutants into the POTW from any nondomestic source regulated under Section 307(b), (c), or (d) of the Act.
- (r) **Instantaneous Maximum Allowable Discharge Limit.** The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composite sample collected, independent of the industrial flow rate and the duration of the sampling event.
- (s) **Interference.** A discharge, which alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and therefore, is a cause of a violation of the Control Authority's NPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued there under, or any more stringent State or local regulations: Section 405 of the Act; the Solid waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); 40 CFR 503 sludge regulations; any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act and 30 TAG 312; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.
- (t) **Medical Waste.** Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.
- (u) **Monthly Average.** The sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.
- (v) **North American Industry Classification System (NAICS).** Is a system used by the Federal Government for collecting and organizing industry-related statistics. The NAICS codes are updated every five (5) years to stay current with industry developments.
- (w) **NPDES (National Pollutant Discharge elimination System).** National Pollutant

Discharge elimination System permit program of the Environmental Protection Agency, and/or the permit program of the state agency delegated to act on behalf of the EPA with an approved pretreatment program (e.g. TPDES or Texas Pollutant Discharge Elimination System).

(x) **New Source.**

- (1) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:
 - (A) The building, structure, facility, or installation is constructed at a site at which no other source is located; or
 - (B) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - (C) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.
- (2) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (1)(B) or (C) above but otherwise alters, replaces, or adds to existing process or production equipment.
- (3) Construction of a new source as defined under this subsection has commenced if the owner or operator has:
 - (A) Begun, or caused to begin, as part of a continuous onsite construction program
 - (i) Any placement, assembly, or installation of facilities or equipment; or
 - (ii) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
 - (B) Entered into a binding contractual obligation for the purchase of facilities or equipment, which are intended to be used in its operation within a reasonable time. Options to purchase or contracts, which can be

terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies, do not constitute a contractual obligation under this subsection.

- (y) **Non-contact Cooling Water.** Water used for cooling, which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.
- (z) **Normal Wastewater.** Wastewater which the average concentration of suspended solids and five (5) day BOD does not exceed 250 mg/l each.
- (aa) **Pass Through.** A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the Control Authority's NPDES permit, including an increase in the magnitude or duration of a violation.
- (bb) **Person.** Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all Federal, State, and local governmental entities.
- (cc) **pH.** A measure of the acidity or alkalinity of a solution expressed in standard units.
- (dd) **Pollutant.** Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).
- (ee) **Pretreatment.** The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.
- (ff) **Pretreatment Requirements.** Any substantive or procedural requirement related to pretreatment imposed on a User, other than a pretreatment standard.
- (gg) **Pretreatment Standards or Standards.** Pretreatment standards shall mean prohibited discharge standards, categorical pretreatment standards, and local limits.
- (hh) **Process Wastewater.** Water that comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, waste product, or wastewater; and/or as defined in a National Pretreatment Standard.
- (ii) **Prohibited Discharge Standards or Prohibited Discharges.** Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 11.452010 of this Ordinance.
- (jj) **Publicly Owned Treatment Works or POTW.** A "treatment works," as defined by Section 212 of the Act (33 U.S.C. § 1292) which is owned by the City and/or the Control Authority.

This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances which convey wastewater to a treatment plant.

- (kk) **Septic Tank Waste**. Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.
- (ll) **Sewage**. Human excrement and gray water (household showers, dishwashing operations, etc.).
- (mm) **Shall** is mandatory; **May** is permissive.
- (nn) **Significant Industrial User**.
 - (a) SIUs
 - (1) A User subject to categorical pretreatment standards; or
 - (2) A User that:
 - (A) Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, non-contact cooling, and boiler blowdown wastewater);
 - (B) Contributes a process waste stream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - (C) Is designated as such by the City on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
 - (3) Upon a finding that a User meeting the criteria in Subsection (2) has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the City may at any time, on its own initiative or in response to a petition received from a User, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such User should not be considered a significant industrial User.
 - (b) NSCIUs
 - (1) The City may determine that an Industrial User subject to categorical Pretreatment Standards is a Non-Significant Categorical Industrial User (NSCIU) rather than a Significant Industrial User (SIU) on a finding of any of the three (3) criteria below:
 - (A) The Industrial User never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard);

- (B) The Industrial User is required by a categorical Pretreatment Standard to not discharge categorical wastewater unless the City has determined there is no potential for the Industrial User to discharge the prohibited categorical wastewater;
 - (C) The Industrial User is subject to numeric categorical Pretreatment Standard(s) and does not discharge categorical wastewater unless the City has determined there is no potential for the Industrial User to discharge categorical wastewater;
- (2) The following conditions must be met for an Industrial User classified as a NSCIU:
 - (A) The Industrial User, prior to City's finding, has consistently complied with all applicable categorical Pretreatment Standards and Requirements;
 - (B) The Industrial User annually submits the certification statement required in Section 11.452036(c) of this Ordinance [see 40 CFR 403.12(q)], together with any additional information necessary to support the certification statement; and
 - (C) The Industrial User never discharges any untreated concentrated wastewater.
- (oo) **Slug Load or Slug Discharge.** Any discharge of a non-routine, episodic nature, including but not limited to accidental spill or a non-customary batch discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, Local Limits or Permit conditions.
- (pp) **Standard Industrial Classification (SIC) Code.** A classification pursuant to the Standard Industrial Classification Manual issued by the United States Office of Management and Budget.
- (qq) **Storm Water.** Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.
- (rr) **Superintendent, Director, Supervisor, Etc.** The person designated by the City who is charged with certain duties and responsibilities by this Ordinance, or a duly authorized representative.
- (ss) **Suspended Solids.** The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and which is removable by laboratory filtering.
- (tt) **Total Toxic Organics.** The sum of the masses or concentration of the toxic organic compounds listed in 40 CFR 122 Appendix D, Table II found in Industrial Users' discharge at a concentration greater than 0.01 mg/L. ~~Only those parameters reasonably suspected to be present, at the discretion of the DCO, if any, shall be analyzed for with non-categorical industries.~~ With Categorical industries TTOs will be sampled for as stipulated

in the particular category or those parameters reasonably suspected to be present, at the discretion of the DCO, where not stipulated.

- (uu) **User or Industrial User.** A source of indirect discharge.
- (vv) **Wastewater.** Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.
- (ww) **Wastewater Treatment Plant or Treatment Plant.** That portion of the POTW, which is designed to provide treatment of municipal sewage and industrial waste.

Secs. 11.452005 – 11.452009. Reserved.

Division 2 - General Sewer Use Requirements

Sec. 11.452010. Prohibited Discharge Standards.

- (a) *General Prohibitions.* No User shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass through or interference. These general prohibitions apply to all Users of the POTW whether or not they are subject to categorical pretreatment standards or any other National, State, or local pretreatment standards or requirements.
- (b) *Specific Prohibitions.* No User shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:
 - (1) Pollutants, which create a fire or explosive hazard in the POTW, including, but not limited to, waste streams with a closed-cup flashpoint of less than 140°F (60°C) using the test methods specified in 40 CFR 261.21;
 - (2) Wastewater having corrosive properties capable of causing damage or injury to structures; equipment and/or personnel of the POTW, as per the specific prohibition in the applicable local limits in Section 11.452013 of this Ordinance. ~~In no case shall wastewater containing a pH less than 5.5 or more than 11.0 be discharged;~~
 - (3) Solid or viscous substances in amounts, which will cause obstruction of the flow in the POTW resulting in interference, blockage, or damage to the POTW;
 - (4) Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW;
 - (5) Wastewater having a temperature greater than 150°F (65°C), or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104°F (40°C);

- (6) Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference and/or or pass through; and in amounts specified in Section 11.452013 of this Ordinance;
- (7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
- (8) Trucked or hauled pollutants, except at discharge points designated by the DCO and the Control Authority in accordance with Section 11.452024 of this Ordinance;
- (9) Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
- (10) Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the applicable NPDES permit;
- (11) Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations;
- (12) Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, and unpolluted wastewater, unless specifically authorized by the DCO;
- (13) Sludge, screenings, or other residues from the pretreatment of industrial wastes;
- (14) Medical wastes except as specifically authorized by the DCO, that do not cause or contribute to Pass Through or Interference;
- (15) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test;
- (16) Detergents, surface-active agents, or other substances which may cause excessive foaming in the POTW;
- (17) Fats, oils, or greases of animal or vegetable origin in concentrations greater than that specified in the applicable local limits in Section 11.452013 of this Ordinance;
- (18) A discharge of water, normal domestic wastewater, or industrial waste that which in quantity of flow exceeds, for a duration of longer than fifteen (15) minutes, more than four (4) times the average twenty-four (24) hour flow during normal operations of the industry;
- (19) Insecticides and herbicides in concentrations that are not amenable to treatment;
- (20) Garbage that is not properly shredded to such an extent that all particles will be carried freely under the flow conditions normally prevailing in wastewater mains, with no particle having greater than one-half (1/2") inch cross-sectional dimension;

- (21) Wastewater or industrial waste generated or produced outside the City, unless approval in writing from the DCO ~~and the Control Authority~~ has been given to the person discharging the waste; or
- (22) Without the approval of the DCO ~~and the Control Authority~~, a substance or pollutant other than industrial waste, normal domestic wastewater, septic tank waste or chemical toilet waste that is of a toxic or hazardous nature, regardless of whether or not it is amenable to treatment, including but not limited to bulk or packaged chemical products. Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW.

(c). *Processing and Storage.* Pollutants, substances or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW.

Sec. 11.452011. National Categorical Pretreatment Standards.

The categorical pretreatment standards found at 40 CFR Chapter I, Subchapter N, Parts 405-471 are hereby incorporated.

- (a) Where a categorical pretreatment standard is expressed in terms of either the mass or the concentration of a pollutant in wastewater, the DCO may impose equivalent concentration or mass limits in accordance with 40 CFR 403.6(c)(1)-(4).
- (b) When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the DCO shall impose an alternate limit using the combined waste stream formula in 40 CFR 403.6(e).
- (c) A User may obtain a variance from a categorical pretreatment standard if the User can prove, pursuant to the procedural and substantive provisions in 40 CFR 403.13, that factors relating to its discharge are fundamentally different from the factors considered by EPA when developing the categorical pretreatment standard.
- (d) A User may obtain a net gross adjustment to a categorical standard in accordance with 40 CFR 403.15.

Sec. 11.452012. Reserved

Sec. 11.452013. Local Limits.

- (a) The following pollutant limits are established to protect against pass through and interference and apply at the point where the wastewater is discharged to the POTW. No person shall discharge or cause or permit to be discharged, wastewater containing in excess of the following instantaneous or daily maximum allowable discharge limits into the POTW:
 - (1) Toxic Pollutants specified in the following table:

<u>Toxic Pollutant</u>	<u>TRA DCRWS Instantaneous Maximum Allowable Discharge Limit (mg/L)</u>
<u>Cadmium</u>	<u>0.0474</u>
<u>Chromium</u>	<u>10.0</u>
<u>Copper</u>	<u>3.515.64</u>
<u>Cyanide</u>	<u>1.0</u>
<u>Lead</u>	<u>0.2232</u>
<u>Mercury</u>	<u>0.005</u>
<u>Nickel</u>	<u>2.981</u>
<u>Zinc</u>	<u>2.9980</u>
<u>Oil and Grease</u>	<u>100</u>
<u>Total Toxic Organics</u>	<u>2.13</u>
<u>pH</u>	<u>5.5 to 11.0 Standard Units</u>

Daily Maximum

0.044 mg/l cadmium
10.00 mg/l chromium
5.64 mg/l copper
0.32 mg/l lead
0.005 mg/l mercury
2.91 mg/l nickel
2.80 mg/l zinc

(2.) All concentrations for metallic substances are for "total" metal unless indicated otherwise. The DCO may impose mass limitations in addition to, or in place of, the concentration based limitations above.

The following are instantaneous maximum allowable discharge limits:

(2) Oil and Grease.

(A) Petroleum oil, non-biodegradable cutting oil, or non-polar products of mineral oil origin in concentrations greater than 100 mg/L.

(B) Fats, oils, or greases of animal or vegetable origin in concentrations greater than 100 mg/L.

(C) For inclusion within a wastewater discharge permit, the DCO may determine to include Sections 11.1513(a)(2)(A) and/or 11.1513(a)(2)(B) of this Ordinance.

(3) pH that is less than 5.5su or more than 11.0su.

(4) Cyanide in concentrations greater than 1.0 mg/L.

~~(5) — Other metals not listed in subsection 11.1513(a)(1) of this section which will, in the opinion of the DCO, damage the wastewater system, and/or interferes with the treatment process and /or passes through the treatment plant.~~

~~(6) — Total Toxic Organics found in quantifiable concentration greater than 0.01mg/L (10ppb) shall not total more than 2.13mg/L for any discharge. Any other toxic organic compounds considered by the DCO and reasonably expected to be found in the Industrial user's discharge may be included in the calculation of toxic organics if detected in any industry's discharge in quantifiable concentration greater than 0.01mg/L.~~

~~(7) — The pollutant limits in Section 11.1513 (a)(4), (5), and (6) of this Ordinance will be applied in Industrial Users through, inclusion in a wastewater discharge permit, when the DCO determined that the pollutant(s) is reasonably expected to be present in the Industrial User's discharge.~~

~~(b) — The DCO may develop Best Management Practices (BMPs), by ordinance or in individual wastewater permits to help implement numeric Local Limits listed in Section 11.1513(a)(1) — (6) of this Ordinance, and Prohibited Discharge Standards in Section 11.1510 of this Ordinance.~~

Sec. 11.152014. City's Right of Revision.

The City reserves the right to establish, by ordinance or in wastewater discharge permits, more stringent standards or requirements on discharges to the POTW.

Sec. 11.152015. Dilution.

No User shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement. The DCO may impose mass limitations on Users who are using dilution to meet applicable pretreatment standards or requirements, or in other cases when the imposition of mass limitations is appropriate.

Sec. 11.152016. Plant Loading.

No industry shall discharge wastewater containing a BOD or TSS loading that causes the City's prorata share of the total BOD or TSS loading to the POTW System to exceed the City's prorata share of the total flow to the POTW System. (Example: If the City contributes twenty-five percent (25%) of the total wastewater flow to the System, the City's cumulative BOD or TSS loading to the System, as measured at the City's points of entry to the System, shall not exceed twenty-five percent (25%) of the total BOD or TSS loading to the System.) Any industry with a wastewater strength that will cause the City's cumulative wastewater loading, at the City's points of entry, to exceed the City's prorata share of the total wastewater loading based upon flow, shall be required to install pretreatment facilities to reduce its wastewater strength to an acceptable level.

Secs. 11.152017 – 11.152020. Reserved.

Division 3 - Pretreatment of Wastewater

Sec. 11.452021. Pretreatment Facilities.

Users shall provide wastewater treatment as necessary to comply with this Ordinance and shall achieve compliance with all categorical pretreatment standards, local limits, and the prohibitions set out in Section 11.452010 of this Ordinance within the time limitations specified by EPA, the State, the Control Authority, or the DCO, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the User's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the DCO for review, and shall be acceptable to the DCO before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the User from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the City under the provisions of this Ordinance.

Sec. 11.452022. Additional Pretreatment Measures.

- (a) Whenever deemed necessary, the DCO may require Users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage waste streams from industrial waste streams, and require such other conditions as may be necessary to protect the POTW and determine the User's compliance with the requirements of this Ordinance.
- (b) The DCO may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. A wastewater discharge permit may be issued solely for flow equalization.
- (c) Grease, oil, and sand interceptors shall be provided when, in the opinion of the DCO, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, or sand; except that such interceptors shall not be required for residential Users. All interception units shall be of type and capacity approved by the DCO and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed, by the User at their expense.
- (d) Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter, or other control device as deemed necessary by the DCO.
- (e) The DCO may develop Best Management Practices (BMP) and require Users to implement such BMP's if necessary to protect the POTW. Such BMP's would be supplemental and not used as a replacement for compliance with Local Limits listed in Section 11.4520132.4 and Prohibited Discharge Standards in Section 11.4520102.4.

Sec. 11.452023. Accidental Discharge/Slug Control Plans.

The DCO or Control Authority shall evaluate whether each permitted significant Industrial User needs an accidental discharge/slug control plan or other action to control Slug Discharges no later than one (1) year of the SIU determination. The DCO or Control Authority may require any User to develop, submit for approval, and implement such a plan. All the activities associated with Slug

Control evaluation and results are to be kept in the Industrial User file. An accidental discharge/slug control plan shall address, at a minimum, the following:

- (a) Description of discharge practices, including non-routine batch discharges;
- (b) Description of stored chemicals;
- (c) Procedures for immediately notifying the DCO and Control Authority of any accidental or slug discharge, as required by Section 11.452056 of this Ordinance; and
- (d) Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

Sec. 11.452024. Hauled Wastewater.

- (a) Septic waste may be introduced into the POTW only at locations designated by the DCO and Control Authority, and at such times as are established by the DCO and Control Authority. Such waste shall not violate Division 2 of this Ordinance or any other requirements established by the City. The DCO and/or Control Authority may require septic tank waste haulers to obtain wastewater discharge permits.
- (b) Septic waste haulers must provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of generator, known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.

Secs. 11.452025 – 11.452030. Reserved.

Division 4 - Wastewater Discharge Permit Application

Sec. 11.452031. Wastewater Analysis.

When requested by the DCO, a User must submit information on the nature and characteristics of its wastewater by the deadline stipulated. The DCO is authorized to prepare a form for this purpose and may periodically require Users to update this information.

Sec. 11.452032. Wastewater Discharge Permit Requirement.

- (a) No Significant Industrial User (SIU) or Non-significant Categorical Industrial User (NSCIU) shall discharge wastewater into the POTW without first obtaining a wastewater discharge permit from the DCO, who may disallow any or all discharges until a wastewater discharge permit is issued, except that a SIU or a NSCIU that has filed a timely application pursuant to Section 11.452033 of this Ordinance may continue to discharge for the time period specified therein.
- (b) The DCO may require other Users to submit a completed permit application or survey

form, including monitoring data, and to obtain wastewater discharge permits as necessary to carry out the purposes of this Ordinance. To determine the status of a User in relation to this Ordinance, Users may be required to perform sampling as specified by the DCO.

- (c) Any violation of the terms and conditions of a Wastewater discharge permit shall be deemed a violation of this Ordinance and subjects the wastewater discharge permittee to the sanctions set out in Sections 11.452077 to 11.452095 of this Ordinance. Obtaining a wastewater discharge permit does not relieve a permittee of its obligation to comply with all Federal and State pretreatment standards or requirements with any other requirements of Federal, State, and local law.

Sec. 11.452033. Wastewater Discharge Permitting: Existing Connections.

Any User required to obtain a wastewater discharge permit who was discharging wastewater into the POTW prior to the effective date of this Ordinance and who wishes to continue such discharges in the future, shall, within ninety (90) days after said date, apply to the DCO for a wastewater discharge permit in accordance with Section 11.452035 of this Ordinance, and shall not cause or allow discharges to the POTW to continue after ninety (90) days of the effective date of this Ordinance except in accordance with a wastewater discharge permit issued by the DCO. If, in the DCO judgment, the passing of the Ordinance does not significantly affect the Industrial Users current permit, then the existing permit will continue through to the expiration date.

Sec. 11.452034. Wastewater Discharge Permitting: New Connections.

Any User required to obtain a wastewater discharge permit that proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge. An application for this wastewater discharge permit, in accordance with Section 11.452035 of this Ordinance, must be filed prior to the date upon which any discharge will begin or recommence.

Sec. 11.452035. Wastewater Discharge Permit Application Contents.

All Users required to obtain a wastewater discharge permit must submit a permit application. The DCO may require all Users to submit as part of an application the following information:

- (a) All information required by Section 11.452051(b) of this Ordinance;
- (b) Description of activities, facilities, and plant processes on the premises, including a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;
- (c) Number and type of employees, hours of operation, and proposed or actual hours of operation;
- (d) Each product produced by type, amount, process or processes, and rate of production;
- (e) Type and amount of raw materials processed (average and maximum per day);
- (f) Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge;

- (g) Time and duration of discharges; and
- (h) Any other information as may be deemed necessary by DCO to evaluate the wastewater discharge permit application. Incomplete or inaccurate applications will not be processed and will be returned to the User for revision.

Sec. 11.452036. Application Signatories and Certification.

- (a) All wastewater discharge permit applications and User reports (as identified in 40 CFR §403.12(l)), must be signed by an authorized representative of the User, as defined in Section 11.452004(c) of the Ordinance and contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

- (b) If the designation of an Authorized Representative of the User is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of this Section must be submitted to the DCO prior to or together with any reports to be signed by an Authorized Representative.
- (c) A facility determined to be a Non-Significant Categorical Industrial User (NSCIU) by the DCO pursuant to Section 11.452004(nn)(b) of this Ordinance must annually submit the signed certification statement signed in accordance with the signatory requirements in Section 11.452004(c) of this Ordinance. This certification must accompany an alternative report required by the DCO.

Based on my inquiry of the person or persons directly responsible for managing compliance with the categorical Pretreatment Standards under 40 CFR ____, I certify that, to the best of my knowledge and belief that during the period from ____, ____ to ____, ____ [months, days, year]:

- (1) The facility described as ____ [facility name] met the definition of a Non-Significant Categorical Industrial User as described in Section 11.452004(nn)(b) of this Ordinance; **[Note: See 40 CFR 403.3(v)(2)]**
- (2) The facility complied with all applicable Pretreatment Standards and requirements during this reporting period; and
- (3) The facility never discharged more than 100 gallons of total categorical wastewater on any given day during this reporting period.

This compliance certification is based on the following information.

Commented [A1]: What are these blanks for?

Sec. 11.452037. Wastewater Discharge Permit Decisions.

The DCO will evaluate the data furnished by the User and may require additional information. Within a reasonable time from receipt of a complete wastewater discharge permit application; the DCO will determine whether or not to issue a wastewater discharge permit. The DCO may deny any application for a wastewater discharge permit.

Secs. 11.452038 – 11.452040. Reserved.

Division 5 - Wastewater Discharge Permit Issuance Process

Sec. 11.452041. Wastewater Discharge Permit Duration.

A wastewater discharge permit shall be issued for a specified time, not to exceed five (5) years from the effective date of the permit. A wastewater discharge permit may be issued for a period less than five (5) years, at the discretion of the DCO. Each wastewater discharge permit will indicate a specific date upon which it will expire.

Sec. 11.452042. Wastewater Discharge Permit Contents.

A wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the DCO to prevent pass through or interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

(a) Wastewater discharge permits must contain:

- (1) A statement that indicates wastewater discharge permit duration, which in no event shall exceed five (5) years;
- (2) A statement that the wastewater discharge permit is nontransferable without prior notification to the City in accordance with Section 11.452045 of this Ordinance, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
- (3) Effluent limits (including Best Management Practices) based on applicable pretreatment standards;
- (4) Self-monitoring, sampling, reporting, notification, and record-keeping requirements (including BMPs). These requirements shall include an identification of pollutants to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law; and
- (5) A statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by

applicable Federal, State, or local law.

- (6) Requirements to control Slug Discharge, if determined by the DCO to be necessary.

- (b) Wastewater discharge permits may contain, but need not be limited to, the following conditions:

- (1) Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
- (2) Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;
- (3) Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or non-routine discharges;
- (4) Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;
- (5) The unit charge or schedule of User charges and fees for the management of the wastewater discharged to the POTW;
- (6) Requirements for installation and maintenance of inspection and sampling facilities and equipment;
- (7) A statement that compliance with the wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State pretreatment standards, including those which become effective during the term of the wastewater discharge permit; and

(8) Requirements to implement BMP's if determined by the DCO to be necessary; and

- (98) Other conditions as deemed appropriate by the DCO to ensure compliance with this Ordinance, and State and Federal laws, rules, and regulations.

Sec. 11.152043. Reserved.

Sec. 11.152044. Wastewater Discharge Permit Modification.

The DCO may modify a wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- (a) To incorporate any new or revised Federal, State, or local pretreatment standards or requirements;
- (b) To address significant alterations or additions to the User's operation, processes, or wastewater volume or character since the time of wastewater discharge permit issuance;

- (c) A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
- (d) Information indicating that the permitted discharge poses a threat to POTW, POTW personnel, or the receiving waters;
- (e) Violation of any terms or conditions of the wastewater discharge permit;
- (f) Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
- (g) Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13;
- (h) To correct typographical or other errors in the wastewater discharge permit; or
- (i) To reflect a transfer of the facility ownership or operation to a new owner or operator.

Sec. 11.452045. Wastewater Discharge Permit Transfer.

Wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives ~~advance notice~~ minimum of sixty (60) days advance notice to the DCO and the DCO approves the wastewater discharge permit transfer. The notice to the DCO must include a written certification by the new owner or operator which:

- (a) States that the new owner and/or operator have no immediate intent to change the facility's operations and processes;
- (b) Identifies the specific date on which the transfer is to occur; and
- (c) Acknowledges full responsibility for complying with the existing wastewater discharge permit. Failure to provide advance notice of a transfer renders the wastewater discharge permit void as of the date of facility transfer.

Sec. 11.452046. Wastewater Discharge Permit Revocation.

The DCO may revoke a wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- (a) Failure to notify the DCO of significant changes to the wastewater prior to the changed discharge;
- (b) Failure to provide prior notification to the DCO of changed conditions pursuant to Section 11.452055 of this Ordinance;
- (c) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- (d) Falsifying self-monitoring reports;
- (e) Tampering with monitoring equipment;

- (f) Refusing to allow the DCO timely access to the facility premises and records;
- (g) Failure to meet effluent limitations;
- (h) Failure to pay fines;
- (i) Failure to pay sewer charges;
- (j) Failure to meet compliance schedules;
- (k) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (l) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- (m) Violation of any pretreatment standard or requirement, or any terms of the wastewater discharge permit or this Ordinance.

Wastewater discharge permits shall be voidable upon cessation of operations or transfer of business ownership. All wastewater discharge permits issued to a particular User are void upon the issuance of a new wastewater discharge permit to that User.

Sec. 11.452047. Wastewater Discharge Permit Reissuance.

A User with an expiring wastewater discharge permit shall apply for wastewater discharge permit reissuance by submitting a complete permit application, in accordance with Section 11.452035 of this Ordinance, ~~prior to the~~ a minimum of sixty (60) days prior to the expiration of the User's existing wastewater discharge permit.

Sec. 11.452048. Regulation of Waste Received from Other Jurisdictions.

- (a) A municipality which contributes wastewater to the POTW, shall enter into an interlocal agreement with the City prior to contributing such wastewater.
- (b) Prior to the City entering into an interlocal agreement as provided in subsection (a) above, the City may request the following information from the contributing municipality:
 - (1) A description of the quality and volume of wastewater discharged to the POTW by the contributing municipality;
 - (2) An inventory of all users located within the contributing municipality that are discharging to the POTW; and
 - (3) Such other information as the City may deem necessary.

Sec. 11.452049. Extrajurisdictional Users

- (a) An extrajurisdictional user shall apply for a permit in accordance with this ordinance at least ninety (90) days prior to discharging to the POTW.

- (b) This section does not apply to extrajurisdictional users in jurisdictions which have an agreement with the City pursuant to section 11.452048.
- (c) A wastewater discharge permit issued to an extrajurisdictional user shall be in the form of a contract, and must include, at a minimum, the components found in 40 CFR 403.8(f)(1)(iii) and shall require the approval of the City's council. An extrajurisdictional user shall agree to all the terms of this ordinance and the terms of its wastewater discharging contract in accordance with the procedures set forth in section 11.452042 of this Ordinance prior to discharging into the POTW.

11.452050. Reserved.

Division 6 - Reporting Requirements

Sec. 11.452051. Baseline Monitoring Reports.

- (a) Within, either one hundred eighty (180) days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing categorical Users currently discharging to or scheduled to discharge to the POTW shall submit to the DCO a report which contains the information listed in subsection (b) below. At least ninety (90) days prior to commencement of their discharge, new sources, and sources that will become categorical Users subsequent to the promulgation of an applicable categorical standard, shall submit to the DCO a report which contains the information listed in subsection (b) below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.
- (b) Users described above shall submit the information set forth below.
 - (1) *Identifying Information.* The name and address of the facility, including the name of the operator and owner;
 - (2) *Environmental Permits.* A list of any environmental control permits held by or for the facility.
 - (3) *Description of Operations.* A brief description of the nature, average rate of production, and standard industrial classifications and/or North American Industry Classifications (NAICS) of the operation(s) carried out by such User. This description should include a schematic process diagram, which indicates points of discharge to the POTW from the regulated processes.
 - (4) *Flow Measurement.* Information showing the measured or estimated average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestreams formula set out in 40 CFR 403.6(e).
 - (5) *Measurement of Pollutants.*
 - (A) The categorical pretreatment standards applicable to each regulated process. (and any new categorically regulated processes for Existing Sources.)

- (B) The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the DCO, of regulated pollutants in the discharge from each regulated process.
 - (C) Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported.
 - (D) The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 11.452060 of this Ordinance. Where the Standard requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the DCO or the applicable Standards to determine compliance with the Standard.
 - (E) If discharge flow conditions are representative of daily operations, the User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this section. The DCO may require additional representative sampling to be conducted.
 - (F) Representative samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment the User should measure the flows and concentrations necessary to allow use of the combined wastestream formula in 40CFR 403.6(e) to evaluate compliance with Pretreatment Standards.
 - (G) The DCO may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures.
 - (H) The baseline report shall indicate the time, date and place of sampling and method of analysis, and shall certify that such sampling and analysis is representative of normal work cycle and expected pollutant discharges to the POTW.
 - (I) Sampling must be performed in accordance with procedures set out in Section 11.452061 of this Ordinance.
- (6) *Certification.* A statement, reviewed by the User's authorized representative and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.
- (7) *Compliance Schedule.* If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the User will provide such additional pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this section must meet

the requirements set out in Section 11.452052 of this Ordinance.

- (8) *Signature and Certification.* All baseline-monitoring reports must be signed and certified in accordance with Section 11.452036 of this Ordinance.

Sec. 11.452052. Compliance Schedule Progress Reports.

The following conditions shall apply to the compliance schedule required by Section 11.452051(b)(7) of this Ordinance:

- (a) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
- (b) No increment referred to above shall exceed nine (9) months;
- (c) The User shall submit a progress report to the DCO no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the User to return to the established schedule; and
- (d) In no event shall more than nine (9) months elapse between such progress reports to the DCO.

Sec. 11.452053. Reports on Compliance with Categorical Pretreatment Standard Deadline.

Within ninety (90) days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source following commencement of the introduction of wastewater into the POTW, any User subject to such pretreatment standards and requirements shall submit to the DCO a report containing the information described in Section 11.452051(b)(4)-(6) of this Ordinance. For Users subject to equivalent mass or concentration limits established in accordance with the procedures in 40 CFR 403.6(c), this report shall contain a reasonable measure of the User's long-term production rate. In cases where the Categorical Pretreatment Standard requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the applicable Categorical Pretreatment Standard necessary to determine the compliance status of the User for all other Users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the User's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 11.452036 of this Ordinance. All sampling will be done in conformance with Section 11.452061 of the Ordinance.

Sec. 11.452054. Periodic Compliance Reports.

- (a) All SIU's shall, at a frequency determined by the DCO but in no case less than twice per year, submit a report indicating the nature and concentration of pollutants in the discharge

which are limited by pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the Categorical Pretreatment Standard or the DCO requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the DCO or the applicable Categorical Pretreatment Standard necessary to determine the compliance status of the User. All periodic compliance reports must be signed and certified in accordance with Section 11.452036 of this Ordinance.

- (b) All Non-significant Categorical Industrial Users (NSCIU) shall submit a report annually in the month specified by the DCO. The report shall be completed according to the City's current reporting requirements, including the submittal of the applicable certification statement found in Section 11.452036 of this Ordinance.
- (c) All wastewater samples must be representative of the User's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge.
- (d) If a User subject to the reporting requirement in this section monitors any pollutant more frequently than required by the DCO, using the procedures prescribed in Section 11.452060 and 11.452061 of this Ordinance, the results of this monitoring shall be included in the report.

Sec. 11.452055. Reports of Changed Conditions.

Each User must notify the DCO ~~and the Control Authority~~ of any planned significant changes to the User's operations or system which might alter the nature, quality, or volume of its wastewater before the change is made.

- (a) The DCO may require the User to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under Section 11.452035 of this Ordinance.
- (b) The DCO may issue a wastewater discharge permit under Section 11.452037 of this Ordinance or modify an existing wastewater discharge permit under Section 11.452044 of this Ordinance in response to changed conditions or anticipated changed conditions.
- (c) For purposes of this requirement, significant changes include, but are not limited to, flow increases of twenty percent (20%) or greater, and the discharge of any previously unreported pollutants that are determined to be of concern.

Sec. 11.452056. Reports of Potential Problems.

- (a) In the case of any discharge, including, but not limited to, accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, or a slug load, that may cause potential problems for the POTW, the User shall immediately telephone and notify the City and the Control Authority of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the User.

- (b) Within five (5) days following such discharge, the User shall, unless waived by the DCO, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability, which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the User of any fines, penalties, or other liability which may be imposed pursuant to this Ordinance.
- (c) A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees whom to call in the event of a discharge described in subsection (a), above. Employers shall ensure that all employees, who may cause such a discharge to occur, are advised of the emergency notification procedure.
- (d) SIU's are required to notify the DCO immediately of any changes at its facility affecting the potential for a Slug Discharge

Sec. 11.452057. Reports from Unpermitted Users.

All Users not required to obtain a wastewater discharge permit shall provide appropriate reports to the DCO as the DCO may require.

Sec. 11.452058. Notice of Violation/Repeat Sampling and Reporting.

If sampling performed by a User indicates a violation, the User must notify the DCO within twenty-four (24) hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the DCO within thirty (30) days after becoming aware of the violation. The User is not required to resample if the DCO monitors at the User's facility at least once a month, or if the DCO samples between the User's initial sampling and when the User receives the results of this sampling, or if the DCO has performed the sampling and analysis in lieu of the User.

Sec. 11.452059. Notification of the Discharge of Hazardous Waste.

- (a) Any User who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the User discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the User: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and an estimation of the mass of constituents in the waste stream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this subsection need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under Section 11.452055 of this Ordinance. The notification requirement in this section does not apply to pollutants already reported by Users subject to categorical pretreatment

standards under the self-monitoring requirements of Sections 11.452051, 11.452053, and 11.452054 of this Ordinance.

- (b) Dischargers are exempt from the requirements of subsection (a) above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the User discharges more than such quantities of any hazardous waste do not require additional notification.
- (c) In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the User must notify the DCO, the POTW, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.
- (d) In the case of any notification made under this section, the User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
- (e) This provision does not create a right to discharge any substance not otherwise permitted for discharge by this Ordinance, a permit issued hereunder, or any applicable Federal or State law.

Sec. 11.452060. Analytical Requirements.

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136, and amendments thereto, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question sampling and analyses shall be performed by using validated analytical methods or any applicable sampling and analytical procedures, including procedures suggested by the DCO ~~and/or Control Authority~~, TCEQ, or other parties approved by EPA.

Sec. 11.452061. Sample Collection.

- (a) Except as indicated in subsection (b) and (c) below, the User must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the DCO. Where time-proportional composite sampling or grab sampling is authorized by the City, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be

authorized by the City, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.

- (b) Samples for oil and grease, temperature, pH, cyanide, phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.
- (c) For sampling required in support of baseline monitoring and 90-day compliance reports required in Sections 11.452051 and 11.452053 of this Ordinance [40 CFR 403.12(b) and (d)], a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the DCO may authorize a lower minimum. For the reports required by Section 11.452054 of this Ordinance (40 CFR 403.12(e) and 403.12(h)), the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance by with applicable Pretreatment Standards and Requirements.

Sec. 11.452062. Timing.

Written reports will be, deemed to have been, submitted on the date postmarked. For reports, which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.

Sec. 11.452063. Record Keeping.

Users subject to the reporting requirements of this Ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this Ordinance and any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements and documentation associated with Best Management Practices established in this Ordinance. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the User or the City, or where the User has been specifically notified of a longer retention period by the DCO ~~and/or Control Authority~~.

Secs. 11.452064 – 11.452070. Reserved.

Division 7 - Compliance Monitoring

Sec. 11.452071. Right of Entry: Inspection and Sampling.

The DCO, the Control Authority, State or Federal representatives shall have the right to enter the premises of any User to determine whether the User is complying with all requirements of this Ordinance and any wastewater discharge permit or order issued hereunder. Users shall allow inspecting or sampling person ready access to all parts of the premises for the purposes of inspection, sampling, records examination, and copying, and the performance of any additional duties.

- (a) Where a User has security measures in force, which require proper identification and

clearance before entry into its premises, the User shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the City, Control Authority, State or Federal representatives will be permitted to enter without delay for the purposes of performing specific responsibilities.

- (b) The DCO an/or Control Authority shall have the right to set up on the User's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the User's operations. All sampling and analysis performed by the DCO and/or Control Authority to monitor compliance shall be at the expense of the Industrial User.
- (c) The DCO ~~and/or Control Authority~~ may require the User to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the User at its own expense. All devices used to measure wastewater flow and quality shall be calibrated, at a minimum, annually to ensure their accuracy.
- (d) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the User at the written or verbal request of the DCO ~~and/or Control Authority~~ and shall not be replaced. The costs of clearing such access shall be born by the User.
- (e) Unreasonable delays in allowing the inspecting or sampling person access to the User's premises shall be a violation of this Ordinance.
- (f) In accordance with 40 CFR 403, the City shall inspect and monitor each SIU a minimum of once a year. If the City elects to perform compliance monitoring for the SIU then the City will monitor the industry a minimum of semiannually.
- (g) The City shall inspect each NSCIU a minimum of once per year. If the City elects to perform compliance monitoring for the NSCIU then the City will monitor the industry a minimum of one time each permit cycle

Sec. 11.452072. Search Warrants.

If the DCO and/or Control Authority has been refused access to a building, structure, or property, or any art thereof, and is able to demonstrate probable cause to believe that there may be a violation of this Ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the City designed to verify compliance with this Ordinance or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the DCO and/or Control Authority may seek issuance of a search warrant from an appropriate court.

Secs. 11.452073 – 11.452075. Reserved.

Division 8 - Confidential Information and Publication

Sec. 11.452076. Confidential Information.

Information and data on a User obtained from reports, surveys, wastewater discharge permit applications, wastewater discharge permits, and monitoring programs, and from inspection and sampling activities, shall be available to the public without restriction, unless the User specifically

requests, and is able to demonstrate to the satisfaction of the City and/or Control Authority, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the User furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, consistent with State law, including the Texas Public Information Act, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other "effluent data" as defined by 40 CFR 2.302 will not be recognized as confidential information and will be available to the public without restriction.

Sec. 11.152077. Publication of Users in Significant Noncompliance.

The DCO shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, a list of the Users which, at any time during the previous twelve (12) months, were in significant noncompliance with applicable pretreatment standards and requirements. The term Significant Noncompliance shall be applicable to all SIU's (or any other Industrial User that violates subsection (c), (d), or (h) of this Section) and shall mean:

- (a) Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six (6) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined in Division 2;
- (b) Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six (6) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by Division 2 multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
- (c) Any other violation of a Pretreatment Standard or Requirement as defined by Division 2 (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the DCO determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;
- (d) Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the DCO's exercise of its emergency authority to halt or prevent such a discharge;
- (e) Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;
- (f) Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on

compliance with compliance schedules;

- (g) Failure to accurately report noncompliance; or
- (h) Any other violation(s), which may include a violation of Best Management Practices, which the DCO determines will adversely affect the operation or implementation of the local pretreatment program.

Secs. 11.452078 – 11.452080. Reserved.

Division 9 - Administrative Enforcement Remedies

Sec. 11.452081. Notification of Violation.

When the DCO finds that a User has violated, or continues to violate, any provision of this Ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the DCO may serve upon that User a written Notice of Violation. Within the period specified in the notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the User to the DCO. Submission of this plan in no way relieves the User of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this section shall limit the authority of the DCO to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

Sec. 11.452082. Consent Order.

The DCO may enter into Consent Orders, assurance of compliance, or similar documents establishing an agreement with any User responsible for noncompliance. Such documents shall include specific action to be taken by the User to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to Sections 11.452084 and 11.452085 of this Ordinance and shall be judicially enforceable.

Sec. 11.452083. Show Cause Hearing.

The DCO may order a User which has violated, or continues to violate, any provision of this Ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, to appear before the DCO and show cause why the proposed enforcement action should not be taken. Notice shall be served on the User specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the User show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing. Such notice may be served on any authorized representative of the User. A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the User.

Sec. 11.452084. Compliance Orders.

When the DCO finds that a User has violated, or continues to violate, any provision of this Ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the DCO may issue an order to the User responsible for the discharge

directing that the User come into compliance within a specified time. If the User does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a pretreatment standard or requirement, nor does a compliance order relieve the User of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the User.

Sec. 11.452085. Cease and Desist Orders.

When the DCO finds that a User has violated, or continues to violate, any provision of this Ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, or that the User's past violations are likely to recur, the DCO may issue an order to the User directing it to cease and desist all such violations and directing the User to:

- (a) Immediately comply with all requirements; and
- (b) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge. Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the User.

Sec. 11.452086. Reserved.

Sec. 11.452087. Emergency Suspensions

The DCO may immediately suspend a User's discharge, after informal notice to the User, whenever such suspension is necessary to stop an actual or threatened discharge, which reasonably appears to present, or cause an imminent or substantial endangerment to the health or welfare of persons. The DCO may also immediately suspend a User's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment.

- (a) Any User notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a User's failure to immediately comply voluntarily with the suspension order, the DCO may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The DCO may allow the User to recommence its discharge when the User has demonstrated to the satisfaction of the DCO that the period of endangerment has passed, unless the termination proceedings in Section 11.452088 of this Ordinance are initiated against the User.
- (b) A User that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the DCO and the Control Authority prior to the date of any show cause or termination hearing under Sections 11.452083 or 11.452088 of this Ordinance. Nothing in this section shall be interpreted as requiring a hearing prior to any emergency suspension under this section.

Sec. 11.452088. Termination of Discharge.

In addition to the provisions in Section 11.452046 of this Ordinance, any User who violates the following conditions is subject to discharge termination:

- (a) Violation of wastewater discharge permit conditions;
- (b) Failure to accurately report the wastewater constituents and characteristics of its discharge;
- (c) Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;
- (d) Refusal of reasonable access to the User's premises for the purpose of inspection, monitoring, or sampling; or
- (e) Violation of the pretreatment standards in Division 2 of this Ordinance.

Such User will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Section 11.452083 of this Ordinance why the proposed action should not be taken. Exercise of this option by the DCO shall not be a bar to, or a prerequisite for, taking any other action against the User.

Secs. 11.452089 – 11.452090. Reserved.

Division 10 - Judicial Enforcement Remedies

Sec. 11.452091. Injunctive Relief.

When the DCO finds that a User has violated, or continues to violate, any provision of this Ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, the DCO may petition the appropriate Court through the City's Attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the wastewater discharge permit, order, or other requirement imposed by this Ordinance on activities of the User. The DCO may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a User.

Sec. 11.452092. Civil Penalties.

- (a) A User who has violated, or continues to violate, any provision of this Ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall be liable to the City for a maximum civil penalty of One Thousand Dollars (\$1,000.00) per violation, per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.
- (b) The DCO may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and

the cost of any actual damages incurred by the City.

- (c) In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other factor as justice requires.
- (d) Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a User.

Sec. 11.452093. Criminal Prosecution.

- (a) A User who intentionally, knowingly, recklessly, or negligently violates any provision of this Ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than Two Thousand Dollars (\$2,000.00) per violation, per day, or imprisonment as decided by an appropriate court, or both.
- (b) A User who intentionally, knowingly, recklessly, or negligently introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a misdemeanor and be subject to the same penalties described in Section 11.452093(a) of this Ordinance. This penalty shall be in addition to any other cause of action for personal injury or property damage available under State law.
- (c) A User who makes any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this Ordinance, wastewater discharge permit, or order issued hereunder, or who falsifies, tampers with, or renders inaccurate any monitoring device or method required under this Ordinance shall, upon conviction, be subject to the same penalties described in Section 11.452093(a) of this Ordinance.
- (d) *Criminal Responsibility.* A person is criminally responsible for a violation of this Ordinance if that person intentionally, knowingly, recklessly, or negligently:
 - (1) Commits or assists in the commission of a violation, or causes or permits another person to commit a violation; or
 - (2) Owns or manages the property or facilities determined to be the cause of the illegal discharge under Sections 11.452010, 11.452011, 11.452013, 11.452024 or 11.452032 of this Ordinance.

Sec. 11.452094. Remedies Nonexclusive.

The remedies provided for in this Ordinance are not exclusive. The DCO may take any, all, or any combination of these actions against a noncompliant User. Enforcement of pretreatment violations will generally be in accordance with the City's enforcement response plan. However, the DCO may take other action against any User when the circumstances warrant. Further, the DCO is empowered to take more than one enforcement action against any noncompliant User.

Sec. 11.452095. Applicability of More Stringent Regulations.

- (a) If national pretreatment standards, categorical or otherwise, more stringent than the discharge limit) prescribed in this article are promulgated by the United States Environmental Protection Agency for certain industries, the more stringent national pretreatment standards will apply to the affected Industrial User. A violation of the more stringent national pretreatment standards will also be considered violation of this Ordinance.
- (b) *Applicability of more stringent discharge limits.* An Industrial User within the City who discharges industrial waste ultimately received and treated by another governmental entity pursuant to a wholesale wastewater contract or a reciprocal agreement with the City is subject to the following additional rules:
- (1) If the governmental entity has more stringent discharge limits than those prescribed by this Ordinance, or by a discharge permit issued hereunder, because the United States Environmental Protection Agency requires the more stringent discharge limits as part of the governmental entity's wastewater pretreatment program, the more stringent discharge limits shall prevail.
 - (2) The DCO is authorized to issue a discharge permit to an Industrial User affected by Subsection (1), to insure notice of and compliance with the more stringent discharge limits. If the Industrial User already has a discharge permit, the DCO may amend the permit to apply and enforce the more stringent discharge limits. An Industrial User shall submit to the DCO an expected compliance date and an installation schedule if the more stringent discharge limits necessitate technological or mechanical adjustments to discharge facilities or plant processes.
 - (3) If the DCO receives notice from the governmental entity of a change to the instantaneous maximum allowable discharge limits or to other applicable requirements, the director shall notify the affected SIU in writing of the change in the instantaneous maximum allowable discharge limits and the effective date of the change. The DCO shall amend the permit to include the new discharge limits. If the change results in more stringent instantaneous maximum allowable discharge limits, an Industrial User shall be given a reasonable opportunity to comply with the more stringent instantaneous maximum allowable discharge limits.
 - (4) The more stringent discharge limits cease to apply upon termination of the City's wholesale wastewater contract or reciprocal agreement with the governmental entity, or upon modification or elimination of the limits by the government entity or the United States Environmental Protection Agency. The DCO shall take the appropriate action to notify the affected Industrial User of an occurrence under this Subsection (4).
- (c) *Variances in compliance dates.* The DCO may grant a variance in compliance dates to an industry when, in the opinion of the DCO, such action is necessary to achieve pretreatment or corrective measures. In no case shall the DCO grant a variance in compliance dates to an industry affected by national categorical pretreatment standards beyond the compliance dates established by the United States Environmental Protection Agency.
- (d) *Authority to regulate.* The DCO may establish regulations, not in conflict with this

Ordinance other laws, to control the disposal and discharge of industrial waste into the wastewater system and to insure compliance with the City's pretreatment enforcement program with all applicable pretreatment regulations promulgated by the United States Environmental Protection Agency. The regulations established shall, where applicable, be made part of any discharge permit issued to an Industrial User by the DCO.

Sec. 11.452096. Act of God Provision.

In an action brought in municipal or state court only:

- (a) An event that would otherwise be a violation that is caused solely by an act of God, war, strike, riot, or other catastrophe, as defined in Texas Water Code § 7.251, is an affirmative defense to prosecution for a violation of this Ordinance.
- (b) In any enforcement proceeding, the User seeking to establish the occurrence of an act of God, war, strike, riot, or other catastrophe shall have the burden of proof.
- (c) In the event that a User satisfies the conditions set forth in subsections (a) and (b) above, the User shall control production of all discharges to the extent necessary to maintain compliance with pretreatment standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided.

Sec. 11.452097. Bypass.

- (a) For the purposes of this section:
 - (1) "Bypass" means the intentional diversion of wastestreams from any portion of a User's treatment facility.
 - (2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities, which causes them to become inoperable, or substantial and permanent loss of natural resources, which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- (b) A User may allow any bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of subsections (c) and (d) of this section.
- (c) Bypass Notifications
 - (1) If a User knows in advance of the need for a bypass, it shall submit prior notice to the DCO, at least ten (10) days before the date of the bypass, if possible.
 - (2) A User shall submit oral notice to the DCO of an unanticipated bypass that exceeds applicable pretreatment standards within twenty-four (24) hours from the time it becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been

corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The DCO may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.

(d) Bypass

- (1) Bypass is prohibited, and the DCO may take an enforcement action against a User for a bypass, unless:
 - (A) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (B) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - (C) The User submitted notices as required under subsection (c) of this section.
- (2) The DCO may approve an anticipated bypass, after considering its adverse effects, if the DCO determines that it will meet the three (3) conditions listed in subsection (d)(1) of this section.

Division 11. Miscellaneous Provisions

Sec. 11.152098. Pretreatment Charges and Fees.

- (a) The City of Roanoke may adopt reasonable fees, without further amendments of or to this Ordinance for reimbursement of costs of setting up and operating the City of Roanoke's Pretreatment Program, which may include:
 - (1) Fees for wastewater discharge permit applications including the cost of processing such applications;
 - (2) Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing a User's discharge, and reviewing monitoring reports submitted by Users;
 - (3) Fees for reviewing and responding to accidental discharge procedures and construction;
 - (4) Fees for filing appeals;
 - (5) Recovery of administrative and legal costs associated with enforcement activity taken by the DCO to address Industrial User noncompliance;
 - (6) Fees for treating abnormal strength wastes;

- (7) Fees incurred from an upset, bypass or unauthorized discharge; and
 - (8) Other fees as the City may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this Ordinance and are separate from all other fees, fines, and penalties chargeable by the City.
- (b) Surcharge - The City may surcharge Industrial Users for the treatment of abnormal strength wastes. Water or wastes having:
- (1) A five (5) day biochemical oxygen demand greater than two hundred fifty (250) parts per million (ppm) by weight; or
 - (2) Containing more than two hundred fifty (250) parts per million by weight of total suspended solids shall be subject to the review and approval of the DCO. Where the DCO has approved the admission of (1) and/or (2) above into the POTW, that discharge may be subject to a surcharge as determined by the DCO. In no case shall a discharge be accepted that will prevent the POTW from meeting its TPDES limits. The surcharge will be assessed according to the following formula each month using, the most current pollutant concentration data and the current months' wastewater flow:

$$\text{Surcharge} = \frac{Q}{1,000,000} \times [a(\text{BOD} - x) + b(\text{TSS} - y)][8.34]$$

Where:

Q = flow in gallons
 8.34= weight in pounds of one gallon of water
 x = normal limits of BOD in domestic wastewater expressed in milligrams per liter
 y = normal limits of TSS in domestic wastewater expressed in milligrams per liter
 a = unit cost of treatment per pound of BOD
 b = unit cost of treatment per pound of TSS
 BOD = measured amount of BOD, in mg/l
 TSS = measured amount of TSS, in mg/l

A surcharge is an additional charge by the POTW for the increased cost of handling discharge of unusual strength and character and shall not serve as a variance to the requirements of this Ordinance. Exercise of this provision shall not be a bar to, or a prerequisite for, taking any other action against the User.

Secs. 11.452099. Reserved.”

Section 3. PENALTY CLAUSE

Any person, firm, or corporation violating any of the provisions or terms of this Ordinance shall be guilty of a misdemeanor and upon conviction, shall be fined a sum not to exceed \$2,000.00 for each offense, and each and every violation or day such violation shall continue or exist, shall be deemed a separate offense.

Section 4. SEVERABILITY CLAUSE

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 5. EFFECTIVE DATE

This Ordinance shall be in full force and effective from and after ten (10) days from the date of approval by the State.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Roanoke, Texas, on this the ____ day of _____, 20~~25~~¹³.

APPROVED:

Carl E. Gierisch, Jr., Mayor

ATTEST:

April S. Hill, City Secretary

APPROVED AS TO FORM:

Jeff Moore, City Attorney

ORDINANCE No. 2025-110

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROANOKE, TEXAS, AMENDING THE CODE OF ORDINANCES, BY ADDING A NEW CHAPTER 11, ARTICLE 11.2000, SECTIONS 11.2001 TO 11.2099 ENTITLED “CITY OF ROANOKE INDUSTRIAL WASTEWATER ORDINANCE,” ESTABLISHING METHODS FOR CONTROLLING THE INTRODUCTION OF POLLUTANTS INTO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM IN ORDER TO COMPLY WITH THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT CONDITIONS, SLUDGE USE, AND DISPOSAL REQUIREMENTS; PROVIDING A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR SAID ORDINANCE TO TAKE EFFECT FROM AND AFTER ITS DATE OF PUBLICATION.

WHEREAS, the objective of this Ordinance is to prevent the introduction of pollutants into Publicly Owned Treatment Works (“POTW’s); and

WHEREAS, the objective of this Ordinance is also to promote reuse and recycling of industrial wastewater and sludge from POTW’s; and

WHEREAS, the Texas Commission on Environmental Quality required much of the specific wording in this Ordinance; and

WHEREAS, the City Council of the City of Roanoke, Texas, has determined that the following regulation is necessary in order to protect public health, safety, and welfare of the citizens of the City of Roanoke, Texas.

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

Section 1. FINDINGS INCORPORATED

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2. That Chapter 11, of the Code of Ordinances of the City of Roanoke, Texas, is hereby amended by adding a new Article 11.2000, Section 11.2001 to 11.2099, entitled “City of Roanoke Industrial Wastewater Ordinance,” which shall read as follows:

“ARTICLE 11.2000 - CITY OF ROANOKE INDUSTRIAL WASTEWATER ORDINANCE

Division 1. General Provisions.

Sec. 11.2001. Purpose and Policy.

- (a) This Ordinance sets forth uniform requirements for Users of the Publicly Owned Treatment Works (“POTW”) for the City of Roanoke, and enables the City to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code § 1251 et seq.) and the General Pretreatment Regulations (40 Code of Federal Regulations Part 403). The objectives of this Ordinance are:

- (1) To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will interfere with its operation;
 - (2) To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will pass through the Publicly Owned Treatment Works, inadequately treated, into receiving waters, or otherwise be incompatible with the Publicly Owned Treatment Works;
 - (3) To protect both Publicly Owned Treatment Works personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
 - (4) To promote reuse and recycling of industrial wastewater and sludge from the Publicly Owned Treatment Works;
 - (5) To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the Publicly Owned Treatment Works; and
 - (6) To enable the Control Authority to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other Federal or State laws to which the Publicly Owned Treatment Works is subject.
- (b) This Ordinance shall apply to all Users of the Publicly Owned Treatment Works. The Ordinance authorizes the issuance of wastewater discharge permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires User reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

Sec. 11.2002. Administration.

Except as otherwise provided herein, the Designated City Official (“DCO”) shall administer, implement, and enforce the provisions of this Ordinance. Any powers granted to or duties imposed upon the DCO may be delegated by the DCO to other City personnel.

Sec. 11.2003. Abbreviations.

The following abbreviations, when used in this Ordinance, shall have the designated meanings:

BOD - Biochemical Oxygen Demand
BMP - Best Management Practice
BMR - Baseline Monitoring Report
CFR - Code of Federal Regulations
CIU - Categorical Industrial User
COD - Chemical Oxygen Demand
DCRWS – Trinity River Authority of Texas Denton Creek Regional Wastewater System
DCO - Designated City Official
EPA - U.S. Environmental Protection Agency
gpd - gallons per day
IU - Industrial User
mg/l - milligrams per liter

NAICS - North American Industry Classification System
NPDES - National Pollutant Discharge Elimination System
NSCIU - Non-Significant Categorical Industrial User
POTW - Publicly Owned Treatment Works
RCRA - Resource Conservation and Recovery Act
SIC - Standard Industrial Classification
SIU - Significant Industrial User
SNC - Significant Noncompliance
TCEQ - Texas Commission on Environmental Quality
TPDES - Texas Pollutant Discharge Elimination System
TRA - Trinity River Authority
TSS - Total Suspended Solids
TTO - Total Toxic Organics
U.S.C. - United States Code

Sec. 11.2004. Definitions.

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this Ordinance, shall have the meanings hereinafter designated.

- (a) **Act or "the Act."** The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. § 1251 et. seq.
- (b) **Approval Authority.** The Executive Director of the Texas Commission on Environmental Quality ("TCEQ") where the state has been delegated NPDES permit authority and has an approved pretreatment program
- (c) **Authorized Representative of the User.**
 - (1) If the user is a corporation:
 - (A) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or
 - (B) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 - (2) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

- (3) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
- (4) The individuals described in subsections (1) through (3) above, may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the City.
- (d) **Biochemical Oxygen Demand or BOD.** The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20° centigrade, usually expressed as a concentration (e.g., mg/l).
- (e) **Best Management Practices or BMPs.** means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 11.2010(a) and (b) of this Ordinance [40 CFR 403.5(a)(1) and (b)]. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.
- (f) **Categorical Pretreatment Standard or Categorical Standard.** Any regulation containing pollutant discharge limits promulgated by EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. § 1317) which apply to a specific category of Users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.
- (g) **Categorical Industrial User (CIU).** An Industrial User subject to a categorical Pretreatment Standard or Categorical Standard.
- (h) **City.** The City of Roanoke, Texas, or the City Council of the City of Roanoke, Texas, contracting party of the Trinity River Authority Denton Creek Regional Wastewater System.
- (i) **Composite Sample.** A sample that is collected over time, formed either by continuous sampling or by mixing discrete samples. The sample may be composites either as a time composite sample: composed of discrete sample aliquots collected at constant time intervals providing a sample irrespective of stream flow; or as a flow proportional composite sample: collected either as a constant sample volume at time intervals proportional to flow, or collected by increasing the volume of each aliquot as the flow increases while maintaining a constant time interval between the aliquots.
- (j) **Control Authority.** Trinity River Authority of Texas as holder of the NPDES permit.
- (k) **Daily Maximum Limit.** The maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

- (l) **Designated City Official (DCO).** The Director of Public Works or the Utility Superintendent as designated by the City of Roanoke.
- (m) **Environmental Protection Agency or EPA.** The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, or other duly authorized official of said agency.
- (n) **Existing Source.** Any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.
- (o) **Extrajurisdictional User.** A User the City has determined requires a permit to discharge, other than a local government, which is located outside the jurisdiction of the City, and which discharges or plans to discharge to the POTW.
- (p) **Grab Sample.** A sample, which is taken from a waste stream without regard to the flow in the waste stream and over a period of time not to exceed fifteen (15) minutes.
- (q) **Indirect Discharge or Discharge.** The introduction of pollutants into the POTW from any nondomestic source regulated under Section 307(b), (c), or (d) of the Act.
- (r) **Instantaneous Maximum Allowable Discharge Limit.** The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composite sample collected, independent of the industrial flow rate and the duration of the sampling event.
- (s) **Interference.** A discharge, which alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and therefore, is a cause of a violation of the Control Authority's NPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued there under, or any more stringent State or local regulations: Section 405 of the Act; the Solid waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); 40 CFR 503 sludge regulations; any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act and 30 TAG 312; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.
- (t) **Medical Waste.** Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.
- (u) **Monthly Average.** The sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.
- (v) **North American Industry Classification System (NAICS).** Is a system used by the Federal Government for collecting and organizing industry-related statistics. The NAICS codes are updated every five (5) years to stay current with industry developments.
- (w) **NPDES (National Pollutant Discharge elimination System).** National Pollutant

Discharge elimination System permit program of the Environmental Protection Agency, and/or the permit program of the state agency delegated to act on behalf of the EPA with an approved pretreatment program (e.g. TPDES or Texas Pollutant Discharge Elimination System).

(x) **New Source.**

- (1) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:
 - (A) The building, structure, facility, or installation is constructed at a site at which no other source is located; or
 - (B) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - (C) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.
- (2) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (I)(B) or (C) above but otherwise alters, replaces, or adds to existing process or production equipment.
- (3) Construction of a new source as defined under this subsection has commenced if the owner or operator has:
 - (A) Begun, or caused to begin, as part of a continuous onsite construction program
 - (i) Any placement, assembly, or installation of facilities or equipment; or
 - (ii) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
 - (B) Entered into a binding contractual obligation for the purchase of facilities or equipment, which are intended to be used in its operation within a reasonable time. Options to purchase or contracts, which can be

terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies, do not constitute a contractual obligation under this subsection.

- (y) **Non-contact Cooling Water.** Water used for cooling, which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.
- (z) **Normal Wastewater.** Wastewater which the average concentration of suspended solids and five (5) day BOD does not exceed 250 mg/l each.
- (aa) **Pass Through.** A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the Control Authority's NPDES permit, including an increase in the magnitude or duration of a violation.
- (bb) **Person.** Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all Federal, State, and local governmental entities.
- (cc) **pH.** A measure of the acidity or alkalinity of a solution expressed in standard units.
- (dd) **Pollutant.** Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).
- (ee) **Pretreatment.** The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.
- (ff) **Pretreatment Requirements.** Any substantive or procedural requirement related to pretreatment imposed on a User, other than a pretreatment standard.
- (gg) **Pretreatment Standards or Standards.** Pretreatment standards shall mean prohibited discharge standards, categorical pretreatment standards, and local limits.
- (hh) **Process Wastewater.** Water that comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, waste product, or wastewater; and/or as defined in a National Pretreatment Standard.
- (ii) **Prohibited Discharge Standards or Prohibited Discharges.** Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 11.2010 of this Ordinance.
- (jj) **Publicly Owned Treatment Works or POTW.** A "treatment works," as defined by Section 212 of the Act (33 U.S.C. § 1292) which is owned by the City and/or the Control Authority.

This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances which convey wastewater to a treatment plant.

- (kk) **Septic Tank Waste.** Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.
- (ll) **Sewage.** Human excrement and gray water (household showers, dishwashing operations, etc.).
- (mm) **Shall** is mandatory; **May** is permissive.
- (nn) **Significant Industrial User.**
 - (a) SIUs
 - (1) A User subject to categorical pretreatment standards; or
 - (2) A User that:
 - (A) Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, non-contact cooling, and boiler blowdown wastewater);
 - (B) Contributes a process waste stream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - (C) Is designated as such by the City on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
 - (3) Upon a finding that a User meeting the criteria in Subsection (2) has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the City may at any time, on its own initiative or in response to a petition received from a User, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such User should not be considered a significant industrial User.
 - (b) NSCIUs
 - (1) The City may determine that an Industrial User subject to categorical Pretreatment Standards is a Non-Significant Categorical Industrial User (NSCIU) rather than a Significant Industrial User (SIU) on a finding of any of the three (3) criteria below:
 - (A) The Industrial User never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard);

- (B) The Industrial User is required by a categorical Pretreatment Standard to not discharge categorical wastewater unless the City has determined there is no potential for the Industrial User to discharge the prohibited categorical wastewater;
 - (C) The Industrial User is subject to numeric categorical Pretreatment Standard(s) and does not discharge categorical wastewater unless the City has determined there is no potential for the Industrial User to discharge categorical wastewater;
- (2) The following conditions must be met for an Industrial User classified as a NSCIU:
 - (A) The Industrial User, prior to City's finding, has consistently complied with all applicable categorical Pretreatment Standards and Requirements;
 - (B) The Industrial User annually submits the certification statement required in Section 11.2036(c) of this Ordinance [see 40 CFR 403.12(q)], together with any additional information necessary to support the certification statement; and
 - (C) The Industrial User never discharges any untreated concentrated wastewater.
- (oo) **Slug Load or Slug Discharge.** Any discharge of a non-routine, episodic nature, including but not limited to accidental spill or a non-customary batch discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, Local Limits or Permit conditions.
- (pp) **Standard Industrial Classification (SIC) Code.** A classification pursuant to the Standard Industrial Classification Manual issued by the United States Office of Management and Budget.
- (qq) **Storm Water.** Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.
- (rr) **Superintendent, Director, Supervisor, Etc.** The person designated by the City who is charged with certain duties and responsibilities by this Ordinance, or a duly authorized representative.
- (ss) **Suspended Solids.** The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and which is removable by laboratory filtering.
- (tt) **Total Toxic Organics.** The sum of the masses or concentration of the toxic organic compounds listed in 40 CFR 122 Appendix D, Table II found in Industrial Users' discharge at a concentration greater than 0.01 mg/L. With Categorical industries TTOs will be sampled for as stipulated in the particular category or those parameters reasonably suspected to be present, at the discretion of the DCO, where not stipulated.

- (uu) **User or Industrial User.** A source of indirect discharge.
- (vv) **Wastewater.** Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.
- (ww) **Wastewater Treatment Plant or Treatment Plant.** That portion of the POTW, which is designed to provide treatment of municipal sewage and industrial waste.

Secs. 11.2005 – 11.2009. Reserved.

Division 2 - General Sewer Use Requirements

Sec. 11.2010. Prohibited Discharge Standards.

- (a) *General Prohibitions.* No User shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass through or interference. These general prohibitions apply to all Users of the POTW whether or not they are subject to categorical pretreatment standards or any other National, State, or local pretreatment standards or requirements.
- (b) *Specific Prohibitions.* No User shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:
 - (1) Pollutants, which create a fire or explosive hazard in the POTW, including, but not limited to, waste streams with a closed-cup flashpoint of less than 140°F (60°C) using the test methods specified in 40 CFR 261.21;
 - (2) Wastewater having corrosive properties capable of causing damage or injury to structures; equipment and/or personnel of the POTW, as per the specific prohibition in the applicable local limits in Section 11.2013 of this Ordinance.;
 - (3) Solid or viscous substances in amounts, which will cause obstruction of the flow in the POTW resulting in interference, blockage, or damage to the POTW;
 - (4) Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW;
 - (5) Wastewater having a temperature greater than 150°F (65°C), or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104°F (40°C);
 - (6) Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference and/or pass through; and in amounts specified in Section 11.2013 of this Ordinance;
 - (7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;

- (8) Trucked or hauled pollutants, except at discharge points designated by the DCO and the Control Authority in accordance with Section 11.2024 of this Ordinance;
- (9) Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
- (10) Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the applicable NPDES permit;
- (11) Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations;
- (12) Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, and unpolluted wastewater, unless specifically authorized by the DCO;
- (13) Sludge, screenings, or other residues from the pretreatment of industrial wastes;
- (14) Medical wastes except as specifically authorized by the DCO, that do not cause or contribute to Pass Through or Interference;
- (15) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test;
- (16) Detergents, surface-active agents, or other substances which may cause excessive foaming in the POTW;
- (17) Fats, oils, or greases of animal or vegetable origin in concentrations greater than that specified in the applicable local limits in Section 11.2013 of this Ordinance;
- (18) A discharge of water, normal domestic wastewater, or industrial waste that which in quantity of flow exceeds, for a duration of longer than fifteen (15) minutes, more than four (4) times the average twenty-four (24) hour flow during normal operations of the industry;
- (19) Insecticides and herbicides in concentrations that are not amenable to treatment;
- (20) Garbage that is not properly shredded to such an extent that all particles will be carried freely under the flow conditions normally prevailing in wastewater mains, with no particle having greater than one-half (1/2") inch cross-sectional dimension;
- (21) Wastewater or industrial waste generated or produced outside the City, unless approval in writing from the DCO has been given to the person discharging the waste; or
- (22) Without the approval of the DCO, a substance or pollutant other than industrial waste, normal domestic wastewater, septic tank waste or chemical toilet waste that is of a toxic or hazardous nature, regardless of whether or not it is amenable to

treatment, including but not limited to bulk or packaged chemical products. Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW.

- (c). *Processing and Storage.* Pollutants, substances or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW.

Sec. 11.2011. National Categorical Pretreatment Standards.

The categorical pretreatment standards found at 40 CFR Chapter I, Subchapter N, Parts 405-471 are hereby incorporated.

- (a) Where a categorical pretreatment standard is expressed in terms of either the mass or the concentration of a pollutant in wastewater, the DCO may impose equivalent concentration or mass limits in accordance with 40 CFR 403.6(c)(1)-(4).
- (b) When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the DCO shall impose an alternate limit using the combined waste stream formula in 40 CFR 403.6(e).
- (c) A User may obtain a variance from a categorical pretreatment standard if the User can prove, pursuant to the procedural and substantive provisions in 40 CFR 403.13, that factors relating to its discharge are fundamentally different from the factors considered by EPA when developing the categorical pretreatment standard.
- (d) A User may obtain a net gross adjustment to a categorical standard in accordance with 40 CFR 403.15.

Sec. 11.2012. Reserved

Sec. 11.2013. Local Limits.

- (a) The following pollutant limits are established to protect against pass through and interference and apply at the point where the wastewater is discharged to the POTW. No person shall discharge or cause or permit to be discharged, wastewater containing in excess of the following instantaneous or daily maximum allowable discharge limits into the POTW:
 - (1) Toxic Pollutants specified in the following table:

Toxic Pollutant	TRA DCRWS Instantaneous Maximum Allowable Discharge Limit (mg/L)
Cadmium	0.047
Chromium	10.0
Copper	3.51
Cyanide	1.0
Lead	0.22
Mercury	0.005
Nickel	2.98
Zinc	2.99
Oil and Grease	100
pH	5.5 to 11.0 Standard Units

- (2.) All concentrations for metallic substances are for "total" metal unless indicated otherwise. The DCO may impose mass limitations in addition to, or in place of, the concentration based limitations above.

Sec. 11.2014. City's Right of Revision.

The City reserves the right to establish, by ordinance or in wastewater discharge permits, more stringent standards or requirements on discharges to the POTW.

Sec. 11.2015. Dilution.

No User shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement. The DCO may impose mass limitations on Users who are using dilution to meet applicable pretreatment standards or requirements, or in other cases when the imposition of mass limitations is appropriate.

Sec. 11.2016. Plant Loading.

No industry shall discharge wastewater containing a BOD or TSS loading that causes the City's prorata share of the total BOD or TSS loading to the POTW System to exceed the City's prorata share of the total flow to the POTW System. (Example: If the City contributes twenty-five percent (25%) of the total wastewater flow to the System, the City's cumulative BOD or TSS loading to the System, as measured at the City's points of entry to the System, shall not exceed twenty-five percent (25%) of the total BOD or TSS loading to the System.) Any industry with a wastewater strength that will cause the City's cumulative wastewater loading, at the City's points of entry, to exceed the City's prorata share of the total wastewater loading based upon flow, shall be required to install pretreatment facilities to reduce its wastewater strength to an acceptable level.

Secs. 11.2017 – 11.2020. Reserved.

Division 3 - Pretreatment of Wastewater

Sec. 11.2021. Pretreatment Facilities.

Users shall provide wastewater treatment as necessary to comply with this Ordinance and shall achieve compliance with all categorical pretreatment standards, local limits, and the prohibitions set out in Section 11.2010 of this Ordinance within the time limitations specified by EPA, the State, the Control Authority, or the DCO, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the User's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the DCO for review, and shall be acceptable to the DCO before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the User from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the City under the provisions of this Ordinance.

Sec. 11.2022. Additional Pretreatment Measures.

- (a) Whenever deemed necessary, the DCO may require Users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage waste streams from industrial waste streams, and require such other conditions as may be necessary to protect the POTW and determine the User's compliance with the requirements of this Ordinance.
- (b) The DCO may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. A wastewater discharge permit may be issued solely for flow equalization.
- (c) Grease, oil, and sand interceptors shall be provided when, in the opinion of the DCO, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, or sand; except that such interceptors shall not be required for residential Users. All interception units shall be of type and capacity approved by the DCO and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed, by the User at their expense.
- (d) Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter, or other control device as deemed necessary by the DCO.
- (e) The DCO may develop Best Management Practices (BMP) and require Users to implement such BMP's if necessary to protect the POTW. Such BMP's would be supplemental and not used as a replacement for compliance with Local Limits listed in Section 11.2013 and Prohibited Discharge Standards in Section 11.2010.

Sec. 11.2023. Accidental Discharge/Slug Control Plans.

The DCO or Control Authority shall evaluate whether each permitted significant Industrial User needs an accidental discharge/slug control plan or other action to control Slug Discharges no later than one (1) year of the SIU determination. The DCO or Control Authority may require any User to develop, submit for approval, and implement such a plan. All the activities associated with Slug

Control evaluation and results are to be kept in the Industrial User file. An accidental discharge/slug control plan shall address, at a minimum, the following:

- (a) Description of discharge practices, including non-routine batch discharges;
- (b) Description of stored chemicals;
- (c) Procedures for immediately notifying the DCO and Control Authority of any accidental or slug discharge, as required by Section 11.2056 of this Ordinance; and
- (d) Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

Sec. 11.2024. Hauled Wastewater.

- (a) Septic waste may be introduced into the POTW only at locations designated by the DCO and Control Authority, and at such times as are established by the DCO and Control Authority. Such waste shall not violate Division 2 of this Ordinance or any other requirements established by the City. The DCO and/or Control Authority may require septic tank waste haulers to obtain wastewater discharge permits.
- (b) Septic waste haulers must provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of generator, known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.

Secs. 11.2025 – 11.2030. Reserved.

Division 4 - Wastewater Discharge Permit Application

Sec. 11.2031. Wastewater Analysis.

When requested by the DCO, a User must submit information on the nature and characteristics of its wastewater by the deadline stipulated. The DCO is authorized to prepare a form for this purpose and may periodically require Users to update this information.

Sec. 11.2032. Wastewater Discharge Permit Requirement.

- (a) No Significant Industrial User (SIU) or Non-significant Categorical Industrial User (NSCIU) shall discharge wastewater into the POTW without first obtaining a wastewater discharge permit from the DCO, who may disallow any or all discharges until a wastewater discharge permit is issued, except that a SIU or a NSCIU that has filed a timely application pursuant to Section 11.2033 of this Ordinance may continue to discharge for the time period specified therein.
- (b) The DCO may require other Users to submit a completed permit application or survey

form, including monitoring data, and to obtain wastewater discharge permits as necessary to carry out the purposes of this Ordinance. To determine the status of a User in relation to this Ordinance, Users may be required to perform sampling as specified by the DCO.

- (c) Any violation of the terms and conditions of a Wastewater discharge permit shall be deemed a violation of this Ordinance and subjects the wastewater discharge permittee to the sanctions set out in Sections 11.2077 to 11.2095 of this Ordinance. Obtaining a wastewater discharge permit does not relieve a permittee of its obligation to comply with all Federal and State pretreatment standards or requirements with any other requirements of Federal, State, and local law.

Sec. 11.2033. Wastewater Discharge Permitting: Existing Connections.

Any User required to obtain a wastewater discharge permit who was discharging wastewater into the POTW prior to the effective date of this Ordinance and who wishes to continue such discharges in the future, shall, within ninety (90) days after said date, apply to the DCO for a wastewater discharge permit in accordance with Section 11.2035 of this Ordinance, and shall not cause or allow discharges to the POTW to continue after ninety (90) days of the effective date of this Ordinance except in accordance with a wastewater discharge permit issued by the DCO. If, in the DCO judgment, the passing of the Ordinance does not significantly affect the Industrial Users current permit, then the existing permit will continue through to the expiration date.

Sec. 11.2034. Wastewater Discharge Permitting: New Connections.

Any User required to obtain a wastewater discharge permit that proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge. An application for this wastewater discharge permit, in accordance with Section 11.2035 of this Ordinance, must be filed prior to the date upon which any discharge will begin or recommence.

Sec. 11.2035. Wastewater Discharge Permit Application Contents.

All Users required to obtain a wastewater discharge permit must submit a permit application. The DCO may require all Users to submit as part of an application the following information:

- (a) All information required by Section 11.2051(b) of this Ordinance;
- (b) Description of activities, facilities, and plant processes on the premises, including a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;
- (c) Number and type of employees, hours of operation, and proposed or actual hours of operation;
- (d) Each product produced by type, amount, process or processes, and rate of production;
- (e) Type and amount of raw materials processed (average and maximum per day);
- (f) Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge;

- (g) Time and duration of discharges; and
- (h) Any other information as may be deemed necessary by DCO to evaluate the wastewater discharge permit application. Incomplete or inaccurate applications will not be processed and will be returned to the User for revision.

Sec. 11.2036. Application Signatories and Certification.

- (a) All wastewater discharge permit applications and User reports (as identified in 40 CFR §403.12(l)), must be signed by an authorized representative of the User, as defined in Section 11.2004(c) of the Ordinance and contain the following certification statement:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

- (b) If the designation of an Authorized Representative of the User is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of this Section must be submitted to the DCO prior to or together with any reports to be signed by an Authorized Representative.
- (c) A facility determined to be a Non-Significant Categorical Industrial User (NSCIU) by the DCO pursuant to Section 11.2004(nn)(b) of this Ordinance must annually submit the signed certification statement signed in accordance with the signatory requirements in Section 11.2004(c) of this Ordinance. This certification must accompany an alternative report required by the DCO.

Based on my inquiry of the person or persons directly responsible for managing compliance with the categorical Pretreatment Standards under 40 CFR _____, I certify that, to the best of my knowledge and belief that during the period from _____, _____ to _____, _____ [months, days, year]:

- (1) The facility described as _____ [facility name] met the definition of a Non-Significant Categorical Industrial User as described in Section 11.2004(nn)(b) of this Ordinance; **[Note: See 40 CFR 403.3(v)(2)]**
- (2) The facility complied with all applicable Pretreatment Standards and requirements during this reporting period; and
- (3) The facility never discharged more than 100 gallons of total categorical wastewater on any given day during this reporting period.

This compliance certification is based on the following information.

Sec. 11.2037. Wastewater Discharge Permit Decisions.

The DCO will evaluate the data furnished by the User and may require additional information. Within a reasonable time from receipt of a complete wastewater discharge permit application; the DCO will determine whether or not to issue a wastewater discharge permit. The DCO may deny any application for a wastewater discharge permit.

Secs. 11.2038 – 11.2040. Reserved.

Division 5 - Wastewater Discharge Permit Issuance Process

Sec. 11.2041. Wastewater Discharge Permit Duration.

A wastewater discharge permit shall be issued for a specified time, not to exceed five (5) years from the effective date of the permit. A wastewater discharge permit may be issued for a period less than five (5) years, at the discretion of the DCO. Each wastewater discharge permit will indicate a specific date upon which it will expire.

Sec. 11.2042. Wastewater Discharge Permit Contents.

A wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the DCO to prevent pass through or interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

(a) Wastewater discharge permits must contain:

- (1) A statement that indicates wastewater discharge permit duration, which in no event shall exceed five (5) years;
- (2) A statement that the wastewater discharge permit is nontransferable without prior notification to the City in accordance with Section 11.2045 of this Ordinance, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
- (3) Effluent limits (including Best Management Practices) based on applicable pretreatment standards;
- (4) Self-monitoring, sampling, reporting, notification, and record-keeping requirements (including BMPs). These requirements shall include an identification of pollutants to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law; and
- (5) A statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by

applicable Federal, State, or local law.

- (6) Requirements to control Slug Discharge, if determined by the DCO to be necessary.
- (b) Wastewater discharge permits may contain, but need not be limited to, the following conditions:
 - (1) Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
 - (2) Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;
 - (3) Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or non-routine discharges;
 - (4) Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;
 - (5) The unit charge or schedule of User charges and fees for the management of the wastewater discharged to the POTW;
 - (6) Requirements for installation and maintenance of inspection and sampling facilities and equipment;
 - (7) A statement that compliance with the wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State pretreatment standards, including those which become effective during the term of the wastewater discharge permit; and
 - (8) Requirements to implement BMP's if determined by the DCO to be necessary; and
 - (9) Other conditions as deemed appropriate by the DCO to ensure compliance with this Ordinance, and State and Federal laws, rules, and regulations.

Sec. 11.2043. Reserved.

Sec. 11.2044. Wastewater Discharge Permit Modification.

The DCO may modify a wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- (a) To incorporate any new or revised Federal, State, or local pretreatment standards or requirements;
- (b) To address significant alterations or additions to the User's operation, processes, or wastewater volume or character since the time of wastewater discharge permit issuance;

- (c) A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
- (d) Information indicating that the permitted discharge poses a threat to POTW, POTW personnel, or the receiving waters;
- (e) Violation of any terms or conditions of the wastewater discharge permit;
- (f) Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
- (g) Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13;
- (h) To correct typographical or other errors in the wastewater discharge permit; or
- (i) To reflect a transfer of the facility ownership or operation to a new owner or operator.

Sec. 11.2045. Wastewater Discharge Permit Transfer.

Wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives a minimum of sixty (60) days advance notice to the DCO and the DCO approves the wastewater discharge permit transfer. The notice to the DCO must include a written certification by the new owner or operator which:

- (a) States that the new owner and/or operator have no immediate intent to change the facility's operations and processes;
- (b) Identifies the specific date on which the transfer is to occur; and
- (c) Acknowledges full responsibility for complying with the existing wastewater discharge permit. Failure to provide advance notice of a transfer renders the wastewater discharge permit void as of the date of facility transfer.

Sec. 11.2046. Wastewater Discharge Permit Revocation.

The DCO may revoke a wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- (a) Failure to notify the DCO of significant changes to the wastewater prior to the changed discharge;
- (b) Failure to provide prior notification to the DCO of changed conditions pursuant to Section 11.2055 of this Ordinance;
- (c) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- (d) Falsifying self-monitoring reports;
- (e) Tampering with monitoring equipment;

- (f) Refusing to allow the DCO timely access to the facility premises and records;
- (g) Failure to meet effluent limitations;
- (h) Failure to pay fines;
- (i) Failure to pay sewer charges;
- (j) Failure to meet compliance schedules;
- (k) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (l) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- (m) Violation of any pretreatment standard or requirement, or any terms of the wastewater discharge permit or this Ordinance.

Wastewater discharge permits shall be voidable upon cessation of operations or transfer of business ownership. All wastewater discharge permits issued to a particular User are void upon the issuance of a new wastewater discharge permit to that User.

Sec. 11.2047. Wastewater Discharge Permit Reissuance.

A User with an expiring wastewater discharge permit shall apply for wastewater discharge permit reissuance by submitting a complete permit application, in accordance with Section 11.2035 of this Ordinance, a minimum of sixty (60) days prior to the expiration of the User's existing wastewater discharge permit.

Sec. 11.2048. Regulation of Waste Received from Other Jurisdictions.

- (a) A municipality which contributes wastewater to the POTW, shall enter into an interlocal agreement with the City prior to contributing such wastewater.
- (b) Prior to the City entering into an interlocal agreement as provided in subsection (a) above, the City may request the following information from the contributing municipality:
 - (1) A description of the quality and volume of wastewater discharged to the POTW by the contributing municipality;
 - (2) An inventory of all users located within the contributing municipality that are discharging to the POTW; and
 - (3) Such other information as the City may deem necessary.

Sec. 11.2049. Extrajurisdictional Users

- (a) An extrajurisdictional user shall apply for a permit in accordance with this ordinance at least ninety (90) days prior to discharging to the POTW.

- (b) This section does not apply to extrajurisdictional users in jurisdictions which have an agreement with the City pursuant to section 11.2048.
- (c) A wastewater discharge permit issued to an extrajurisdictional user shall be in the form of a contract, and must include, at a minimum, the components found in 40 CFR 403.8(f)(1)(iii) and shall require the approval of the City's council. An extrajurisdictional user shall agree to all the terms of this ordinance and the terms of its wastewater discharging contract in accordance with the procedures set forth in section 11.2042 of this Ordinance prior to discharging into the POTW.

11.2050. Reserved.

Division 6 - Reporting Requirements

Sec. 11.2051. Baseline Monitoring Reports.

- (a) Within, either one hundred eighty (180) days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing categorical Users currently discharging to or scheduled to discharge to the POTW shall submit to the DCO a report which contains the information listed in subsection (b) below. At least ninety (90) days prior to commencement of their discharge, new sources, and sources that will become categorical Users subsequent to the promulgation of an applicable categorical standard, shall submit to the DCO a report which contains the information listed in subsection (b) below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.
- (b) Users described above shall submit the information set forth below.
 - (1) *Identifying Information.* The name and address of the facility, including the name of the operator and owner;
 - (2) *Environmental Permits.* A list of any environmental control permits held by or for the facility.
 - (3) *Description of Operations.* A brief description of the nature, average rate of production, and standard industrial classifications and/or North American Industry Classifications (NAICS) of the operation(s) carried out by such User. This description should include a schematic process diagram, which indicates points of discharge to the POTW from the regulated processes.
 - (4) *Flow Measurement.* Information showing the measured or estimated average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestreams formula set out in 40 CFR 403.6(e).
 - (5) *Measurement of Pollutants.*
 - (A) The categorical pretreatment standards applicable to each regulated process. (and any new categorically regulated processes for Existing Sources.)

- (B) The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the DCO, of regulated pollutants in the discharge from each regulated process.
 - (C) Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported.
 - (D) The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 11.2060 of this Ordinance. Where the Standard requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the DCO or the applicable Standards to determine compliance with the Standard.
 - (E) If discharge flow conditions are representative of daily operations, the User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this section. The DCO may require additional representative sampling to be conducted.
 - (F) Representative samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment the User should measure the flows and concentrations necessary to allow use of the combined wastestream formula in 40CFR 403.6(e) to evaluate compliance with Pretreatment Standards.
 - (G) The DCO may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures.
 - (H) The baseline report shall indicate the time, date and place of sampling and method of analysis, and shall certify that such sampling and analysis is representative of normal work cycle and expected pollutant discharges to the POTW.
 - (I) Sampling must be performed in accordance with procedures set out in Section 11.2061 of this Ordinance.
- (6) *Certification.* A statement, reviewed by the User's authorized representative and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.
 - (7) *Compliance Schedule.* If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the User will provide such additional pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this section must meet

the requirements set out in Section 11.2052 of this Ordinance.

- (8) *Signature and Certification.* All baseline-monitoring reports must be signed and certified in accordance with Section 11.2036 of this Ordinance.

Sec. 11.2052. Compliance Schedule Progress Reports.

The following conditions shall apply to the compliance schedule required by Section 11.2051(b)(7) of this Ordinance:

- (a) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
- (b) No increment referred to above shall exceed nine (9) months;
- (c) The User shall submit a progress report to the DCO no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the User to return to the established schedule; and
- (d) In no event shall more than nine (9) months elapse between such progress reports to the DCO.

Sec. 11.2053. Reports on Compliance with Categorical Pretreatment Standard Deadline.

Within ninety (90) days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source following commencement of the introduction of wastewater into the POTW, any User subject to such pretreatment standards and requirements shall submit to the DCO a report containing the information described in Section 11.2051(b)(4)-(6) of this Ordinance. For Users subject to equivalent mass or concentration limits established in accordance with the procedures in 40 CFR 403.6(c), this report shall contain a reasonable measure of the User's long-term production rate. In cases where the Categorical Pretreatment Standard requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the applicable Categorical Pretreatment Standard necessary to determine the compliance status of the User for all other Users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the User's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 11.2036 of this Ordinance. All sampling will be done in conformance with Section 11.2061 of the Ordinance.

Sec. 11.2054. Periodic Compliance Reports.

- (a) All SIU's shall, at a frequency determined by the DCO but in no case less than twice per year, submit a report indicating the nature and concentration of pollutants in the discharge which are limited by pretreatment standards and the measured or estimated average and

maximum daily flows for the reporting period. In cases where the Categorical Pretreatment Standard or the DCO requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the DCO or the applicable Categorical Pretreatment Standard necessary to determine the compliance status of the User. All periodic compliance reports must be signed and certified in accordance with Section 11.2036 of this Ordinance.

- (b) All Non-significant Categorical Industrial Users (NSCIU) shall submit a report annually in the month specified by the DCO. The report shall be completed according to the City's current reporting requirements, including the submittal of the applicable certification statement found in Section 11.2036 of this Ordinance.
- (c) All wastewater samples must be representative of the User's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge.
- (d) If a User subject to the reporting requirement in this section monitors any pollutant more frequently than required by the DCO, using the procedures prescribed in Section 11.2060 and 11.2061 of this Ordinance, the results of this monitoring shall be included in the report.

Sec. 11.2055. Reports of Changed Conditions.

Each User must notify the DCO of any planned significant changes to the User's operations or system which might alter the nature, quality, or volume of its wastewater before the change is made.

- (a) The DCO may require the User to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under Section 11.2035 of this Ordinance.
- (b) The DCO may issue a wastewater discharge permit under Section 11.2037 of this Ordinance or modify an existing wastewater discharge permit under Section 11.2044 of this Ordinance in response to changed conditions or anticipated changed conditions.
- (c) For purposes of this requirement, significant changes include, but are not limited to, flow increases of twenty percent (20%) or greater, and the discharge of any previously unreported pollutants that are determined to be of concern.

Sec. 11.2056. Reports of Potential Problems.

- (a) In the case of any discharge, including, but not limited to, accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, or a slug load, that may cause potential problems for the POTW, the User shall immediately telephone and notify the City and the Control Authority of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the User.
- (b) Within five (5) days following such discharge, the User shall, unless waived by the DCO, submit a detailed written report describing the cause(s) of the discharge and the measures

to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability, which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the User of any fines, penalties, or other liability which may be imposed pursuant to this Ordinance.

- (c) A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees whom to call in the event of a discharge described in subsection (a), above. Employers shall ensure that all employees, who may cause such a discharge to occur, are advised of the emergency notification procedure.
- (d) SIU's are required to notify the DCO immediately of any changes at its facility affecting the potential for a Slug Discharge

Sec. 11.2057. Reports from Unpermitted Users.

All Users not required to obtain a wastewater discharge permit shall provide appropriate reports to the DCO as the DCO may require.

Sec. 11.2058. Notice of Violation/Repeat Sampling and Reporting.

If sampling performed by a User indicates a violation, the User must notify the DCO within twenty-four (24) hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the DCO within thirty (30) days after becoming aware of the violation. The User is not required to resample if the DCO monitors at the User's facility at least once a month, or if the DCO samples between the User's initial sampling and when the User receives the results of this sampling, or if the DCO has performed the sampling and analysis in lieu of the User.

Sec. 11.2059. Notification of the Discharge of Hazardous Waste.

- (a) Any User who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the User discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the User: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and an estimation of the mass of constituents in the waste stream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this subsection need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under Section 11.2055 of this Ordinance. The notification requirement in this section does not apply to pollutants already reported by Users subject to categorical pretreatment standards under the self-monitoring requirements of Sections 11.2051, 11.2053, and 11.2054 of this Ordinance.

- (b) Dischargers are exempt from the requirements of subsection (a) above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the User discharges more than such quantities of any hazardous waste do not require additional notification.
- (c) In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the User must notify the DCO, the POTW, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.
- (d) In the case of any notification made under this section, the User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
- (e) This provision does not create a right to discharge any substance not otherwise permitted for discharge by this Ordinance, a permit issued hereunder, or any applicable Federal or State law.

Sec. 11.2060. Analytical Requirements.

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136, and amendments thereto, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question sampling and analyses shall be performed by using validated analytical methods or any applicable sampling and analytical procedures, including procedures suggested by the DCO, TCEQ, or other parties approved by EPA.

Sec. 11.2061. Sample Collection.

- (a) Except as indicated in subsection (b) and (c) below, the User must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the DCO. Where time-proportional composite sampling or grab sampling is authorized by the City, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the City, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.

- (b) Samples for oil and grease, temperature, pH, cyanide, phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.
- (c) For sampling required in support of baseline monitoring and 90-day compliance reports required in Sections 11.2051 and 11.2053 of this Ordinance [40 CFR 403.12(b) and (d)], a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the DCO may authorize a lower minimum. For the reports required by Section 11.2054 of this Ordinance (40 CFR 403.12(e) and 403.12(h)), the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance by with applicable Pretreatment Standards and Requirements.

Sec. 11.2062. Timing.

Written reports will be, deemed to have been, submitted on the date postmarked. For reports, which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.

Sec. 11.2063. Record Keeping.

Users subject to the reporting requirements of this Ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this Ordinance and any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements and documentation associated with Best Management Practices established in this Ordinance. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the User or the City, or where the User has been specifically notified of a longer retention period by the DCO.

Secs. 11.2064 – 11.2070. Reserved.

Division 7 - Compliance Monitoring

Sec. 11.2071. Right of Entry: Inspection and Sampling.

The DCO, the Control Authority, State or Federal representatives shall have the right to enter the premises of any User to determine whether the User is complying with all requirements of this Ordinance and any wastewater discharge permit or order issued hereunder. Users shall allow inspecting or sampling person ready access to all parts of the premises for the purposes of inspection, sampling, records examination, and copying, and the performance of any additional duties.

- (a) Where a User has security measures in force, which require proper identification and clearance before entry into its premises, the User shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the City,

Control Authority, State or Federal representatives will be permitted to enter without delay for the purposes of performing specific responsibilities.

- (b) The DCO an/or Control Authority shall have the right to set up on the User's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the User's operations. All sampling and analysis performed by the DCO and/or Control Authority to monitor compliance shall be at the expense of the Industrial User.
- (c) The DCO may require the User to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the User at its own expense. All devices used to measure wastewater flow and quality shall be calibrated, at a minimum, annually to ensure their accuracy.
- (d) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the User at the written or verbal request of the DCO and shall not be replaced. The costs of clearing such access shall be born by the User.
- (e) Unreasonable delays in allowing the inspecting or sampling person access to the User's premises shall be a violation of this Ordinance.
- (f) In accordance with 40 CFR 403, the City shall inspect and monitor each SIU a minimum of once a year. If the City elects to perform compliance monitoring for the SIU then the City will monitor the industry a minimum of semiannually.
- (g) The City shall inspect each NSCIU a minimum of once per year. If the City elects to perform compliance monitoring for the NSCIU then the City will monitor the industry a minimum of one time each permit cycle

Sec. 11.2072. Search Warrants.

If the DCO and/or Control Authority has been refused access to a building, structure, or property, or any art thereof, and is able to demonstrate probable cause to believe that there may be a violation of this Ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the City designed to verify compliance with this Ordinance or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the DCO and/or Control Authority may seek issuance of a search warrant from an appropriate court.

Secs. 11.2073 – 11.2075. Reserved.

Division 8 - Confidential Information and Publication

Sec. 11.2076. Confidential Information.

Information and data on a User obtained from reports, surveys, wastewater discharge permit applications, wastewater discharge permits, and monitoring programs, and from inspection and sampling activities, shall be available to the public without restriction, unless the User specifically requests, and is able to demonstrate to the satisfaction of the City and/or Control Authority, that the release of such information would divulge information, processes, or methods of production

entitled to protection as trade secrets under applicable State law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the User furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, consistent with State law, including the Texas Public Information Act, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other "effluent data" as defined by 40 CFR 2.302 will not be recognized as confidential information and will be available to the public without restriction.

Sec. 11.2077. Publication of Users in Significant Noncompliance.

The DCO shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, a list of the Users which, at any time during the previous twelve (12) months, were in significant noncompliance with applicable pretreatment standards and requirements. The term Significant Noncompliance shall be applicable to all SIU's (or any other Industrial User that violates subsection (c), (d), or (h) of this Section) and shall mean:

- (a) Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six (6) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined in Division 2;
- (b) Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six (6) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by Division 2 multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
- (c) Any other violation of a Pretreatment Standard or Requirement as defined by Division 2 (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the DCO determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;
- (d) Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the DCO's exercise of its emergency authority to halt or prevent such a discharge;
- (e) Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;
- (f) Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;

- (g) Failure to accurately report noncompliance; or
- (h) Any other violation(s), which may include a violation of Best Management Practices, which the DCO determines will adversely affect the operation or implementation of the local pretreatment program.

Secs. 11.2078 – 11.2080. Reserved.

Division 9 - Administrative Enforcement Remedies

Sec. 11.2081. Notification of Violation.

When the DCO finds that a User has violated, or continues to violate, any provision of this Ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the DCO may serve upon that User a written Notice of Violation. Within the period specified in the notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the User to the DCO. Submission of this plan in no way relieves the User of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this section shall limit the authority of the DCO to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

Sec. 11.2082. Consent Order.

The DCO may enter into Consent Orders, assurance of compliance, or similar documents establishing an agreement with any User responsible for noncompliance. Such documents shall include specific action to be taken by the User to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to Sections 11.2084 and 11.2085 of this Ordinance and shall be judicially enforceable.

Sec. 11.2083. Show Cause Hearing.

The DCO may order a User which has violated, or continues to violate, any provision of this Ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, to appear before the DCO and show cause why the proposed enforcement action should not be taken. Notice shall be served on the User specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the User show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing. Such notice may be served on any authorized representative of the User. A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the User.

Sec. 11.2084. Compliance Orders.

When the DCO finds that a User has violated, or continues to violate, any provision of this Ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the DCO may issue an order to the User responsible for the discharge directing that the User come into compliance within a specified time. If the User does not come into compliance within the time provided, sewer service may be discontinued unless adequate

treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a pretreatment standard or requirement, nor does a compliance order relieve the User of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the User.

Sec. 11.2085. Cease and Desist Orders.

When the DCO finds that a User has violated, or continues to violate, any provision of this Ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, or that the User's past violations are likely to recur, the DCO may issue an order to the User directing it to cease and desist all such violations and directing the User to:

- (a) Immediately comply with all requirements; and
- (b) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge. Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the User.

Sec. 11.2086. Reserved.

Sec. 11.2087. Emergency Suspensions

The DCO may immediately suspend a User's discharge, after informal notice to the User, whenever such suspension is necessary to stop an actual or threatened discharge, which reasonably appears to present, or cause an imminent or substantial endangerment to the health or welfare of persons. The DCO may also immediately suspend a User's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment.

- (a) Any User notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a User's failure to immediately comply voluntarily with the suspension order, the DCO may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The DCO may allow the User to recommence its discharge when the User has demonstrated to the satisfaction of the DCO that the period of endangerment has passed, unless the termination proceedings in Section 11.2088 of this Ordinance are initiated against the User.
- (b) A User that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the DCO and the Control Authority prior to the date of any show cause or termination hearing under Sections 11.2083 or 11.2088 of this Ordinance. Nothing in this section shall be interpreted as requiring a hearing prior to any emergency suspension under this section.

Sec. 11.2088. Termination of Discharge.

In addition to the provisions in Section 11.2046 of this Ordinance, any User who violates the following conditions is subject to discharge termination:

- (a) Violation of wastewater discharge permit conditions;
- (b) Failure to accurately report the wastewater constituents and characteristics of its discharge;
- (c) Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;
- (d) Refusal of reasonable access to the User's premises for the purpose of inspection, monitoring, or sampling; or
- (e) Violation of the pretreatment standards in Division 2 of this Ordinance.

Such User will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Section 11.2083 of this Ordinance why the proposed action should not be taken. Exercise of this option by the DCO shall not be a bar to, or a prerequisite for, taking any other action against the User.

Secs. 11.2089 – 11.2090. Reserved.

Division 10 - Judicial Enforcement Remedies

Sec. 11.2091. Injunctive Relief.

When the DCO finds that a User has violated, or continues to violate, any provision of this Ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, the DCO may petition the appropriate Court through the City's Attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the wastewater discharge permit, order, or other requirement imposed by this Ordinance on activities of the User. The DCO may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a User.

Sec. 11.2092. Civil Penalties.

- (a) A User who has violated, or continues to violate, any provision of this Ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall be liable to the City for a maximum civil penalty of One Thousand Dollars (\$1,000.00) per violation, per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.
- (b) The DCO may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the City.

- (c) In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other factor as justice requires.
- (d) Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a User.

Sec. 11.2093. Criminal Prosecution.

- (a) A User who intentionally, knowingly, recklessly, or negligently violates any provision of this Ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than Two Thousand Dollars (\$2,000.00) per violation, per day, or imprisonment as decided by an appropriate court, or both.
- (b) A User who intentionally, knowingly, recklessly, or negligently introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a misdemeanor and be subject to the same penalties described in Section 11.2093(a) of this Ordinance. This penalty shall be in addition to any other cause of action for personal injury or property damage available under State law.
- (c) A User who makes any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this Ordinance, wastewater discharge permit, or order issued hereunder, or who falsifies, tampers with, or renders inaccurate any monitoring device or method required under this Ordinance shall, upon conviction, be subject to the same penalties described in Section 11.2093(a) of this Ordinance.
- (d) *Criminal Responsibility.* A person is criminally responsible for a violation of this Ordinance if that person intentionally, knowingly, recklessly, or negligently:
 - (1) Commits or assists in the commission of a violation, or causes or permits another person to commit a violation; or
 - (2) Owns or manages the property or facilities determined to be the cause of the illegal discharge under Sections 11.2010, 11.2011, 11.2013, 11.2024 or 11.2032 of this Ordinance.

Sec. 11.2094. Remedies Nonexclusive.

The remedies provided for in this Ordinance are not exclusive. The DCO may take any, all, or any combination of these actions against a noncompliant User. Enforcement of pretreatment violations will generally be in accordance with the City's enforcement response plan. However, the DCO may take other action against any User when the circumstances warrant. Further, the DCO is empowered to take more than one enforcement action against any noncompliant User.

Sec. 11.2095. Applicability of More Stringent Regulations.

- (a) If national pretreatment standards, categorical or otherwise, more stringent than the

discharge limit) prescribed in this article are promulgated by the United States Environmental Protection Agency for certain industries, the more stringent national pretreatment standards will apply to the affected Industrial User. A violation of the more stringent national pretreatment standards will also be considered violation of this Ordinance.

- (b) *Applicability of more stringent discharge limits.* An Industrial User within the City who discharges industrial waste ultimately received and treated by another governmental entity pursuant to a wholesale wastewater contract or a reciprocal agreement with the City is subject to the following additional rules:
 - (1) If the governmental entity has more stringent discharge limits than those prescribed by this Ordinance, or by a discharge permit issued hereunder, because the United States Environmental Protection Agency requires the more stringent discharge limits as part of the governmental entity's wastewater pretreatment program, the more stringent discharge limits shall prevail.
 - (2) The DCO is authorized to issue a discharge permit to an Industrial User affected by Subsection (1), to insure notice of and compliance with the more stringent discharge limits. If the Industrial User already has a discharge permit, the DCO may amend the permit to apply and enforce the more stringent discharge limits. An Industrial User shall submit to the DCO an expected compliance date and an installation schedule if the more stringent discharge limits necessitate technological or mechanical adjustments to discharge facilities or plant processes.
 - (3) If the DCO receives notice from the governmental entity of a change to the instantaneous maximum allowable discharge limits or to other applicable requirements, the director shall notify the affected SIU in writing of the change in the instantaneous maximum allowable discharge limits and the effective date of the change. The DCO shall amend the permit to include the new discharge limits. If the change results in more stringent instantaneous maximum allowable discharge limits, an Industrial User shall be given a reasonable opportunity to comply with the more stringent instantaneous maximum allowable discharge limits.
 - (4) The more stringent discharge limits cease to apply upon termination of the City's wholesale wastewater contract or reciprocal agreement with the governmental entity, or upon modification or elimination of the limits by the government entity or the United States Environmental Protection Agency. The DCO shall take the appropriate action to notify the affected Industrial User of an occurrence under this Subsection (4).
- (c) *Variances in compliance dates.* The DCO may grant a variance in compliance dates to an industry when, in the opinion of the DCO, such action is necessary to achieve pretreatment or corrective measures. In no case shall the DCO grant a variance in compliance dates to an industry affected by national categorical pretreatment standards beyond the compliance dates established by the United States Environmental Protection Agency.
- (d) *Authority to regulate.* The DCO may establish regulations, not in conflict with this Ordinance other laws, to control the disposal and discharge of industrial waste into the wastewater system and to insure compliance with the City's pretreatment enforcement

program with all applicable pretreatment regulations promulgated by the United States Environmental Protection Agency. The regulations established shall, where applicable, be made part of any discharge permit issued to an Industrial User by the DCO.

Sec. 11.2096. Act of God Provision.

In an action brought in municipal or state court only:

- (a) An event that would otherwise be a violation that is caused solely by an act of God, war, strike, riot, or other catastrophe, as defined in Texas Water Code § 7.251, is an affirmative defense to prosecution for a violation of this Ordinance.
- (b) In any enforcement proceeding, the User seeking to establish the occurrence of an act of God, war, strike, riot, or other catastrophe shall have the burden of proof.
- (c) In the event that a User satisfies the conditions set forth in subsections (a) and (b) above, the User shall control production of all discharges to the extent necessary to maintain compliance with pretreatment standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided.

Sec. 11.2097. Bypass.

- (a) For the purposes of this section:
 - (1) "Bypass" means the intentional diversion of wastestreams from any portion of a User's treatment facility.
 - (2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities, which causes them to become inoperable, or substantial and permanent loss of natural resources, which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- (b) A User may allow any bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of subsections (c) and (d) of this section.
- (c) Bypass Notifications
 - (1) If a User knows in advance of the need for a bypass, it shall submit prior notice to the DCO, at least ten (10) days before the date of the bypass, if possible.
 - (2) A User shall submit oral notice to the DCO of an unanticipated bypass that exceeds applicable pretreatment standards within twenty-four (24) hours from the time it becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The DCO

may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.

(d) Bypass

- (1) Bypass is prohibited, and the DCO may take an enforcement action against a User for a bypass, unless:
 - (A) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (B) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - (C) The User submitted notices as required under subsection (c) of this section.
- (2) The DCO may approve an anticipated bypass, after considering its adverse effects, if the DCO determines that it will meet the three (3) conditions listed in subsection (d)(1) of this section.

Division 11. Miscellaneous Provisions

Sec. 11.2098. Pretreatment Charges and Fees.

- (a) The City of Roanoke may adopt reasonable fees, without further amendments of or to this Ordinance for reimbursement of costs of setting up and operating the City of Roanoke's Pretreatment Program, which may include:
 - (1) Fees for wastewater discharge permit applications including the cost of processing such applications;
 - (2) Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing a User's discharge, and reviewing monitoring reports submitted by Users;
 - (3) Fees for reviewing and responding to accidental discharge procedures and construction;
 - (4) Fees for filing appeals;
 - (5) Recovery of administrative and legal costs associated with enforcement activity taken by the DCO to address Industrial User noncompliance;
 - (6) Fees for treating abnormal strength wastes;
 - (7) Fees incurred from an upset, bypass or unauthorized discharge; and

- (8) Other fees as the City may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this Ordinance and are separate from all other fees, fines, and penalties chargeable by the City.
- (b) Surcharge - The City may surcharge Industrial Users for the treatment of abnormal strength wastes. Water or wastes having:
- (1) A five (5) day biochemical oxygen demand greater than two hundred fifty (250) parts per million (ppm) by weight; or
 - (2) Containing more than two hundred fifty (250) parts per million by weight of total suspended solids shall be subject to the review and approval of the DCO. Where the DCO has approved the admission of (1) and/or (2) above into the POTW, that discharge may be subject to a surcharge as determined by the DCO. In no case shall a discharge be accepted that will prevent the POTW from meeting its TPDES limits. The surcharge will be assessed according to the following formula each month using, the most current pollutant concentration data and the current months' wastewater flow:

$$\text{Surcharge} = \frac{Q}{1,000,000} \times [a(\text{BOD} - x) + b(\text{TSS} - y)][8.34]$$

Where:

Q = flow in gallons
 8.34= weight in pounds of one gallon of water
 x = normal limits of BOD in domestic wastewater expressed in milligrams per liter
 y = normal limits of TSS in domestic wastewater expressed in milligrams per liter
 a = unit cost of treatment per pound of BOD
 b = unit cost of treatment per pound of TSS
 BOD = measured amount of BOD, in mg/l
 TSS = measured amount of TSS, in mg/l

A surcharge is an additional charge by the POTW for the increased cost of handling discharge of unusual strength and character and shall not serve as a variance to the requirements of this Ordinance. Exercise of this provision shall not be a bar to, or a prerequisite for, taking any other action against the User.

Secs. 11.2099. Reserved."

Section 3. PENALTY CLAUSE

Any person, firm, or corporation violating any of the provisions or terms of this Ordinance shall be guilty of a misdemeanor and upon conviction, shall be fined a sum not to exceed \$2,000.00 for each offense, and each and every violation or day such violation shall continue or exist, shall be deemed a separate offense.

Section 4. SEVERABILITY CLAUSE

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence,

paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 5. EFFECTIVE DATE

This Ordinance shall be in full force and effective from and after ten (10) days from the date of approval by the State.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Roanoke, Texas, on this the ____ day of _____, 2025.

APPROVED:

Carl E. Gierisch, Jr., Mayor

ATTEST:

April S. Hill, City Secretary

APPROVED AS TO FORM:

Jeff Moore, City Attorney



CITY COUNCIL AGENDA ITEM

TO: City Council

SUBJECT: Site Plan (SP 2025-01) Liquor King

MEETING DATE: August 12, 2025

DEPARTMENT: Planning

ITEM SUMMARY:

Consideration and action on a Site Plan (SP 2025-01) request from Curtis Young with Sage Group, Inc., for 2 buildings, a multi-tenant building and restaurant and bar to be located on an approximate 1.041 acre parcel, being a part of the Reno Red Addition, Block A Lot 1, City of Roanoke Denton County, Texas; generally located on the east of N Hwy 377 and on the west side of N Oak, south of Lamar Street.

INFORMATION:

The applicant is proposing two (2) buildings.

Building A: Fronting N Hwy 377 - The proposed uses are a five-thousand-one-hundred-eighty (5,180) square-foot liquor store on the first floor and four-thousand-seven-hundred-fifty (4,750) square feet of bar lounge on the second floor.

Building B: Fronting Oak Street - The proposed uses are a four-thousand (4,000) square-foot restaurant on the first floor and a four-thousand (4,000) square-foot bar with patio on the second floor.

Landscape - The plan demonstrates new permanently maintained landscaping.

Drainage - A drainage plan will be accepted by the engineering consultant prior to construction.

Utilities - A utility plan will be accepted by the engineering consultant prior to construction.

Parking - The parking provided exceeds the required amount for the proposed uses. Required: 54 spaces Provided: 58 spaces

STAFF RECOMMENDATION:

It is the staff's recommendation to approve the site plan and design as submitted.

SPECIAL CONSIDERATION:

At their June 16 meeting, the Planning and Zoning Commission unanimously voted to recommend approval of this item.



CITY COUNCIL AGENDA ITEM

FINANCIAL CONSIDERATION:

ATTACHMENTS:

1. SP-2025-01 - 304 S HWY 377 - Liquor King
2. Liquor King Pre Development Set



CITY OF ROANOKE
500 S. OAK STREET
ROANOKE, TEXAS 76262
(817) 491-2411

SITE PLAN APPLICATION

FEE OF \$400.00 IS DUE WITH SUBMITTAL

Name of Applicant Curtis Young	Address of Applicant 1130 N. Carroll Ave, STE 200, Southlake, TX 76092	Phone Number and Email 817-424-2626
Legal Interest Owner's Representative		
Owner Mihir Varia/ LKING Estates, LLC	Address 2449 Crooked Lane, Southlake, TX 76092	Phone Number& Email 701-770-4071
Firm preparing Site Plan Package Integrated Design BIM Solutions, LLC Attn. Afrim Azizolli	Address 5000 Cedar Elm Dr., McKinney, TX 75070	Phone Number 214-930-1216
		Email afrimazizolli@gmail.com
Location of Property 304 S. Hwy 377, Roanoke, TX 76262	Name of Addition/Subdivision Reno Red Addition	Lot / Block Lot 1, Block A
		Present Zoning Oak Street Corridor Distri

Proposed Site Plan Contains:

LAND USE	NUMBER OF LOTS	ACRES FOR USE
Single Family		
Multi-Family		
Planned Development		
Office		
Retail	1	1.041
Commercial		
Industrial		
Flood Plain		

A copy of the final plat including public right-of-way crossing and adjacent property to the subject property shall be included.

If the property is subject to a Plan Development a statement showing that the proposed use conforms to the Plan Development.

An electronic copy (pdf) Site Plan fee is \$400.00. Fees are subject to change as amended by Ordinance.

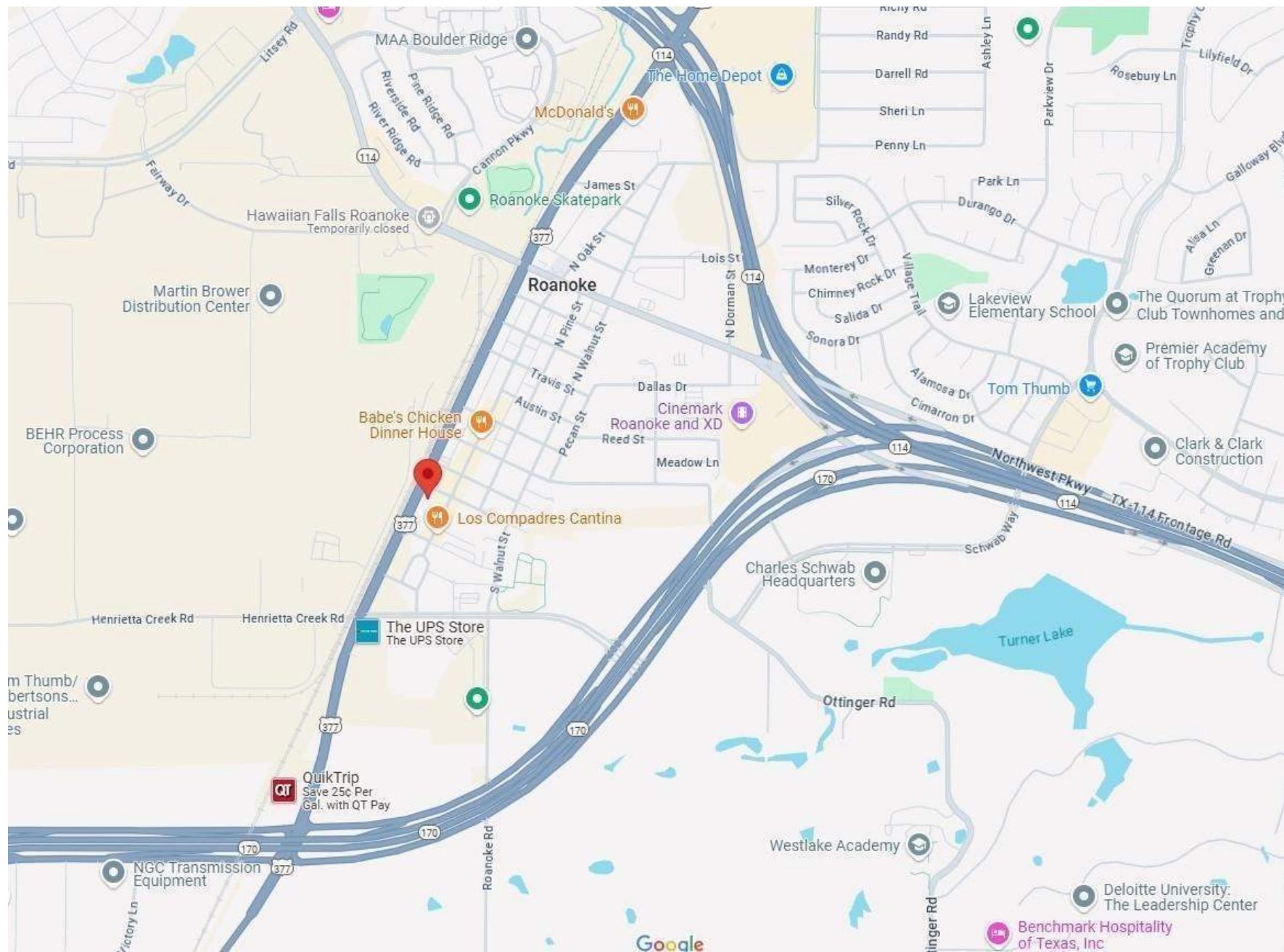

Applicants Signature
FOR OFFICE USE ONLY

17 FEB 25
Date

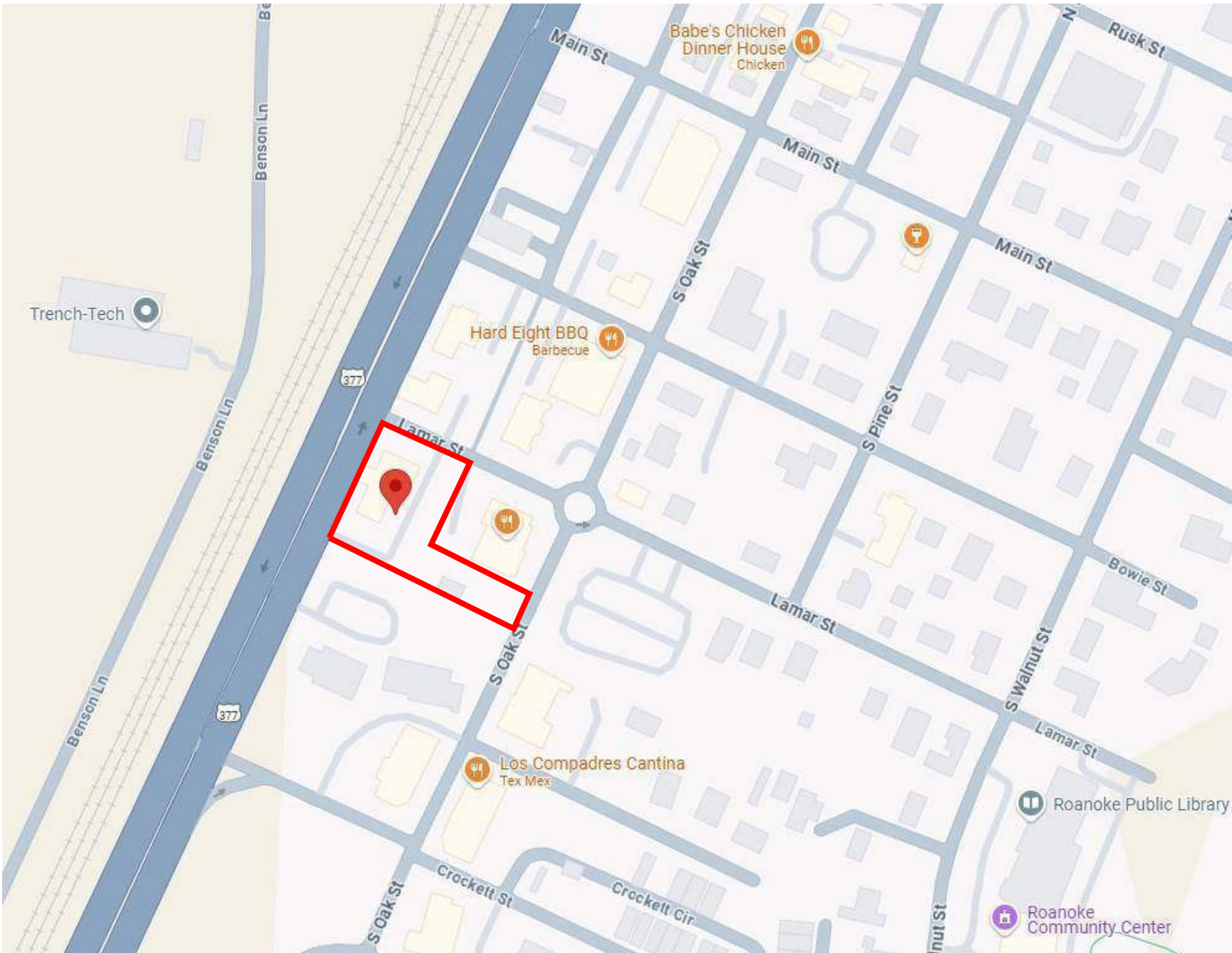
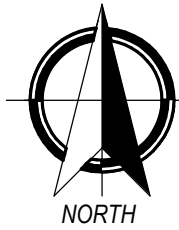
Site Plan Fee PD VS \$400.00 02/27/2025 REC #759480 JM	P&Z Meeting <u>03/17/2025</u>	CC Meeting <u>03/25/2025</u>	File for Record SP- <u>2025</u> - <u>01</u>
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PROPOSED SITE PLAN FOR NEW LIQUOR KING - ROANOKE

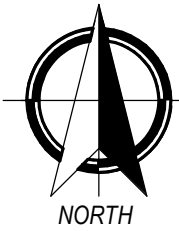
304 S Hwy 377
ROANOKE TX 76262



LOCATION MAP



VICINITY MAP



OWNER

LIQUOR KING

2801 MacArthur Blvd,
Lewisville, TX 75067
(P) 972-459-4222
e-mail - mihir119@gmail.com
Contact: Mihir Varia, Owner

ENGINEER

2CMD Engineering
& Consulting, Inc.

1307 Hillary Lane
Arlington, TX, 76012
(P) 817-459-1420
(F) 877-568-9113
Contact: Azeem Yasin, P.E.

SURVEY

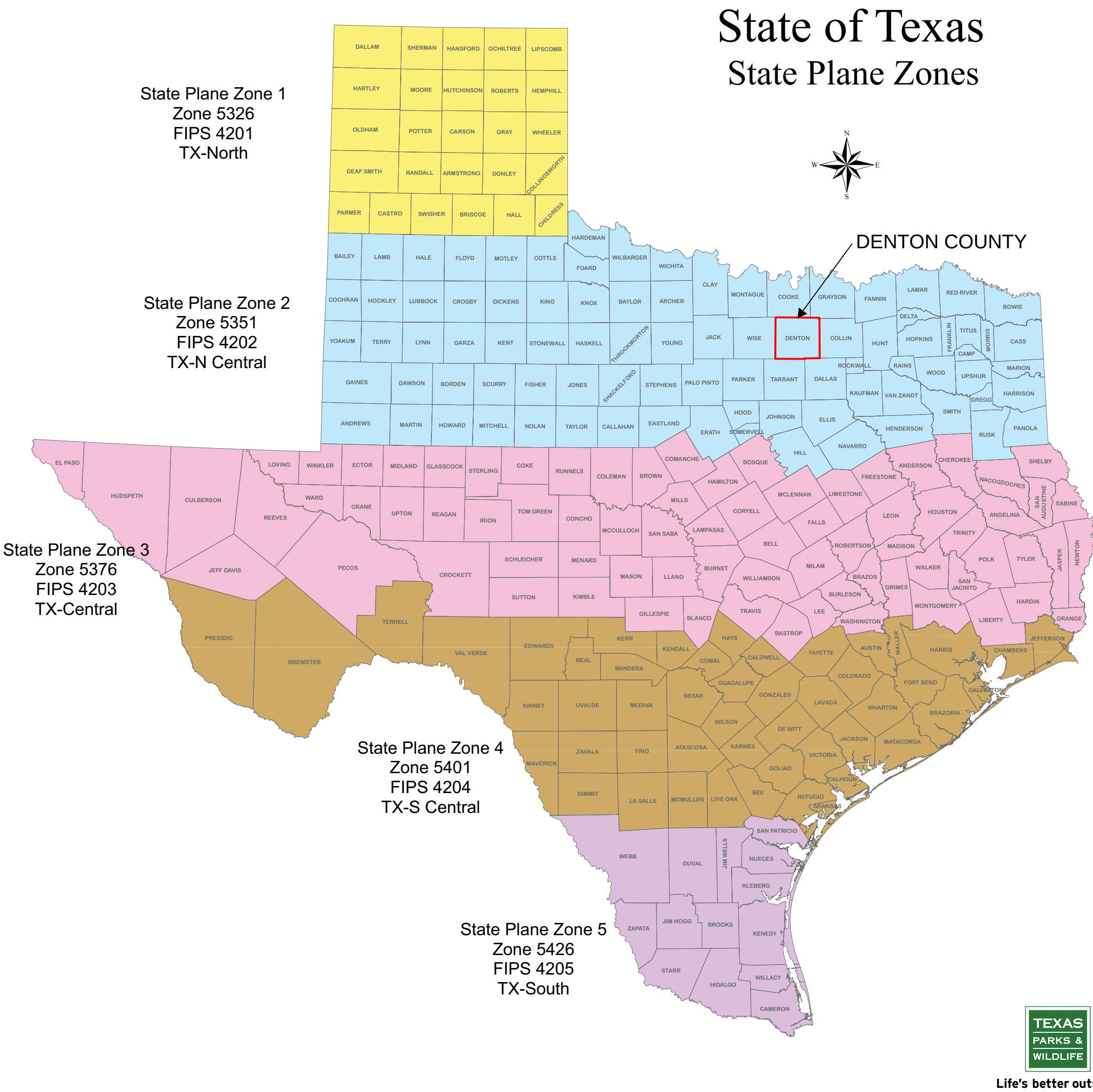
Barron Stark
Engineers

Charles F Stark, RPLS
6221 Southwest Blvd, Suite 100
Fort Worth, TX 76132
(P) 817-231-8100
www.barronstark.com
Contact: Charles F Stark

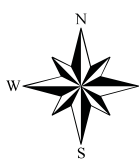
DEVELOPER

TBD CONSTRUCTION LLC

Address, Suite ###
City, TX ZIP CODE
(P) ###-###-####
e-mail -
Contact: First Last Name,



State of Texas
State Plane Zones



DENTON COUNTY



G0.0	COVER
G0.01	SITE DATA
G0.02	EXISTING SURVEY
A100	PROPOSED ANNOTATED SITE PLAN
A100.1	PROPOSED DIMENSIONED SITE PLAN
A100.2	OVERALL TRAFFIC SITE PLAN
A103	PROPOSED EXTERIOR ELEVATIONS BUILDING '1'
A104	PROPOSED EXTERIOR ELEVATIONS BUILDING '2'
A105	3D VIEWS BUILDING '1'
A106	3D VIEWS BUILDING '2'
AD100	DEMOLITION ARCHITECTURAL SITE PLAN
AD101	DEMOLITION ARCHITECTURAL SITE PLAN
L101	PROPOSED LANDSCAPE PLAN

"Site Plan Zoning Exhibit"

Project Name:	Liquor King
Acreeage:	1.041 (45,334 S.F.)
Property Sq Ft:	6,123 Existing Restaurant

PROPOSED USE	9,930 S.F. New Liquor Store & Bar Lounge 8,800 S.F. New Restaurant & Bar Lounge (Including Outdoor Patios)
---------------------	--

Subdivision:	DIVISION 15. OAK STREET CORRIDOR ZONING DISTRICT ¹
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Legal Description:	Reno Red's Addition, LOT 1, Block A
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Property ID:	2018-306
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City of Roanoke:	Denton County
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Submission Date:	July 8, 2025
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PROPOSED SITE PLAN FOR NEW LIQUOR KING - ROANOKE

SITE DATA

SITE DATA SUMMARY TABLE

PROPOSED USE:	MIXED USE
SQUARE FEET BUILDING 1:	10,000 S.F. LIQUOR STORE AND BAR LOUNGE
SQUARE FEET BUILDING 2:	8,000 S.F. RESTAURANT AND OPEN LEASE SPACE

NO AREA INCREASE PROPOSED

EXISTING ZONING DISTRICT:	COMMERCIAL/RETAIL
GROSS SITE AREA:	1.041 ACRES
REQUIRED LANDSCAPE AREA:	(N/A)
PROVIDED LANDSCAPE AREA:	0.167 ACRES (16%)
LOT COVERAGE:	84%
FLOOR AREA RATIO (FAR):	0.41

SETBACKS:

FRONT	10 FT.
SIDE INTERIOR	15 FT.
SIDE STREET	15 FT.
REAR	25 FT.
(REFER TO SURVEY DRAWING FOR ADDITIONAL INFO)	

BUILDING HEIGHT:	
FIRST FLOOR HEIGHT	MIN. 15' - 0" CLEAR
UPPER FLOOR	MIN. 10' - 0" CLEAR

BUILDING FRONTAGE

MIN. OF 70% OF THE BUILDING FACADE SHALL BE BUILT ALONG OAK STREET WITHIN THE BUILT-TO-ZONE

MIN. OF 50% OF THE BUILDING SHALL BE BUILT TO THE BUILT-TO-ZONE ALONG HWY 377

EXISTING PARKING SPACES:

STANDARD	58 ON SITE & 7 ON STREET = 65
ACCESSIBLE	3 ON SITE

TOTAL PARKING SPACES: 65

PARKING SPACES REQUIRED:	1/350 S.F.
	54 SPACES REQUIRED
	65 SPACES PROVIDED

Project Name: Liquor King

Acreage: 1.041 (45,334 S.F.)

Property Sq Ft: 6,123 Existing Restaurant

PROPOSED USE 9,930 S.F. New Liquor Store & Bar Lounge
8,800 S.F. New Restaurant & Bar Lounge
(Including Outdoor Patios)

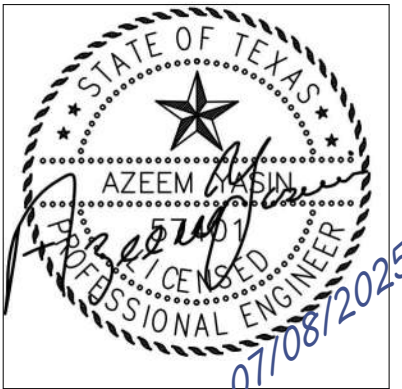
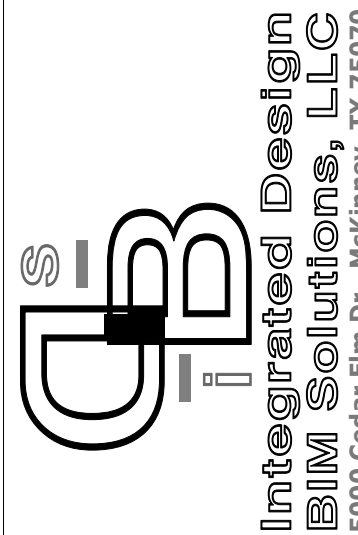
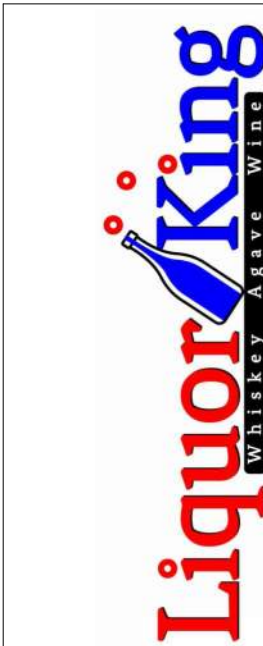
Subdivision: DIVISION 15. OAK STREET CORRIDOR ZONING DISTRICT¹

Legal Description: Reno Red's Addition,
LOT 1, Block A

Property ID: 2018-306

City of Roanoke: Denton County

Submission Date: July 8, 2025



NEW LIQUOR KING - ROANOKE
304 S Hwy 377
ROANOKE TX 76262

RELEASE:
No. Description Date

SITE DATA

Project number	2024-064
Date	03.30.2025
Drawn by	Author
Checked by	Checker

G0.01

Scale 1/8" = 1'-0"



SITE LOCATION



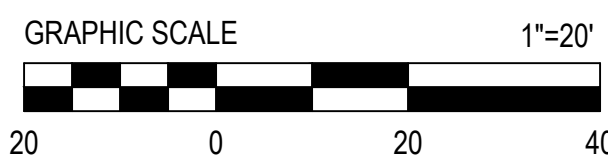
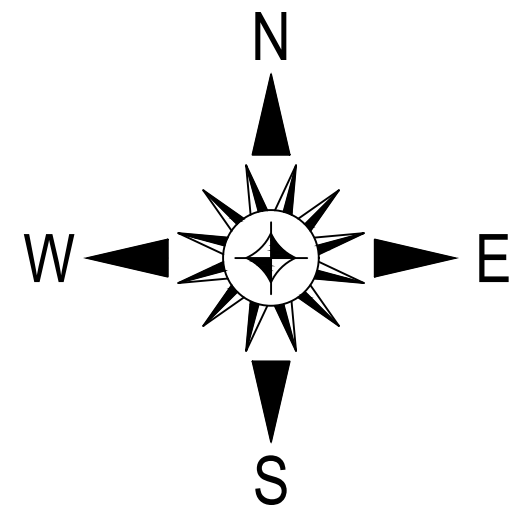
ZONING DATA



ZONING DISTRICTS 300 FEET ADJACENT TO PROPERTY

- ## **FLOOD NOTE:**
- ACCORDING TO FLOOD INSURANCE RATE MAP (FIRM) MAP NO. 48121C0555E FOR THE CITY OF ROCKWELL WITH AN EFFECTIVE DATE OF 04/18/2011 AND PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) THIS PROPERTY LIES WITHIN THE NONHAZARDOUS "C" AREA AS MAPPED BY FEMA. AS AN AREA DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD LEVEL, DETERMINED BY SCALING AND GRAPHICAL PLOTTING ONLY. SURVEYOR MAKES NO GUARANTEE AS TO THE ACCURACY OF THAT MAP.
- ## **GENERAL NOTES:**
1. NOT ALL LOT LINES OUTSIDE OF THE BOUNDARY OF THE SUBJECT PROPERTY SHOW HEREON HAVE BEEN SURVEYED AND ARE SHOWN AS GRAPHICAL DEPICTION BASED ON RECORDED INFORMATION AND TAX MAPS ONLY.
 2. SURVEYOR DID NOT ABSTRACT THE SUBJECT PROPERTY, THERE MAY BE ENCUMBRANCES OR OTHER ENCUMBRANCES THAT AFFECT THE SUBJECT THAT ARE NOT SHOWN HEREON.
 3. SITE HAS DIRECT PHYSICAL ACCESS TO E. LANCASTER AVE., BOSWELL DRIVE & BUTTERCUP LANE
 4. THE RECORD DESCRIPTION OF PROPERTY MATHEMATICALLY CLOSES WITH NO GAPS, GORES OR OVERLAPS.

Tree Table	
Point #	Description
218	9" Hackberry
219	6" Hackberry
220	10" Pecan
221	9" Hackberry
222	6" win Hackberry
223	Triplate Hackberry (Dead)
224	11" Hackberry
225	8" Hackberry
226	8" Tree
227	9" Elm (Dead)
228	14" Elm
229	5-6" Cluster Of Trees
230	9" Hackberry
231	4" Hackberry
232	6" Hackberry
233	10" Hackberry
234	4" Hackberry
235	24" Oak
236	5" Cedar
238	5" Hackberry



6221 Southwest Boulevard, Suite 100
Fort Worth, Texas 76132
(O) 817.231.8100 (F) 817.231.8144
Texas Registered Engineering Firm F-10998
Texas Registered Survey Firm F-10158800
www.barronstark.com



2. Site address - 304 S Hwy 377, Roanoke, TX 76262.
3. See flood note on this sheet.
4. Gross land area - subject property contains **45,334 square feet** or **1.041 acres** of land.
- 6(a). No zoning report was furnished to surveyor at the time of the survey.
- 6(b). No zoning report was furnished to surveyor at the time of the survey.
- 7(a). Exterior dimensions and areas of all buildings are shown on face of survey.
- 7(b)(1). See on face of survey.
- 7(c). See on face of survey.
8. Substantial features are plotted and shown hereon.
9. There are a total of 39 parking spaces of which 2 are handicapped.
10. There was no party walls observed on at the time of the survey.
13. Names of adjoining property and/or platted lots are shown hereon.
16. No evidence of recent earth moving work, building construction, or building additions observed in the process of conducting the fieldwork.
17. No proposed changes in street right of way lines was made available to the surveyor by the controlling jurisdiction and no evidence of recent street or sidewalk construction or repairs were observed in the process of conducting the fieldwork.
18. Offsite and adjoining easements shown hereon

This Survey was prepared from a Title Policy Prepared by Fidelity National Title Insurance Company, GF No. FTDAL-34-9000342400361, Effective Date: August 19, at 8:00 a.m.

10.h.) Building Lines and Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of said tract/plot recorded under Clerk's File No. 2018-306 Plat Records, Denton County, Texas;

1. 10' Building Line
2. 15' Building Line
3. 10' Build-to-Zone
4. 15' Sanitary Sewer Easement
5. 12.5' M.A.E.

(AFFECTS, PLOTTED & SHOWN)

10.i.) Easement(s) and rights incidental thereto, as granted in a document:
Granted to: Texas Power & Light Company
Purpose: As provided in said document
Recording Date: August 16, 1926
Recording No: Volume 205, Page 560, Real Property Records, Denton County, Texas
(MAY AFFECT, DOCUMENT IS AMBIGUOUS)

10.j.) Easement(s) and rights incidental thereto, as granted in a document:
Granted to: Texas Power & Light Company
Purpose: As provided in said document
Recording Date: December 20, 1961
Recording No: Volume 475, Page 641, Real Property Records, Denton County, Texas
(MAY AFFECT, DOCUMENT IS AMBIGUOUS)

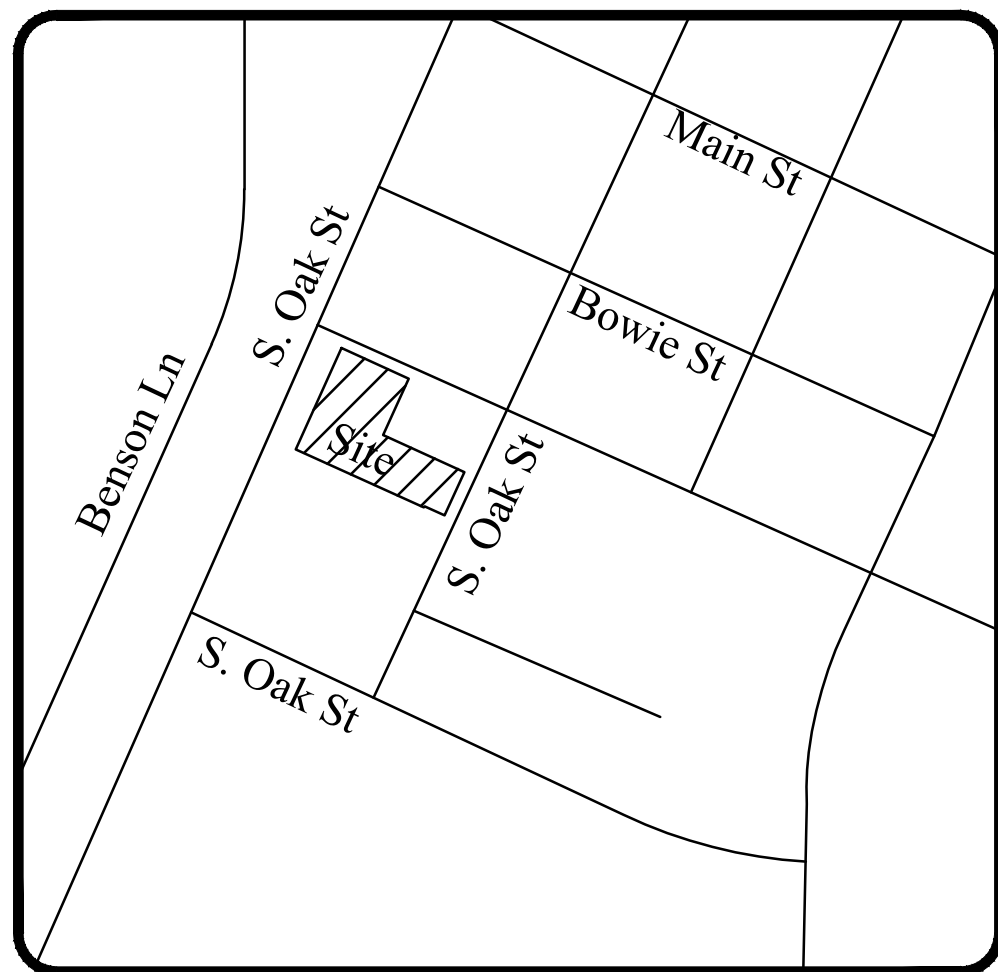
10.k.) Easement(s) for the purpose(s) shown below and rights incidental thereto as condemned by an instrument.
Entitled: Agreed Final Judgment
Court: Probate Court
Cause No.: PR-2016-00415
In favor of: the State of Texas
Purpose: temporary easement (Parcel 4TE)
Recording Date: November 1, 2020
Recording No: under Clerk's File No. 2020-184739, Real Property Records, Denton County, Texas, and a certified copy of which is filed January 7, 2022, recorded under Clerk's File No. 2022-4235, Real Property Records, Denton County, Texas.

(AFFECTS, PLOTTED & SHOWN)

BEING Lot 1, Block A, of Reno Red's Addition, an addition to the City of Roanoke, Denton County, Texas, according to the plat thereof recorded under Clerk's File No. 2018-306, Plat Records, Denton County, Texas;

Save and Except the tract of 0.044 of an acre tract, in fee simple, awarded to the State of Texas by the Agreed Final Judgment under Cause No. PR-2016-00415, of which, the certified copy is filed on November 13, 2020, under Clerk's File No. 2020-184739, Real Property Records, Denton County, Texas, and a certified copy of which is filed January 7, 2022, recorded under Clerk's File No. 2022-4235, Real Property Records, Denton County, Texas.

Vicinity Map



ALTA/NSPS Land Title Survey

Lot 1, Block A, of Reno Red's Addition,
an addition to the City of Roanoke, Denton County, Texas,
according to the plat thereof
recorded under Clerk's File No. 2018-306,
Plat Records, Denton County, Texas.
Situating In the D. Hoover Survey, Abstract No. 603

To: Hard Sun II Incorporated; Mission Line Enterprises, LLC as there interests may appear; Maahi LLC and/or assign; and Fidelity National Title Insurance Company.

This is to certify this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Survey, jointly established and adopted by ALTA and NSPS, and includes Items 2, 3, 4, 6(a), 6(b), 7(a), 7(b)(1), 8, 9, 10, 13, 16, 17 and 19 of Table A thereof. The fieldwork was completed on September 17, 2024.

Charles F Stark 09/23/2024
Charles F. Stark, RPLS
Texas Registration No. 5084



USE OF THIS ELECTRONIC SEAL/SIGNATURE
AUTHORIZED BY CHARLES F. STARK, R.P.L.S.
TEXAS REGISTRATION NO. 5084

PROJECT NO. 538-10437 DRAWN: ZDS SHEET 1 OF 1

LOCATION: 304 US-377 ROANOKE TX 76262

EXISTING BUILDING ONE STORY CINDER BLOCK BUILDING
BUILDING HEIGHT = 11'6" FFE = 649.354' (6,123 S.F.)



1. ATTENTION ALL USERS OF THESE DRAWINGS, GENERAL CONTRACTORS, SUB-CONTRACTORS, MANUFACTURERS AND SUPPLIERS: CAREFULLY AND THOROUGHLY REVIEW THESE GENERAL NOTES. IT IS YOUR RESPONSIBILITY TO KNOW AND ADHERE TO THESE REQUIREMENTS. IF CONFLICT OCCURS, CONTACT DESIGNER/ENGINEER PRIOR TO COMMENCEMENT OF WORK.
2. DO NOT SCALE DRAWINGS.
3. FIELD VERIFY EXISTING CONDITIONS PRIOR TO DEMOLITION WORK. NOTIFY DESIGNER/ENGINEER IF DISCREPANCIES ARISE IN THE FIELD WHICH MAY ALTER DESIGN PRIOR TO COMMENCEMENT OF WORK.
4. GENERAL CONTRACTOR SHALL COORDINATE ALL EXISTING MECHANICAL, PLUMBING, SEWER, ELECTRICAL AND GENERAL CONSTRUCTION WORK SHOWN AT VARIOUS LOCATIONS THROUGHOUT THE DRAWINGS WHETHER OR NOT CROSS-REFERENCED.
5. EXISTING MECHANICAL, PLUMBING, SEWER, ELECTRICAL ITEMS MAY OCCUR WHICH ARE NOT SHOWN ON PLANS.
6. ALL DEMOLITION WORK SHALL COMPLY WITH ALL APPLICABLE BUILDING CODES, FEDERAL, STATE, AND LOCAL CODES AND REGULATIONS, HAVING JURISDICTION OVER THIS PROJECT.
7. REMOVE ALL EXISTING SITE DEBRIS AND OTHER ASSOCIATED ITEMS THROUGHOUT THE SCOPE OF WORK.
8. PRIOR TO REMOVAL OF EXISTING MECHANICAL, PLUMBING, SEWER, ELECTRICAL FIXTURES, TELEPHONE BOXES, POWER POLES, LIGHT POLES OR OTHER ASSOCIATED ITEMS, TERMINATE SERVICE, REMOVE FITTINGS AND ALL ASSOCIATED ITEMS, DISCONNECT AND CAP LINES, REMOVE UNUSED LINES TO THE FULLEST EXTENT POSSIBLE, AT LEAST TO BELOW SUBSTRATE OF SCHEDULED WORK.
9. ALL DEMOLITION WORK REQUIRED IS NOT LIMITED TO THAT INDICATED ON PLAN. THE INTENT IS TO REMOVE ALL MECHANICAL, PLUMBING, ELECTRICAL, AND DESIGNER/ENGINEER ITEMS TO FACILITATE NEW CONSTRUCTION. PATCH AND REPAIR AS REQUIRED TO ACCOMMODATE NEW CONSTRUCTION.
10. ANY WORK WHICH INTERFERES, OR CAUSES INTERRUPTION OF SERVICES, INCLUDING THE STOPPAGE OF UTILITIES, SHALL BE PERFORMED AT A TIME APPROVED BY THE OWNER OR OWNER'S REPRESENTATIVE.
11. PRIOR TO DEMOLITION, CONTRACTOR SHALL INSPECT ALL AREAS IN WHICH WORK WILL BE PERFORMED. DOCUMENT ALL PROPERTIES WHICH MAY BE CONSTRUED AS DAMAGE RESULTING FROM DEMOLITION AND NOTIFY DESIGNER/ENGINEER PRIOR TO STARTING WORK.
12. NOTIFY DESIGNER/ENGINEER IF ANY EXISTING ITEMS, OR DRAWING DISCREPANCIES, CONFLICT WITH THE INTENDED FINAL PRODUCT PRIOR TO DEMOLITION OR CONSTRUCTION.
13. THE EXISTING SITE INFORMATION SHOWN WAS COMPILED FROM DRAWINGS FURNISHED BY THE SURVEYOR. ACTUAL CONDITIONS MAY VARY. CONTRACTOR IS TO VERIFY ALL CONDITIONS PRIOR TO START OF WORK.
14. PROVIDE TEMPORARY BARRICADES AND OTHER FORMS OF PROTECTION, AS REQUIRED, TO PROTECT ALL PERSONNEL AND THE GENERAL PUBLIC FROM INJURY DURING DEMOLITION AND CONSTRUCTION.
15. PROVIDE SHORING, BRACING, OR SUPPORT TO PREVENT MOVEMENT, SETTLEMENT, DAMAGE, OR COLLAPSE OF EXISTING OR NEW STRUCTURES, FINISHES, UTILITIES, AND OTHER ITEMS DURING DEMOLITION OR CONSTRUCTION WORK.
16. AREAS EXISTING WHICH REMAIN SHALL BE PROTECTED AND IF DAMAGED, SHALL BE PATCHED, REPAIRED, OR REPLACED, TO MATCH EXISTING ADJACENT SURFACES AT NO ADDITIONAL COST TO THE OWNER.
17. CONTRACTOR TO PROTECT ADJACENT PROPERTIES FROM EXCESSIVE DUST, DEBRIS, NOISE, OR DISRUPTION OF DAILY OPERATIONS.
18. ALL DEBRIS CAUSED BY DEMOLITION AND CONSTRUCTION SHALL BE CLEARED AND REMOVED FROM SITE ON A DAILY BASIS.
19. IN ADDITION TO WORK SHOWN ALTERING EXISTING CONSTRUCTION, ALL HOLES AND OPENINGS CREATED BY DEMOLITION, OR REMOVAL, SHALL BE PATCHED, REPAIRED, AND MADE READY FOR NEW CONSTRUCTION.

1. EXISTING PROPERTY LINE
2. EXISTING EASEMENT TO REMAIN
3. EXISTING SIDEWALK TO REMAIN
4. EXISTING POWER POLE/O.H. POWER TO REMAIN
5. EXISTING POWER POLE/O.H. POWER TO BE DEMOLISHED
6. EXISTING LANDSCAPE TO REMAIN THIS AREA.
7. REMOVE EXISTING PAVING AND ASSOCIATED ITEMS. PREP AREA TO RECEIVE NEW CONSTRUCTION
8. EXISTING CONCRETE APRON TO REMAIN
9. EXISTING SITE FENCING AND ASSOCIATED ITEMS TO REMAIN
10. EXISTING STORM DRAIN AND ASSOCIATED ITEMS TO REMAIN. PROTECT TO FULLEST EXTENT DURING CONSTRUCTION
11. EXISTING DUMPSTER TO BE REMOVED
12. EXISTING TXDOT ALUMDISC TO REMAIN. PROTECT TO FULLEST EXTENT DURING CONSTRUCTION
13. REMOVE EXISTING BUILDING AND ASSOCIATED ITEMS. PREP EXISTING CONCRETE SITE TO RECEIVE NEW CONCRETE SITE CONSTRUCTION
14. REMOVE EXISTING PARKING STRIPING
15. REMOVE EXISTING ANTIQUE ITEMS. COORDINATE WITH THE OWNER
16. EXISTING GREASE INTERCEPTOR TO REMAIN. PROTECT TO FULLEST EXTENT DURING CONSTRUCTION
17. REMOVE PORTION OF EXISTING PARKING; PREP AREA TO RECEIVE NEW CONSTRUCTION
18. REMOVE/RELOCATE EXISTING SITE ITEMS THIS AREA AS REQUIRED FOR NEW CONSTRUCTION. COORDINATE WITH THE OWNER. PREP AREA TO RECEIVE NEW CONSTRUCTION
19. REMOVE EXISTING CONCRETE APRON AND ASSOCIATED ITEMS. PREP AREA TO RECEIVE NEW CONSTRUCTION
20. REMOVE EXISTING ONE STORY SMOKER. PREP AREA TO RECEIVE NEW CONSTRUCTION
21. REMOVE EXISTING LANDSCAPING THIS AREA. PREP AREA TO RECEIVE NEW CONSTRUCTION
22. REMOVE EXISTING WOOD CURB AND ASSOCIATED ITEMS FULL WIDTH. PREP AREA TO RECEIVE NEW CONSTRUCTION
23. PORTION OF EXISTING LANDSCAPE TO BE REMOVED
24. REMOVE PORTION OF CONCRETE. PREP AREA TO RECEIVE NEW CONSTRUCTION.
25. EXISTING CONCRETE CULVERT AND INLET TO REMAIN.
26. REMOVE EXISTING ACCESSIBLE AISLE STRIPING. PREP AREA TO RECEIVE NEW ACCESSIBLE AISLE STRIPING
27. EXISTING SIGNAGE TO REMAIN
28. LIGHT BLUE HATCHED AREA INDICATES FUTURE CONCRETE SIDEWALK; PREP AREA TO RECEIVE NEW CONSTRUCTION.
29. BLUE LINE INDICATES EXTENTS OF PROPOSED FUTURE CONSTRUCTION FOOTPRINT
30. REMOVE EXISTING TREES
31. REMOVE CONCRETE AND ALL FLOORING TO ALLOW FOR NEW FOUNDATION.
32. EXISTING EXTERIOR DOOR/WINDOW/STOREFRONT TO BE DEMOLISHED.
33. REMOVE ALL INTERIOR PARTITION WALLS, DOORS, AND ANY ASSOCIATED MEP CONNX..
34. REMOVE ALL MILLWORK AND ANY ASSOCIATED MECHANICAL, ELECTRICAL AND PLUMBING CONNECTIONS.
35. REMOVE ALL KITCHEN EQUIPMENT. REMOVE COOLER&FREEZER.

--- INDICATES ITEM TO BE DEMOLISHED
— INDICATES ITEM TO REMAIN



No.	Description	Date
-----	-------------	------

Scale	As indicated
-------	--------------

EXISTING BUILDING INFO

LOCATION: 304 US-377 ROANOKE TX 76262

EXISTING BUILDING ONE STORY CINDER BLOCK BUILDING
BUILDING HEIGHT = 11'.6" FFE = 649.354' (6.123 S.F.)

NOTE:

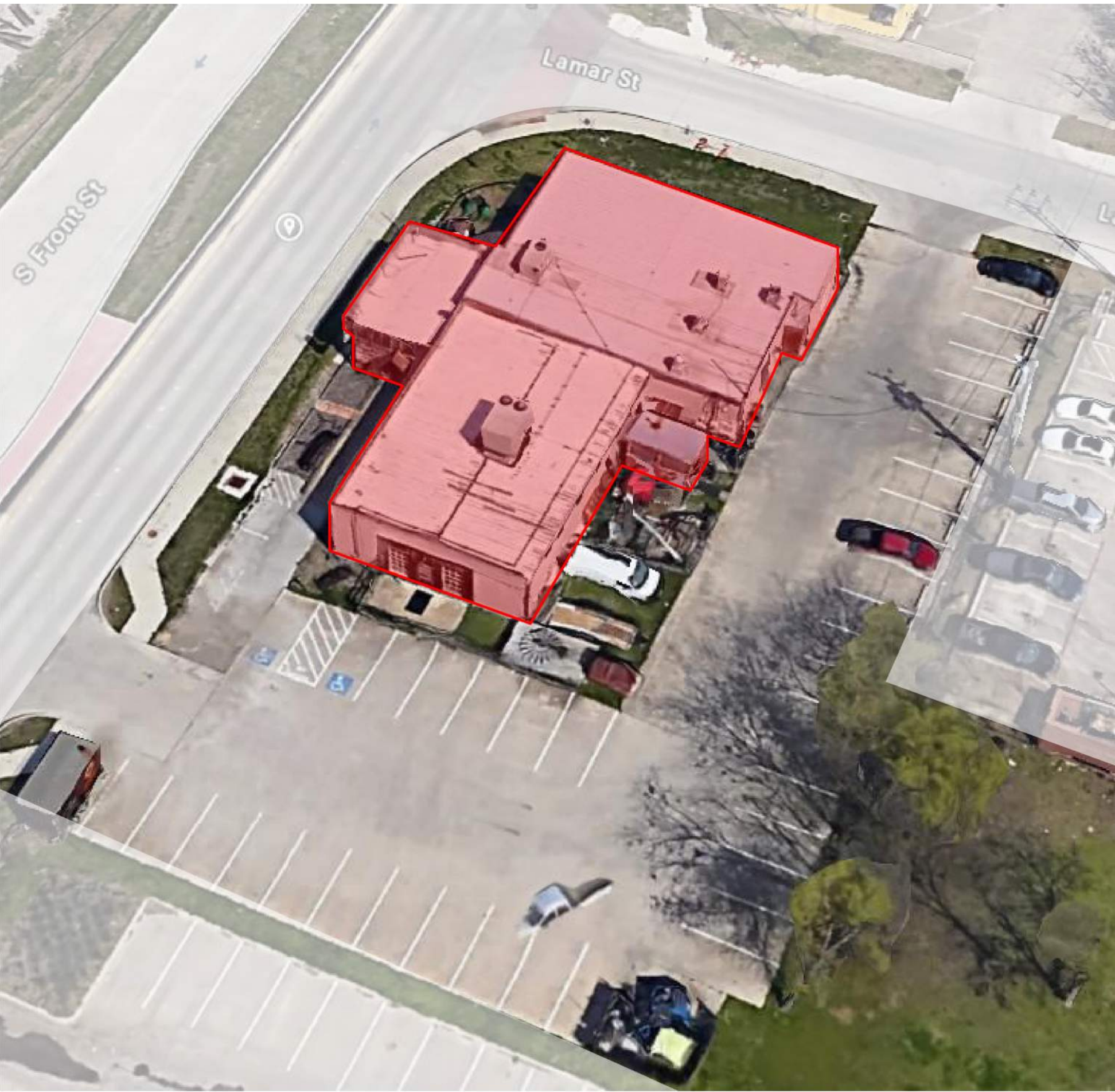
SHADED AREA (IN RED) INDICATES EXISTING BUILDING
TO BE DEMOLISHED ENTIRELY



NORTH EAST



SOUTH EAST



SOUTH WEST



NORTH WEST

DEMOLITION SITE PLAN GENERAL NOTES

1. ATTENTION ALL USERS OF THESE DRAWINGS, GENERAL CONTRACTORS, SUB-CONTRACTORS, MANUFACTURERS AND SUPPLIERS: CAREFULLY AND THOROUGHLY REVIEW THESE GENERAL NOTES. IT IS YOUR RESPONSIBILITY TO KNOW AND ADHERE TO THESE REQUIREMENTS. IF CONFLICT OCCURS, CONTACT DESIGNER/ENGINEER PRIOR TO COMMENCEMENT OF WORK.
2. DO NOT SCALE DRAWINGS.
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4. GENERAL CONTRACTOR SHALL COORDINATE ALL EXISTING MECHANICAL, PLUMBING, SEWER, ELECTRICAL AND GENERAL CONSTRUCTION WORK SHOWN AT VARIOUS LOCATIONS THROUGHOUT THE DRAWINGS WHETHER OR NOT CROSS-REFERENCED. EXISTING MECHANICAL, PLUMBING, SEWER, ELECTRICAL ITEMS MAY OCCUR WHICH ARE NOT SHOWN ON PLANS.
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15. ALL AREAS EXISTING TO REMAIN SHALL BE PROTECTED AND IF DAMAGED, SHALL BE PATCHED, REPAIRED, AND FINISHED, OR REPLACED, TO MATCH EXISTING ADJACENT SURFACES AT NO ADDITIONAL COST TO THE OWNER.
16. CONTRACTOR TO PROTECT ADJACENT PROPERTIES FROM EXCESSIVE DUST, DEBRIS, NOISE, OR DISRUPTION OF DAILY OPERATIONS.
17. ALL DEBRIS CAUSED BY DEMOLITION AND CONSTRUCTION SHALL BE CLEARED AND REMOVED FROM SITE ON A DAILY BASIS.
18. IN ADDITION TO WORK SHOWN ALTERING EXISTING CONSTRUCTION, ALL HOLES AND OPENINGS CREATED BY DEMOLITION, OR REMOVAL, SHALL BE PATCHED, REPAIRED, AND MADE READY FOR NEW CONSTRUCTION.



2CMd
#F-007510
1307 HILLARY LANE
ARLINGTON, TX 76011
T: 817 459 1420
F: 817 423 6724
AZEEM@2CMDINC.COM

Integrated Design
BIM Solutions, LLC
5000 Cedar Elm Dr., McKinney, TX 75070

STATE OF TEXAS
AZEEM AZEEM
Professional Engineer
03/30/2025

DEMOLITION FOR NEW LIQUOR KING - ROANOKE
304 S Hwy 377
ROANOKE TX 76262

RELEASE:
No. Description Date

DEMOLITION 3D
VIEWS

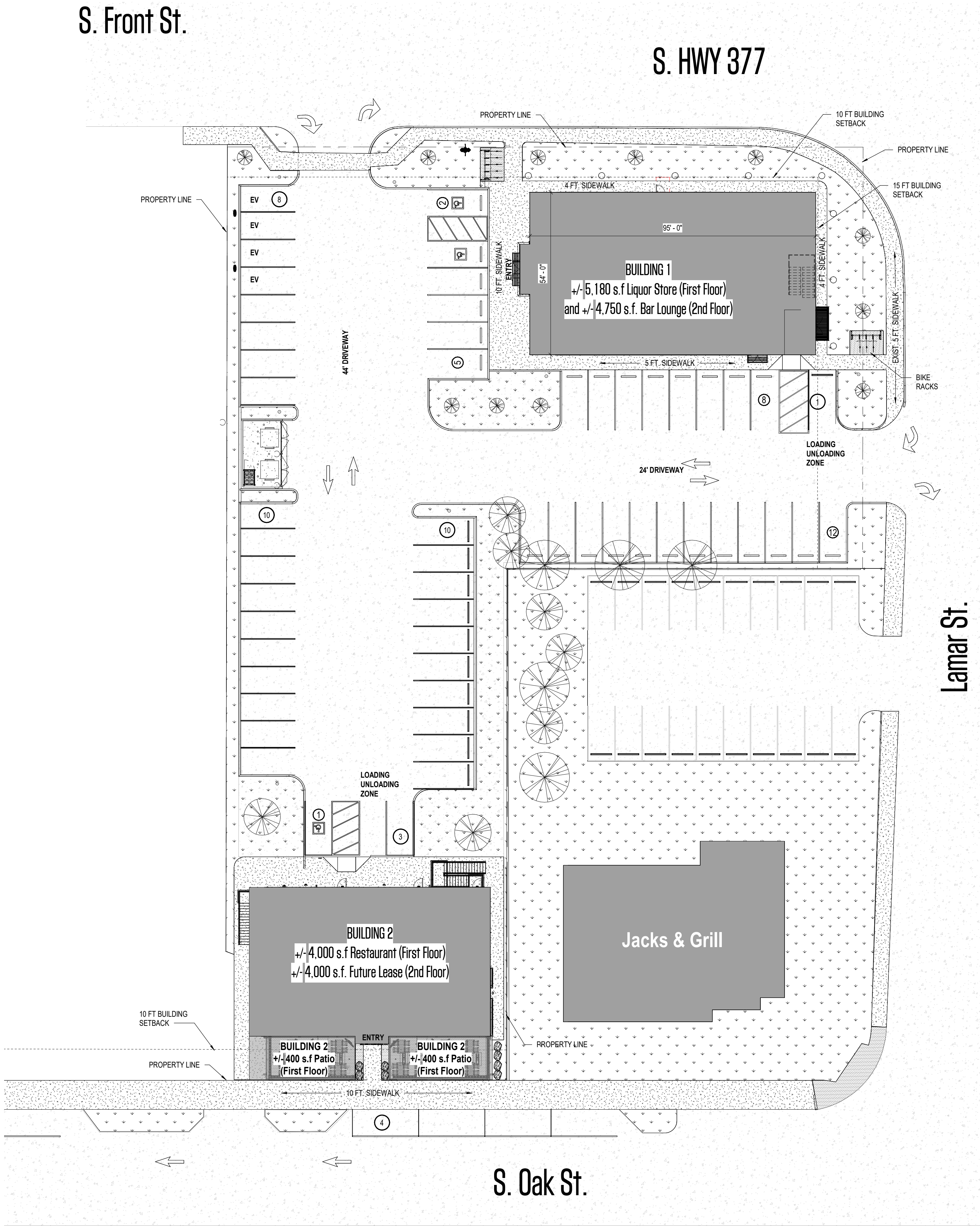
Project number	2024-064
Date	03.30.2025
Drawn by	AA
Checked by	AA

AD-101

Scale As indicated

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Page 131 of 222

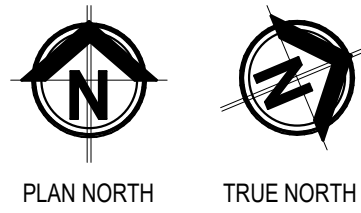


1 OVERALL PROPOSED ANNOTATED SITE PLAN

SCALE: 1" = 20'-0"

Graphic Scale: 1 inch = 20 feet

0 20' 40' 60' 80'



BUILDING 1 PROJECT INFO & PLANS AREAS	
LOCATION:	304 US-377 ROANOKE TX 76262
NEW CONSTRUCTION	FIRST FLOOR - LIQUOR STORE SECOND FLOOR - OFFICES
OVERALL CONDITIONED LIVING AREAS UNDER ROOF	
FIRST FLOOR HVAC GROSS AREA	5,180 S.F.
SECOND FLOOR HVAC GROSS AREA	4,750 S.F.
TOTAL GROSS HVAC AREA	9,930 S.F.

BUILDING 2 PROJECT INFO & PLANS AREAS	
LOCATION:	304 US-377 ROANOKE TX 76262
NEW CONSTRUCTION	FIRST FLOOR - RESTAURANT SECOND FLOOR - FUTURE LEASE
OVERALL CONDITIONED LIVING AREAS UNDER ROOF	
FIRST FLOOR HVAC GROSS AREA	4,000 S.F.
SECOND FLOOR HVAC GROSS AREA	1,660 S.F.
TOTAL GROSS HVAC AREA	5,660 S.F.
UNCONDITIONED PATIO AREA	
FIRST FLOOR OUTDOOR PATIO	1,020 S.F.
SECOND FLOOR OUTDOOR PATIO	2,120 S.F.
TOTAL PROPOSED S.F.	8,800 S.F.

PARKING TABULATIONS:

BUILDING 1 AREA = 9,930 S.F.	
BUILDING 2 AREA = 8,800 S.F. (INCLUDING OUTDOOR PATIOS)	
TOTAL BUILDINGS AREAS = 18,730 S.F.	
TOTAL PARKING SPACES REQUIRED: 18,730 S.F. / 350 S.F. = 54 SPACES	
PARKING SPACES PROVIDED:	58 SPACES ON SITE, 54 REGULAR & 4 E.V. SPACES
PARKING SPACES PROVIDED:	4 SPACES ON STREET
PARKING SPACES PROVIDED:	62 SPACES TOTAL
ACCESSIBLE REQUIRED	1 PER 25 = 3 SPACES
ACCESSIBLE PROVIDED	3 SPACES ON SITE

"Site Plan Zoning Exhibit"

Project Name:	Liquor King
Acreage:	1.041 ACRES (45,334 S.F.)
Property Sq Ft:	6,123 Existing Restaurant
PROPOSED USE	9,930 S.F. New Liquor Store & Bar 8,800 S.F. New Restaurant & Bar Lounge (Including Outdoor Patios)
Subdivision:	DIVISION 15. OAK STREET CORRIDOR ZONING DISTRICT ¹
Legal Description:	Reno Red's Addition, LOT 1, Block A
Property ID:	2018-306
City of Roanoke:	Denton County
Submission Date:	July 8, 2025

NEW LIQUOR KING - ROANOKE

304 S Hwy 377
ROANOKE TX 76262

RELEASE:

No.	Description	Date
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PROPOSED ANNOTATED SITE PLAN

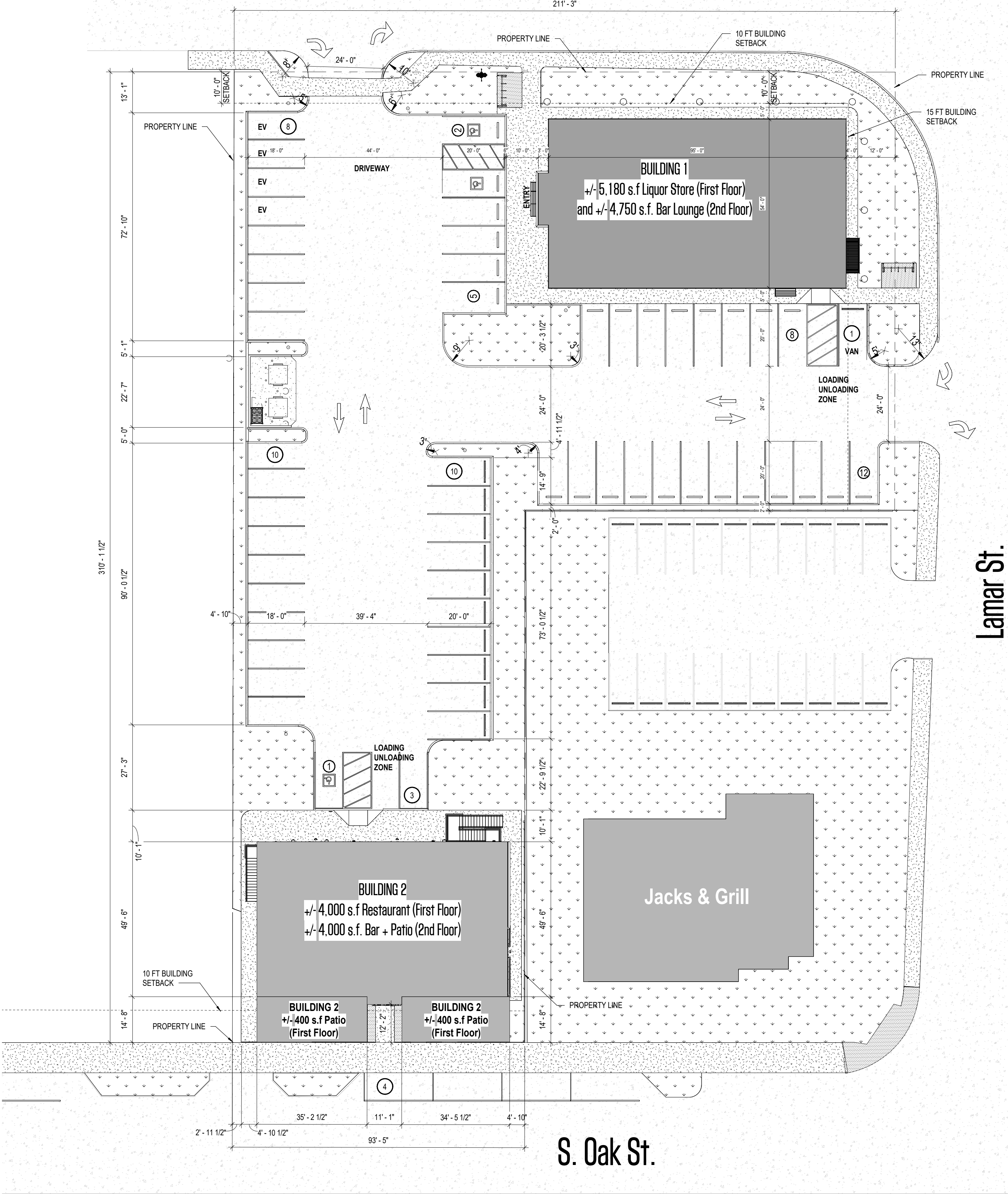
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Date	07.08.2025
Drawn by	AA
Checked by	AA

A100

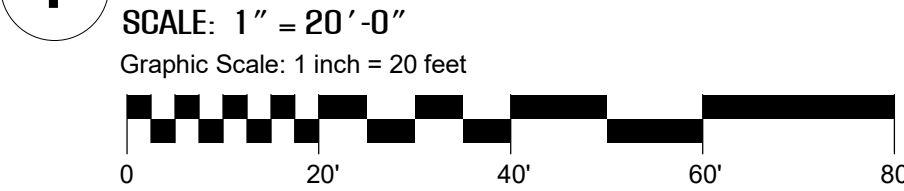
Scale 1" = 20'-0"

S. Front St.

S. HWY 377



1 OVERALL PROPOSED DIMENSIONED SITE PLAN



BUILDING 1
PROJECT INFO & PLANS AREAS

LOCATION:	304 US-377 ROANOKE TX 76262
NEW CONSTRUCTION	FIRST FLOOR - LIQUOR STORE SECOND FLOOR - BAR LOUNGE
OVERALL CONDITIONED LIVING AREAS UNDER ROOF	
FIRST FLOOR HVAC GROSS AREA	5,180 S.F.
SECOND FLOOR HVAC GROSS AREA	4,750 S.F.
TOTAL GROSS HVAC AREA	9,930 S.F.

BUILDING 2
PROJECT INFO & PLANS AREAS

LOCATION:	304 US-377 ROANOKE TX 76262
NEW CONSTRUCTION	FIRST FLOOR - RESTAURANT SECOND FLOOR - BAR HOOKAH LOUNGE
OVERALL CONDITIONED LIVING AREAS UNDER ROOF	
FIRST FLOOR HVAC GROSS AREA	4,000 S.F.
SECOND FLOOR HVAC GROSS AREA	1,660 S.F.
TOTAL GROSS HVAC AREA	5,660 S.F.
UNCONDITIONED PATIO AREA	
FIRST FLOOR OUTDOOR PATIO	1,020 S.F.
SECOND FLOOR OUTDOOR PATIO	2,120 S.F.
TOTAL PROPOSED S.F.	8,800 S.F.

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ACCESSIBLE PROVIDED	3 SPACES ON SITE

"Site Plan Zoning Exhibit"

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Subdivision:	DIVISION 15. OAK STREET CORRIDOR ZONING DISTRICT ¹
Legal Description:	Reno Red's Addition, LOT 1, Block A
Property ID:	2018-306
City of Roanoke:	Denton County
Submission Date:	July 8, 2025

NEW LIQUOR KING - ROANOKE
304 S Hwy 377
ROANOKE TX 76262

1307 HILLARY LANE
ARLINGTON, TX 76011
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AZEEM@2CMDINC.COM

5000 Cedar Elm Dr., McKinney, TX 75070

RELEASE:
No. Description Date

PROPOSED
DIMENSIONED SITE
PLAN

Project number	2024-064
Date	07.08.2025
Drawn by	AA
Checked by	AA

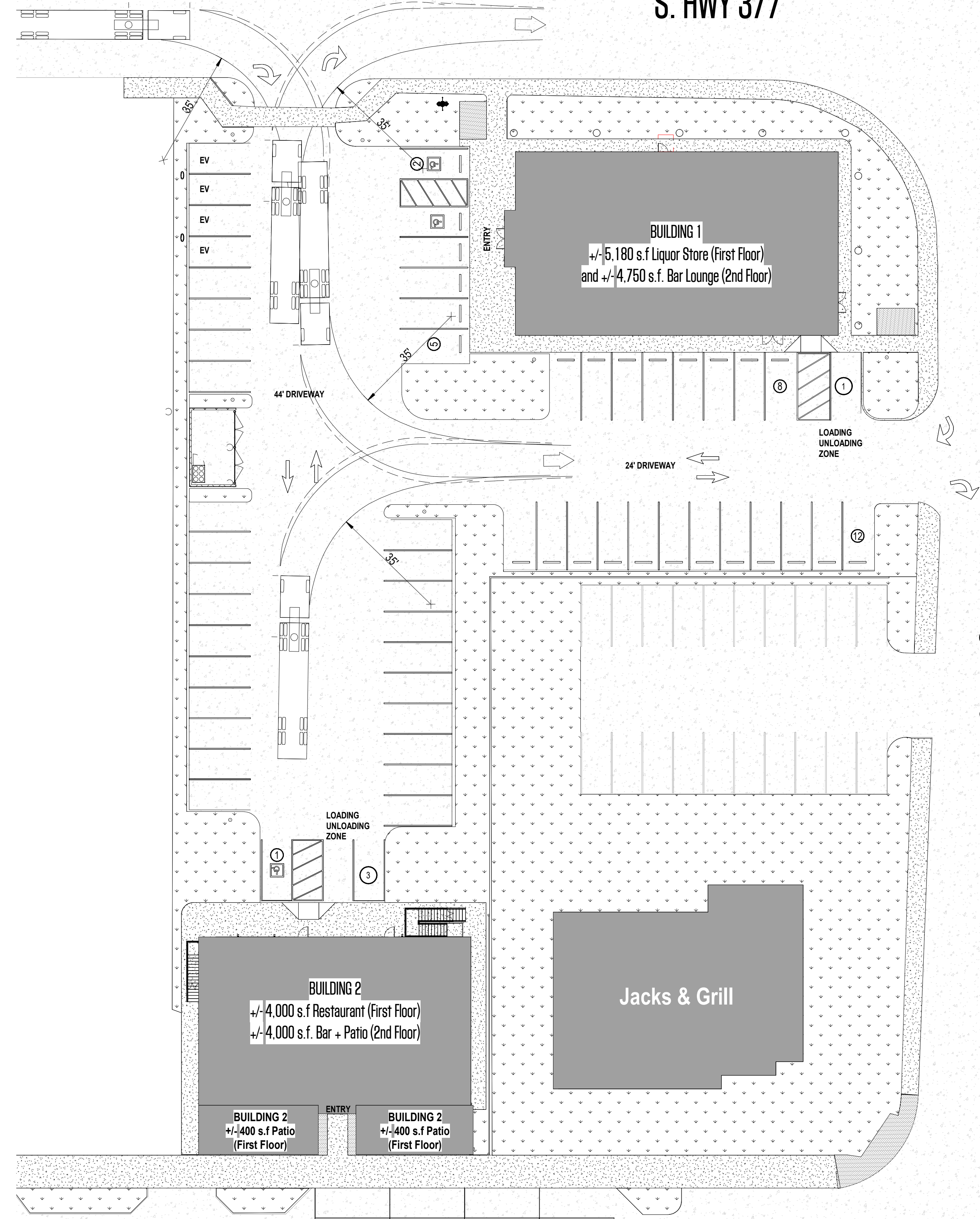
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Scale 1" = 20'-0"

S. Front St.

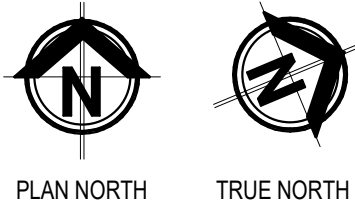
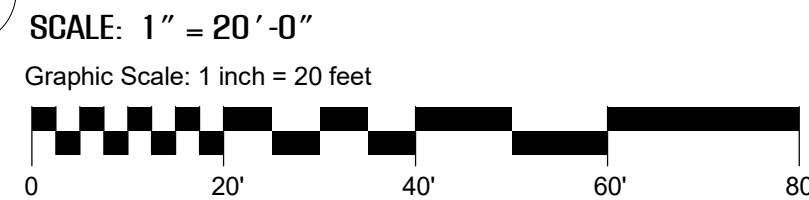
S. HWY 377

Lamar St.

S. Oak St.



OVERALL SITE PLAN-TRAFFIC CIRCULATION



- A. ACCESSIBLE PARKING SPACES AND UNLOADING ZONES SHALL NOT SLOPE MORE THAN 1:48 (2.08%) IN ANY DIRECTION.
- B. ACCESSIBLE ROUTES SHALL NOT SLOPE MORE THAN 1:20 (5%) IN THE DIRECTION OF TRAVEL OR 1:48 (2.08%) PERPENDICULAR TO THE DIRECTION OF TRAVEL.
- C. WHERE ACCESSIBLE ROUTES CHANGE DIRECTION, THE LANDING AREA SHALL NOT SLOPE MORE THAN 1:48 (2.08%) IN ANY DIRECTION.
- D. ACCESSIBLE ROUTES SHALL NOT BE LESS THAN 3'-0" WIDE PERPENDICULAR TO THE DIRECTION OF TRAVEL.
- E. SURFACES ALONG THE ACCESSIBLE ROUTE SHALL BE SMOOTH WITH NO CHANGES IN LEVEL EXCEEDING 1/4". TRANSITIONS BETWEEN MATERIALS ALONG AN ACCESSIBLE ROUTE SHALL BE FLUSH.
- F. REFER TO SECTION 4 IN THE LATEST EDITION OF THE TEXAS ACCESSIBILITY STANDARDS FOR FURTHER REQUIREMENTS FOR ACCESSIBLE ROUTES.

"Site Plan Zoning Exhibit"

Project Name:	Liquor King
Acreage:	1.041 ACRES (45,334 S.F.)
Property Sq Ft:	6,123 Existing Restaurant
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Subdivision:	DIVISION 15. OAK STREET CORRIDOR ZONING DISTRICT ¹
Legal Description:	Reno Red's Addition, LOT 1, Block A
Property ID:	2018-306
City of Roanoke:	Denton County
Submission Date:	July 8, 2025

#F-007510

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AZEEM@2CMDINC.COM

Integrated Design
BIM Solutions, LLC

5000 Cedar Elm Dr., McKinney, TX 75070

NEW LIQUOR KING - ROANOKE

304 S Hwy 377
ROANOKE TX 76262

RELEASE:

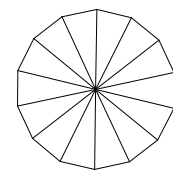
No.	Description	Date
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OVERALL TRAFFIC
SITE PLAN

Project number	2024-064
Date	07.08.2025
Drawn by	AA
Checked by	AA

A100.2

Scale 1" = 20'-0"



PC	14	CHINESE PISTACHE	PISTACIA CHINENSIS	B & B	4" CAL	12'-0" TO 14'-0" HT	
DAM	?	DAMIANITA	CHRYSACTINIA MEXICANA	3 GAL		12"-24"	2' OC.
GCM	?	GULF COAST MUHLY	MUHLENBERGIA CAPILLARS	3 GAL	18"-20"	15"-18"	3' OC.
IH	?	INDIAN HAWTHORNE	MUHLENDERGIA LINDHEIMERI 'AUTUMN GLOW' TM	5 GAL			2' OC.
LAN	?	TEXAS LANTANA	LANTANA URTICOIDES	3 GAL	20"-24"	FULL	3' OC.
YS	?	YAUPON SHRUB	SALVIA GREGGII 'RED'	3 GAL	24"-48"	3 GAL	5' OC.

*Tree images by Robert O'Brien, texasreplanting.tamu.edu



CHINESE PISTACHE
DAMIANITA
GULF COAST MUHLY

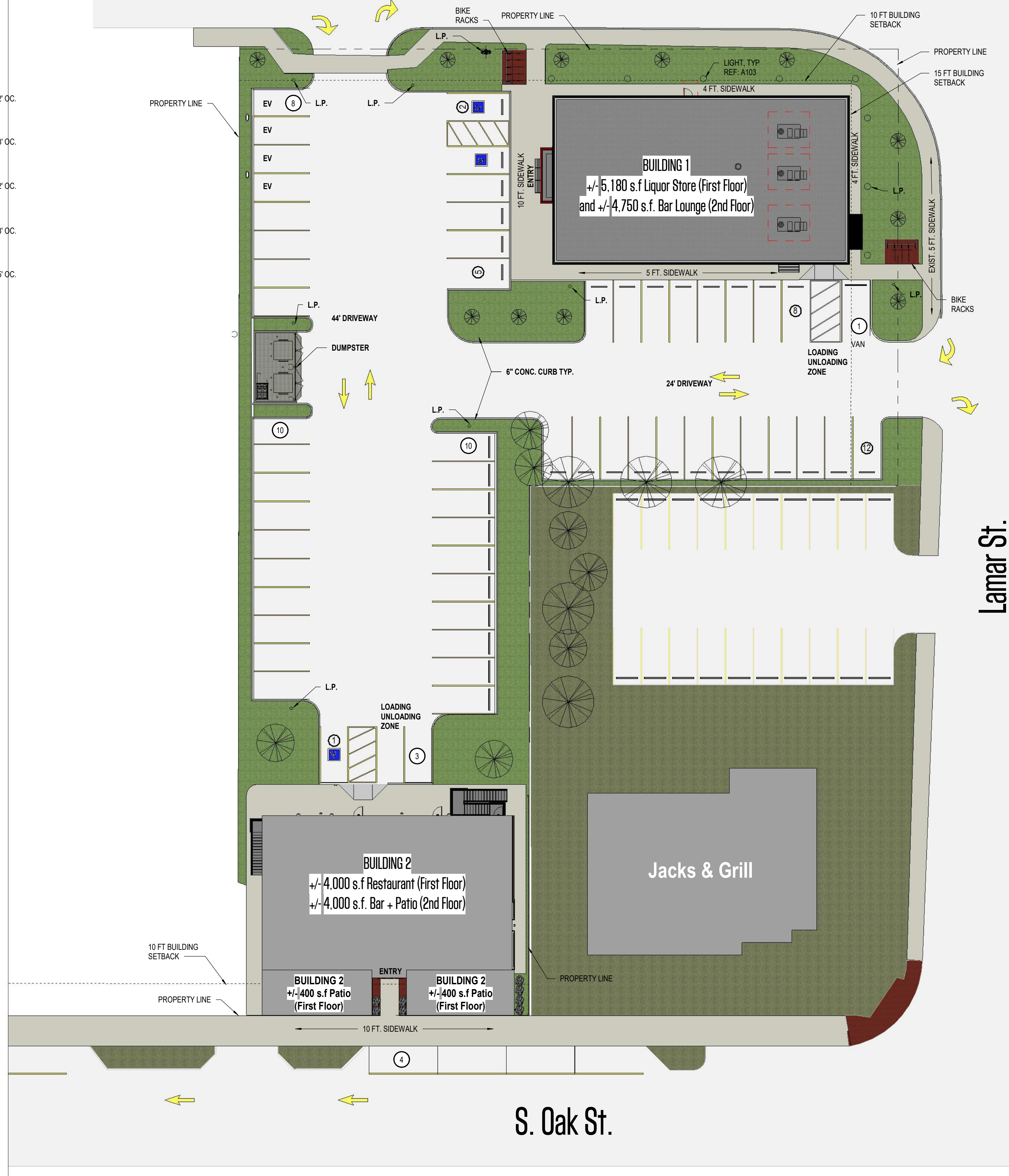


TEXAS LANTANA
YAUPON SHRUB

- NEW BUILDING
- NEW CONCRETE SIDEWALK
- NEW PERMEABLE PAVING
- NEW CONCRETE FLAT WORK
- PROPERTY LINE
- ACCESSIBLE PARKING SIGN
- ACCESSIBLE PARKING SYMBOL

S. Front St.

S. HWY 377

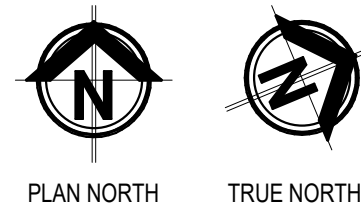
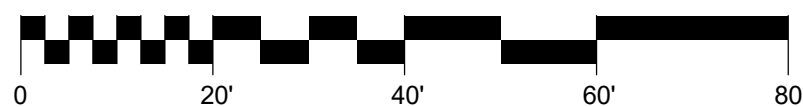


1

OVERALL PROPOSED LANDSCAPE PLAN

SCALE: 1" = 20'-0"

Graphic Scale: 1 inch = 20 feet



REQUIRED LANDSCAPING

10% OF THE TOTAL DEVELOPMENT LOT AREA SHALL BE LANDSCAPED & PERMANENTLY MAINTAINED.

LANDSCAPE REQUIRED: 45,334 SF SITE - 18,730 BLDG SF x 10% = 2,661 SF

LANDSCAPE PROVIDED: = 7,911 SF

PARKING TABULATIONS:

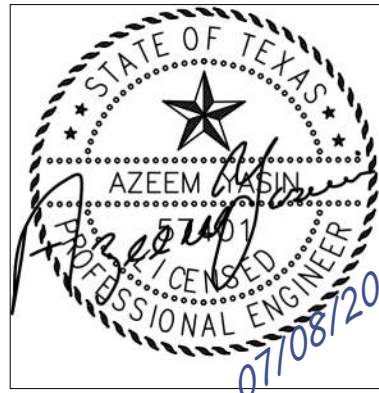
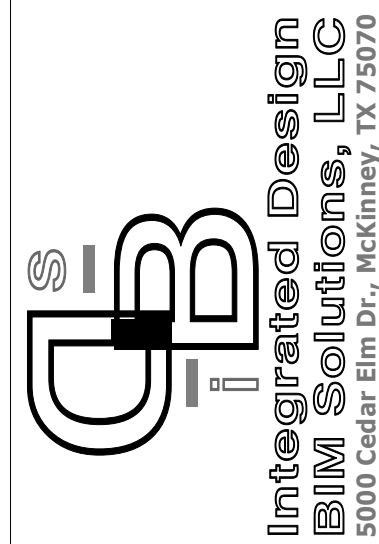
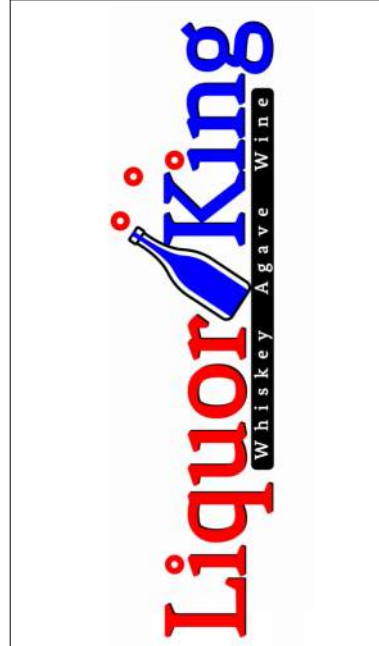
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BUILDING 2 AREA = 8,800 S.F. (INCLUDING OUTDOOR PATIOS)
TOTAL BUILDINGS AREAS = 18,730 S.F.

TOTAL PARKING SPACES REQUIRED: 18,730 S.F. / 350 S.F. = 54 SPACES

PARKING SPACES PROVIDED: 58 SPACES ON SITE, 54 REGULAR & 4 E.V. SPACES
PARKING SPACES PROVIDED: 4 SPACES ON STREET
PARKING SPACES PROVIDED: 62 SPACES TOTAL
ACCESSIBLE REQUIRED: 1 PER 25 = 3 SPACES
ACCESSIBLE PROVIDED: 3 SPACES ON SITE

"Site Plan Zoning Exhibit"

Project Name:	Liquor King
Acreage:	1.041 ACRES (45,334 S.F.)
Property Sq Ft:	6,123 Existing Restaurant
PROPOSED USE	9,930 S.F. New Liquor Store & Bar 8,800 S.F. New Restaurant & Bar Lounge (Including Outdoor Patios)
Subdivision:	DIVISION 15. OAK STREET CORRIDOR ZONING DISTRICT ¹
Legal Description:	Reno Red's Addition, LOT 1, Block A
Property ID:	2018-306
City of Roanoke:	Denton County
Submission Date:	July 8, 2025



NEW LIQUOR KING - ROANOKE
304 S Hwy 377
ROANOKE TX 76262

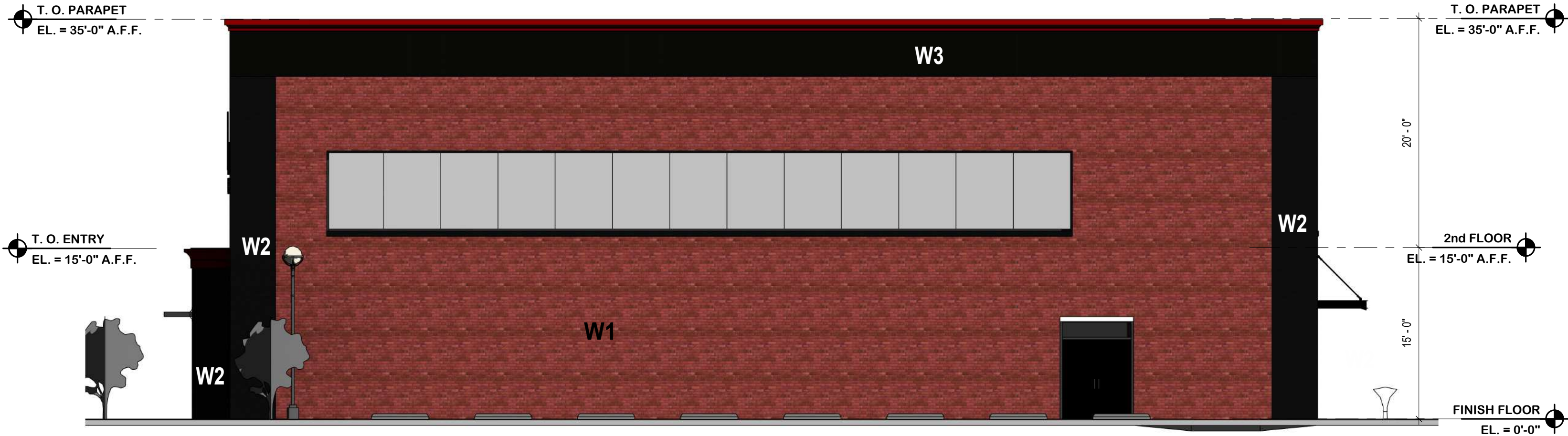
RELEASE:
No. Description Date

PROPOSED
LANDSCAPE PLAN

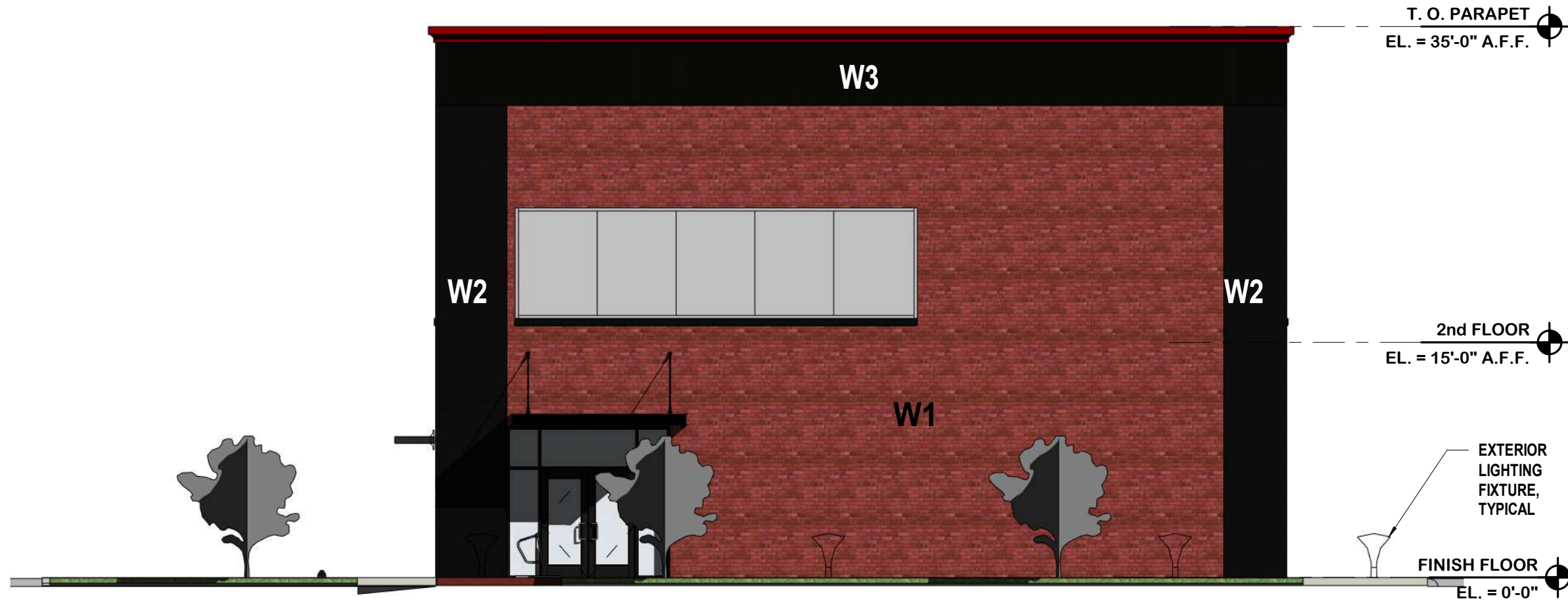
Project number 2024-064
Date 07.08.2025
Drawn by AA
Checked by AA

L101

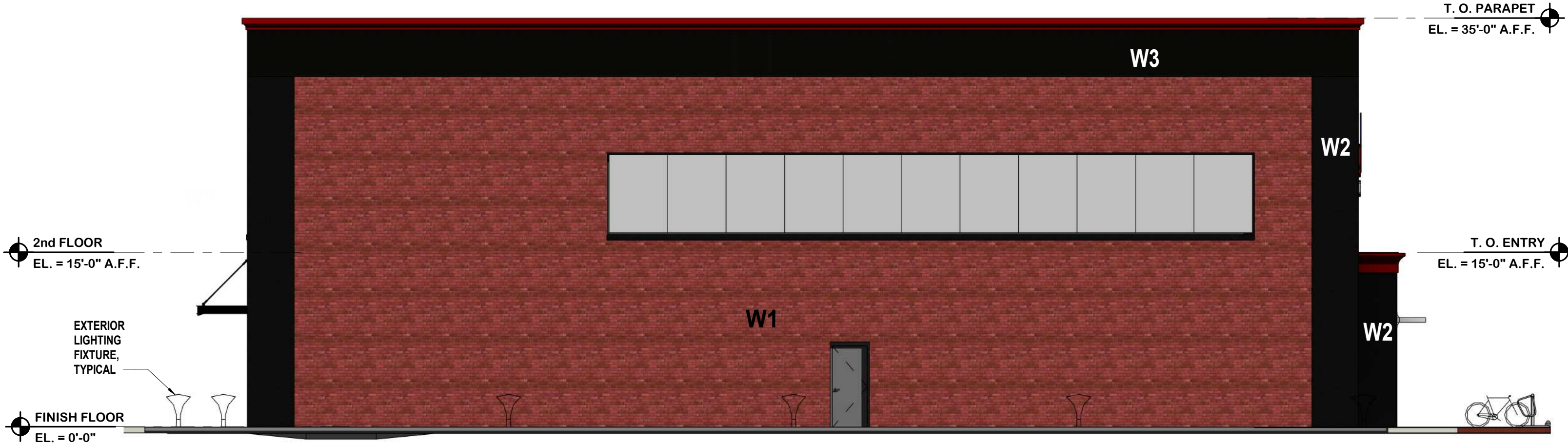
Scale As indicated



1 EXTERIOR ELEVATION BUILDING 1
SCALE: 1/8" = 1'-0"



2 EXTERIOR ELEVATION BUILDING 1
SCALE: 1/8" = 1'-0"

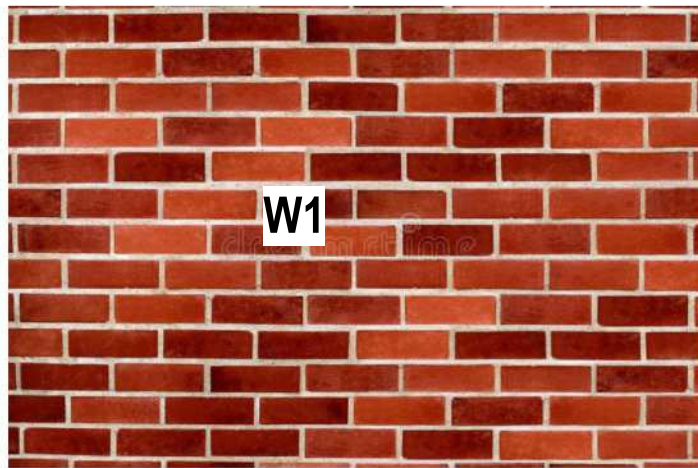


3 EXTERIOR ELEVATION BUILDING 1
SCALE: 1/8" = 1'-0"



4 EXTERIOR ELEVATION BUILDING 1
SCALE: 1/8" = 1'-0"

EXTERIOR ELEVATIONS/FACADE MATERIALS KEY



NATURAL RED BRICK VENEER
(all PERIMETER WALLS)

ANTICO ELEMENTS

877-326-8426 /
support@anticoelements.com



Onyx Standard Black Colored Brick

<https://www.realstonesystems.com/product/onyx-standard-brick>



"The Black Rock" - Corrugated Metal Siding Panels with DualCoat™ - Loose Metal

<https://barrierbossusa.com/products/matte-black-corrugated-metal-siding-sheet-7-8-gauge>

NEW LIQUOR KING - ROANOKE
304 S HWY 377
ROANOKE TX 76262

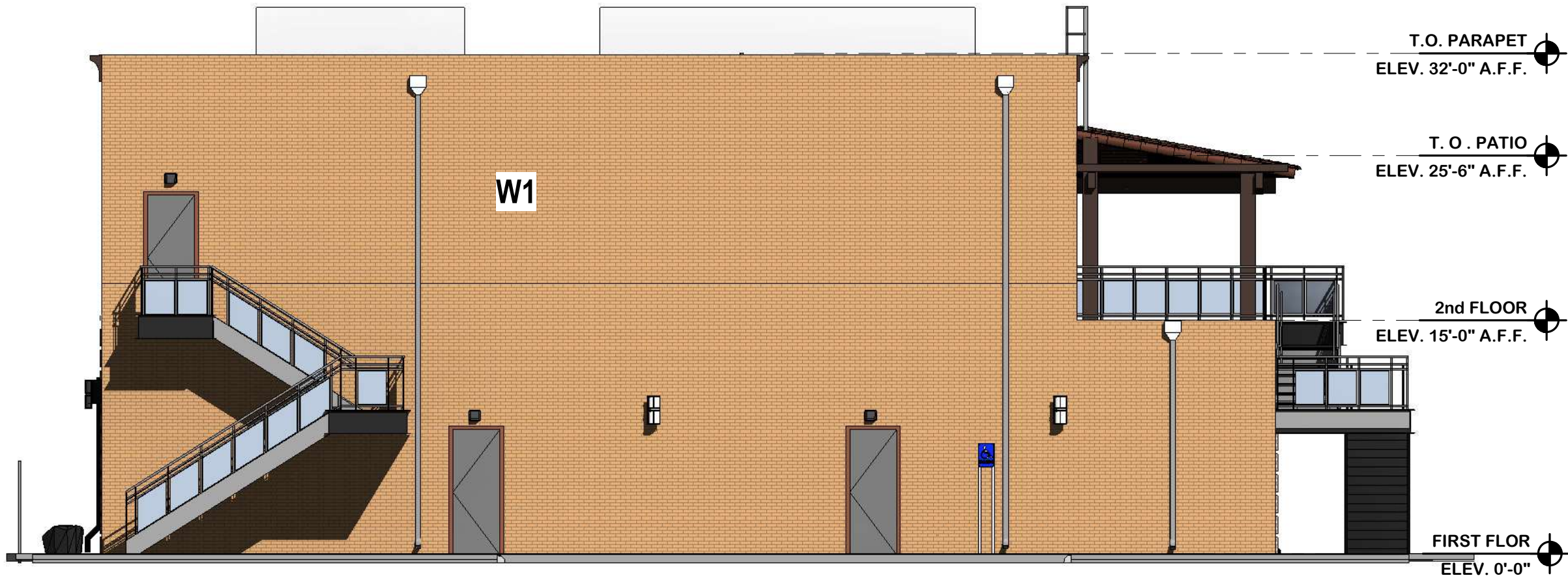
RELEASE:
No. Description Date

PROPOSED EXTERIOR ELEVATIONS BUILDING '1'
Project number 2024-064
Date 03.30.2025
Drawn by AA
Checked by AA
A103
Scale 1/8" = 1'-0"

7/8/2025 4:26:28 PM



1 SIDE ELEVATION BUILDING B
SCALE: 1/8" = 1'-0"



2 REAR ELEVATION BUILDING B
SCALE: 1/8" = 1'-0"



3 SIDE ELEVATION BUILDING B
SCALE: 1/8" = 1'-0"



4 FRONT ELEVATION BUILDING B
SCALE: 1/8" = 1'-0"

EXTERIOR ELEVATIONS/FACADE MATERIALS KEY



NATURAL BEIGE BRICK VENEER
(1ST FLOOR PERIMETER WALLS)

ANTICO ELEMENTS

877-326-8426 /
support@anticoelements.com



NATURAL ORANGE BRICK VENEER
(2ND FLOOR PERIMETER WALLS)

ANTICO ELEMENTS

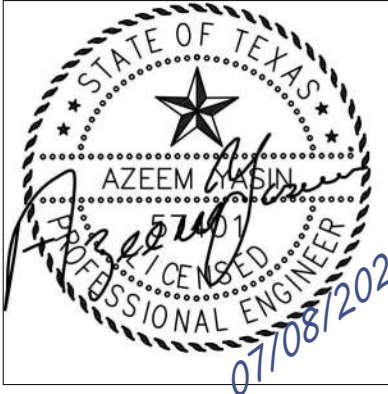
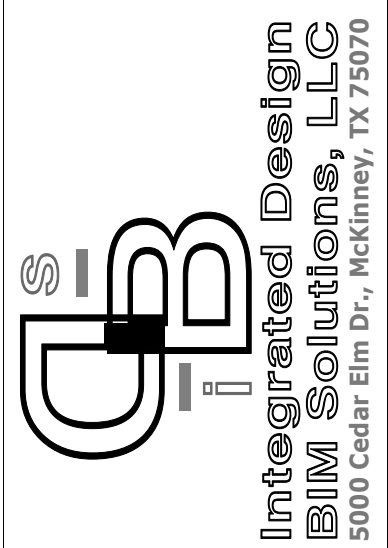
877-326-8426 /
support@anticoelements.com



BRAVA ROOF TILE SPANISH BARREL FIELD TILE
(2ND FLOOR PATIO ROOF)

ANTICO ELEMENTS

877-326-8426 / support@anticoelements.com

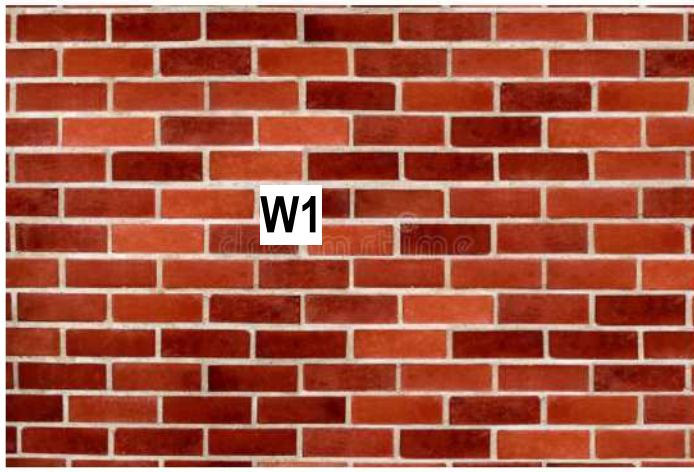


NEW LIQUOR KING - ROANOKE
304 S HWY 377
ROANOKE TX 76262

RELEASE:
No. Description Date

PROPOSED
EXTERIOR
ELEVATIONS
BUILDING '2'
Project number 2024-064
Date 03.30.2025
Drawn by AA
Checked by AA
A104
Scale 1/8" = 1'-0"

EXTERIOR ELEVATIONS/FACADE MATERIALS KEY



W1
NATURAL RED BRICK VENEER
(all PERIMETER WALLS)

ANTICO ELEMENTS

877-326-8426 /
support@anticoelements.com



W2
Onyx Standard Black Colored Brick

<https://www.realstonesystems.com/product/onyx-standard-brick>



W3
"The Black Rock" - Corrugated Metal Siding Panels with DualCoat™ - Loose Metal

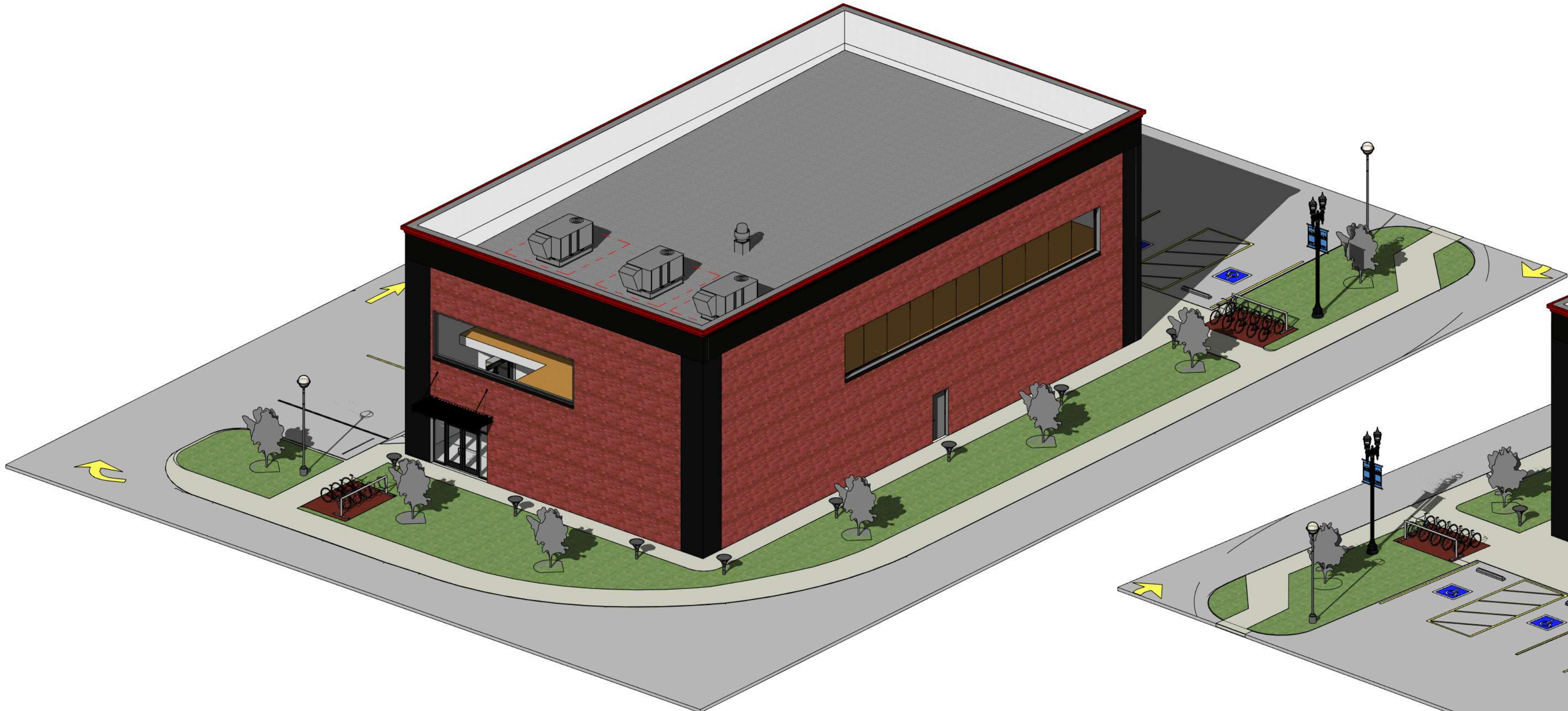
<https://barrierbossusa.com/products/matte-black-corrugated-metal-siding-sheet-7-8-gauge>



1 ISOMETRIC VIEW BUILDING 1
SCALE:



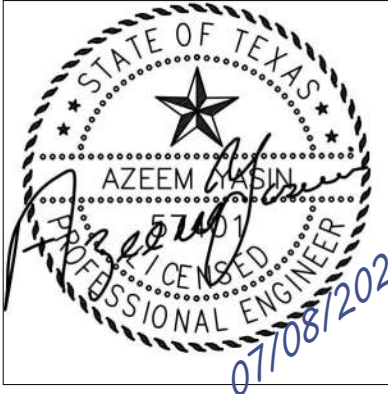
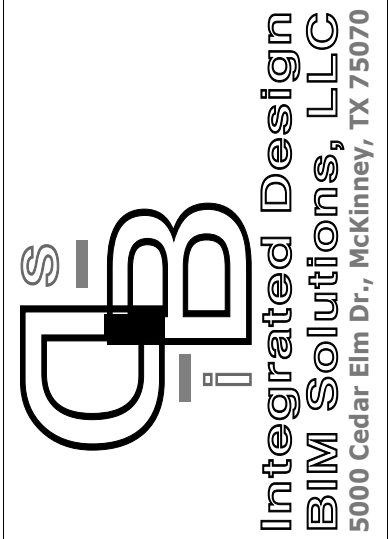
3 ISOMETRIC VIEW BUILDING 1
SCALE:



2 ISOMETRIC VIEW BUILDING 1
SCALE:



4 ISOMETRIC VIEW BUILDING 1
SCALE:



NEW LIQUOR KING - ROANOKE
304 S Hwy 377
ROANOKE TX 76262

RELEASE:
No. Description Date

3D VIEWS BUILDING
'1'

Project number 2024-064
Date 03.30.2025
Drawn by AA
Checked by AA

A105
Scale

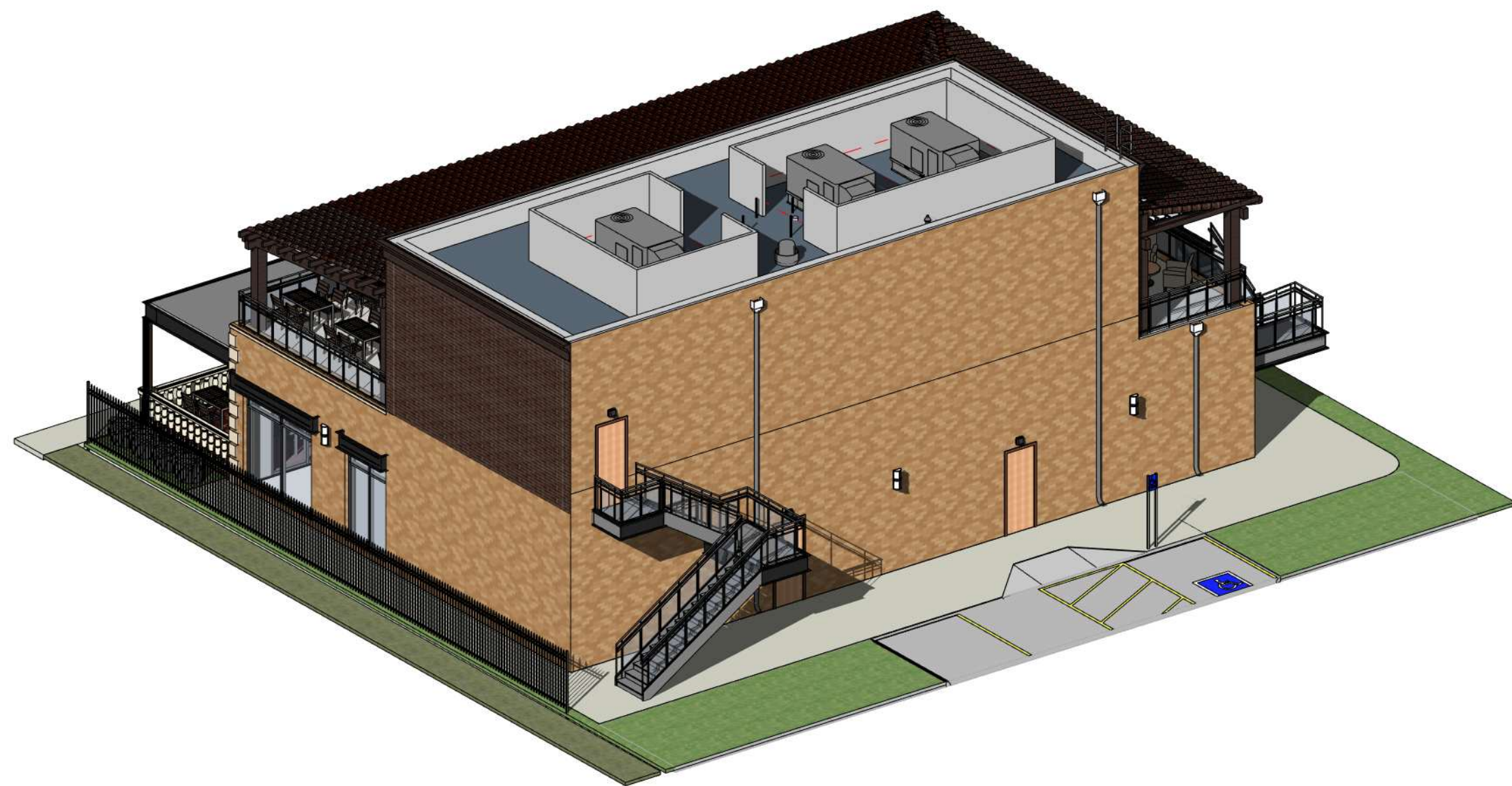
EXTERIOR ELEVATIONS/FACADE MATERIALS KEY



BRICK MODULAR RUNNING
COLOR RED

BRICK MODULAR RUNNING
COLOR BEIGE

NICHIHA FIBER CEMENT

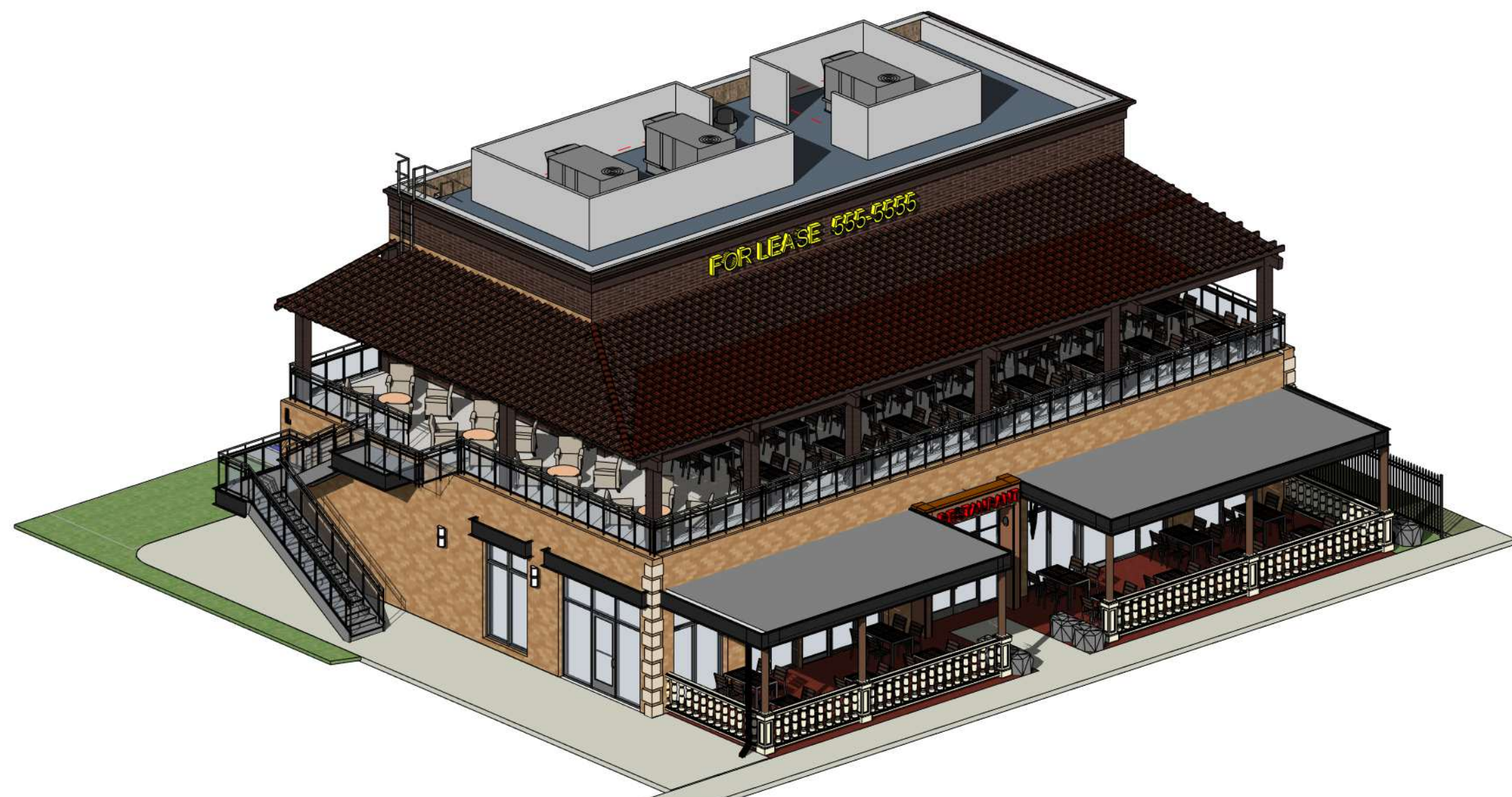


1 ISOMETRIC VIEW BUILDING 2

SCALE:

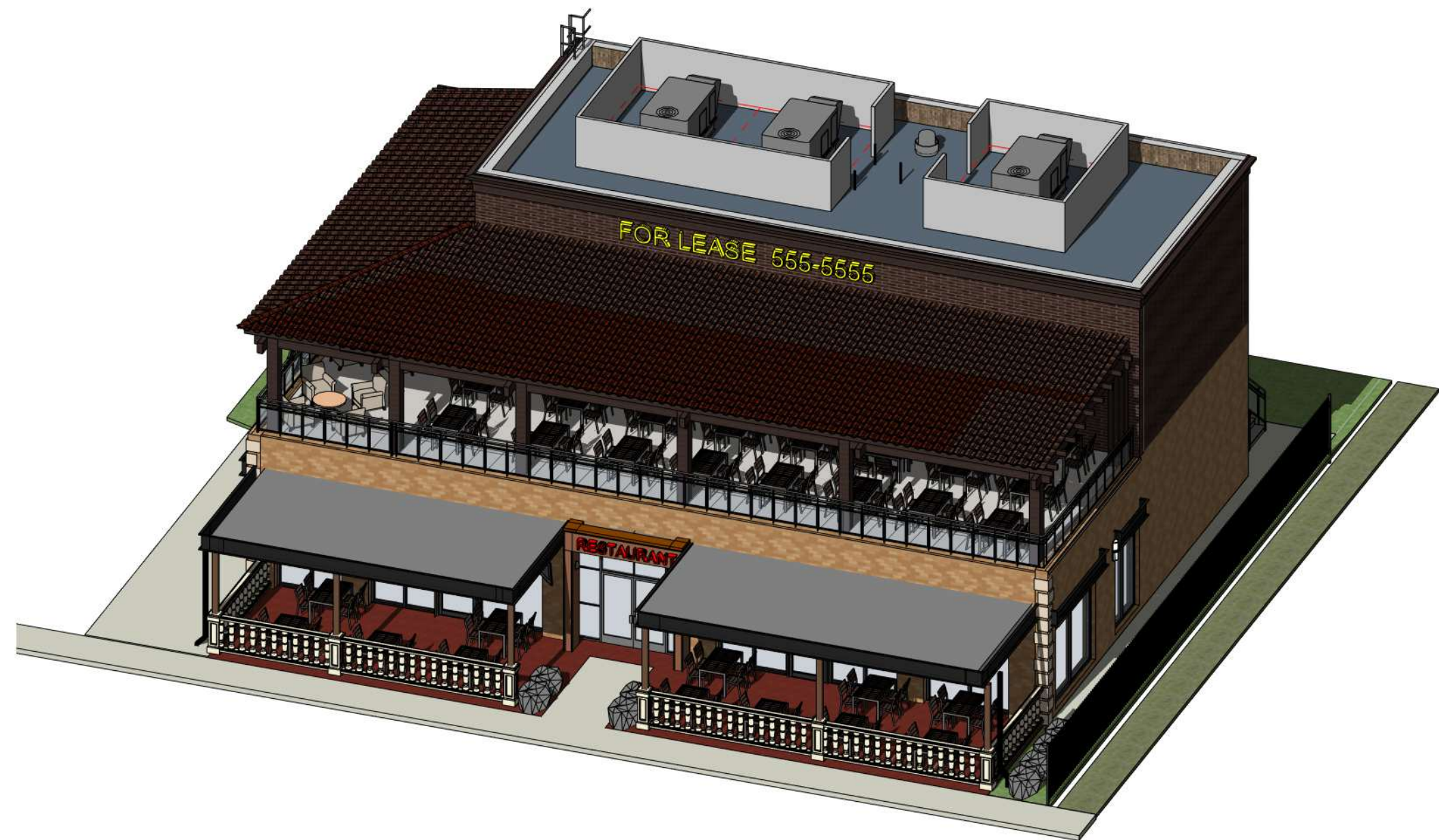
2 ISOMETRIC VIEW BUILDING 2

SCALE:



3 ISOMETRIC VIEW BUILDING 2

SCALE:



4 ISOMETRIC VIEW BUILDING 2

SCALE:

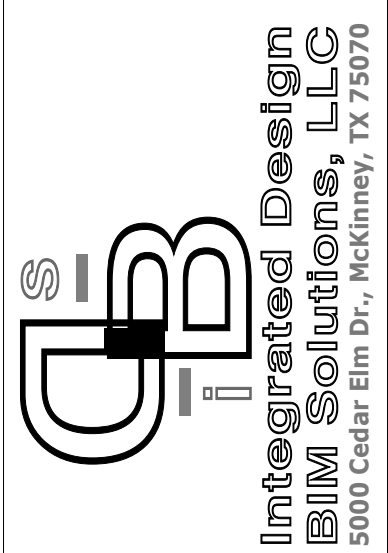




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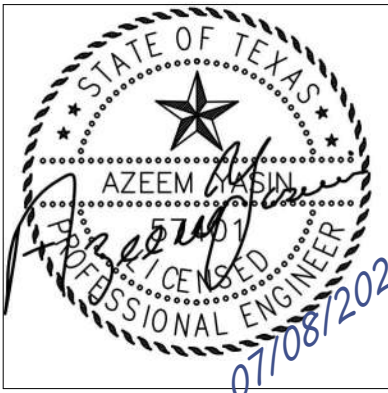
1307 HILLARY LANE
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STATE OF TEXAS
AZEEZ AKIN
Professional Engineer
070872025

NEW LIQUOR KING - ROANOKE

304 S Hwy 377
ROANOKE TX 76262

RELEASE:

No.	Description	Date
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3D VIEWS BUILDING '2'

Project number	2024-064
Date	03.30.2025
Drawn by	AA
Checked by	AA

A106

Scale

7/8/2025 4:27:31 PM

Page 139 of 222



CITY COUNCIL AGENDA ITEM

TO: City Council

SUBJECT: Final Plat (FP-2025-02) Watermere Oak Addition

MEETING DATE: August 12, 2025

DEPARTMENT: Planning

ITEM SUMMARY:

Consideration and action on Final Plat (FP-2025-02) request from Watermere on Oak for an approximate 18.507 acres located in the M.E.P. and P.R.R. Co Survey, abstract no. 923 and the John Bacon Survey, abstract no. 1565, City of Roanoke Texas, Denton County Texas. The property is generally located off of N. Walnut and Dorman Rd., north of Lois Street.

INFORMATION:

The City Council previously heard a substantially similar application on April 8, 2025, and unanimously voted to recommend approval. The application is being presented a second time because the development is adding eight (8) more single-family lots on the Billy Ray Bowne tract to the north of the existing approved lots.

- Zoning: Planned Development
- Drainage: A drainage plan will be accepted by the engineering consultant prior to construction.
- Utilities: A utility plan will be accepted by the engineering consultant prior to construction.
- Proposed Uses: Seniors-only apartments and single-family detached

STAFF RECOMMENDATION:

As was the case previously, staff recommends approval of this request.

SPECIAL CONSIDERATION:

At their August 4 meeting, the Planning and Zoning Commission unanimously voted to recommend approval of this item.

FINANCIAL CONSIDERATION:



CITY COUNCIL AGENDA ITEM

ATTACHMENTS:

1. Watermere on Oak - Second Submittal Final Plat Application_IREG
2. Watermere on Oak - Second Submittal Final Plat



Plat Checklist

City of Roanoke
500 S. Oak St. Roanoke TX 76262
Planning (817) 491-2411

Planning & Zoning meetings are held on the 1st and 3rd Monday of each month at 7:00 p.m.

City Council meetings are held on the 2nd and 4th Tuesday of each month at 7:00 p.m.

SUBMITTAL INFORMATION

All plats require a completed application, filing fee, and transmittal letter. All plats require a minimum of ten (10) business days to be reviewed prior to being submitted to the Planning and Zoning Commission.

Review Requirements:

A copy of the plat, including supplementary material in pdf format.

Once plat has been approved, please contact April S. Hill, City Secretary at ahill@roanoketexas.com or 817-491-2411 for instructions on print requirements and filing with Denton County.

Preliminary Plats:

The Subdivider shall cause a surveyor and/or engineer to prepare the necessary preliminary drawings showing the proposed arrangement of streets, lots and blocks for the tract of land proposed to be divided, the method of accomplishing storm drainage and the location and size of proposed water and sewer mains for the subdivision.

The preliminary plat application is required to be signed by the current property owner. If the property owner is not available to sign the application, then a notarized letter of authorization from the property owner is required to be submitted which empowers a designee to sign for the property owner.

Final Plats:

No final plat shall be submitted by a subdivider nor shall it be accepted for consideration by the City until a preliminary plat has been submitted, revised as necessary, and approved by the Planning and Zoning Commission.

Roanoke Code of Ordinance, Chapter 9, Article 9.200, Section 9.201(b) – No final subdivision plat shall be approved on any development until the dedication requirements of this section have been met.

For a complete list of this requirement please go to the following web site:

http://library.municode.com/HTML/13617/level3/PTIICOOR_CH9SU_ART9.200PAREDERE.html#TOPTITLE

Re-Plats:

Re-plats require a public hearing notice to be given before the 15th day of the date of the hearing. To meet publication requirements, please add an additional 3 (business) days to have notice published.

Waiver from Section 212.009. Texas Local Government Code requires that the municipal authority responsible for approving plats must take action on a plat within thirty (30) days of the accepted application submittal. A plat is considered approved by the municipal authority unless it is disapproved within that period. Because 30 days is generally not enough time for a plat to be reviewed by City Staff, considered by the Planning & Zoning Commission, and submitted to City Council for approval, a waiver for this section has been provided. If the waiver is not signed, then it is likely that the plat will be forwarded to the Planning and Zoning Commission with a staff recommendation of denial within 30 days of the application being accepted. The waiver must be signed by the property owner or by the property owner's designee as noted on a letter of authorization.

30-DAY WAIVER:

I, Douglas Cooper, hereby waive the 30-day review period recognizing that some applications may require additional time due to the level of complexity or because it lacks complete information.

PRINT NAME



Applicant Signature

NOTE:

The City of Roanoke will make every effort to process applications within a 30-day time frame. Applications that require a public hearing may take additional time to process.

MINOR PLATS**Review Requirements:**

One copy of the plat, including supplementary material in pdf format.

Minor Plats:

In accordance with Section 212.0065 of the Texas Local Government Code, as amended, the City delegates to the City Manager, upon a recommendation of the Director of Public Works, the authority to approve minor plats and amendments to minor plats and the authority to approve amending plats under certain conditions.

Please visit the following web site for a complete list of criteria:

http://library.municode.com/HTML/13617/level3/PTIICOOR_CH9SU_CH9EXA.html#PTIICOOR_CH9SU_CH9EXA_S6FIPL

This checklist is provided as a supplement only. It is the applicant's responsibility to review and comply with the requirements of the Zoning Ordinance, Subdivision Regulations and Construction Specifications.

Submission Requirements

- ☐ Completed Application Form
- ☐ Filing Fee
- ☐ Transmittal Letter

Staff Review

- ☐ One copy of the plat, including supplementary material in pdf format.

Planning & Zoning Commission

- ☐ One copy of the plat, including supplementary material in pdf format. (Plans shall be received two (2) weeks prior to P&Z meeting.)

Meetings are held on the 1st and 3rd Monday at 7:00 p.m. of each month. All additional information must be received one week prior to the meeting date.

City Council

- ☐ One (1) electronic copy (PDF) of the complete site package with and revisions made by the Planning & Zoning Commission.

Meetings are held on the 2nd and 4th Tuesday at 7:00 p.m. of each month. All information must be received one week prior to the meeting date. These prints should contain any revisions made by staff or Planning & Zoning Commission.

Plats

- ☐ Title block, titled Preliminary or Final Plat, lower right corner including subdivision name, block & lot numbers, and date of preparation.
- ☐ Name, address, phone and fax numbers of the owner, applicant and engineer or architect.
- ☐ North arrow and scale.
- ☐ Proposed name of the subdivision, which shall not have the same spelling as or be pronounced similar to the name of another subdivision located within the City or within five (5) miles of the current City limits.
- ☐ Name of contiguous subdivisions and the name of owners of contiguous parcels of unsubdivided land and an indication of whether or not contiguous properties are platted and filed of record. All shall be shown in dotted lines, letters, and figures.
- ☐ Boundary lines of the total area proposed for subdivision and the computed acreage of the total area. Bearing and length of each boundary line shall be shown and description by metes and bounds shall be supplied separately on 8½ by 11 or 8½ by 14 inch paper.
- ☐ Property boundaries with dimensions.
- ☐ Zoning districts adjacent to the property.
- ☐ Adjoining streets including existing and proposed median openings, curbs, sidewalks, street intersections, driveways, and alleys within 300 hundred feet of the property.
- ☐ The location of lots and blocks, including number designations, proposed for inclusion in the first section of development.

- ☐ Front building setback lines on all lots and sites. Side yard building setback lines at street intersections and crosswalk ways.

Plat Continued

- ☐ Location of City limits line, the outer border of the City's extraterritorial jurisdiction, and zoning district boundaries, if they traverse the subdivision, form part of the boundary of the subdivision, or contiguous to such boundary.
- ☐ Indicate spacing between driveways within the subject property and adjacent properties.
- ☐ Dedicated fire lanes if required, access easements, existing and proposed drainage and utility easements.
- ☐ Show existing and proposed Waste Water.
- ☐ Show existing and proposed Water
- ☐ If curved streets are proposed, the radius of the curve on curve data shall be shown.
- ☐ Show location of the FEMA 100 year flood plain.
- ☐ Proposed attached and monuments signs, showing elevations, dimensions, total square footage, materials, colors, font and lighting source. (sign information may be include on separate sheet)
- ☐ Preliminary Engineering. (conceptual utility plan)
- ☐ Show all existing and proposed sidewalks.
- ☐ Show Fire hydrant layout.
- ☐ Cite the map projection used (assumed North Central Texas State Plane, NAD 83, FIPS 4202)
- Provide the Northing / Easting values for the POB and one opposite corner.
- Provide the ground-to-grid conversion angle and scale factor for the cited projection.



Plat Application

City of Roanoke 500 S. Oak Street Roanoke, Texas 76262
Planning Department (817) 491-2411

☐ Preliminary Plat ☒ Final Plat ☐ Re-plat ☐ Minor/Amended Plat

Date Filed:		File No.	
Name of Applicant Douglas Cooper, AICP	Address of Applicant 3110 W Southlake Blvd., Ste 120, Southlake, TX 76092	Phone Number & E-Mail (817)993-9382 tarmstrong@ireg.us	
Engineer or Land Planner mma, Inc.	Address 519 E Border Street, Arlington, TX 76010	Phone Number & E-Mail (817)469-1671 development@mmatexas.com	
		Fax Number	
Location of Property N Oak & Dorman Rd.	Name of Addition/Subdivision Watermere on Oak	Acres 16.697	Lot / Block see attached

Does the proposed subdivision require the abandonment or relocation of any existing streets, alleys or easement?

☐ Yes ☒ No

If "Yes" has an application to secure approval of such abandonment or relocation been made?

☐ Yes ☐ No

Type of Subdivision

- ☐ Re-subdivision of existing lot or lots
☒ Original subdivision of acreage
☒ Platting of Streets or Alleys
☐ Correcting error or omission

Proposed Use

- ☒ Residential Lots
☐ Industrial
☐ Commercial or Retail
☐ Public or Institutional

Improvements Proposed

- ☒ City of Roanoke
☐ Well
☐ Other _____

Type of Sanitary facilities

- ☒ City of Roanoke Sewer
☐ Septic Tank
☐ Other _____

Type of Street Surfacing

- ☒ City of Roanoke Standards
☐ Existing paved street
☐ Other _____

Type of Storm Drainage

- ☒ Curb and Gutter
☐ Storm Sewers
☐ Other _____

In submitting this application for approval of the above described subdivision, I understand that if said subdivision is within the corporate limits or within the extraterritorial jurisdiction of the City of Roanoke that all improvements installed shall be in conformance with the standards and requirements of the City of Roanoke.

Fees for Preliminary and Final Plat are \$300.00 plus \$10.00 per acre and \$250.00 for a Re-plat, Minor and Amended Plat. Fees are subject to change if amended by Ordinance.

Applicants Signature

3.22.25

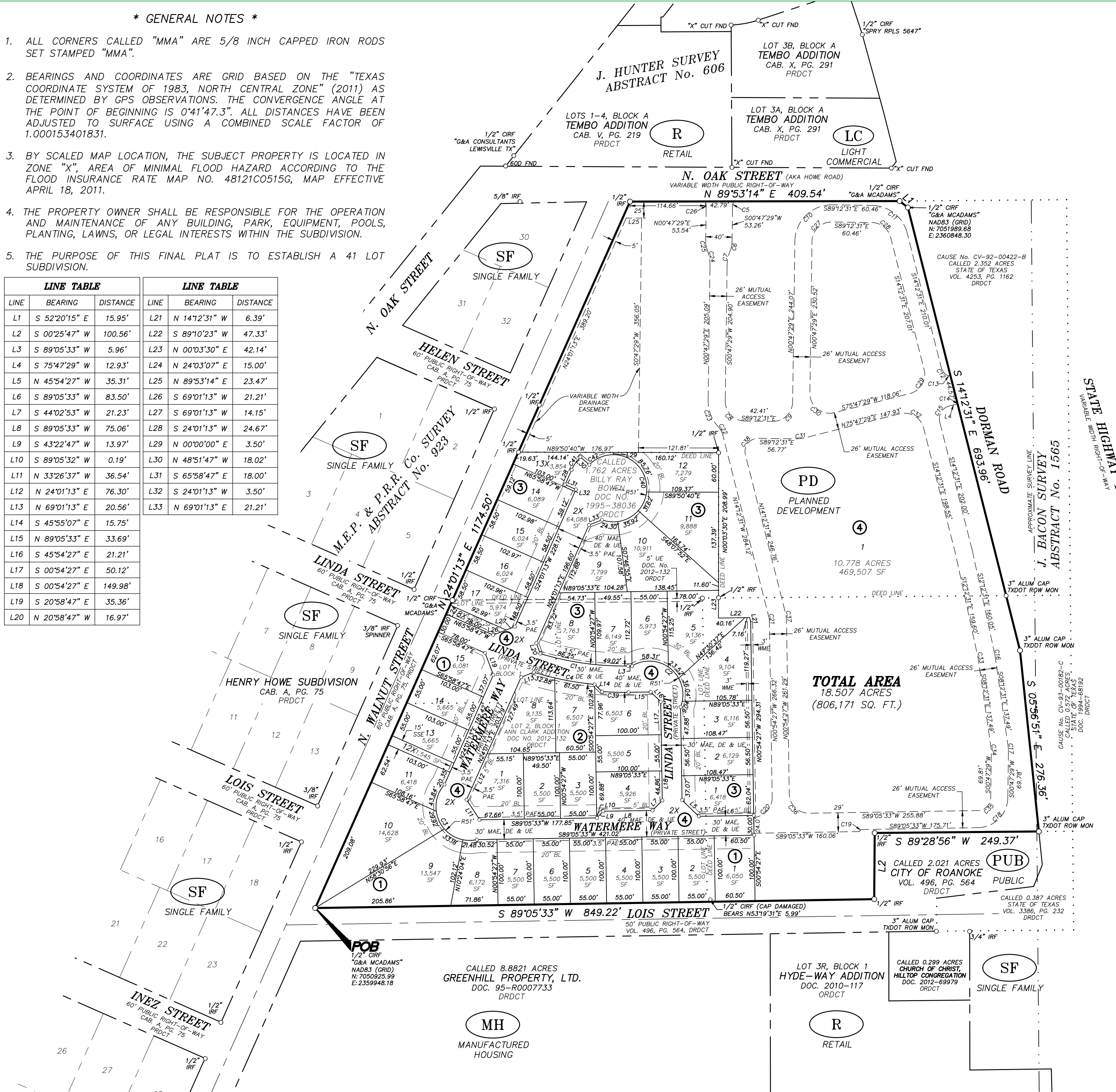
Date

FOR OFFICE USE ONLY

Preliminary Plat Filing Fee	Final Plat Filing Fee	P&Z Meeting	CC Meeting	File for Record

1. ALL CORNERS CALLED "MMA" ARE 5/8 INCH CAPPED IRON RODS SET STAMPED "MMA".
2. BEARINGS AND COORDINATES ARE GRID BASED ON THE "TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE" (2011) AS DETERMINED BY GPS OBSERVATIONS. THE CONVERGENCE ANGLE AT THE POINT OF BEGINNING IS 0°41'47.3". ALL DISTANCES HAVE BEEN ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000153401831.
3. BY SCALED MAP LOCATION, THE SUBJECT PROPERTY IS LOCATED IN ZONE "X", AREA OF MINIMAL FLOOD HAZARD ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 48121C0515G, MAP EFFECTIVE APRIL 18, 2011.
4. THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR THE OPERATION AND MAINTENANCE OF ANY BUILDING, PARK, EQUIPMENT, POOLS, PLANTING, LAWNS, OR LEGAL INTERESTS WITHIN THE SUBDIVISION.
5. THE PURPOSE OF THIS FINAL PLAT IS TO ESTABLISH A 41 LOT SUBDIVISION.

LINE TABLE			LINE TABLE		
L#	BEARING	DISTANCE	L#	BEARING	DISTANCE
L1	S 52°20'15" E	15.95'	L21	N 14°12'31" W	6.39'
L2	S 00°25'47" W	100.56'	L22	S 89°02'31" W	47.33'
L3	S 89°05'33" W	5.96'	L23	N 00°03'30" E	42.14'
L4	S 75°24'29" W	12.93'	L24	N 24°03'07" E	15.00'
L5	N 54°54'27" E	35.31'	L25	N 89°53'14" E	23.47'
L6	S 89°05'33" W	83.50'	L26	S 69°01'13" W	21.21'
L7	S 44°02'53" W	21.23'	L27	S 69°01'13" W	14.15'
L8	S 89°05'33" W	75.06'	L28	S 24°01'13" W	24.67'
L9	S 43°22'47" W	13.97'	L29	N 00°00'00" E	3.50'
L10	S 89°05'32" W	0.19'	L30	N 48°51'47" W	18.02'
L11	N 33°26'37" W	36.54'	L31	S 65°58'47" E	18.00'
L12	N 24°01'13" E	76.30'	L32	S 24°01'13" W	3.50'
L13	N 69°01'13" E	20.56'	L33	N 69°01'13" E	21.21'
L14	S 45°55'07" E	15.75'			
L15	N 89°05'33" E	33.69'			
L16	S 45°54'27" E	21.21'			
L17	S 00°54'27" E	50.12'			
L18	S 00°54'27" E	149.98'			
L19	S 20°58'47" E	35.36'			
L20	N 20°58'47" W	16.97'			



CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	435.00'	138.28"	17° 49' 06"	S 81°59'55" E	134.73'
C2	51.00'	126.90"	142° 33' 42"	S 49°45'03" E	96.60'
C3	51.00'	128.42"	144° 16' 32"	N 30°28'01" W	97.08'
C4	465.00'	94.39"	11° 37' 50"	S 78°45'30" E	94.23'
C5	30.00'	9.66"	18° 26' 25"	S 10°00'42" W	9.61'
C6	28.00'	10.87"	22° 15' 05"	S 11°55'01" W	10.81'
C7	66.00'	25.63"	22° 15' 05"	S 11°55'01" W	25.47'
C8	30.00'	47.12"	90° 00' 00"	S 44°12'31" E	42.43'
C9	30.00'	47.12"	90° 00' 00"	N 45°47'29" E	42.43'
C10	56.00'	87.96"	90° 00' 00"	N 45°47'29" E	79.20'
C11	56.00'	73.30"	75° 00' 00"	S 51°42'31" E	68.18'
C12	20.00'	15.60"	44° 42' 03"	S 36°33'32" E	15.21'
C13	4.95'	5.14"	59° 25' 39"	S 88°03'47" E	4.91'
C14	20.00'	0.07"	0° 11' 27"	S 75°53'31" W	0.07'
C15	20.00'	31.42"	90° 00' 00"	S 30°47'29" W	28.28'
C16	56.00'	3.91"	4° 00' 00"	S 10°12'31" E	3.91'
C17	56.00'	8.80"	9° 00' 00"	S 44°36'31" E	8.79'
C18	46.00'	70.89"	88° 18' 03"	S 0°52'31" W	64.08'
C19	5.00'	5.86"	67° 11' 32"	S 55°29'46" W	5.53'
C20	30.00'	45.62"	87° 08' 02"	N 42°39'34" E	41.35'
C21	37.00'	8.59"	13° 18' 03"	N 07°23'29" W	8.57'

CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CURVE BEARING	CURVE LENGTH
C22	30.00'	15.11'	28° 51' 19"	N 28°38'10" W	14.95'
C23	56.00'	42.86'	43° 51' 19"	N 21°08'10" W	41.82'
C24	66.00'	25.62'	22° 14' 42"	N 10°19'52" W	25.46'
C25	28.11'	10.42'	21° 14' 52"	N 10°49'47" W	10.36'
C26	29.99'	8.93'	17° 03' 35"	N 05°75'36" W	8.90'
C27	30.00'	47.12'	90° 00' 00"	N 45°42'29" E	42.43'
C28	30.00'	39.27'	75° 00' 00"	S 51°42'31" E	36.53'
C29	30.00'	47.12'	90° 00' 00"	S 30°47'29" W	42.43'
C30	30.00'	54.98'	105° 00' 00"	N 51°42'30" W	47.60'
C31	56.00'	14.66'	15° 00' 00"	N 83°17'29" E	14.62'
C32	30.00'	47.12'	90° 00' 00"	S 59°12'31" E	42.43'
C33	30.00'	2.09'	4° 00' 00"	S 10°12'31" E	2.09'
C34	30.00'	4.71'	9° 00' 00"	S 03°42'31" E	4.71'
C35	20.00'	30.82'	88° 18' 03"	S 44°56'31" W	27.86'
C36	30.00'	47.12'	90° 00' 00"	N 45°54'27" W	42.43'
C37	63.00'	14.63'	13° 18' 03"	N 07°33'29" W	14.59'
C38	20.00'	36.65'	105° 00' 00"	N 38°17'29" E	31.73'
C39	475.00'	40.21'	4° 51' 02"	S 88°26'57" E	40.20'
C40	51.00'	218.09'	245° 00' 45"	N 12°59'04" W	86.02'
C41	69.00'	23.61'	19° 36' 31"	S 33°49'28" W	23.50'
C42	51.00'	40.49'	45° 29' 27"	S 67°51'17" W	39.44'

COMMISSION EXPIRES:

COMMISSION EXPIRES:

LEGEND/ABBREVIATIONS

CIRS	5/8" CAPPED IRON ROD SET STAMPED "MMA" (UNLESS OTHERWISE NOTED)
CIRF	CAPPED IRON ROD FOUND
DRDCT	DEED RECORDS DENTON COUNTY, TEXAS
PRDCT	PLAT RECORDS DENTON COUNTY, TEXAS
ORDCT	OFFICIAL RECORDS DENTON COUNTY, TEXAS
VOL.	VOLUME
PG.	PAGE
UE	UTILITY EASEMENT
BL	BUILDING LINE
DE	DRAINAGE EASEMENT
SSE	SANITARY SEWER EASEMENT
WE	WATER EASEMENT
MAE	MUTUAL ACCESS EASEMENT
POB	POINT OF BEGINNING
FND.	FOUND
IRF	IRON ROD FOUND
MFF	MINIMUM FINISHED FLOOR ELEVATION
*	FEMA ELEVATION CERTIFICATE NOT REQUIRED
Doc. No.	COUNTY CLERK'S DOCUMENT NUMBER
WME	WALL MAINTENANCE EASEMENT
ZONING	SF CLASSIFICATION

LAND USE TABLE			
LAND USE	LOTS	ACREAGE	SQUARE FEET
SINGLE FAMILY	38	6.104	265,895
MULTI-FAMILY	1	10.778	469,507
OPEN SPACE	4	1.625	70,769
TOTAL	41	18.507	806,171

LOTS 1-11, LOT 12X & LOTS 13-15, BLOCK 1,
LOTS 1-8, BLOCK 2,
LOTS 1-12, LOT 13X, LOTS 14-17
& LOT 18X, BLOCK 3,
LOT 1 & LOT 2X, BLOCK 4

BEING 18.507 ACRES OF LAND SITUATED
IN THE M.E.P. & P.R.R. Co. SURVEY,
ABSTRACT NO. 923 AND THE
JOHN BACON SURVEY, ABSTRACT NO. 1565,
CITY OF ROANOKE, DENTON COUNTY, TEXAS

SURVEYOR/ENGINEER:



tblps registration number: f - 2759
tblps registration/license number: 10088000
519 east border
arlington, texas 76010
817-469-1671
fax: 817-274-8757
www.mmatexas.com
CONTACT: DOUGLAS COOPER, A
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SHEET 1 OF 1

OWNER:

**INTEGRATED ROANOKE
NORTH HOLDINGS, L.P.**
110 W. SOUTHLAKE BLVD., SUITE 12
SOUTHLAKE, TEXAS 76092
EMAIL: kfambro@reg.us
CONTACT: KENNETH FAMBRO, II

DEVELOPER:

3110 W. SOUTHLAKE BLVD., SUITE 120
SOUTHLAKE, TEXAS 76092
EMAIL: kfambro@ireg.us
CONTACT: KENNETH FAMBRO, II

MY COMMISSION EXPIRES: _____ MMA PROJECT NO. 3837-00-01

ATTEST: _____
April S. Hill, City Secretary



CITY COUNCIL AGENDA ITEM

TO: City Council

SUBJECT: Site Plan (SP-2025-04) Watermere on Oak

MEETING DATE: August 12, 2025

DEPARTMENT: Planning

ITEM SUMMARY:

Consideration and action on a Site Plan (SP-2025-03) request from Integrated Roanoke North, LP for a senior living and single family development to be located on an approximate 18.507 acres of land located in the M.E.P. and P.R.R. Co Survey, abstract no. 923 and the John Bacon Survey, abstract no. 1565, City of Roanoke Texas, Denton County Texas. The property is generally located on N. Walnut and Dorman Rd., north of Lois Street.

INFORMATION:

The Planned Development (Ord. No. 2024-109) was approved on August 27, 2024, for senior housing and single-family uses.

The approved maximum number of senior units in the PD is two hundred fifty-five (255). The site proposes two hundred fifty-two (252).

PLANNING ANALYSIS:

Screening: A six (6) foot masonry-like screening wall is proposed adjacent to the right-of-way and residential properties.

Landscape: The landscape plan provides thirty-four (34) percent of the total land area.

Tree Preservation: A tree preservation plan details trees to be removed and preserved

Drainage: A drainage plan will be accepted by the engineering consultant prior to construction.

Utilities: A utility plan will be accepted by the engineering consultant prior to construction.

Site Data for Senior Housing:

Land area: 10.846 acres

Proposed Use: Senior Apartments and Villas

Total No. of Units: 252

Bldg. Height: 50'6"

Lot Coverage: 37%



CITY COUNCIL AGENDA ITEM

Parking: (1.3 per unit)
Spaces Required: 328
Spaces Provided: 370

Site Data for Single Family:

Land area: 7.729 acres
Proposed Use: Single Family Detached Homes
Total No. of homes: 38
Bldg. Height: 2 story / 35' max
Lot Coverage: 70%
Parking Spaces Required/Provided: 2-car garage, 2-car driveway for each home, and additional street parking

STAFF RECOMMENDATION:

As was the case previously, staff recommends approval of this request.

SPECIAL CONSIDERATION:

At their August 4 meeting, the Planning and Zoning Commission unanimously voted to recommend approval of this item.

FINANCIAL CONSIDERATION:

ATTACHMENTS:

1. Watermere on Oak - Second Submittal Site Plan Application
2. Watermere on Oak - Second Submittal Site Plan
3. Watermere on Oak - Second Submittal Elevations
4. Watermere on Oak - Second Submittal Landscaping Plan
5. Watermere on Oak - Second Submittal Tree Preservation Plan
6. ORD NO 2024-109 - Rezone - SF-7 and R to PD - 18.504 acre tract (1)Revised---
Executed



CITY OF ROANOKE
500 S. OAK STREET
ROANOKE, TEXAS 76262
(817) 491-2411

SITE PLAN APPLICATION

FEE OF \$400.00 IS DUE WITH SUBMITTAL

Name of Applicant Watermere on Oak	Address of Applicant 3110 W Southlake Blvd, Ste 120, Southlake, TX 76099	Phone Number and Email (817)993-9382 tarmstrong
Legal Interest Developer/Owner		
Owner Integrated Roanoke North Holdings, L	Address 3110 W Southlake Blvd, Ste 120, Southlake, TX 76099	Phone Number& Email (817)993-9382 tarmstrong
Firm preparing Site Plan Package mma, Inc.	Address 519 E Border Street Arlington, TX 76010	Phone Number (817)469-1671
		Email development@mmatexas
Location of Property N Oak St & Dorman Rd	Name of Addition/Subdivision Watermere on Oak	Lot / Block See attached
		Present Zoning Planned Development

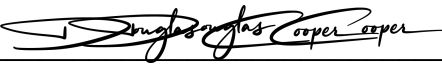
Proposed Site Plan Contains:

LAND USE	NUMBER OF LOTS	ACRES FOR USE
Single Family	30	5.851
Multi-Family	1	10.846
Planned Development		
Office		
Retail		
Commercial		
Industrial		
Flood Plain		

A copy of the final plat including public right-of-way crossing and adjacent property to the subject property shall be included.

If the property is subject to a Plan Development a statement showing that the proposed use conforms to the Plan Development.

An electronic copy (pdf) Site Plan fee is \$400.00. Fees are subject to change as amended by Ordinance.


Applicants Signature

3.22.25

Date

FOR OFFICE USE ONLY

Site Plan Fee	P&Z Meeting	CC Meeting	File for Record SP- _____ - _____
---------------	-------------	------------	--------------------------------------

07/20/2023

City of Roanoke Site Plan Checklist



Submission Requirements

- ☒ Completed Application Form/Filing Fee
- ☐ Transmittal Letter
- ☒ Electronic Copy (PDF)

Print Requirements

- ☒ Staff Review
One (1) electronic copy for staff discussion. (Plans shall be received thirty (30) days prior to P&Z meeting.)
- ☐ Planning & Zoning Commission
One (1) electronic copy (Plans shall be received thirty (30) days prior to P&Z meeting.)

Meetings are held on the 1st and 3rd Monday at 7:00 p.m. of each month. All information must be received one week prior to the meeting date.

- ☐ City Council
One (1) electronic copy (PDF) of the complete site package with revisions recommended by the Planning & Zoning Commission.

Meetings are held on the 2nd and 4th Tuesday at 7:00 p.m. of each month. All information must be received one week prior to the meeting date. These prints should contain any revisions made by staff or Planning & Zoning Commission.

Site Plan

- ☒ Title block, titled Site Plan, lower right corner including subdivision name, block & lot numbers, and date of preparation.
- ☒ Names, addresses, phone numbers and emails of the owner, applicant and engineer or architect.
- ☒ North arrow and scale.
- ☒ Site Data Table / Scale 1" = 50'
 - Existing Zoning
 - Proposed Use
 - Square footage of each proposed use
 - Building area (gross sq. ft.)
 - Building height
 - Required & Provided parking per each use
 - Proposed lot coverage

Site Plan Continued

- ☐ Property boundaries with dimensions.
- ☐ Zoning districts adjacent to the property.
- ☐ Adjoining streets including existing and proposed median openings, curbs, sidewalks, street intersections, driveways, and alleys within 300 hundred feet of the property.
- ☐ Indicate spacing between driveways within the subject property and adjacent properties.
- ☐ Parking layout and driveways, including loading areas, dedicated fire lanes if required, access easements, and parking space dimensions.
- ☐ All existing and proposed drainage and utility easements.
- ☐ Topography with contour intervals of two (2) feet in 100 feet and minimum finished floor elevations, both referenced to mean sea level datum.
- ☐ Show location of the FEMA 100 year flood plain.
- ☐ Refuse facilities and mechanical equipment, including height, materials, and elevations or proposed screening.
- ☐ Lighting facilities, security lighting, screening, and glare shields.
- ☐ Proposed attached and monuments signs, showing elevations, dimensions, total square footage, materials, colors, font and lighting source. (sign information may be include on separate sheet)
- ☐ Preliminary Engineering. (conceptual utility and drainage)
- ☐ Show all existing and proposed sidewalks.
- ☐ Show Fire hydrant layout.
- ☐ Show existing and proposed Water & Waste Water.
- ☐ Any additional information as needed.

Building Elevations-Color Facade include any attached (wall-mounted) signage

- ☐ North, South, East and West building elevations.
- ☐ Proposed building materials that include manufacturer's specifications.
- ☐ Building height.
- ☐ Percentage of proposed materials.

Landscape Plan

- ☐ Title block, titled Landscaping Plan, lower right corner including subdivision name, block & lot numbers, and date of preparation.
- ☐ Names, addresses, phone numbers and emails of the owner, applicant and landscaping design proffessional.
- ☐ North arrow and scale. (same scale as site plan)
- ☐ Property boundaries with dimensions.

Landscape Plan Cont.

☒ Landscape Data Table showing required and provided square footage for each category as follows:

	Required	Provided
Perimeter Landscape	_____	_____
Number of Trees	_____	_____
Interior Landscape	_____	_____
Number of Trees	_____	_____
Non-vehicular Landscape	_____	_____
Number of Trees	_____	_____

Total Site Area devoted to landscape: _____ %

- ☒ Plant Table listing the number of each of tree and shrub species, providing scientific and common name and including caliper inches.
- ☒ A Plant Legend, if symbols or abbreviations are used.
- ☒ Show all areas of landscaped areas and plant materials on plan designated to fulfill interior, perimeter, and non-vehicular landscape requirements.
- ☒ Show location of trees to be preserved.
- ☒ Show spacing of plant material to be used.
- ☒ Show description of maintenance provisions for the Landscape Plan.
- ☒ Show proposed and existing sidewalks and utility easements.
- ☒ Show irrigation system if applicable.
- ☒ Show rain and freeze protection.

SITE PLAN APPROVAL CONDITIONS FOR RETAIL & OFFICE PROJECTS OUTSIDE INDUSTRIAL AREAS

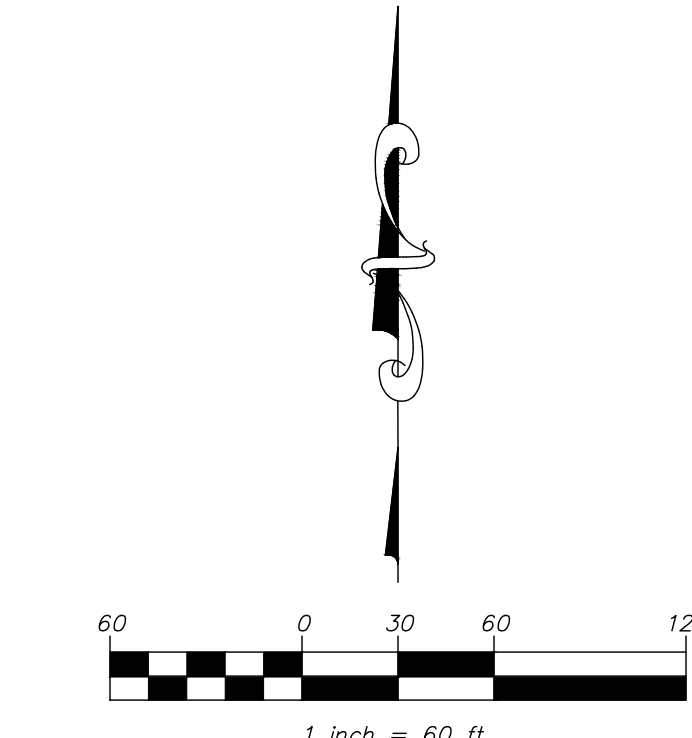
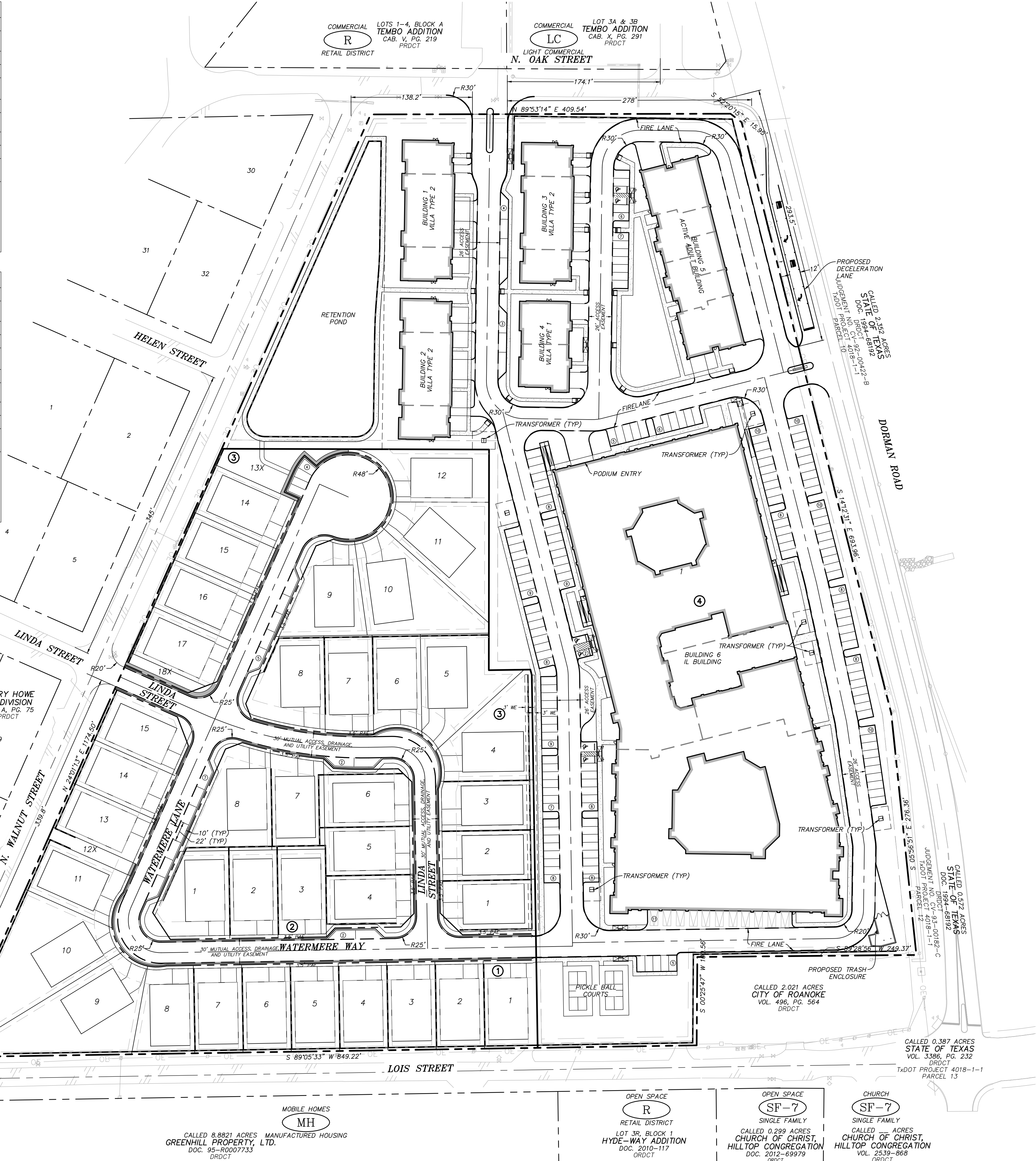
These conditions and other considerations outlined in the CIVIC report should be considered in the design of a site plan.

- ☐ Utility meters shall not be visible except in areas clearly intended as service areas where the public is generally excluded.
- ☐ All mechanical equipment including units located on rooftops shall be screened.
- ☐

This checklist is provided as a supplement only. It is the applicant's responsibility to review and comply with the requirements of the Zoning Ordinance, Subdivision regulations and Construction specifications. Concept plans for Zoning Changes or Specific Use Permits require all items on the checklist (only civils may be excluded).

SITE DATA TABLE FOR SENIOR HOUSING	
EXISTING ZONING	PD FOR SENIOR HOUSING
PROPOSED USE	MULTIFAMILY SENIOR HOUSING
TOTAL SQUARE FOOTAGE	10.846 AC / 472,471 SF
TOTAL BUILDING AREA	175,330 SF
BUILDING HEIGHT	50' 6"
TOTAL LOT COVERAGE	37%
FRONT YARD SETBACK	10'
SIDE YARD SETBACK	10'
REAR YARD SETBACK	10'
REQUIRED PARKING (1.3 SPACES/UNIT, 252 UNITS)	328
PROVIDED PARKING	SURFACE PARKING 174 PODIUM PARKING 140 INDEPENDENT LIVING TUCK UNDER GARAGE PARKING 11 TANDEM PARKING 11 VILLAS TUCK UNDER GARAGE SPACES 16 ACTIVE LIVING TUCK UNDER GARAGE SPACES 18 TOTAL PARKING 370

SITE DATA TABLE FOR SINGLE FAMILY	
EXISTING ZONING	PD FOR SINGLE FAMILY
PROPOSED USE	SINGLE FAMILY HOMES
TOTAL SQUARE FOOTAGE	7.729 AC / 336,692 SF
TOTAL BUILDING AREA	3,150 SF PER LOT, 119,700 SF TOTAL
BUILDING HEIGHT	2.5 STORIES MAX OR 35' MAX
TOTAL LOT COVERAGE	70% MAX
FRONT YARD SETBACK	20'
SIDE YARD SETBACK	5'
REAR YARD SETBACK	5'
REQUIRED PARKING (4 SPACES/UNIT, 38 UNITS)	152
PROVIDED PARKING	SURFACE PARKING 16 GARAGE PARKING 76 FRONT DRIVE PARKING 76 TOTAL PARKING 168



LEGEND:	
FIRE LANE	---
ACCESSIBLE PARKING SPACE	♿
SIGN	⊕
WHEEL STOP	—
EXISTING WATER VALVE	⊕
EXISTING FIRE HYDRANT	⊕
EXISTING OVERHEAD ELECTRIC	— OE —
EXISTING POWER POLE	⊕
PARKING COUNT	⑤
ZONING	EX. USE A-5 CLASSIFICATION

WATERMERE OAK ADDITION

LOTS 1-14, BLOCK 1
LOTS 1-8, BLOCK 2
LOTS 1-8, 9X BLOCK 3
LOT 1 BLOCK 4

SCHEMATIC DESIGN FOR WATERMERE OAK ROANOKE, TEXAS C1.0 SITE PLAN

MAY 7, 2025

DEVELOPER:

INTEGRATED REAL ESTATE GROUP
KENNETH FAMBRO, II
3110 W. SOUTHLAKE BLVD., SUITE 120
SOUTHLAKE, TEXAS 76092
EMAIL: KFAMBRO@IREG.US
CONTACT: KENNETH FAMBRO, II

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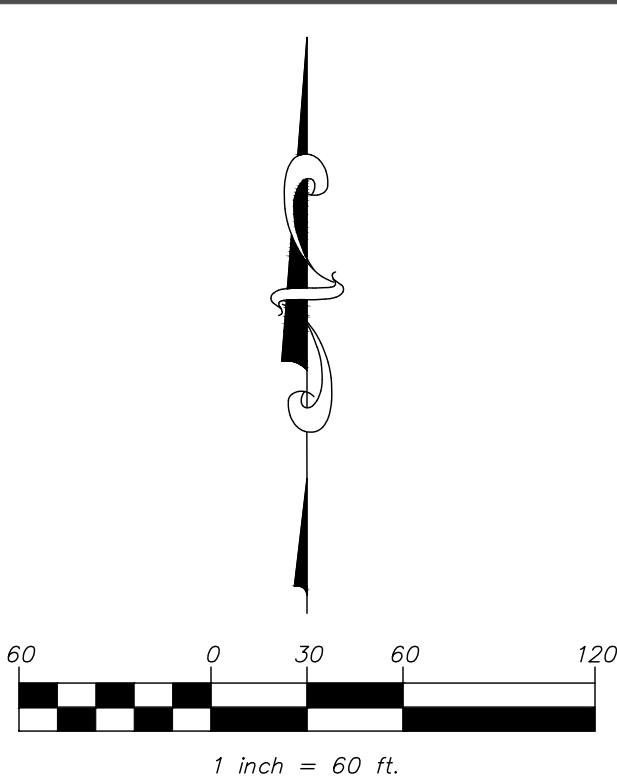
519 east border
arlington, texas 76010

817-469-1671

fax: 817-274-8757

www.mmatexas.com contact: dcooper@mmatexas.com

PLOTTED BY: MARLENE MILBY DATE: 5/7/2025 11:41 AM PLOT: P:\3837-00-01700 Land Development\703 Construction Documents\Drawings\Grading\Grading Plan.dwg
 CALLED 0.271 ACRES
 STATE OF TEXAS
 DOC. 10088000
 JUDGMENT NO. 02-07082-C
 TxDOT PROJECT 4018-1-1
 PARCEL 13



LEGEND:

EXISTING MAJOR CONTOUR	— 640 —
EXISTING MINOR CONTOUR	— 641 —
PROPOSED MAJOR CONTOUR	— 640 —
PROPOSED MINOR CONTOUR	— 641 —
FINISHED FLOOR ELEVATION	FF 630.0
PROPOSED TOP OF WALL	• TW 630.00
PROPOSED BOTTOM OF WALL	• BW 630.00
PROPOSED TOP OF PAVEMENT	• TP 630.00
MATCH EXISTING	• EX 630.0±
PROPOSED RETAINING WALL	— — —
PROPOSED STORM LINE	— — —

WATERMERE OAK ADDITION

LOTS 1-14, BLOCK 1
LOTS 1-8, BLOCK 2
LOTS 1-8, BLOCK 3
LOT 1, BLOCK 4

SCHEMATIC DESIGN FOR WATERMERE OAK ROANOKE, TEXAS C2.0 GRADING PLAN

MAY 7, 2025

DEVELOPER:

INTEGRATED REAL ESTATE GROUP
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3110 W. SOUTHLAKE BLVD., SUITE 120
SOUTHLAKE, TEXAS 76092
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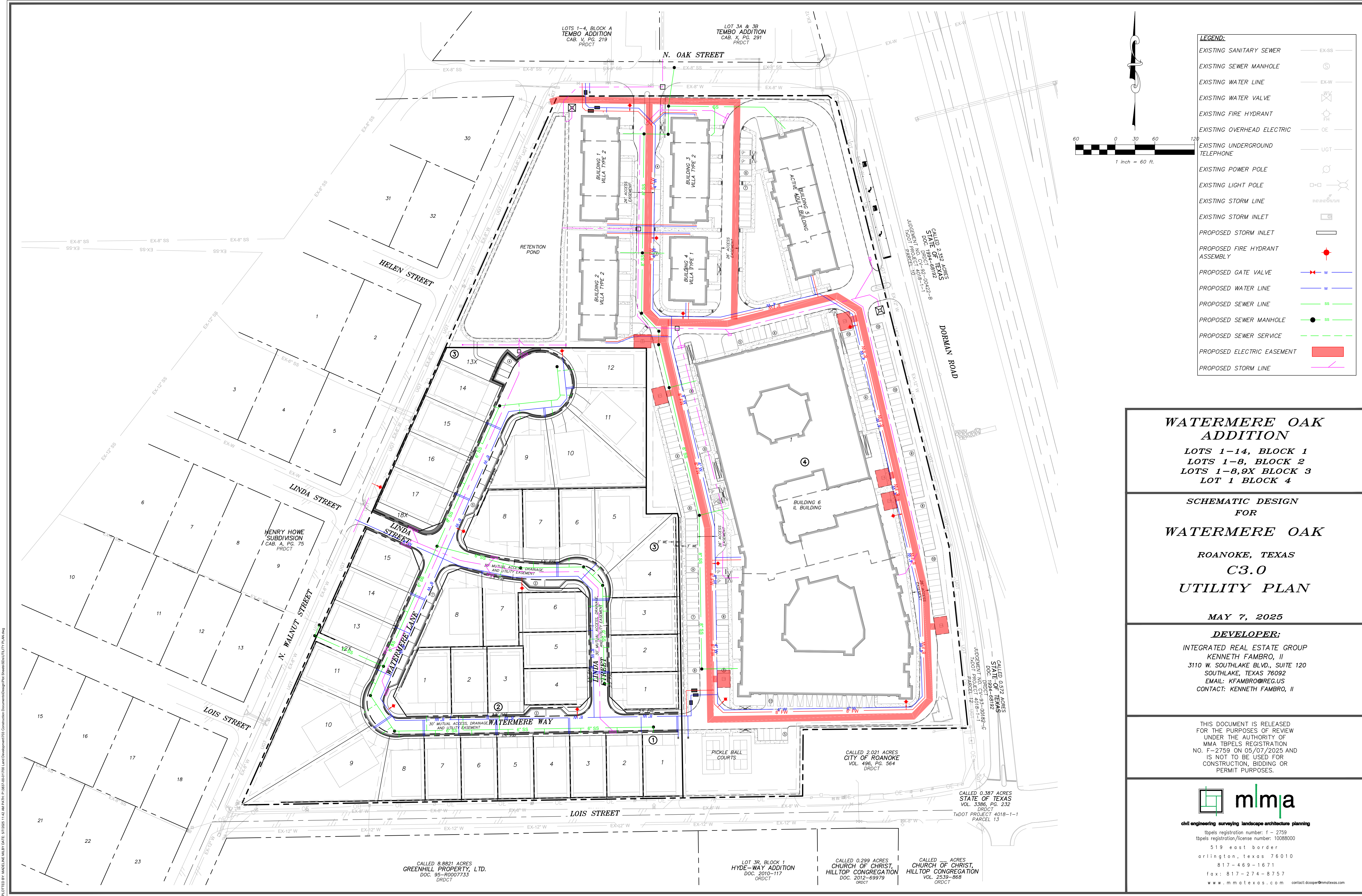
Cut/Fill Summary

Name	Cut Factor	Fill Factor	2d Area	Cut	Fill	Net
CUT FILL	1.00	1.00	818473.27 Sq. Ft.	72995.49 Cu. Yd.	50234.19 Cu. Yd.	22761.30 Cu. Yd. <Cut>
Totals			818473.27 Sq. Ft.	72995.49 Cu. Yd.	50234.19 Cu. Yd.	22761.30 Cu. Yd. <Cut>

NOTES:

- VOLUMES ARE TO FINISHED GRADE.
- FOR THE SENIOR LIVING SITE, ASSUME 6822 CY OF 6" PAVEMENT AND 11" OF FOUNDATION.
- FOR THE SINGLE FAMILY SITE, ASSUME 1428 CY OF 6" PAVEMENT.

APPROXIMATELY 31012 CY OF CUT TO SUBGRADE.



**WATERMERE OAK
ADDITION**

**LOTS 1-14, BLOCK 1
LOTS 1-8, BLOCK 2
LOTS 1-8,9X BLOCK 3
LOT 1 BLOCK 4**

**SCHEMATIC DESIGN
FOR
WATERMERE OAK
ROANOKE, TEXAS
C3.0
UTILITY PLAN**

MAY 7, 2025

DEVELOPER:

**INTEGRATED REAL ESTATE GROUP
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01 IL BUILDING - WEST ELEVATION
1/16" = 1'-0"



02 IL BUILDING - WEST ELEVATION CONT.
1/16" = 1'-0"



03 IL BUILDING - SOUTH ELEVATION
1/16" = 1'-0"



05 IL BUILDING - EAST ELEVATION CONT.
1/16" = 1'-0"

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- BLOCKING AND ROUGH INS FOR CANOPIES, AWNINGS, EXTERIOR SIGNAGE, BRACKETS, ETC. TO BE COORDINATED WITH SUBMITTALS.
- BOTTOM OF ALL EXTERIOR LIGHTING (EMERGENCY LIGHTING, DECORATIVE WALL SCONCES, ETC.) TO BE 80" A.F.F. COORDINATE W/ MEP. WALL PACKS HIGHER THAN 80" A.F.F.
- GUARDRAILS (METAL RAILING) SHALL BE DESIGNED TO WITHSTAND A 200 LB CONCENTRATED LOAD APPLIED AT ANY POINT AND IN ANY DIRECTION. RAIL SHALL ALSO BE DESIGNED TO RESIST A MOMENT OF 50 LB FT. APPLIED IN ANY DIRECTION, AND ANY ADDITIONAL CODE REQUIREMENTS. MAX OPENINGS AT GUARDRAIL CANNOT ALLOW A 4" DIAMETER SPHERE PASS THRU.
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MATERIAL LEGEND

BRICK VENEER - ACME BRICK	HARDI PANEL - JAMES HARDIE
B1: FIELD COLOR - TBD	HP1: FIELD COLOR - TBD
B2: ACCENT COLOR - TBD	HP2: ACCENT COLOR - TBD
STONE VENEER - NOT USED	HARDI SIDING - JAMES HARDIE
S1: FIELD COLOR -	HS1: FIELD COLOR - TBD
S2: ACCENT COLOR -	HS2: ACCENT COLOR - TBD
STUCCO VENEER - NOT USED	TRIM - JAMES HARDIE
ST1: FIELD COLOR -	T1: FIELD COLOR - TBD
ST2: ACCENT COLOR -	T2: ACCENT COLOR - TBD
COMPOSITION ROOF -	AWNING -
CR1: FIELD COLOR - TBD	A1: FIELD COLOR - TBD
METAL ROOF - BERRIDGE METAL	RAILING -
MR1: FIELD COLOR - TBD	R1: FIELD COLOR - TBD



04 IL BUILDING - EAST ELEVATION
1/16" = 1'-0"

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REVISION

A5.11 IL BUILDING - EXTERIOR ELEVATIONS

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01 IL BUILDING - WEST ELEVATION
1/16" = 1'-0"



02 IL BUILDING - WEST ELEVATION CONT.
1/16" = 1'-0"



03 IL BUILDING - SOUTH ELEVATION
1/16" = 1'-0"



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AS.11c IL BUILDING - EXTERIOR ELEVATIONS

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01 IL BUILDING - EAST ELEVATION CONT.
1/16" = 1'-0"



02 IL BUILDING - NORTH ELEVATION
1/16" = 1'-0"



03 IL BUILDING - PODIUM COURTYARD EAST ELEVATION
1/16" = 1'-0"



04 IL BUILDING - PODIUM COURTYARD SOUTH ELEVATION
1/16" = 1'-0"



05 IL BUILDING - PODIUM COURTYARD WEST ELEVATION
1/16" = 1'-0"



06 IL BUILDING - PODIUM COURTYARD NORTH ELEVATION
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REVISION

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ISSUED FOR: SD	
SUBMITTAL DATE: 12/15/2024	SHEET NO. A5.12
SCALE: As indicated	

A5.12 IL BUILDING - EXTERIOR ELEVATIONS

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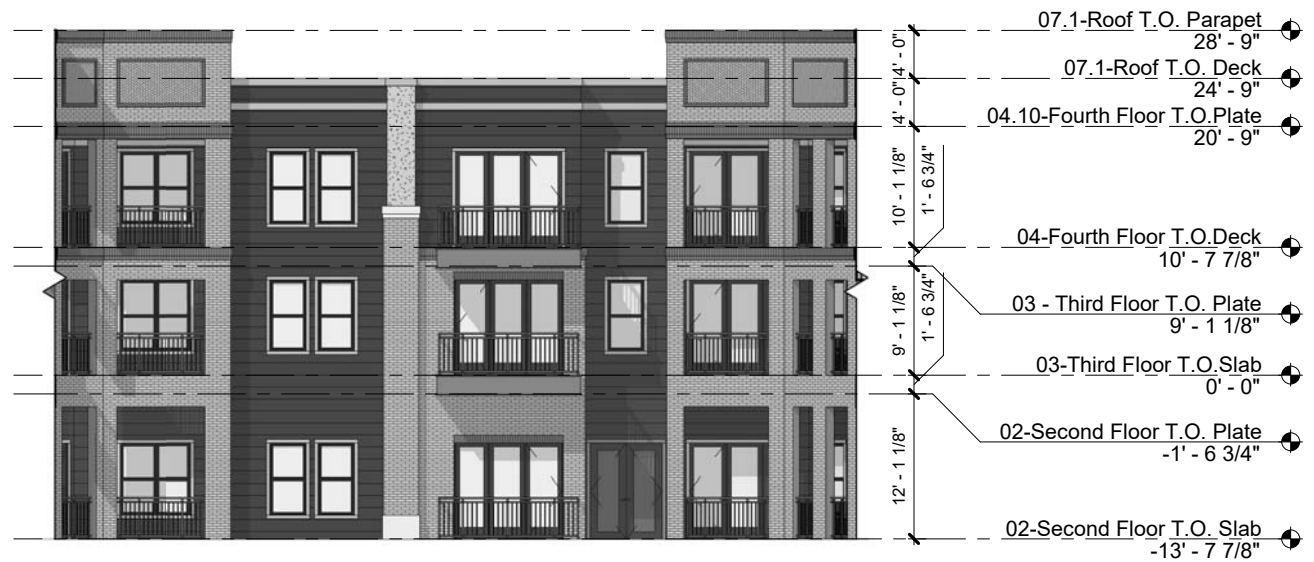
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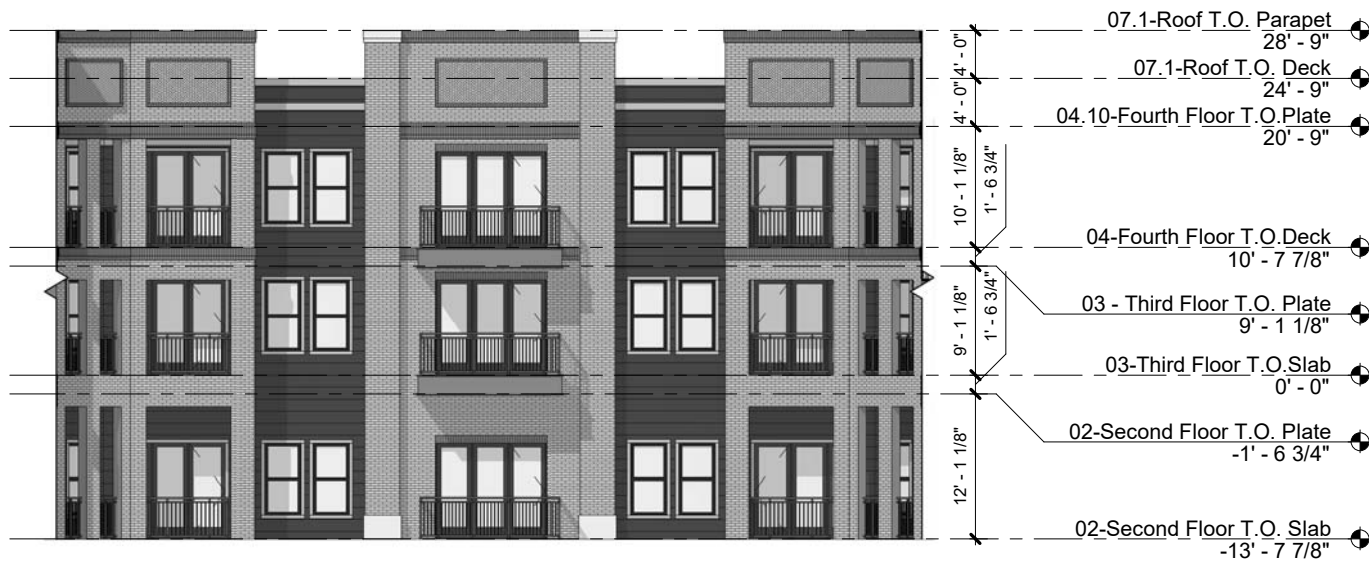
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MATERIAL LEGEND

BRICK VENEER - ACME BRICK B1: FIELD COLOR - TBD B2: ACCENT COLOR - TBD	HARDI PANEL - JAMES HARDIE HP1: FIELD COLOR - TBD HP2: ACCENT COLOR - TBD
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COMPOSITION ROOF - CR1: FIELD COLOR - TBD	AWNING - A1: FIELD COLOR - TBD
METAL ROOF - BERRIDGE METAL MR1: FIELD COLOR - TBD	RAILING - R1: FIELD COLOR - TBD

WATERMERE ON OAK

Roanoke, TX

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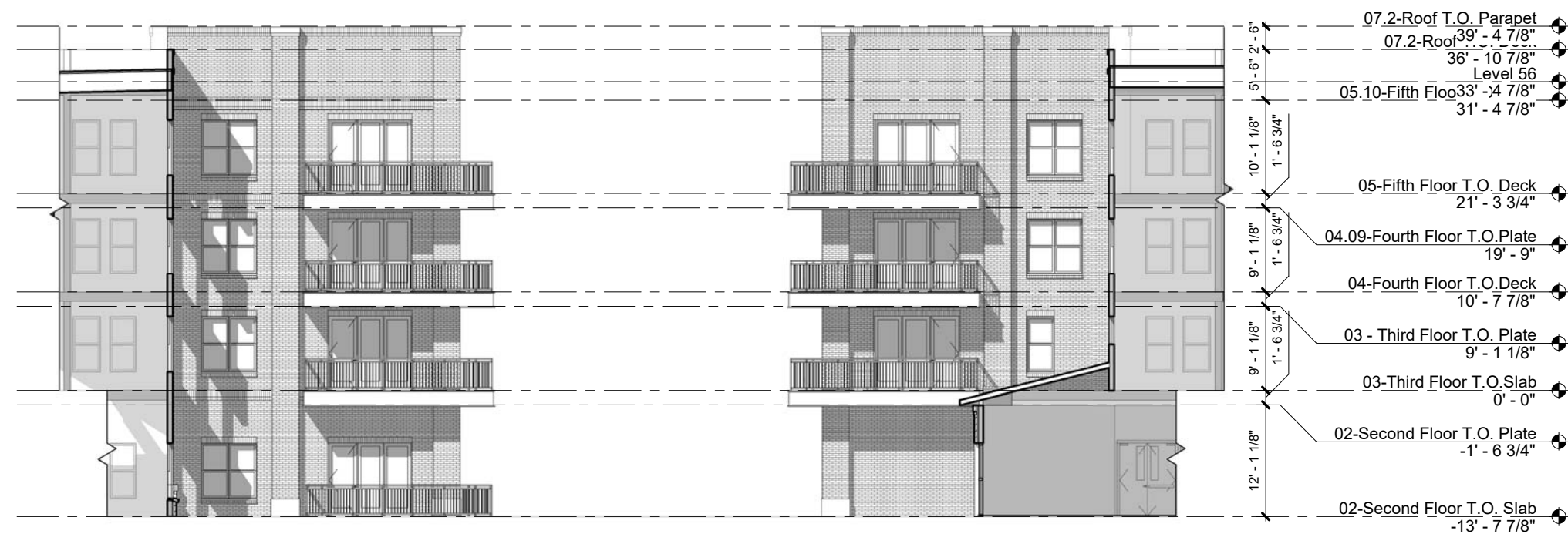
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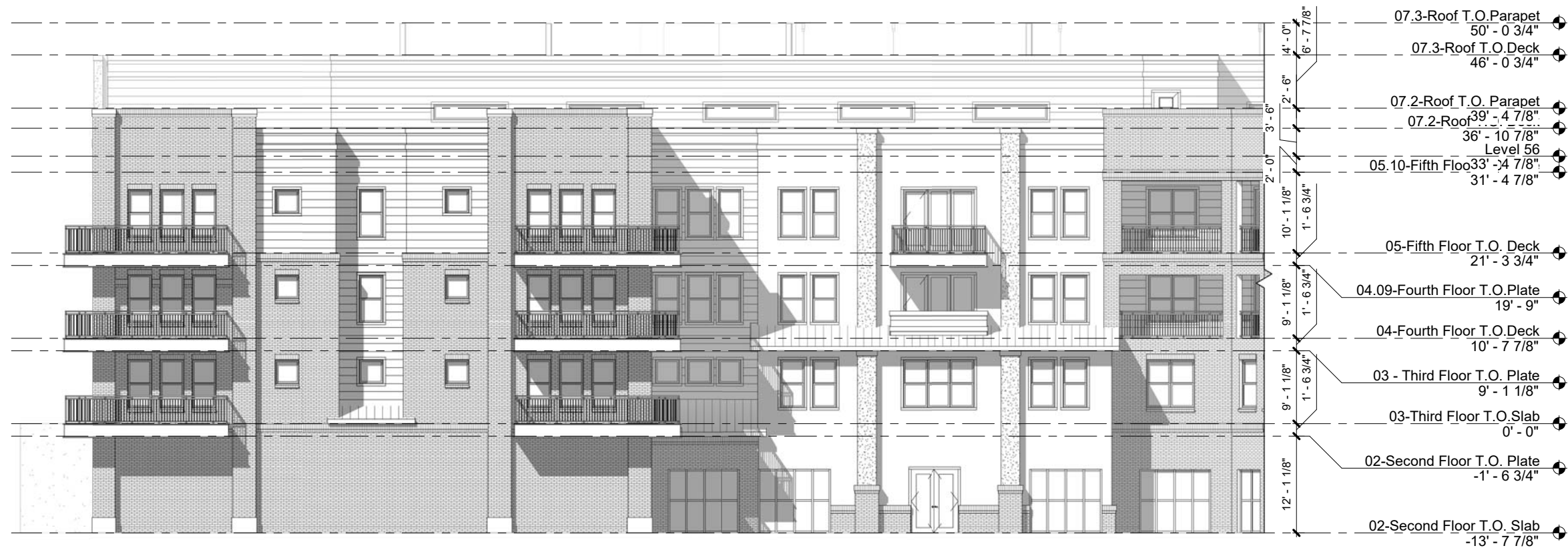
AS.12c IL BUILDING - EXTERIOR ELEVATIONS

REVISION

DRAWN BY: AAG	CHECKED BY: JMT
ISSUED FOR: SD	
SUBMITTAL DATE: 12/15/2024	SHEET NO. A5.12c
SCALE: As indicated	



01 IL BUILDING - CLUBHOUSE COURTYARD EAST ELEVATION
1/16" = 1'-0"



02 IL BUILDING - CLUBHOUSE COURTYARD SOUTH ELEVATION
1/16" = 1'-0"



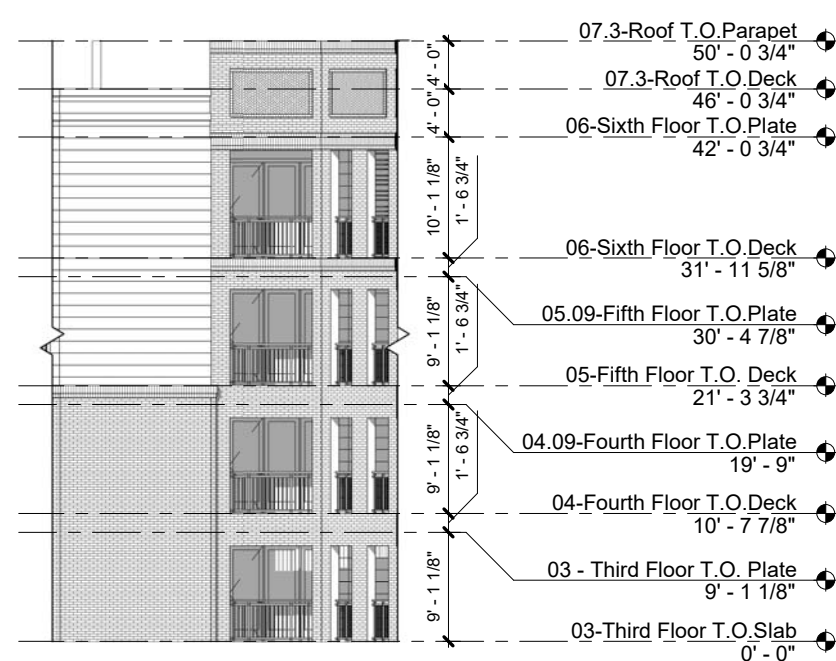
03 IL BUILDING - CLUBHOUSE COURTYARD WEST ELEVATION
1/16" = 1'-0"



04 IL BUILDING - CLUBHOUSE COURTYARD NORTH ELEVATION
1/16" = 1'-0"



05 IL BUILDING - COURTYARD EAST ELEVATION
1/16" = 1'-0"



06 IL BUILDING - COURTYARD EAST ELEVATION CONT.
1/16" = 1'-0"



07 IL BUILDING - COURTYARD SOUTH ELEVATION
1/16" = 1'-0"



08 IL BUILDING - COURTYARD WEST ELEVATION
1/16" = 1'-0"



09 IL BUILDING - COURTYARD NORTH ELEVATION
1/16" = 1'-0"

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REVISION

A5.13 IL BUILDING - EXTERIOR ELEVATIONS

DRAWN BY: AAG	CHECKED BY: JMT
ISSUED FOR: SD	
SUBMITTAL DATE: 12/15/2024	SHEET NO. A5.13
SCALE: As indicated	



01 IL BUILDING - CLUBHOUSE COURTYARD EAST ELEVATION
1/16" = 1'-0"



03 IL BUILDING - CLUBHOUSE COURTYARD WEST ELEVATION
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05 IL BUILDING - CLUBHOUSE COURTYARD EAST ELEVATION
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08 IL BUILDING - CLUBHOUSE COURTYARD WEST ELEVATION
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02 IL BUILDING - CLUBHOUSE COURTYARD SOUTH ELEVATION
1/16" = 1'-0"



04 IL BUILDING - CLUBHOUSE COURTYARD NORTH ELEVATION
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06 IL BUILDING - CLUBHOUSE COURTYARD EAST ELEVATION CONT.
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A5.13c IL BUILDING - EXTERIOR ELEVATIONS



01 ACTIVE ADULT BUILDING - WEST ELEVATION
3/32" = 1'-0"



02 ACTIVE ADULT BUILDING - SOUTH ELEVATION
3/32" = 1'-0"



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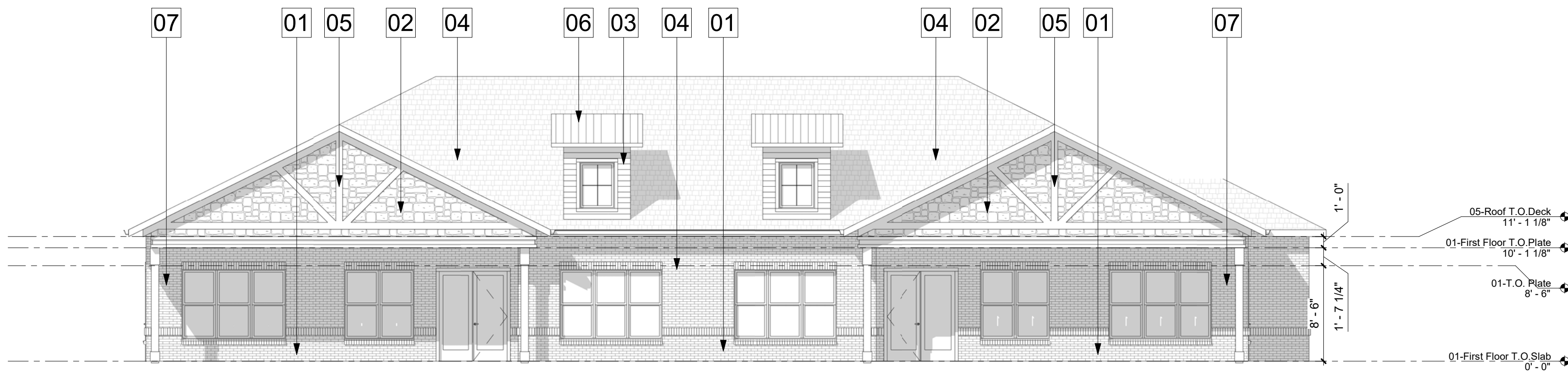
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ELEVATION GENERAL NOTES

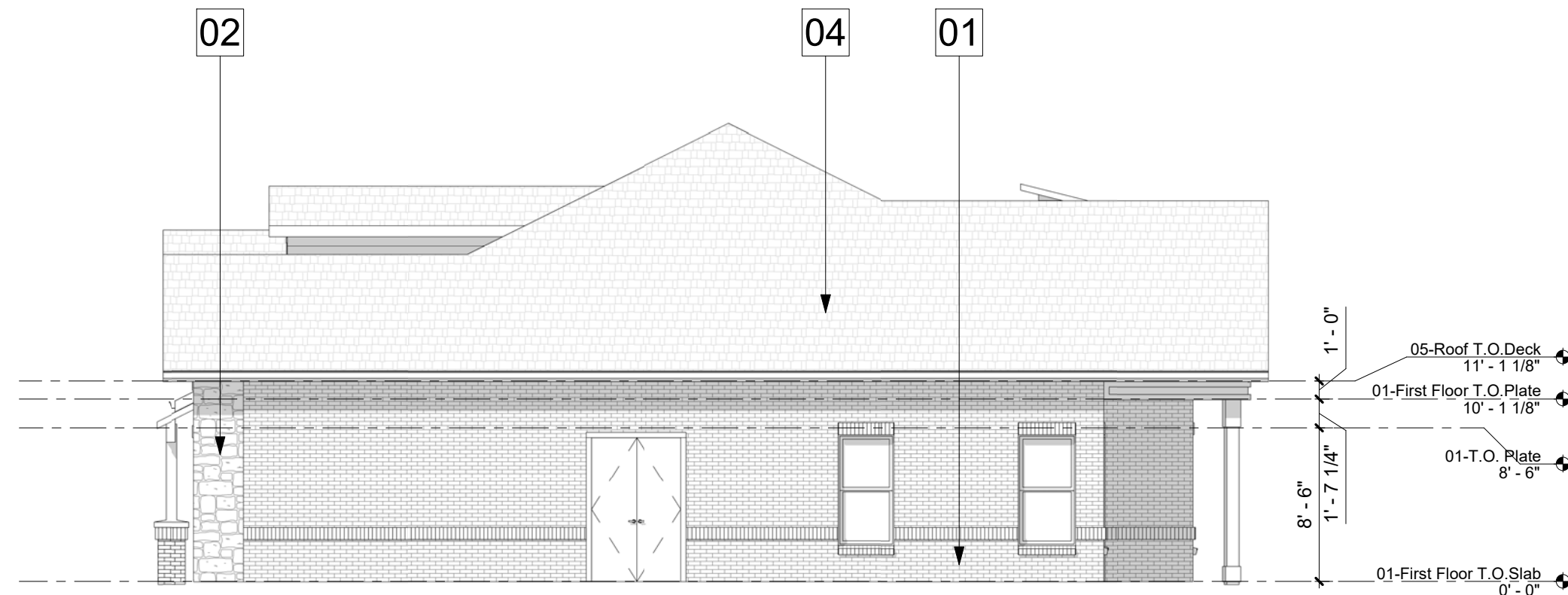
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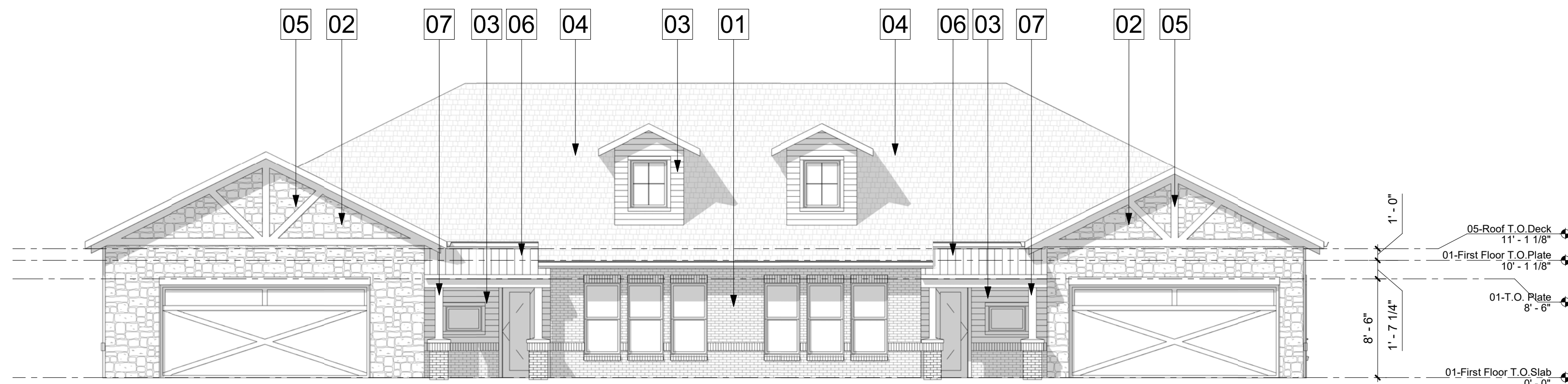
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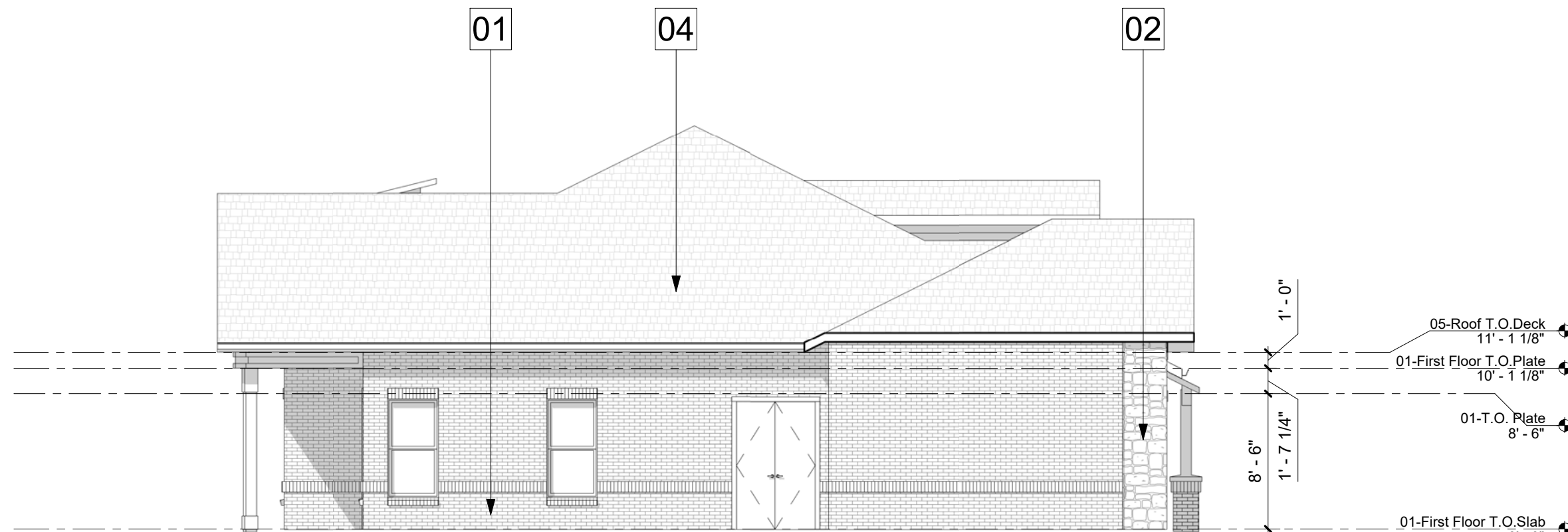
3 VILLA TYPE 1 - NORTH
1/8" = 1'-0"



2 VILLA TYPE 1 - EAST
1/8" = 1'-0"



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4 VILLA TYPE 1 - WEST
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MATERIAL LEGEND

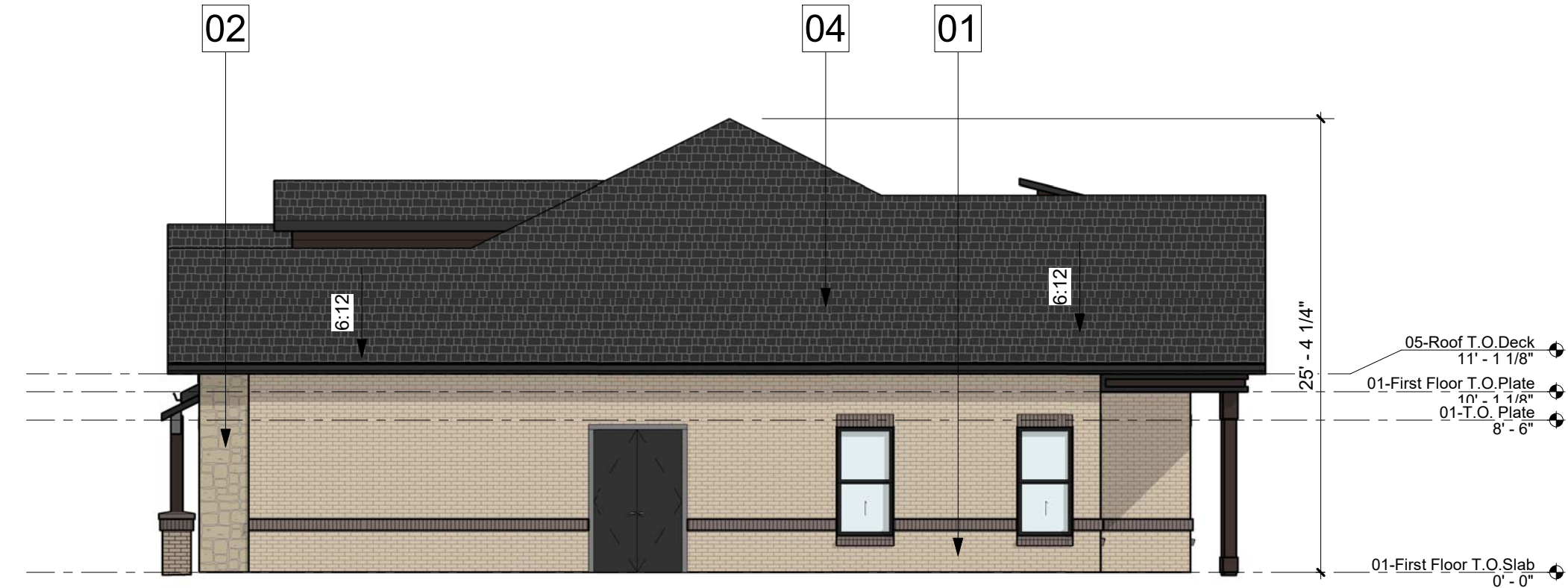
01	BRICK MASONRY VENEER- ACME CEDAR VALLEY	05	STAINED CEDAR DETAIL- FIELD COLOR 1
02	STONE VENEER- TEXAS CREAM	06	METAL ROOF- SEALSKIN
03	HARDI SIDING- CARAIBE	07	WOOD COLUMN- FIELD COLOR 1
04	ROOF COMP. SHINGLES- ONYX BLACK		



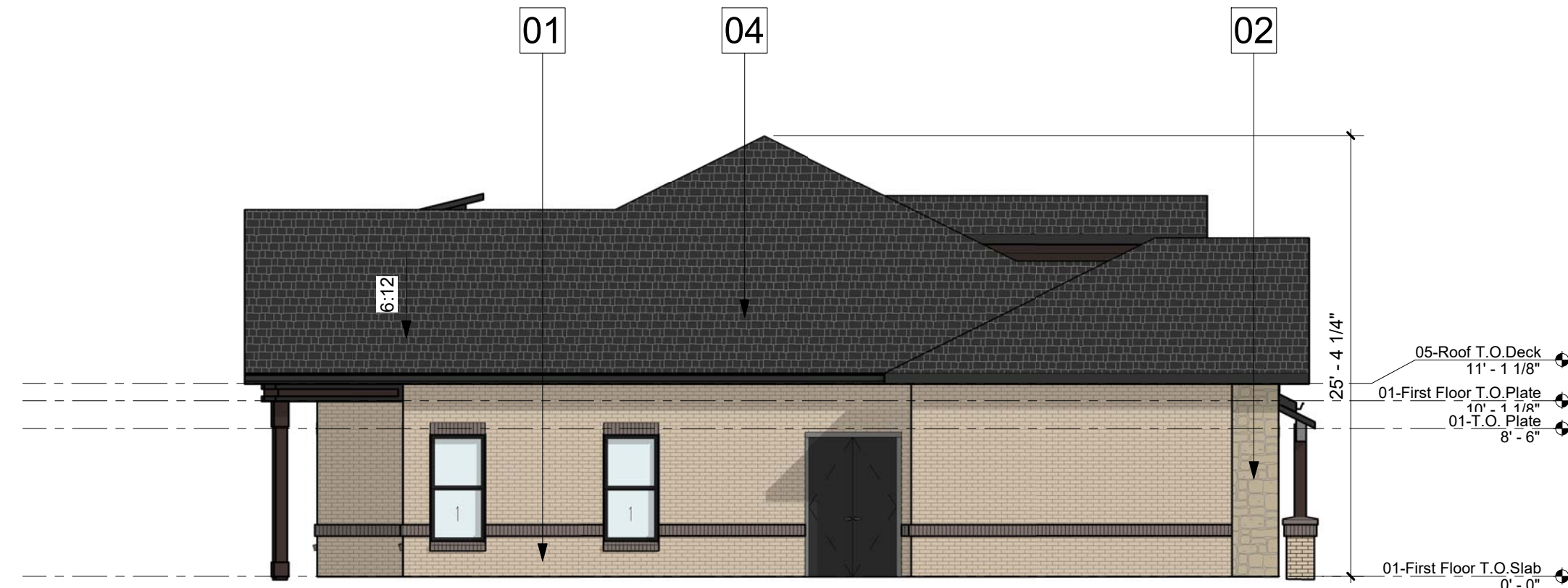
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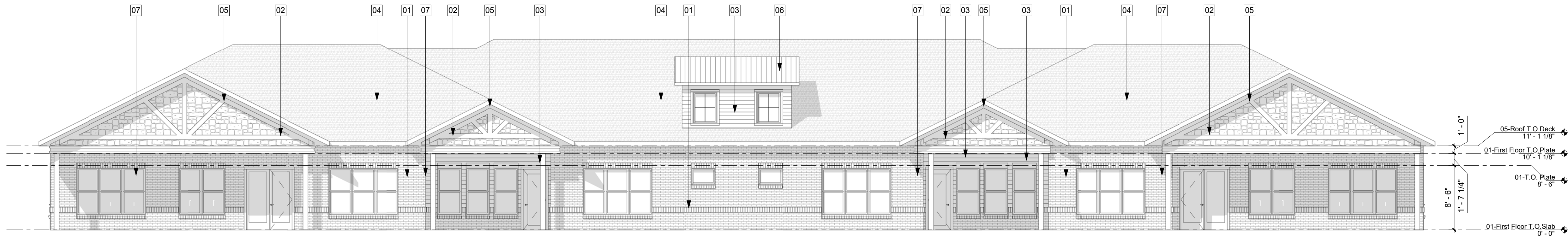
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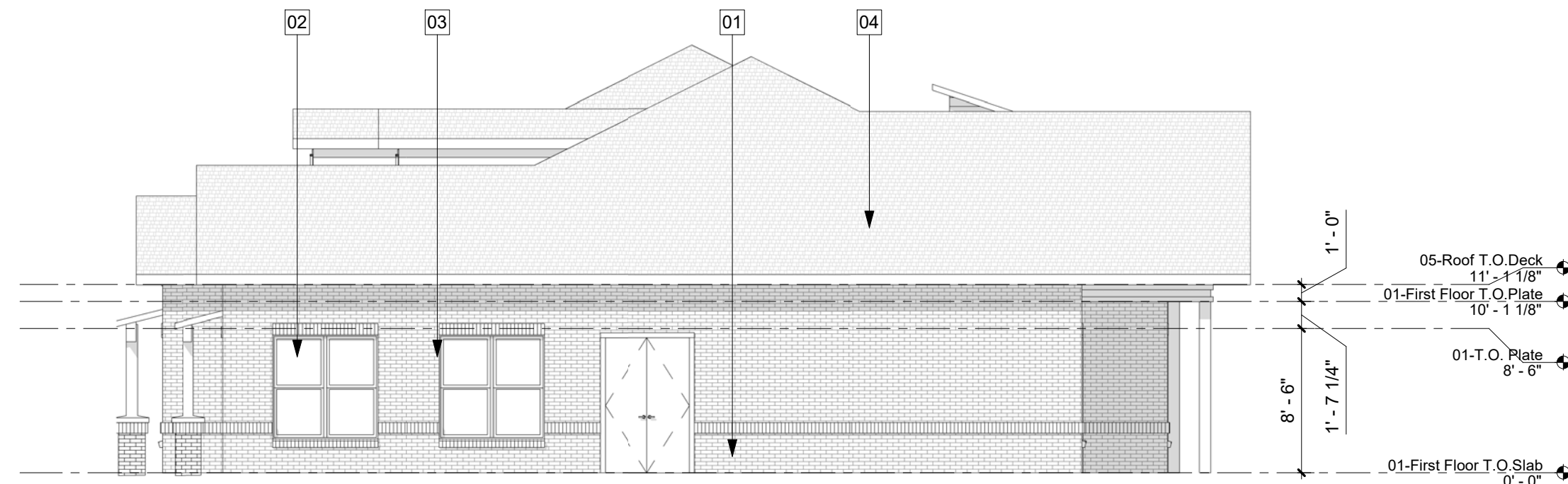
NOTES:

- ALL RETAINING /DETAINING WALLS, TURN-DOWN CURBS, TREE RETAINING WALLS, SHALL BE CLAD IN A MATERIAL TO MATCH THE MATERIALS ON THE MAIN BUILDING.
- ALL GROUND BASED HVAC SHALL BE SCREENED WITH LIVE SCREENING OR MASONRY ENCLOSURE. MASONRY ENCLOSURE SHALL BE CLAD IN THE SAME MATERIAL AS THE MAIN BUILDING.
- ALL ELECTRICAL PANEL AND ASSOCIATED COMPONENTS SHALL BE PAINTED/TEXTURED TO MATCH THE COLOR OF THE BUILDING.
- DUMPSTER SCREENING WALL REQUIRES A SEPERATE BUILDING PERMIT
- SIGNS REQUIRE A SEPERATE BUILDING PERMIT. ANY SIGNS DEPICTED ON THE SUBJECT SITE PLAN/ELEVATIONS ARE NOT APPROVED AS A SPART OF THIS REVIEW AND MUST COMPLY WITH ALL APPLICABLE TOWN REGULATIONS.
- ALL PLAN OFFESTS ARE MINIMUM 2'-0" OR GREATER.
- IF ROOFTOP SCREENING IS UTILIZED, THEN A ROOFTOP SCREENING ELEVATION WILL BE PROVIDED.

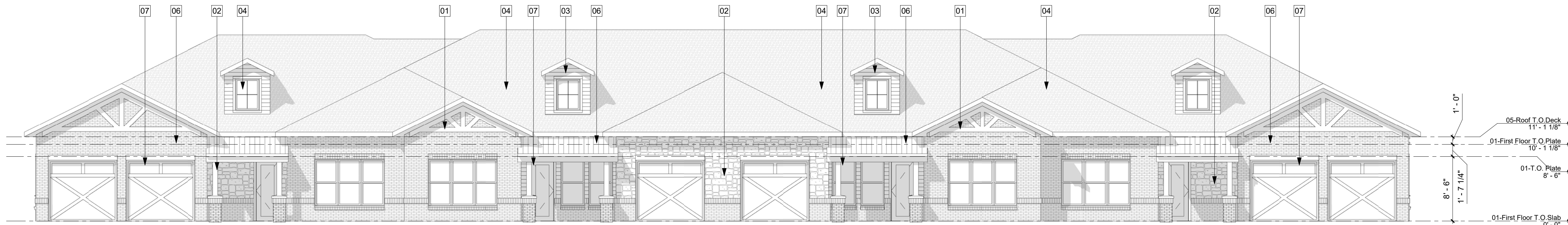
- REFERENCE TO DIRECTIONAL ORIENTATION FOR EACH RESPECTIVE FACADE FOR EACH BUILDING, WILL BE CLARIFIED AT SITE PLAN APPLICATION



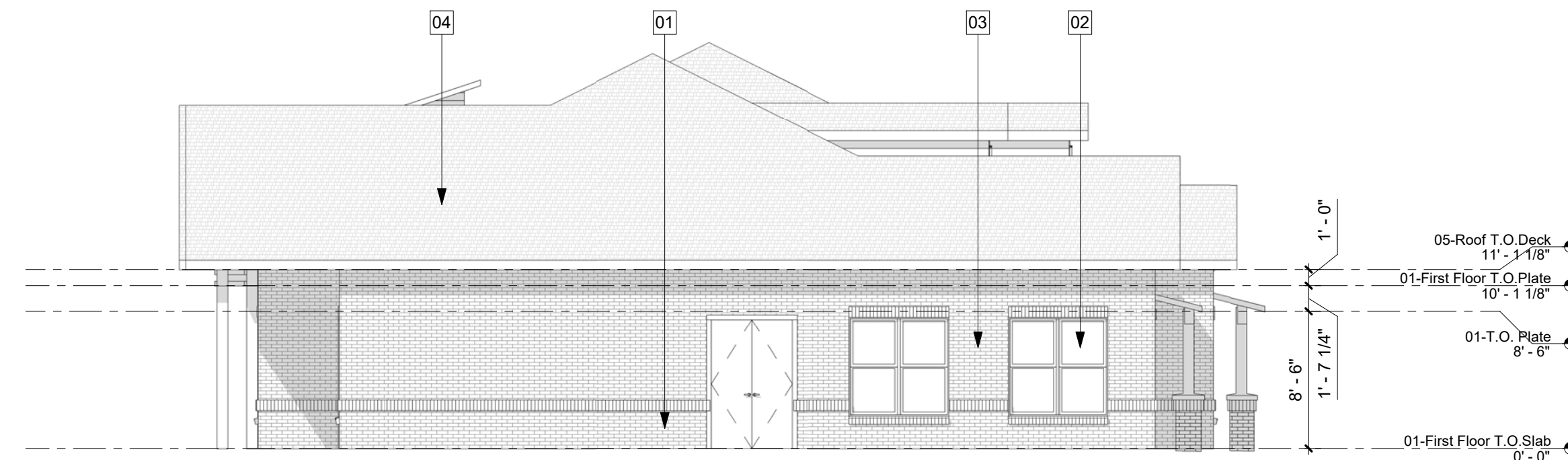
1 VILLA TYPE 2 - NORTH ELEVATION
1/8" = 1'-0"



2 VILLA TYPE 2 - EAST ELEVATION
1/8" = 1'-0"



3 VILLA TYPE 2 - SOUTH ELEVATION
1/8" = 1'-0"



4 VILLA TYPE 2 - WEST ELEVATION
1/8" = 1'-0"

MATERIAL LEGEND

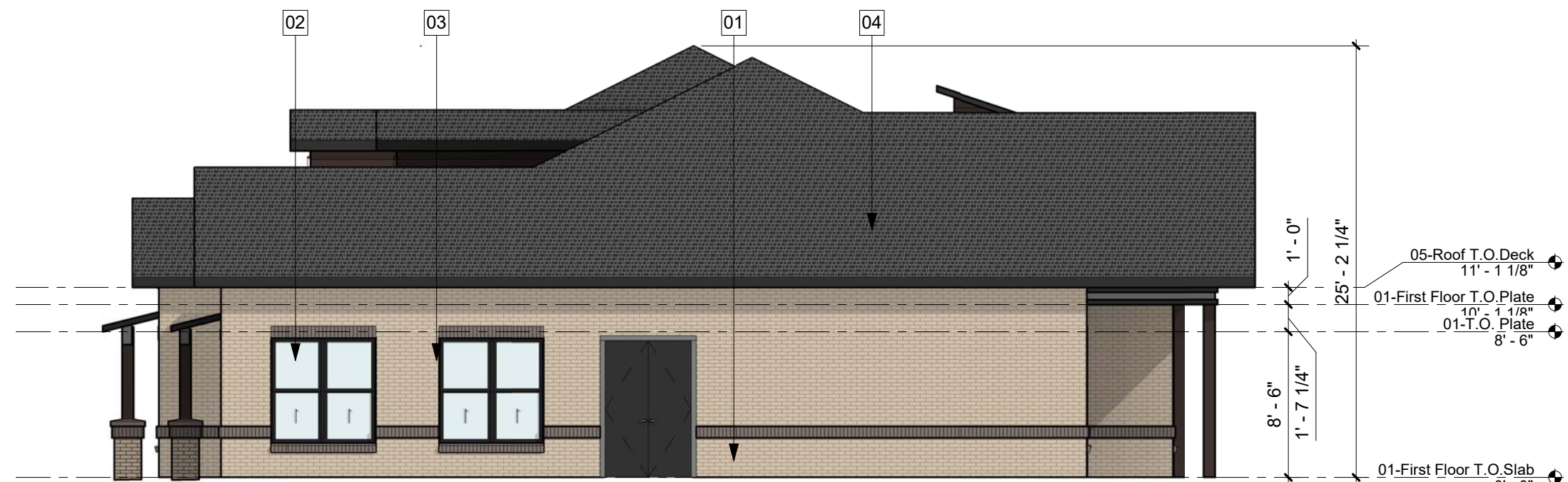
01	BRICK MASONRY VENEER- ACME CEDAR VALLEY	05	STAINED CEDAR DETAIL- FIELD COLOR 1
02	STONE VENEER- TEXAS CREAM	06	METAL ROOF- SEALSKIN
03	HARDI SIDING- CARAIBE	07	WOOD COLUMN- FIELD COLOR 1
04	ROOF COMP. SHINGLES- ONYX BLACK		



01 VILLA TYPE 2 - NORTH COLOR ELEVATION
1/8" = 1'-0"



02 VILLA TYPE 2 - SOUTH COLOR ELEVATION
1/8" = 1'-0"



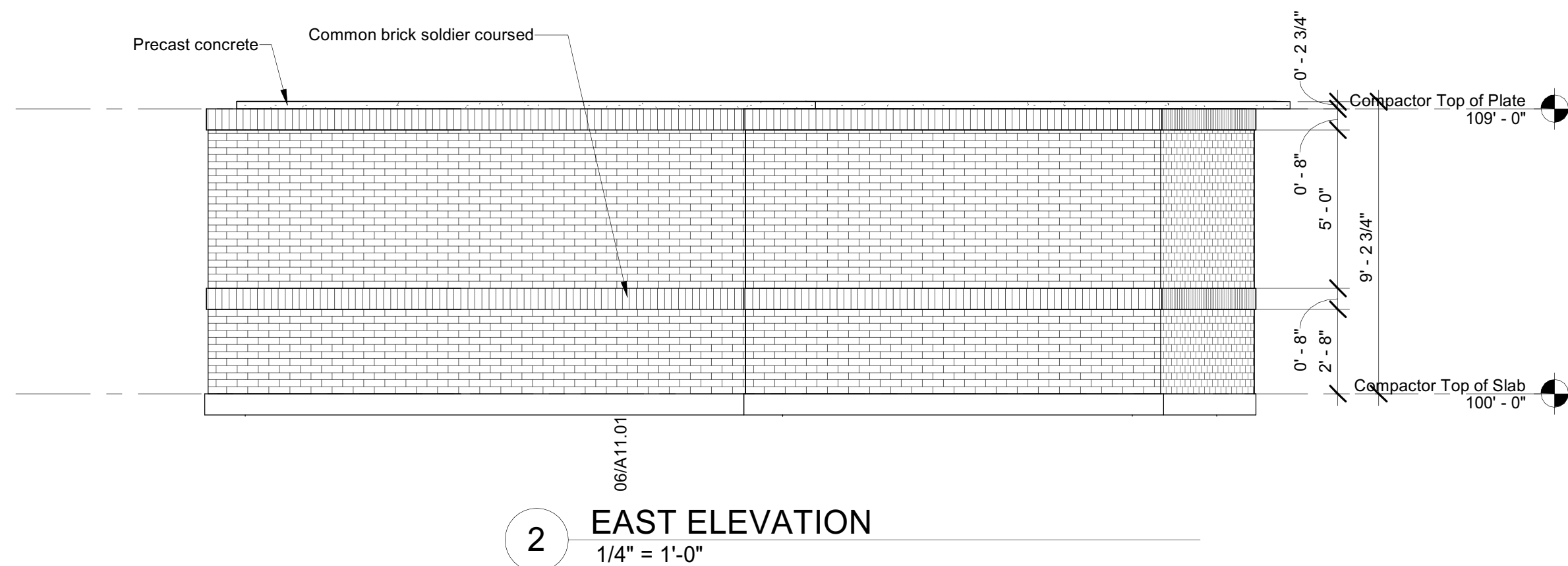
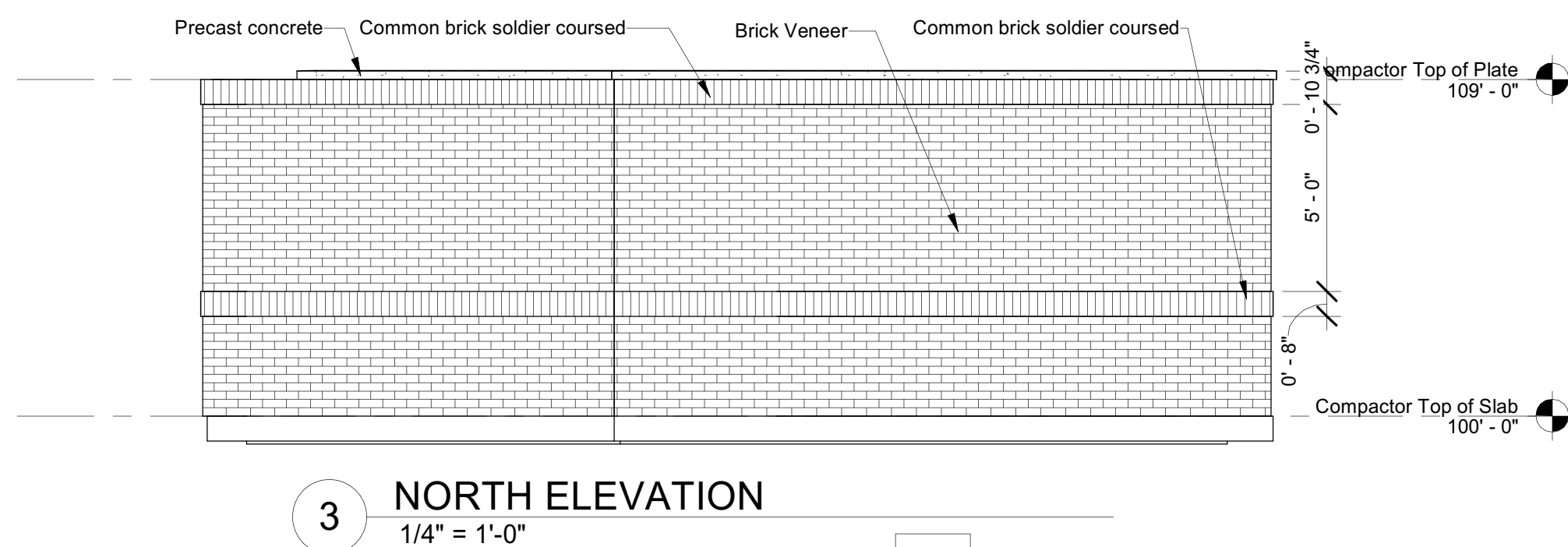
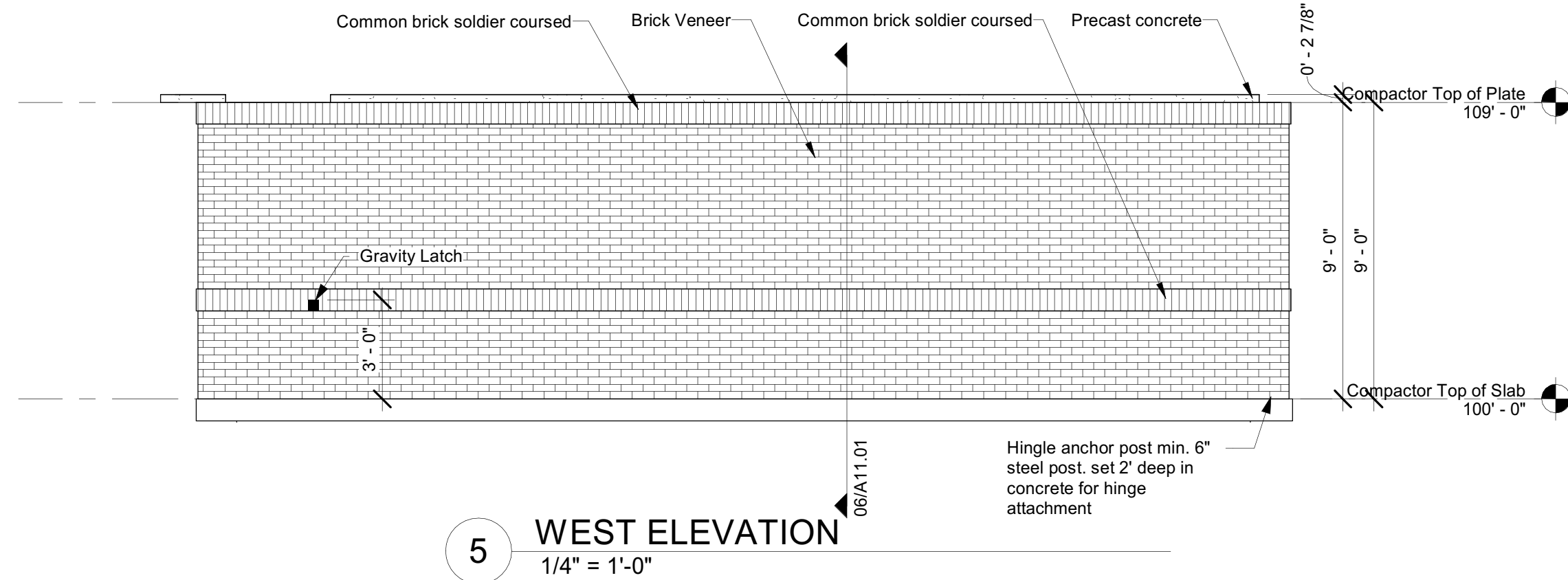
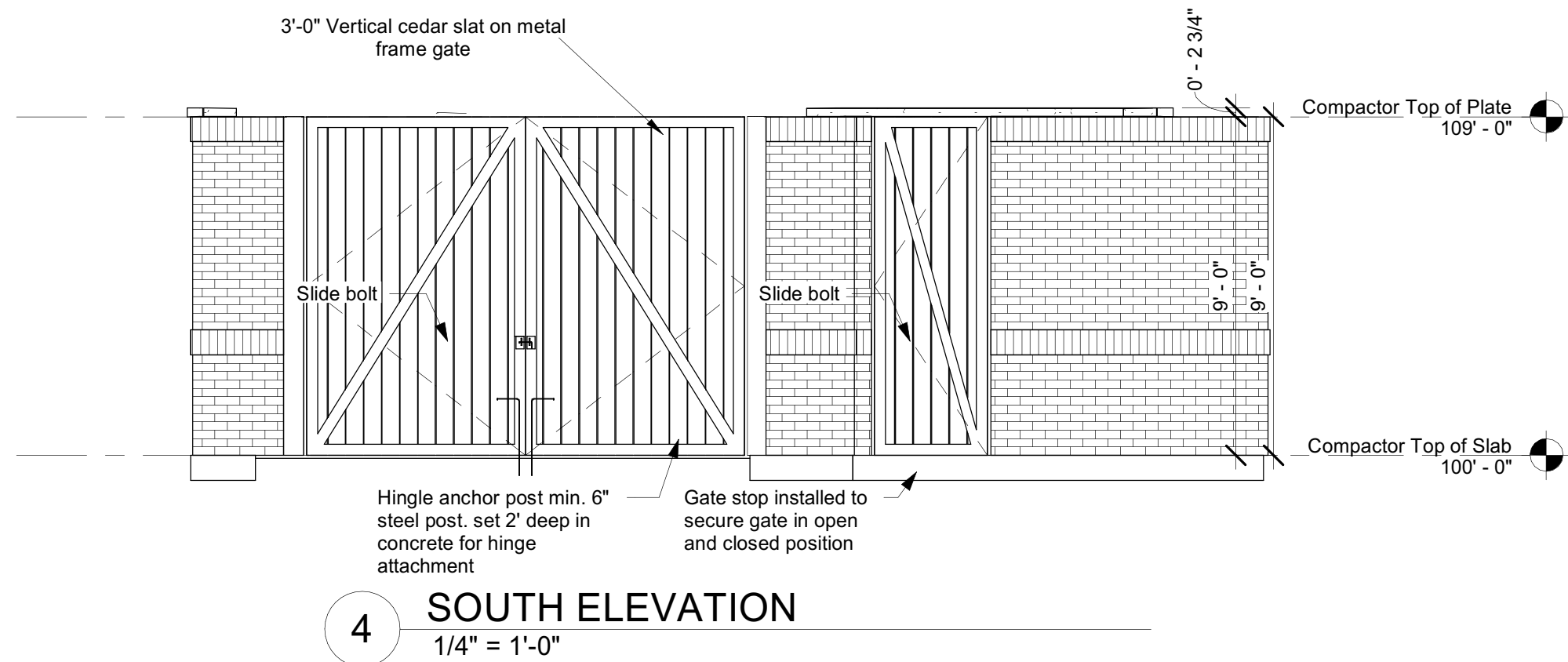
03 VILLA TYPE 2 - EAST COLOR ELEVATION
1/8" = 1'-0"



04 VILLA TYPE 2 - WEST COLOR ELEVATION
1/8" = 1'-0"

MATERIAL LEGEND

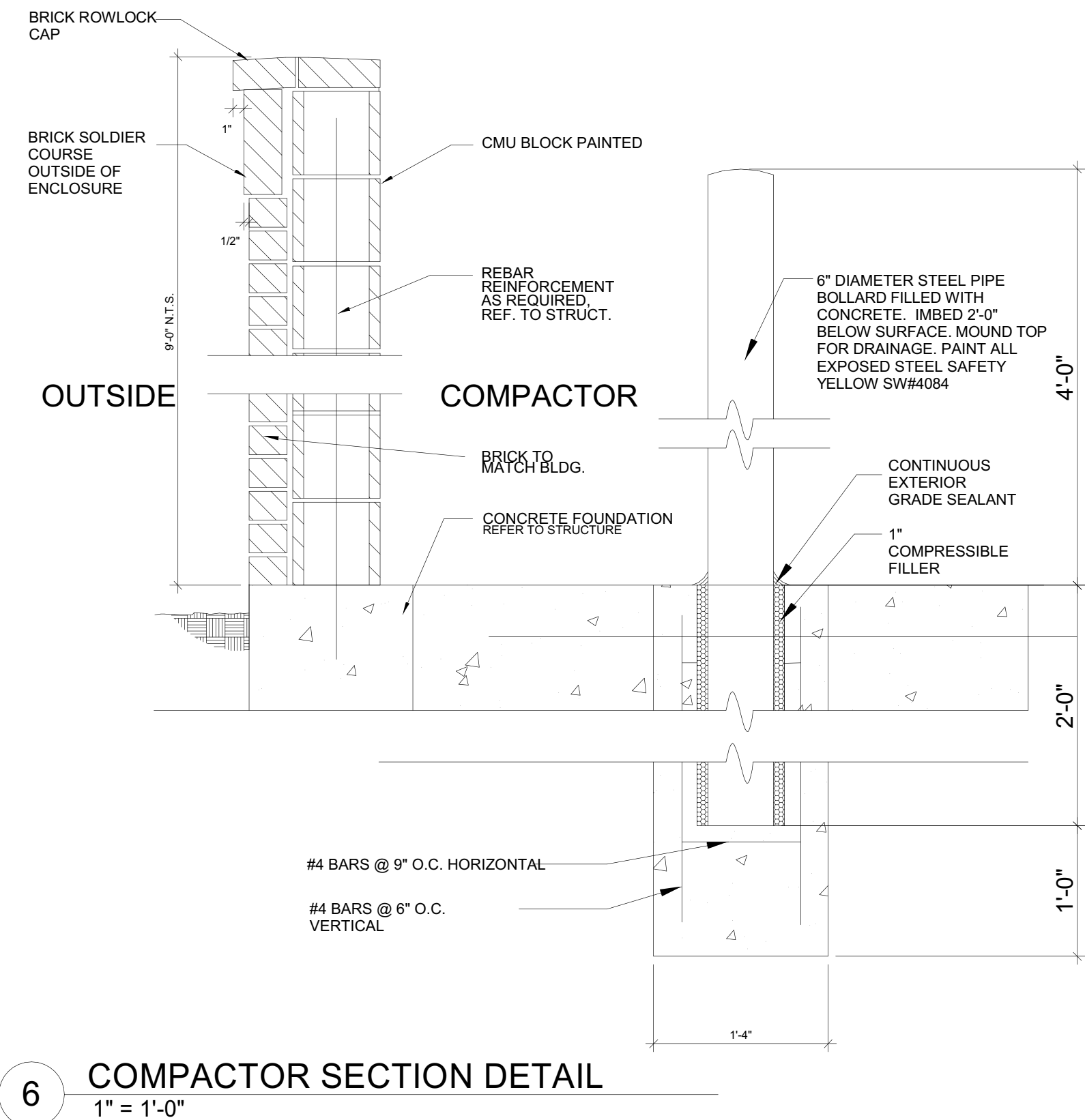
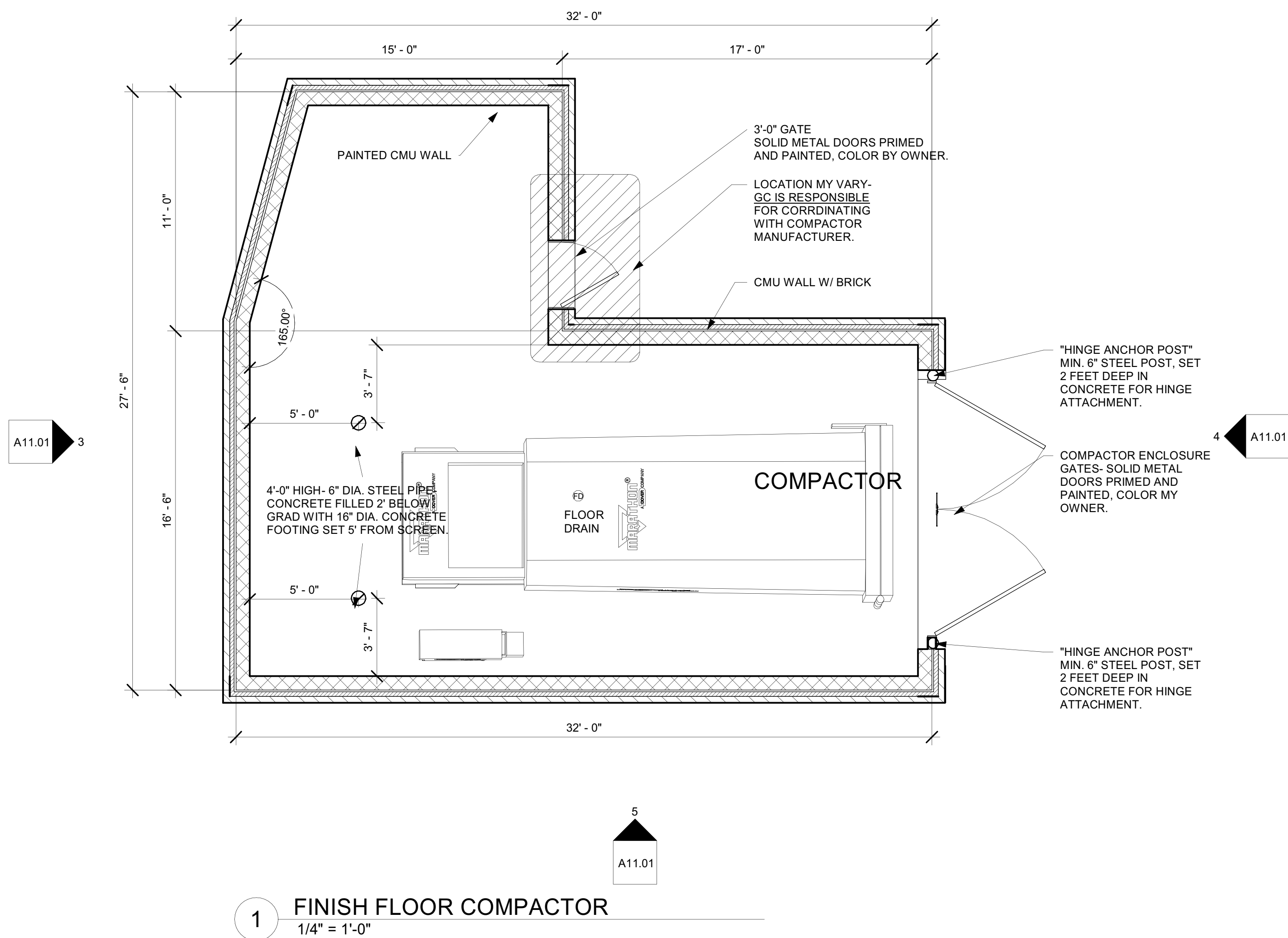
- 01 BRICK MASONRY VENEER-MERIDIAN CAPERS ISLAND
- 02 STONE VENEER-TEXAS CREAM
- 03 HARDI SIDING-CARAIBE
- 04 ROOF COMP. SHINGLES-ONYX BLACK
- 05 STAINED CEDAR DETAIL-CEDAR STAIN MEDIUM BROWN
- 06 METAL ROOF-SEALSKIN
- 07 WOOD COLUMN-CEDAR STAIN MEDIUM BROWN



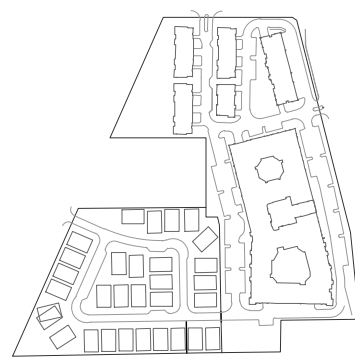
NOTE:

-all gates shall have cross members for bracing

-Gate stops must be installed on all gates to secure gate in open or closed positions



KEY MAP



SEAL

PRELIMINARY
FOR REVIEW PURPOSES ONLY AND
SHALL NOT BE USED FOR BIDDING,
PERMITTING, OR CONSTRUCTION.

Tylor D. Johnson
Registered Landscape Architect of the
State of TEXAS

Registration Number: 3769

DESIGN DEVELOPMENT

WATERMERE ON OAK

INTEGRATED REAL ESTATE GROUP
3110 W. SOUTHLAKE BLVD., STE 120
SOUTHLAKE, TX 76092

LANDSCAPE PROJ.# 8523072

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
	SITE PLAN SUBMISSION	02.20.2025
	SITE PLAN SUBMISSION	03.21.2025
	SITE PLAN SUBMISSION	06.12.2025

SCALE NORTH

VERT: N/A
HORZ: 1" = 60'

SHEET TITLE

LANDSCAPE PLAN

SHEET NUMBER

LS1.00

PLANT SCHEDULE

SYMBOL	CODE	BOTANICAL / COMMON NAME
--------	------	-------------------------

TREES

	ACE GRA	Acer grandidentatum / Bigtooth Maple
	CAR ILL	Carya illinoensis / Pecan
	MAG GRA	Magnolia grandiflora / Southern Magnolia
	QUE SHU	Quercus shumardii / Shumard Oak
	QUE VIR	Quercus virginiana / Southern Live Oak
	ULM CRA	Ulmus crassifolia / Cedar Elm
	ULM PAR	Ulmus parvifolia / Lacebark Elm

CODE REQUIREMENT PLANTING

	EXIST	EXISTING TO REMAIN / EXISTING TO REMAIN
--	-------	---

ORNAMENTAL TREES

	CER TXA	Cercis canadensis texensis / Texas Redbud
	LAG BY4	Lagerstroemia indica 'Byer's Wonderful White' / Wonderful White C
	SOP AFF	Sophora affinis / Eve's Necklacepod

SHRUB AREAS

	PLA ARE	PLANTING AREA / PLANTING AREA
--	---------	-------------------------------

FENCE TYPE

	FENCE	Concrete Block / Masonry Finish
--	-------	---------------------------------

	WROUGHT IRON FENCE	Wrought Iron / Cast Iron / BERMUDA GRASS
--	--------------------	--

	LIR MUB	Liriope muscari 'Big Blue' / Big Blue Lilyturf
--	---------	--

	ANNU	Seasonal Annuals
--	------	------------------

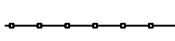
	TRA ASI	Trachelospermum asiaticum / Asiatic Jasmine
--	---------	---



TEXAS811
CALL BEFORE YOU DIG!
TEXAS ONE-CALL CENTER
IT'S THE LAW!



PROPOSED REMOVE
EXISTING TREE



TREE PROTECTION FENCE

KEY MAP

SEAL

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**DESIGN
DEVELOPMENT**

**WATERMERE ON
OAK**

INTEGRATED REAL ESTATE GROUP
3110 W. SOUTHLAKE BLVD., STE 120
SOUTHLAKE, TX 76092

LANDDESIGN PROJ.# 8523072

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
	SITE PLAN SUBMISSION	02.20.2025
	SITE PLAN SUBMISSION	03.21.2025
	SITE PLAN SUBMISSION	06.12.2025

SCALE NORTH
VERT: ###
HORZ: 1"=60'-0"
0 30 60 120
SHEET TITLE



TEXAS811
CALL BEFORE YOU DIG!
TEXAS ONE-CALL CENTER
IT'S THE LAW!

TREE REMOVAL PLAN

SHEET NUMBER

TP1.01

IREG Watermere - Tree Inventory

Tree Inventory & Canopy Calculations

TAG #	SCIENTIFIC NAME	COMMON NAME	CALIPER (IN)	STATUS	PROTECTED	REASON FOR REMOVAL
85	<i>FICUS CARICA</i>	FIG TREE	5	REMOVE		
1501	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	5	REMOVE		
1502	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	5	REMOVE		
1503	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	5	REMOVE		
1504	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	5	REMOVE		
1505	<i>CARYA ILLINOINENSIS</i>	PECAN	13	REMOVE	YES	ROOT SYSTEM IMPACTED BY SITE GRADING
1506	<i>CARYA ILLINOINENSIS</i>	PECAN	31	REMOVE	YES	
1507	<i>I</i>	PEAR	16	REMOVE		
1508	<i>QUERCUS</i>	OAK	28	REMOVE	YES	WITHIN BUILDING ZONE
1509	<i>PROSOPIS GLANDULOSA</i>	MESQUITE	21	REMOVE		
1510	<i>LAGERSTROEMIA INDICA</i>	CRAPE MYRTLE	8	REMOVE		
1511	<i>QUERCUS</i>	OAK	4	REMOVE		
1512	<i>VITEX AGNUS-CASTUS</i>	CHASTE TREE	11	REMOVE		
1513	<i>LAGERSTROEMIA INDICA</i>	CRAPE MYRTLE	8	REMOVE		
1514	<i>QUERCUS</i>	OAK	5	REMOVE		
1515	<i>VITEX AGNUS-CASTUS</i>	CHASTE TREE	8	REMOVE		
1516	<i>VITEX AGNUS-CASTUS</i>	CHASTE TREE	4	REMOVE		
1517	<i>VITEX AGNUS-CASTUS</i>	CHASTE TREE	6	REMOVE		
1518	<i>VITEX AGNUS-CASTUS</i>	CHASTE TREE	4	REMOVE		
1519	<i>LAGERSTROEMIA INDICA</i>	CRAPE MYRTLE	8	REMOVE		
1520	<i>LAGERSTROEMIA INDICA</i>	CRAPE MYRTLE	8	REMOVE		
1521	<i>LAGERSTROEMIA INDICA</i>	CRAPE MYRTLE	6	REMOVE		
1522	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	21	REMOVE		
1523	<i>MORUS RUBRA</i>	MULBERRY	28	REMOVE		
1524	<i>MORUS RUBRA</i>	MULBERRY	22	REMOVE		
1525	<i>MORUS RUBRA</i>	MULBERRY	20	REMOVE		
1526	<i>MORUS RUBRA</i>	MULBERRY	15	REMOVE		
1527	<i>MORUS RUBRA</i>	MULBERRY	17	REMOVE		
1528	<i>MORUS RUBRA</i>	MULBERRY	18	REMOVE		
1529	<i>MORUS RUBRA</i>	MULBERRY	15	REMOVE		
1530	<i>MORUS RUBRA</i>	MULBERRY	13	REMOVE		
1531	<i>MORUS RUBRA</i>	MULBERRY	12	REMOVE		
1532	<i>QUERCUS STELLATA</i>	POST OAK	14	REMOVE		
1533	<i>MORUS RUBRA</i>	MULBERRY	28	REMOVE		
1534	<i>MORUS RUBRA</i>	MULBERRY	32	REMOVE		
1535	<i>MORUS RUBRA</i>	MULBERRY	32	REMOVE		
1536	<i>MORUS RUBRA</i>	MULBERRY	19	REMOVE		
1537	<i>CARYA ILLINOINENSIS</i>	PECAN	14	REMOVE	YES	
2680	<i>CATALPA SPECIOSA</i>	CATALPA	11	REMOVE		
2681	<i>CATALPA SPECIOSA</i>	CATALPA	8	REMOVE		
3639	<i>ULMUS AMERICANA</i>	AMERICAN ELM	14	REMOVE	YES	ROOT SYSTEM IMPACTED BY PROPOSED DRIVE
3640	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	6	REMOVE		
3641	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	17	REMOVE		
3642	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	7	REMOVE		
3643	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	13	REMOVE		
3644	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	15	REMOVE		
3645	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	8	REMOVE		
3646	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	7	REMOVE		
3647	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	14	REMOVE		
3648	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	6	REMOVE		
3649	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	16	REMOVE		
3650	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	8	REMOVE		
3651	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	15	REMOVE		
3652	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	20	REMOVE		
3653	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	7	REMOVE		
3654	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	14	REMOVE		
3655	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	8	REMOVE		
3656	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	9	REMOVE		
3657	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	10	REMOVE		
3658	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	10	REMOVE		
3659	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	7	REMOVE		
3660	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	11	REMOVE		
3661	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	6	REMOVE		
3662	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	14	REMOVE		
3663	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	7	REMOVE		
3664	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	10	REMOVE		
3665	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	7	REMOVE		
3666	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	9	REMOVE		
3667	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	9	REMOVE		
3668	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	6	REMOVE		
3669	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	11	REMOVE		
3670	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	8	REMOVE		
3671	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	11	REMOVE		
3672	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	24	REMOVE		
3673	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	16	REMOVE		
3674	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	9	REMOVE		
3675	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	8	REMOVE		
3676	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	11	REMOVE		
3677	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	10	REMOVE		
3678	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	13	REMOVE		
3679	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	7	REMOVE		
3680	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	9	REMOVE		
3681	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	15	REMOVE		
3682	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	11	REMOVE		
3683	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	8	REMOVE		
3684	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	7	REMOVE		
3685	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	17	REMOVE		
3686	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	6	REMOVE		
3687	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	21	REMOVE		
3688	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	18	REMOVE		
3689	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	7	REMOVE		
3690	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	8	REMOVE		
3691	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	7	REMOVE		
3692	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	20	REMOVE		
3693	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	23	REMOVE		

3694	<i>CARYA ILLINOINENSIS</i>	PECAN	11	REMOVE	YES	ROOT SYSTEM IMPACTED BY PROPOSED DRIVE
3695	<i>ULMUS</i>	ELM	30	REMOVE	YES	ROOT SYSTEM IMPACTED BY PROPOSED DRIVE
3696	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	10	REMOVE		
3697	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	13	REMOVE		
3698	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	10	REMOVE		
3699	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	9	REMOVE		
3700	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	9	REMOVE		
3705	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	12	REMOVE		
3706	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	18	REMOVE		
3707	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	9	REMOVE		
3708	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	14	REMOVE		
3709	<i>LIQUIDAMBAR STYRACIFLUA</i>	SWEETGUM	6	REMOVE	YES	WITHIN BUILDING ZONE
3710	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	6	REMOVE		
3711	<i>LIQUIDAMBAR STYRACIFLUA</i>	SWEETGUM	8	REMOVE	YES	WITHIN BUILDING ZONE
3712	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	8	REMOVE		
3713	<i>MACLURA POMIFERA</i>	OSAGE ORANGE	6	REMOVE		
3714	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	14	REMOVE		
3715	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	7	REMOVE		
3716	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	17	REMOVE		
3717	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	11	REMOVE		
3718	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	18	REMOVE		
3719	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	10	REMOVE		
3720	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	8	REMOVE		
3721	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	10	REMOVE		
3722	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	7	REMOVE		
3723	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	11	REMOVE		
3724	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	18	REMOVE		
3725	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	17	REMOVE		
3726	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	13	REMOVE		
3727	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	6	REMOVE		
3728	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	13	REMOVE		
3729	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	6	REMOVE		
3730	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	6	REMOVE		
3731	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	8	REMOVE		
3732	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	14	REMOVE		
3733	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	7	REMOVE		
3734	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	9	REMOVE		
3735	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	15	REMOVE		
3736	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	9	REMOVE		
3737	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	11	REMOVE		
3738	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	13	REMOVE		
3739	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	9	REMOVE		
3740	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	8	REMOVE		
3741	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	8	REMOVE		
3742	<i>CEDRUS</i>	CEDAR	9	REMOVE	YES	
3743	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	12	REMOVE		
3744	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	9	REMOVE		
3745	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	8	REMOVE		
3746	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	8	REMOVE		
3747	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	12	REMOVE		
3748	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	13	REMOVE		
3749	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	15	REMOVE		
3750	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	22	REMOVE		
3751	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	6	REMOVE		
3752	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	9	REMOVE		
3753	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	9	REMOVE		
3754	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	11	REMOVE		
3755	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	11	REMOVE		
3756	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	13	REMOVE		
3757	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	10	REMOVE		
3758	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	16	REMOVE		
3759	<i>MACLURA POMIFERA</i>	OSAGE ORANGE	20	REMOVE		
3760	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	7	REMOVE		
3761	<i>ULMUS</i>	ELM	10	REMOVE	YES	ROOT SYSTEM IMPACTED BY PROPOSED DRIVE
3762	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	8	REMOVE		
3763	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	10	REMOVE		
3764	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	22	REMOVE		
3765	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	14	REMOVE		
3766	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	19	REMOVE		
3767	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	7	REMOVE		
3768	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	11	REMOVE		
3769	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	22	REMOVE		
3770	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	24	REMOVE		
3771	<i>QUERCUS</i>	OAK	11	REMOVE	YES	WITHIN BUILDING ZONE
3772	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	11	REMOVE		
3773	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	15	REMOVE		
3774	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	10	REMOVE		
3775	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	12	REMOVE		
3776	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	15	REMOVE		
3777	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	11	REMOVE		
3778	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	12	REMOVE		
3779	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	13	REMOVE		
3780	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	9	REMOVE		
3781	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	21	REMOVE		
3782	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	8	REMOVE		
3783	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	11	REMOVE		
3784	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	12	REMOVE		
3785	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	10	REMOVE		
3786	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	12	REMOVE		
3787	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	12	REMOVE		
3788	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	13	REMOVE		
3789	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	16	REMOVE		
3790	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	18	REMOVE		
3791	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	8	REMOVE		
3792	<i>QUERCUS</i>	OAK	42	REMOVE	YES	WITHIN BUILDING ZONE
3793	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	18	REMOVE		
3794	<i>CELTIS OCCIDENTALIS</i>	HACKBERRY	19	REMOVE		

3795	CELTIS OCCIDENTALIS	HACKBERRY	26	REMOVE		
3796	CELTIS OCCIDENTALIS	HACKBERRY	18	REMOVE		
3797	QUERCUS	OAK	30	REMOVE	YES	CRZ IMPACTED BY PROPOSED SITE GRADING
3798	QUERCUS	OAK	18	REMOVE	YES	CRZ IMPACTED BY PROPOSED SITE GRADING
3799	CELTIS OCCIDENTALIS	HACKBERRY	24	REMOVE		
3800	QUERCUS	OAK	27	REMOVE	YES	CRZ IMPACTED BY PROPOSED SITE GRADING
4707	QUERCUS	OAK	28	REMOVE	YES	CRZ IMPACTED BY PROPOSED SITE GRADING
4708	QUERCUS RUBRA	RED OAK	29	REMOVE	YES	CRZ IMPACTED BY PROPOSED SITE GRADING
4709	CELTIS OCCIDENTALIS	HACKBERRY	16	REMOVE		
4710	PYRUS CALLERYANA	PEAR	11	REMOVE		WITHIN BUILDING ZONE
4711	CELTIS OCCIDENTALIS	HACKBERRY	8	REMOVE		
4712	MACLURA POMIFERA	OSAGE ORANGE	14	REMOVE		
4713	CELTIS OCCIDENTALIS	HACKBERRY	9	REMOVE		
4714	CELTIS OCCIDENTALIS	HACKBERRY	6	REMOVE		
4715	CELTIS OCCIDENTALIS	HACKBERRY	7	REMOVE		
4716	CELTIS OCCIDENTALIS	HACKBERRY	4	REMOVE		
4717	CELTIS OCCIDENTALIS	HACKBERRY	28	REMOVE		
4718	CELTIS OCCIDENTALIS	HACKBERRY	5	REMOVE		
4719	CELTIS OCCIDENTALIS	HACKBERRY	4	REMOVE		
4720	CELTIS OCCIDENTALIS	HACKBERRY	13	REMOVE		
4721	CELTIS OCCIDENTALIS	HACKBERRY	6	REMOVE		
4722	CELTIS OCCIDENTALIS	HACKBERRY	12	REMOVE		
4723	CELTIS OCCIDENTALIS	HACKBERRY	10	REMOVE		
4724	CELTIS OCCIDENTALIS	HACKBERRY	5	REMOVE		
4725	CELTIS OCCIDENTALIS	HACKBERRY	7	REMOVE		
4726	CELTIS OCCIDENTALIS	HACKBERRY	6	REMOVE		
4727	CELTIS OCCIDENTALIS	HACKBERRY	10	REMOVE		
4728	CELTIS OCCIDENTALIS	HACKBERRY	5	REMOVE		
4729	CELTIS OCCIDENTALIS	HACKBERRY	6	REMOVE		
4730	CELTIS OCCIDENTALIS	HACKBERRY	6	REMOVE		
4731	CELTIS OCCIDENTALIS	HACKBERRY	6	REMOVE		
4732	CELTIS OCCIDENTALIS	HACKBERRY	6	REMOVE		
4733	CELTIS OCCIDENTALIS	HACKBERRY	7	REMOVE		
4734	CELTIS OCCIDENTALIS	HACKBERRY	4	REMOVE		
4735	CELTIS OCCIDENTALIS	HACKBERRY	5	REMOVE		
4736	CELTIS OCCIDENTALIS	HACKBERRY	26	REMOVE		
4737	CELTIS OCCIDENTALIS	HACKBERRY	25	REMOVE		
4738	CELTIS OCCIDENTALIS	HACKBERRY	8	REMOVE		
4739	CELTIS OCCIDENTALIS	HACKBERRY	8	REMOVE		
4740	CELTIS OCCIDENTALIS	HACKBERRY	4	REMOVE		
4741	CELTIS OCCIDENTALIS	HACKBERRY	4	REMOVE		
4742	CELTIS OCCIDENTALIS	HACKBERRY	5	REMOVE		
4743	CELTIS OCCIDENTALIS	HACKBERRY	11	REMOVE		
4744	CRATAEGUS PINNATIFIDA	CHINESE HAW	12	REMOVE		
4745	CRATAEGUS PINNATIFIDA	CHINESE HAW	12	REMOVE		
4746	QUERCUS RUBRA	RED OAK	9	REMOVE		
4747	CELTIS OCCIDENTALIS	HACKBERRY	9	REMOVE		
4748	CELTIS OCCIDENTALIS	HACKBERRY	5	REMOVE		
4749	CELTIS OCCIDENTALIS	HACKBERRY	4	REMOVE		
4750	FRAXINUS ALBICANS	ASH	18	REMOVE	YES	CRZ IMPACTED BY PROPOSED SITE GRADING
4751	QUERCUS	OAK	5	REMOVE		
4752	CELTIS OCCIDENTALIS	HACKBERRY	8	REMOVE		
4753	CELTIS OCCIDENTALIS	HACKBERRY	6	REMOVE		
4754	CELTIS OCCIDENTALIS	HACKBERRY	4	REMOVE		
4755	CELTIS OCCIDENTALIS	HACKBERRY	6	REMOVE		
4756	CELTIS OCCIDENTALIS	HACKBERRY	4	REMOVE		
4757	ULMUS AMERICANA	ELM	6	REMOVE	YES	WITHIN BUILDING ZONE
4762	CELTIS OCCIDENTALIS	HACKBERRY	8	REMOVE		
4763	CELTIS OCCIDENTALIS	HACKBERRY	12	REMOVE		
4764	CELTIS OCCIDENTALIS	HACKBERRY	5	REMOVE		
4765	CELTIS OCCIDENTALIS	HACKBERRY	10	REMOVE		
4766	CELTIS OCCIDENTALIS	HACKBERRY	8	REMOVE		
4767	CELTIS OCCIDENTALIS	HACKBERRY	13	REMOVE		
4768	CELTIS OCCIDENTALIS	HACKBERRY	9	REMOVE		
4769	CELTIS OCCIDENTALIS	HACKBERRY	6	REMOVE		
4770	CELTIS OCCIDENTALIS	HACKBERRY	8	REMOVE		
4771	CELTIS OCCIDENTALIS	HACKBERRY	11	REMOVE		
4772	CELTIS OCCIDENTALIS	HACKBERRY	5	REMOVE		
4773	ULMUS AMERICANA	ELM	4	REMOVE	YES	WITHIN BUILDING ZONE
4774	CELTIS OCCIDENTALIS	HACKBERRY	5	REMOVE		
4775	CELTIS OCCIDENTALIS	HACKBERRY	4	REMOVE		
4776	CELTIS OCCIDENTALIS	HACKBERRY	4	REMOVE		
4777	CELTIS OCCIDENTALIS	HACKBERRY	9	REMOVE		
4778	CELTIS OCCIDENTALIS	HACKBERRY	8	REMOVE		
4779	CELTIS OCCIDENTALIS	HACKBERRY	8	REMOVE		
4780	CELTIS OCCIDENTALIS	HACKBERRY	12	REMOVE		
4781	CELTIS OCCIDENTALIS	HACKBERRY	7	REMOVE		
4782	CELTIS OCCIDENTALIS	HACKBERRY	5	REMOVE		
4783	CELTIS OCCIDENTALIS	HACKBERRY	5	REMOVE		
4784	CELTIS OCCIDENTALIS	HACKBERRY	6	REMOVE		
4785	ZANTHOXYLUM CLAVA-HERCULIS	HERCULES CLUB	6	REMOVE		
4786	CELTIS OCCIDENTALIS	HACKBERRY	8	REMOVE		
4787	CELTIS OCCIDENTALIS	HACKBERRY	7	REMOVE		
4788	CELTIS OCCIDENTALIS	HACKBERRY	12	REMOVE		
4789	CELTIS OCCIDENTALIS	HACKBERRY	4	REMOVE		
4790	CELTIS OCCIDENTALIS	HACKBERRY	4	REMOVE		
4791	CELTIS OCCIDENTALIS	HACKBERRY	4	REMOVE		
4792	MACLURA POMIFERA	OSAGE ORANGE	4	REMOVE		
4793	CELTIS OCCIDENTALIS	HACKBERRY	6	REMOVE		
4794	CELTIS OCCIDENTALIS	HACKBERRY	5	REMOVE		
4795	CELTIS OCCIDENTALIS	HACKBERRY	4	REMOVE		
4796	ULMUS AMERICANA	ELM	4	REMOVE	YES	WITHIN BUILDING ZONE
4797	CELTIS OCCIDENTALIS	HACKBERRY	5	REMOVE		
4798	CELTIS OCCIDENTALIS	HACKBERRY	6	REMOVE		
4799	ULMUS AMERICANA	ELM	9	REMOVE	YES	WITHIN BUILDING ZONE
			3241	TOTAL (CAL. IN)		
			400	TOTAL PROTECTED REMOVED (CAL. IN)		

TREE PRESERVATION NOTES

- A. ALL TREES SHALL REMAIN UNLESS NOTED ON THE PLANS.
- B. NO SITE PREPARATION WORK SHALL BEGIN IN AREAS WHERE TREE PRESERVATION AND TREATMENT MEASURES HAVE NOT BEEN COMPLETED.
- C. ALL EXISTING TREES DENOTED TO REMAIN SHALL BE PROTECTED AT THE ROOT PROTECTION ZONE(RPZ). THE RPZ SHALL BE DETERMINED BY TREE SIZE (RECOMMENDED 12" RADIUS FROM TRUNK FOR EVERY 1" IN DIAMETER OF TRUNK AT 4.5' FROM GROUND) WITH A MINIMUM 5' DIAMETER FROM THE TRUNK.
- D. A CHAIN LINK FENCE BARRIER DELINEATING THE RPZ SHALL BE ERECTED AND MAINTAINED BY THE CONTRACTOR UNTIL CONSTRUCTION IS COMPLETED.
- E. RPZ SHALL BE SUSTAINED IN A NATURAL STATE AND SHALL BE FREE FROM VEHICULAR OR MECHANICAL TRAFFIC.
- F. THE RPZ SHALL BE COVERED WITH MULCH AND BE MAINTAINED BY GENERAL CONTRACTOR DURING CONSTRUCTION PHASE TO REDUCE MOISTURE STRESS.
- G. DURING CONSTRUCTION, NO EXCESS SOIL, ADDITIONAL FILL MATERIAL, EQUIPMENT, LIQUIDS, OR CONSTRUCTION DEBRIS SHALL BE PLACED INSIDE THE PROTECTION BARRIER, NOR SHALL ANY SOIL BE REMOVED FROM WITHIN THE BARRIER.
- H. ANY DAMAGE DONE TO EXISTING TREE CROWNS OR ROOT SYSTEMS SHALL BE CUT CLEANLY IMMEDIATELY AFTER INJURY. ALL WOUNDS TO LIVE OAKS SHALL BE PAINTED WITH PRUNING PAINT WITHIN 30 MINUTES AFTER DAMAGE. ROOTS EXPOSED DURING CONSTRUCTION OPERATIONS WILL BE CUT CLEANLY.
- I. THE PROPOSED FINISH GRADE AND ELEVATION OF LAND WITHIN THE RPZ OF ANY TREE TO BE PRESERVED SHALL NOT BE RAISED OR LOWERED MORE THAN THREE INCHES. WELLING AND RETAINING METHODS ARE ALLOWED OUTSIDE THE RPZ.
- J. THE RPZ SHALL REMAIN PERVIOUS, I.E. GROUNDCOVER OR TURF AT COMPLETION OF LANDSCAPE INSTALLATION.
- K. THE ASSOCIATED TREE PROTECTION DETAIL COMPLIES WITH THE MINIMUM TREE PROTECTION GUIDELINES FROM THE CITY WHICH THE PROJECT IS LOCATED IN.
- L. WHERE POSSIBLE, PROVIDE FENCE TO TREE DRIP LINE OR GROUP TREES IN FENCE PERIMETER TO PROVIDE INCREASED PROTECTION.
- M. NO WORK SHALL BEGIN IN AREAS WHERE TREE PRESERVATION AND TREATMENT MEASURES HAVE NOT BEEN COMPLETED AND APPROVED.
- N. TREES WHICH ARE DAMAGED OR LOST DUE TO THE CONTRACTOR'S NEGLIGENCE DURING CONSTRUCTION SHALL BE MITIGATED PER THE GOVERNING JURISDICTION THE PROJECT IS LOCATED WITHIN.
- O. TREES MUST BE MAINTAINED IN GOOD HEALTH THROUGHOUT THE CONSTRUCTION PROCESS. MAINTENANCE MAY INCLUDE BUT IS NOT LIMITED TO: WATERING THE ROOT PROTECTION ZONE, WASHING FOLIAGE, FERTILIZATION, PRUNING, ADDITIONAL MULCH APPLICATIONS AND OTHER MAINTENANCE AS NEEDED ON THE PROJECT.
- P. ROOTS SHALL BE CUT WITH A ROCK SAW OR BY HAND, NOT BY AN EXCAVATOR OR OTHER ROAD CONSTRUCTION EQUIPMENT.

IRRIGATION NOTES

- ALL LAWN SURFACES TO BE FULLY IRRIGATED WITH 100% HEAD TO HEAD COVERAGE. NO ROTOR SPRAY HEADS ARE TO BE USED
- ALL TREES TO BE IRRIGATED WITH MIN. (2) BUBBLERS.
- ALL PLANTER BEDS TO BE IRRIGATED VIA DRIP IRRIGATION.
- SLEEVES TO BE PROVIDED AS NEEDED TO CONNECT IRRIGATION LINES TO ANY PLANTED MEDIANS OR OTHER LANDSCAPE AREAS SEPARATED BY PAVEMENT PRIOR TO PAVEMENT INSTALLATION.
- NO IRRIGATION SPRAY IS TO BE DIRECTED ONTO WALKWAYS OR OTHER PAVEMENT.
- ALL IRRIGATION LINES SHALL BE LEAK-TESTED PRIOR TO BURIAL.
- SPRINKLER HEADS TO BE INSTALLED ONLY AFTER SYSTEM HAS BEEN COMPLETELY FLUSHED.
- ALL IRRIGATION AND RELATED EQUIPMENT INCLUDING (BUT NOT LIMITED TO) PIPING, VALVES, CONTROLLERS, BACKFLOW PREVENTER(S), THRUST BLOCKS, CONTROL WIRE, VALVE BOXES, SPRINKLER HEADS, RISERS, ETC. TO BE INSTALLED ACCORDING TO MANUFACTURER'S SPECIFICATIONS.
- 'AS-BUILT' DRAWINGS FOR ALL IRRIGATION PLUMBING AND EQUIPMENT SHALL BE ACCURATELY MAINTAINED DURING INSTALLATION AND PROVIDED TO OWNER AT TIME OF FINAL ACCEPTANCE.
- IRRIGATION MUST FOLLOW ALL TCEQ 30 TAC 344 REGULATIONS.



TEXAS811
CALL BEFORE YOU DIG!
TEXAS ONE-CALL CENTER
IT'S THE LAW!

KEY MAP

SEAL

PRELIMINARY
FOR REVIEW PURPOSES ONLY AND
SHALL NOT BE USED FOR BIDDING,
PERMITTING, OR CONSTRUCTION.

Tylor D. Johnson
Registered Landscape Architect of the
State of TEXAS

Registration Number: 3769

DESIGN
DEVELOPMENT

PROJECT

WATERMERE ON
OAK

INTEGRATED REAL ESTATE GROUP
3110 W. SOUTHLAKE BLVD., STE 120
SOUTHLAKE, TX 76092

LANDESIGN PROJ.# 8523072

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
	SITE PLAN SUBMISSION	02.20.2025
	SITE PLAN SUBMISSION	03.21.2025
	SITE PLAN SUBMISSION	06.12.2025

SCALE NORTH

VERT: ###
HORZ: #####

SHEET TITLE

TREE PRESERVATION
NOTES

SHEET NUMBER

TP1.03

ORDINANCE No. 2024-109

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROANOKE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROANOKE, TEXAS, FOR AN APPROXIMATELY 18.504-ACRE TRACT OR TRACTS OF LAND LOCATED IN THE M.E.P. & P.R.R. CO. SURVEY, ABSTRACT NO. 923, CITY OF ROANOKE, DENTON COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED AND OR DEPICTED IN EXHIBIT "A" WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES, BY CHANGING THE ZONING ON SAID TRACT OR TRACTS FROM SINGLE FAMILY-7 (SF-7) DISTRICT AND RETAIL (R) DISTRICT TO PLANNED DEVELOPMENT DISTRICT WITH SENIOR HOUSING AND SINGLE-FAMILY USES; PRESCRIBING THE PERMISSIBLE USES THEREOF; PRESCRIBING THE DEVELOPMENT STANDARDS FOR SAID 18.504-ACRE TRACT OF LAND, ATTACHED HERETO AS EXHIBIT "B"; PROVIDING A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, after public notice and public hearing as required by law, the Planning and Zoning Commission for the City of Roanoke, Texas, has recommended that the official zoning map of the City of Roanoke, Texas, be amended to reflect that the zoning on the approximately 18.504-acre tract or tracts located in the M.E.P. & P.R.R. Co. Survey, Abstract No. 923, City of Roanoke, Denton County, Texas, and being more particularly described and depicted in **Exhibit A** of this Ordinance, which is attached hereto and incorporated herein for all purposes, be changed from Single Family-7 District (SF-7) and Retail District (R) to Planned Development with senior housing and single-family uses; and

WHEREAS, the Planning and Zoning Commission of the City of Roanoke, Texas, and the City Council of the City of Roanoke, Texas, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested, and the City Council of the City of Roanoke, Texas, is of the opinion and finds that said changes should be granted and that the Comprehensive Zoning Ordinance should be amended.

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

Section 1. FINDINGS INCORPORATED

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2.

The approximately 18.504-acre tract or tracts located in the M.E.P. & P.R.R. Co. Survey, Abstract No. 923, City of Roanoke, Denton County, Texas, and being more particularly described and depicted in **Exhibit A** of this Ordinance, which is attached hereto and incorporated herein for all purposes, be changed from Single Family-7 District (SF-7) and Retail District (R) to Planned Development District with senior housing and single-family uses.

Section 3.

That the property described in ***Exhibit A*** of this Ordinance, which is attached hereto and incorporated herein for all purposes, shall be subject to the Development Standards attached hereto as ***Exhibit B*** of this Ordinance, which is attached hereto and incorporated herein for all purposes.

Section 4.

The City Secretary is directed to engross and enroll this Ordinance in the Code of Ordinances of the City of Roanoke and to reflect this change of zoning on the official zoning map of the City of Roanoke, Texas.

Section 5. PENALTY CLAUSE

Any person, firm, or corporation violating any of the provisions or terms of this Ordinance shall be guilty of a misdemeanor and upon conviction, shall be fined a sum not to exceed \$2,000.00 for each offense, and each and every violation or day such violation shall continue or exist, shall be deemed a separate offense.

Section 6. SEVERABILITY CLAUSE

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 7. EFFECTIVE DATE

This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Roanoke, Texas, on this the 27th day of August, 2024.

APPROVED:



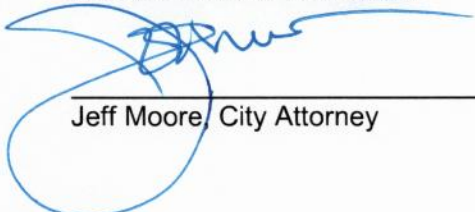
Carl E. Gierisch, Jr., Mayor

ATTEST:



April S. Hill, City Secretary

APPROVED AS TO FORM:



Jeff Moore, City Attorney



Property Description and Depiction
of the
Approximately 18.504-Acre Tract of Land

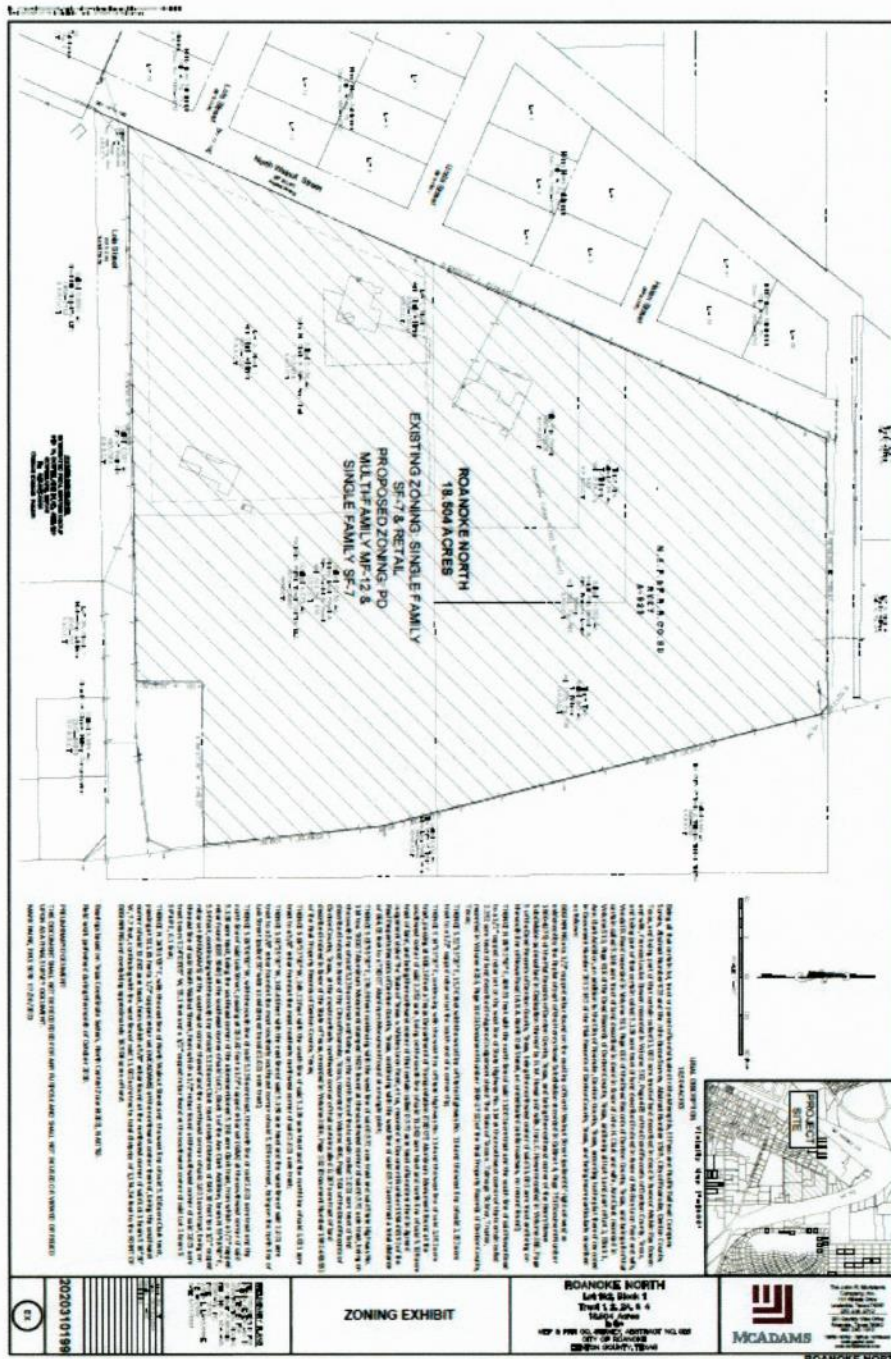


Exhibit B

Development Standards

Tract 1 (Senior Housing): The following standards shall apply to Tract 1.

- (a) Size of Tract: Tract 1 shall contain approximately 11.01 acres.
- (b) Uses Generally: In the development of Tract 1, no land shall be used, and no building or structure shall be installed, erected, or converted to any use other than:
 - (A) Permitted Uses: Multifamily Senior Housing
 - (B) Accessory Uses: Accessory buildings and uses, customarily incident to the above uses and located on the same lot therewith, not involving the conduct of a retail business.
 - (C) Limitation of Uses: Any use not expressly permitted herein is prohibited:
- (1) Area and Building Regulations:
 - (i) Minimum Lot Size: Tract 1 shall be developed as one lot.
 - (ii) Maximum Building Coverage: The combined foundation area of all main and accessory buildings shall not exceed 65% of the total area of Tract 1.
 - (iii) Maximum Open Space: All areas (but in any event at least 15% of the total area of Tract 1) not devoted to buildings, pedestrian walkways, structures or off-street parking area shall be devoted to grass, trees, gardens, shrubs, courtyards, community pool including decorative hardscape, pocket parks, hike and bike trails or other suitable landscape or decorative hard scape materials.
 - (iv) Maximum Unit Count: The maximum number of units on Tract 1 shall be 255.
 - (v) Maximum Impervious Area: The combined area occupied by all buildings, structures, off-street parking and paved areas shall not exceed 75% of the total area of Tract 1.
 - (vi) Depth of Front Yard: There shall be a front yard having a depth of not less than ten (10) feet along the main spine road. There shall be no parking allowed in the required front yard.
Stoops, steps, retaining walls, raised planters, and other decorative landscape items may be located within the required front yard setback.
 - (vii) Depth of Side and Rear Yards: There shall be a rear and side yard having a depth of not less than ten (10) feet. Automobile parking, including associated carports, will be permitted in such rear and side yards.
 - (viii) Height: No building or structure shall exceed five stories or sixty-five (65) feet in height. Height is measured from the average grade to top plate of the building and does not include parapets.

(ix) Minimum Floor Areas:

- (1) The minimum square footage of a dwelling unit, exclusive of garages, breezeways, and porches, shall be as follows:

One Bedroom: 780 square feet

Two Bedroom: 1,100 square feet

(1) Street Frontage:

- (i) Angled, head in, and parallel parking is permitted along the frontage of internal streets, if approved by the engineering department.
- (ii) One (1) large shade tree shall be required per fifty (50) linear feet (or portion thereof) of street frontage (less vehicular entry drives and associated visibility triangle). Trees to be located in the right-of-way within a minimum five foot (5') width parkway and/or within a minimum five feet (5') by ten feet (10') tree well leave-out in paving. Trees to be evenly spaced and aligned as to the extent site conditions allow.

- (2) Parking and Loading Regulations: Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses set forth in Section 12.700 –12.704 of the City of Roanoke Zoning Ordinance. Notwithstanding the forgoing, the total parking requirement shall be

- (i) 1.30 Parking Spaces / Unit

Tandem spaces behind private garages shall count toward the off-street parking requirement. Parking spaces along internal streets, if approved by the engineering department, shall count towards the off street parking requirement.

- (3) Building Materials: The following building material requirements shall apply:

- (i) All street facing facades shall have a masonry requirement of not less than 80% of the total street facing exterior wall excluding doors, windows and patios.

(4) Landscaping:

- (i) Materials: Landscape materials such as decomposed granite and synthetic turf may be used as surface material at resident activity /amenity zones within the site.
- (ii) Tree Mitigation: All trees planted on site shall be counted toward protected tree mitigation.

- (D) Signage: Signage shall meet all of the requirements of the Uniform Sign Regulations and attached signs are allowed on buildings, subject to the following provisions:

- (1) All attached signs must be on-premise signs. All businesses shall be permitted to have two (2) attached sign per public street frontage.
- (2) Maximum Effective Area. Total effective area of attached signs shall not exceed the following: an attached sign or signs shall not exceed or cover more than fifteen percent (15%) of the façade area of a building face or area of the front of the leasable building space.
- (3) Projected from Building Surface. All attached signs and their words shall be mounted parallel to the building surface to which they are attached, and shall project no more than eighteen inches (18") from the surface.
- (4) Pre-Leasing Signage. Signage not to exceed 96 square feet in size and a maximum of 20 feet tall shall be allowed on all four corners of the property while the buildings are under construction. Such signs shall be removed after the last Certificate of Occupancy is issued for the last building.

Tract 2 (Single Family): The following standards shall apply to Tract 2.

- (a) Size of Tract: Tract 2 shall contain approximately 7.49 acres.
- (b) Uses Generally: In the development of Tract 2, no land shall be used, and no building or structure shall be installed, erected, or converted to any use other than:
 - (A) Permitted Uses: Single Family
 - (B) Accessory Uses: Accessory buildings and uses, customarily incident to the above uses and located on the same lot therewith, not involving the conduct of a retail business.
 - (C) Limitation of Uses: Any use not expressly permitted herein is prohibited:
 - (1) Area and Building Regulations:
 - (i) Minimum Lot Size: Tract 2 shall be developed with minimum lot sizes of:
 - (1) 5,000 square feet.
 - (ii) Maximum Building Coverage: The combined foundation area of all main and accessory buildings shall not exceed:
 - (1) 70%
 - (iii) Maximum Unit Count: The maximum number of units on Tract 2 shall be 41.
 - (iv) Maximum Impervious Area: The combined area occupied by all buildings, structures, off-street parking and paved areas shall not exceed 85% of the total area of Tract 2.
 - (v) Minimum Yards

- (1) Depth of Front Yard: There shall be a front yard having a depth of not less than fifteen (15) feet. Front porch, as well as stoops, steps, retaining walls, raised planters, and other decorative landscape items may be located within the required front yard setback.
 - (2) Depth of Side Yard: There shall be a side yard having a depth of five (5) feet.
 - (3) Depth of Rear Yard: There shall be a rear yard having a depth of not less than five (5) feet.
- (vi) Height:
- (1) Main structure limited to 2.5 stories or thirty-five (35) feet in height.
 - (2) Any accessory buildings limited to 1 story or sixteen (16) feet.
- (vii) Minimum Floor Area: The minimum square footage of a dwelling unit, exclusive of garages, breezeways, and porches, shall be 1,200.
- (5) Street Frontage:
- (i) Parallel parking is permitted along the frontage of internal streets, if approved by the engineering department.
 - (ii) One (1) large shade tree shall be required per fifty (50) linear feet (or portion thereof) of street frontage (less vehicular entry drives and associated visibility triangle). Trees to be located in the right-of-way within a minimum five foot (5') width parkway and/or within a minimum five feet (5') by ten feet (10') tree well leave-out in paving. Trees to be evenly spaced and aligned as to the extent site conditions allow.
- (6) Parking and Loading Regulations: Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses set forth in Section 12.700 –12.704 of the City of Roanoke Zoning Ordinance.
- (7) Building Materials: The following building material requirements shall apply:
- (i) All street facing facades shall have a masonry requirement of not less than 80% of the total street facing exterior wall excluding doors, windows and patios. Cementitious fiber board siding is permitted.
- (8) Landscaping:
- (iii) Materials: Landscape materials such as decomposed granite and synthetic turf may be used as surface material at resident activity /amenity zones within the site.

(iv) Tree Mitigation: All trees planted on site shall be counted toward protected tree mitigation.

(D) Fencing: Masonry paneled fencing shall be allowed along N. Walnut Street and Lois St.

Purpose and Intent

The development of Tract 1 and Tract 2 comprising approximately 18.504 acres of land within the corporate limits of the City of Roanoke shall be in accordance with the City of Roanoke, Texas, Code of Ordinance, as of this approved planned development, and shall be subject to the following conditions and requirements.

Development shall be in compliance with all regulations applicable to the Multi-Family 12 District (MF-12) and Single Family 7 (SF-7) zoning district contained in the City's Ordinance as of the date of this approved planned development, except as otherwise provided in this Ordinance.

Exhibits

- A. The following Exhibits are incorporated into this planned development.
 - 1. Exhibit "A": Tract Exhibit
 - 2. Exhibit "B": Street Section Exhibit
 - 3. Exhibit "C": Street Classification
 - 4. Exhibit "D": Concept Plan
 - 5. Exhibit "E": Screening Plan

District Regulations

The following zoning districts and regulations shall apply to this planned development as depicted on Exhibit "A", Tract 1 (Senior Housing). Any use not expressly permitted herein is prohibited:

- A. Multi-Family 12 District
- B. Size of Tract: Tract 1, shown in Exhibit A, shall contain approximately 11.01 acres.
- C. Uses Generally: In the development of Tract 1, no land shall be used, and no building or structure shall be installed, erected, or converted to any use other than:
 - 1. Permitted Uses: Multifamily Senior Housing, Triplex, Duplex, Accessory Building, Home Occupation, Swimming Pool, Pickleball Courts, Contractor Temporary On Site Construction Offices, Model Homes
 - 2. Accessory Uses: Accessory buildings and uses, customarily incident to the above uses and located on the same lot therewith, not involving the conduct of a retail business.
- D. Area and Building Regulations:
 - 1. Minimum Lot Size: Tract 1 shall be developed as one lot.
 - 2. Maximum Building Coverage: The combined foundation area of all main and accessory buildings shall not exceed 65% of the total area of Tract 1.

3. Maximum Open Space: All areas (but in any event at least 15% of the total area of Tract 1) not devoted to buildings, pedestrian walkways, structures or off-street parking area shall be devoted to grass, trees, gardens, shrubs, courtyards, community pool including decorative hardscape, pocket parks, hike and bike trails or other suitable landscape or decorative hardscape materials.
4. Maximum Unit Count: The maximum number of units on Tract 1 shall be 255.
5. Maximum Impervious Area: The combined area occupied by all buildings, structures, off-street parking and paved areas shall not exceed 75% of the total area of Tract 1.
6. Minimum Front Yard: Ten (10) feet shall be the minimum front yard for all areas adjacent to public streets.
7. Minimum Side and Rear Yards: Ten (10) feet shall be the minimum side and rear yard adjacent to all zoning districts.
8. Height: No building or structure shall exceed five (5) stories or 65 feet in height. Height is measured from the average grade to top plate of the building and does not include parapets.
9. Minimum Floor Areas:
 - a) The minimum square footage of a dwelling unit, exclusive of garages, breezeways, and porches, shall be as follows:
 - i. One Bedroom: 780 square feet
 - ii. Two Bedroom: 1,100 square feet

E. Building Separation:

1. One-story buildings. Minimum five (5) feet.
2. Two-story building. Minimum ten (10) feet.
3. Over two-story building. Minimum ten (10) feet.

F. Special Requirement:

1. Building shall not exceed six hundred (600) feet in length.
2. One (1) swimming pool shall be allowed for all units
3. One (1) trash compactor shall be required
4. Valet trash shall be provided

G. Parking and Loading Regulations: Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses set forth in Section 12.700 –12.704 of the City of Roanoke Zoning Ordinance. Notwithstanding the foregoing, the total parking requirement shall be:

1. 1.30 Parking Spaces / Unit

- a) Tandem spaces behind private garages shall count toward the off-street parking requirement.

H. Building Materials: The following building material requirements shall apply:

1. All street facing facades shall have a masonry requirement of not less than 80% of the total street facing exterior wall excluding doors, windows and patios.

I. Landscaping:

1. Materials: Landscape materials such as decomposed granite and synthetic turf may be used as surface material at resident activity /amenity zones within the site.
2. Tree Mitigation: All trees planted on site shall be counted toward protected tree mitigation.
3. A minimum ten (10) foot landscaped street buffer adjacent to the right-of way of any arterial (Type "B" or larger).
4. Each lot/tract shall provide a minimum five (5) foot wide landscape buffer strip around the sides and rear perimeters of the lot/ tract. Within the minimum five (5) foot perimeter buffer, shall be provided a four (4) foot tall screen comprised of hardy, evergreen shrubs, decorative walls with shrubs, or similar landscaping. When the nonresidential district backs up to a residential zoning district the perimeter buffer strip shall be a minimum of ten (10) feet in width, and shall be required to have one (1) large shade tree, in lieu of the four (4) foot high screen described above for every thirty linear (30) feet for overstory screening/buffering for the adjacent residences.

J. Fencing, Walls, and Screening Requirements:

1. A solid brick/masonry screening wall of not less than six (6) feet, and not more than eight (8) feet, in height shall be constructed and maintained by the home builder on the rear lot line of the residential district (Tract 2) that is adjacent to a multi-family district (Tract 1) as shown in Exhibit "E".

K. Signage: Signage shall meet all of the requirements of the Uniform Sign Regulations and attached signs are allowed on buildings, subject to the following provisions:

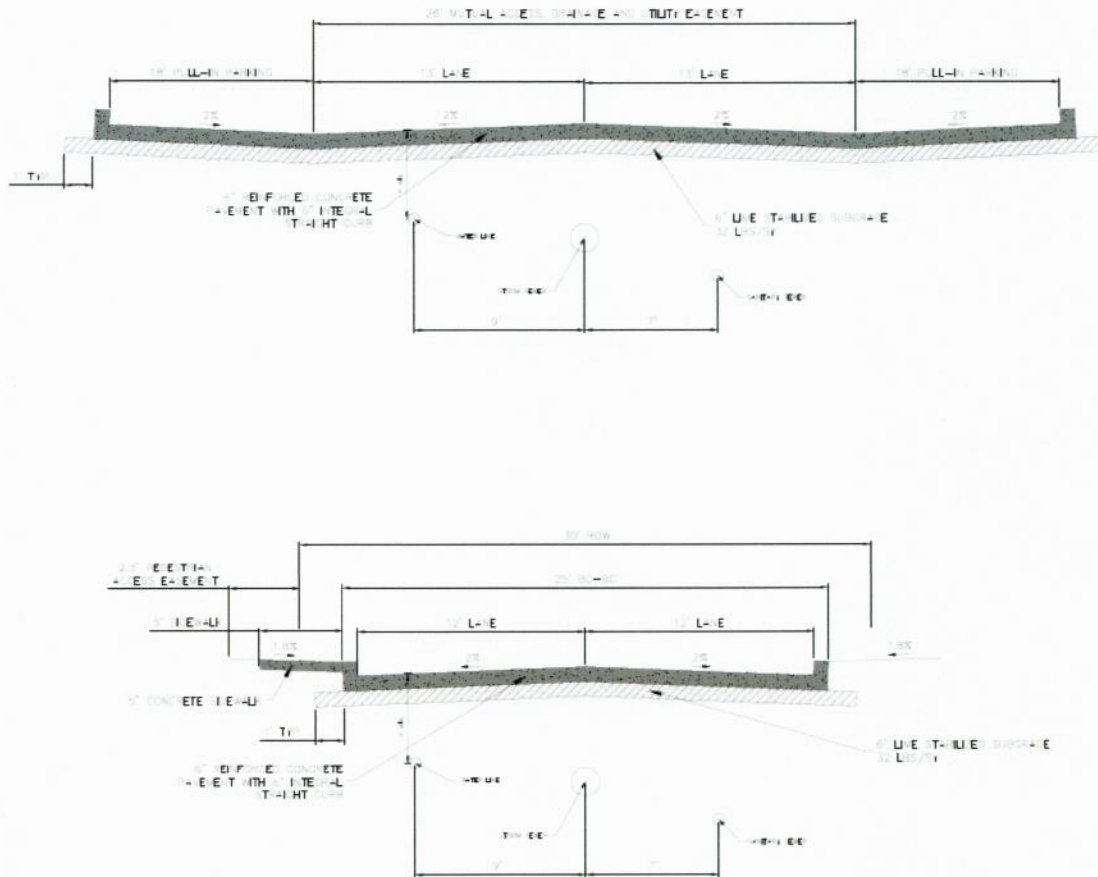
1. All attached signs must be on-premise signs. All businesses shall be permitted to have two (2) attached sign per public street frontage.
2. Maximum Effective Area. Total effective area of attached signs shall not exceed the following: an attached sign or signs shall not exceed or cover more than fifteen percent (15%) of the façade area of a building face or area of the front of the leasable building space.

3. Projected from Building Surface. All attached signs and their words shall be mounted parallel to the building surface to which they are attached, and shall project no more than forty-two (42) inches from the surface.
4. Pre-Leasing Signage. Signage not to exceed 96 square feet in size and a maximum of 20 feet tall shall be allowed on all four corners of the property while the buildings are under construction. Such signs shall be removed after the last Certificate of Occupancy is issued for the last building.

L. Street Design Standards

1. Tract 1 streets shall be designed in compliance with Exhibit "B" street section shown below:

Exhibit "B":



and according to the following.

- a) Streets shall be private and maintained by HOA

- b) Minimum pavement twenty-six (26) feet.
- c) Storm Sewer, Sanitary Sewer, and Waterline infrastructure shall be installed under pavement within the limits of back of curb to back of curb of the Mutual Access, Drainage, and Utility Easement as shown on Exhibit "B".

District Regulations.

The following zoning districts and regulations shall apply to this planned development as depicted on Exhibit "A", Tract 2 (Single Family). Any use not expressly permitted herein is prohibited:

- A. Single Family 7 District
- B. Size of Tract: Tract 2 shall contain approximately 7.49 acres.
- C. Uses Generally: In the development of Tract 2, no land shall be used, and no building or structure shall be installed, erected, or converted to any use other than:
 - 1. Permitted Uses: Single Family, Greenhouse, Home Occupation, Swimming Pool, Temporary Model Home Sales Office, Contractor's Temporary On-Site Construction Office
 - 2. Accessory Uses: Accessory buildings and uses, customarily incident to the above uses and located on the same lot therewith, not involving the conduct of a retail business.
- D. Area and Building Regulations:
 - 1. Minimum Lot Size: Tract 2 shall be developed with minimum lot sizes of:
 - a) 5,000 square feet.
 - 2. Minimum Lot Width: The minimum lot width shall be fifty (50) feet.
 - 3. Minimum Lot Depth: The minimum lot depth shall be one hundred (100) feet.
 - 4. Maximum Building Coverage: The combined foundation area of all main and accessory buildings shall not exceed:
 - a) 70%
 - 5. Maximum Unit Count: The maximum number of units on Tract 2 shall be 41.
 - 6. Minimum Yard:
 - a) Minimum Front Yard: There shall be a front yard having a depth of not less than twenty (20) feet. Corner lots that are adjacent to two streets shall only provide one twenty (20) foot front yard setback from one adjacent street and the other shall be a five (5) foot side yard setback from the other adjacent street. Stoops, steps, retaining

walls, raised planters, and other decorative landscape items may be located within the required front yard setback.

- b) Minimum Side Yard: There shall be a side yard having a depth of five (5) feet.
- c) Depth of Rear Yard: There shall be a rear yard having a depth of not less than five (5) feet.

7. Height:

- a) Main structure limited to 2.5 stories or thirty-five (35) feet in height.
- b) Any accessory buildings limited to 1 story or sixteen (16) feet.
- c) Minimum Floor Area: The minimum square footage of a dwelling unit, exclusive of garages, breezeways, and porches, shall be:
 - i. 1,200 sq ft.

E. Parking and Loading Regulations:

- 1. Each single-family home will have a two-car garage and a two-car driveway.

F. Building Materials: The following building material requirements shall apply:

- 1. All street facing facades shall have a masonry requirement of not less than 80% of the total street facing exterior wall excluding doors, windows and patios. Cementitious fiber board siding is permitted and shall be considered masonry.

G. Fencing, Walls, and Screening Requirements:

- 1. A solid brick/ masonry screening wall of not less than six (6) feet, nor more than eight feet (8'), in height shall be constructed and maintained by the home builder on the rear lot line of the residential district (Tract 2) that backs upon any type of multi-family district (Tract 1) as shown in Exhibit "E".
- 2. Wrought Iron Fencing shall be allowed as shown in Exhibit "E"
- 3. Masonry paneled fencing shall be allowed along N. Walnut Street and Lois St., as shown in Exhibit "E".
- 4. Single-family homes will include a six (6) foot cedar fencing with steel posts on the back and side yards where not adjacent to Tract 1, as shown in Exhibit "E".

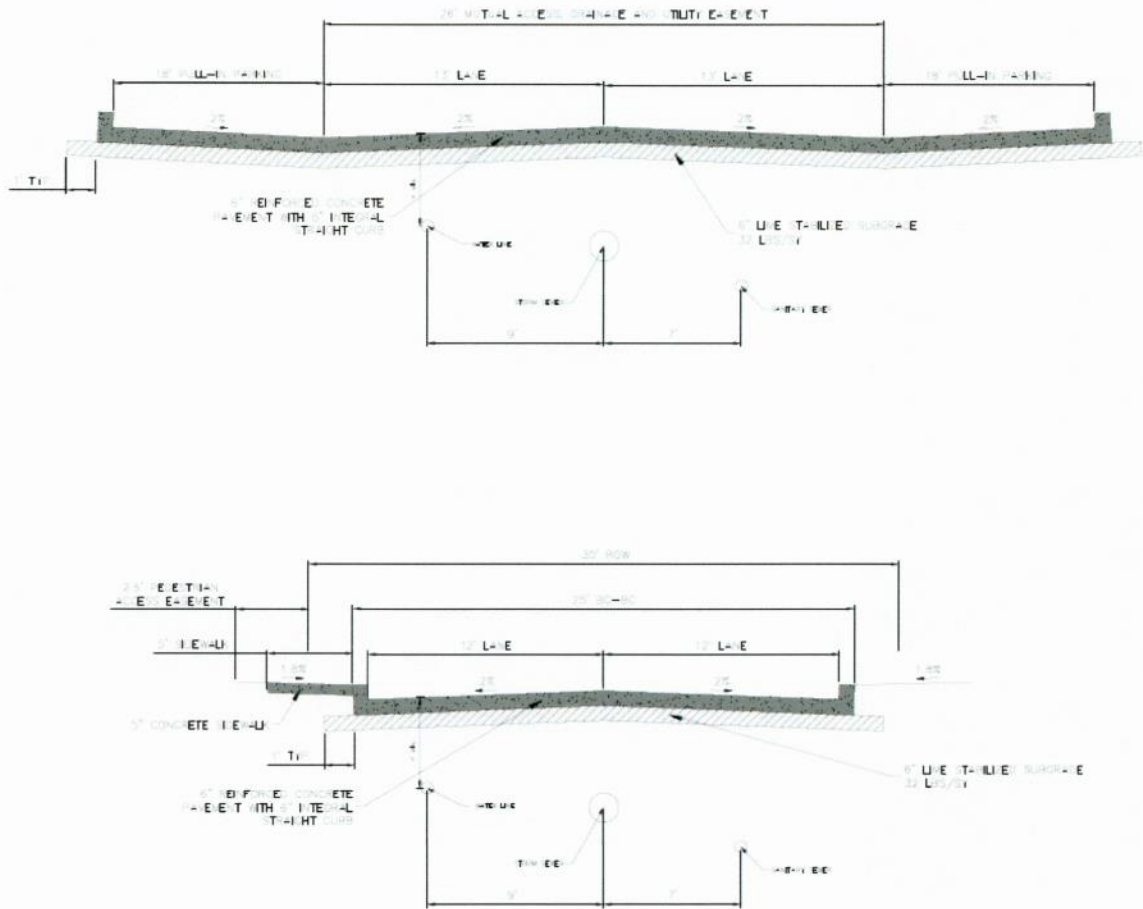
H. Landscaping:

- 1. Materials: Landscape materials such as decomposed granite and synthetic turf may be used as surface material at resident activity /amenity zones within the site.
- 2. Tree Mitigation: All trees planted on site shall be counted toward protected tree mitigation.

I. Street Design Standards

- 2. Residential streets shall be designed in compliance with Exhibit "B" street section shown below:

Exhibit "B":



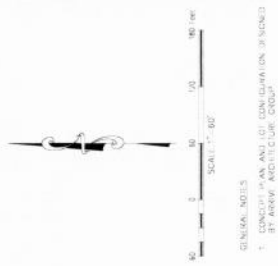
and according to the following.

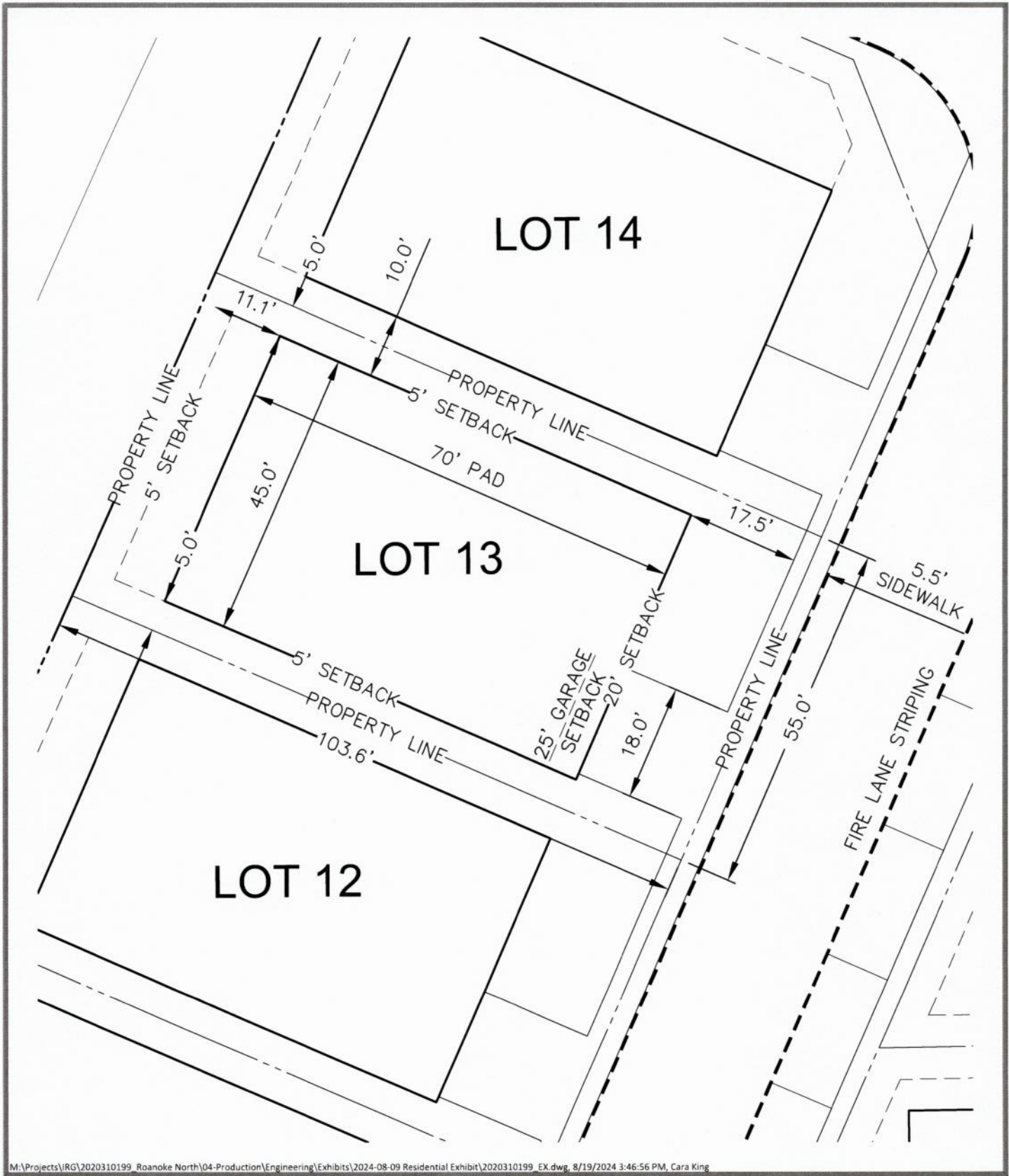
- a) Streets shall be private and maintained by HOA
- b) Minimum R.O.W 30'
- c) Curb and gutter required
- d) Minimum pavement 25' back to back
- e) Storm Sewer, Sanitary Sewer, and Waterline infrastructure shall be installed under pavement within the limits of back of curb to back of curb of the private road and/or fire lane, as shown on Exhibit "B".

3. Sidewalks shall be located along the perimeter lots of Tract 2 and be a minimum of five (5) feet and designed in compliance with Exhibit "B"

J. Phasing Plan

1. Site work, including mass grading and utilities, for the entire site shall commence first.
2. Single-family lot development and construction of the senior housing tract can occur simultaneously.

ROANOKE NORTH



M:\Projects\RG\2020310199_Roanoke North\04-Production\Engineering\Exhibits\2024-08-09 Residential Exhibit\2020310199_EX.dwg, 8/19/2024 3:46:56 PM, Cara King



The John R. McAdams Company, Inc.
4400 State Highway 121, Suite 800
Lewisville, Texas 75056

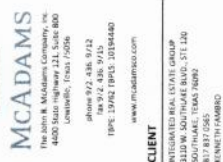
phone 972. 436. 9712
fax 972. 436. 9715
TBPE: 19762 TBPLS: 10194440

www.mcadamsco.com

ROANOKE NORTH RESIDENTIAL LOT EXHIBIT SW CORNER OAK ST & WALNUT ST ROANOKE, TEXAS, 76262

PLAN INFORMATION

PROJECT NO.	2020310199
FILENAME	2020310199_EX
CHECKED BY	JLL
DRAWN BY	CMK
SCALE	1"=20'
DATE	08.19.2024



ROANOKE NORTH
TYPICAL SECTIONS
SW CORNER OAK ST & WALNUT ST
ROANOKE, TEXAS, 76262



REVISIONS

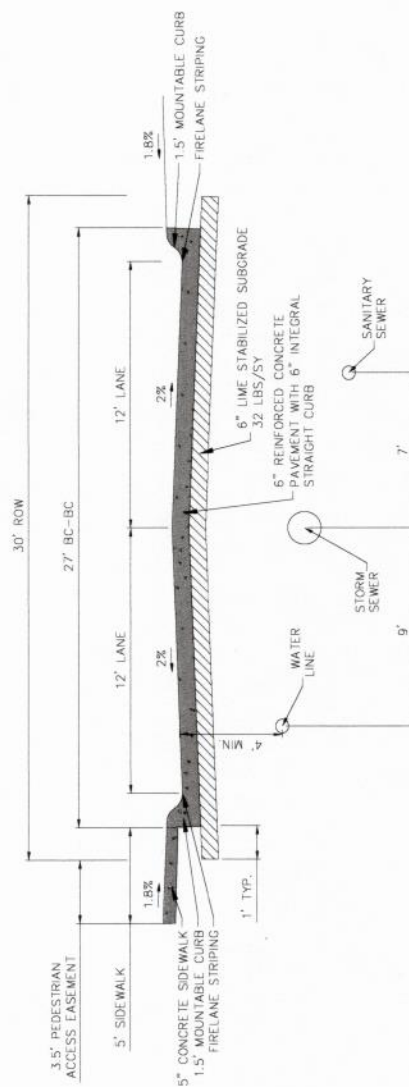
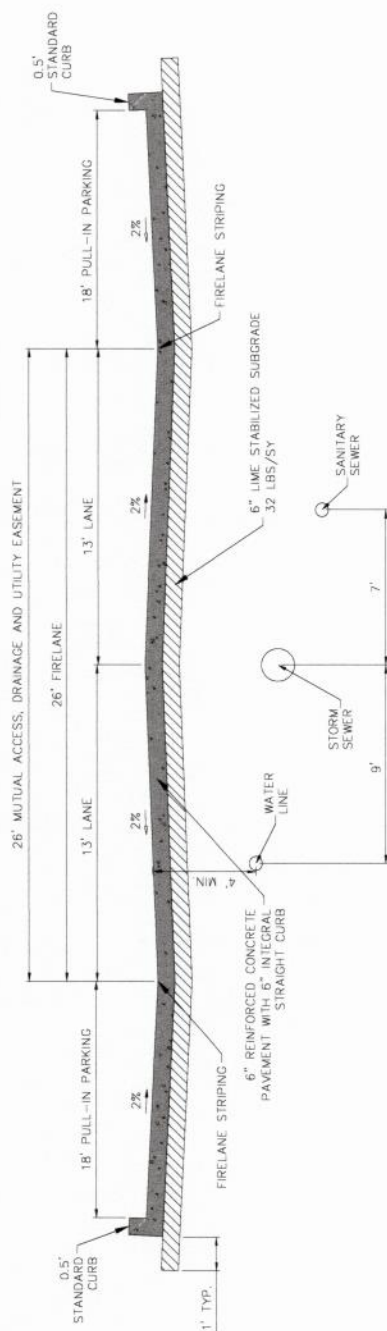
Year	2011	2012
...	...	...

PLAN INFORMATION

PROJECT NO.	2020110199
SURVEILLANCE	2020110199
FILE NAME	2020110199
CHECKED BY	JL
DRAWN BY	CMR
SCALE	N.T.S.
DATE	2024.08.19
SHEET	

TYPICAL SECTIONS

EX



2025 RELEASE UNDER E.O. 14176



MCADAMS
The John R. McAdams Company, Inc.
1800 Main Highway 121, Suite 800
Lawrenceville, Texas 76044
Phone 972.436.9712
Fax 972.436.9713
Email info@mcadams.com
www.mcadams.com

CLIENT

INTEGRATED REAL ESTATE GROUP
3110 W. SOUTHLAKE BLVD., STE 120
FARMERSVILLE, TEXAS 76042
817.831.2650
KENNETH GARNING

**ROANOKE NORTH
RESIDENTIAL EXHIBIT
ROANOKE, TEXAS, 76262**



REVISIONS

NO. DATE DESCRIPTION

PLAN INFORMATION

PROJECT NO. 2023010209
FILE NAME 2023010209 1E.DWG
CHECKED BY JAL
DRAWN BY CMK
SCALE 40' SCALE
DATE 2024.08.29

SHEET

RESIDENTIAL EXHIBIT

EX



PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION



CITY COUNCIL AGENDA ITEM

TO: City Council

SUBJECT: Site Plan (SP-2025-04) 307 S Oak Street

MEETING DATE: August 12, 2025

DEPARTMENT: Planning

ITEM SUMMARY:

Consideration and action on a Site Plan (SP-2025-04) request from Triangle Engineering LLC for a commercial building with a restaurant on the first floor and offices above to be located on an approximate 0.4280 acres of land, being a part of the Original Town of Roanoke, Block 1 Lot 2, City of Roanoke Texas, Denton County Texas. The property is generally located at 307 S Oak Street.

INFORMATION:

The application, as revised and presented to the commission, has met all development code requirements. The proposed use fits well into the fabric of the Oak Street Corridor.

PLANNING ANALYSIS:

Screening: No screening is required between commercial uses along Oak Street.

Landscape: Landscaping is provided along Hwy 377 and streetscaping is proposed along Oak Street.

Tree Preservation: The site would not be buildable without the removal of trees present on the site. All trees on-site are proposed to be removed.

Drainage: A drainage plan will be accepted by the engineering consultant prior to construction.

Utilities: A utility plan will be accepted by the engineering consultant prior to construction.

STAFF RECOMMENDATION:

As the applicant has met all applicable regulations, staff recommends approval of the site plan and attached elevations.

SPECIAL CONSIDERATION:

At their August 4 meeting, the Planning and Zoning Commission unanimously voted to recommend approval of this item.



CITY COUNCIL AGENDA ITEM

FINANCIAL CONSIDERATION:

ATTACHMENTS:

1. Application
2. Site Plan
3. Building Elevations
4. Shared Parking Agreement
5. Tree Survey



CITY OF ROANOKE
500 S. OAK STREET
ROANOKE, TEXAS 76262
(817) 491-2411

SITE PLAN APPLICATION

FEE OF \$400.00 IS DUE WITH SUBMITTAL

Name of Applicant Vikram Jangam	Address of Applicant 545 S Kimball ave, suite 100, Southlake, TX 76092	Phone Number and Email 917-250-5147
Legal Interest		
Owner Lynba Holdings LLC	Address 545 S Kimball ave, suite 100, Southlake, TX 76092	Phone Number& Email 917-250-5147
Firm preparing Site Plan Package TRIANGLE ENGINEERING LLC	Address 1782 W. MCDERMOTT DR.	Phone Number 469-331-8566
		Email areddy@triangle-engr.coi
Location of Property 305 S Roanoke, TX	Name of Addition/Subdivision OTD ROANOKE	Lot / Block 2/1
		Present Zoning OAK STREET CORRIDO

Proposed Site Plan Contains:

LAND USE	NUMBER OF LOTS	ACRES FOR USE
Single Family		
Multi-Family		
Planned Development		
Office	1	0.428
Retail		
Commercial	1	0.428
Industrial		
Flood Plain		

A copy of the final plat including public right-of-way crossing and adjacent property to the subject property shall be included.

If the property is subject to a Plan Development a statement showing that the proposed use conforms to the Plan Development.

An electronic copy (pdf) Site Plan fee is \$400.00. Fees are subject to change as amended by Ordinance.

Applicants Signature

05/29/2025

Date

FOR OFFICE USE ONLY

Site Plan Fee	P&Z Meeting	CC Meeting	File for Record
\$400	8/4/2025	8/16/2025	SP- 2025 - 04

07/20/2023

City of Roanoke Site Plan Checklist



Submission Requirements

- ☐ Completed Application Form/Filing Fee
- ☐ Transmittal Letter
- ☐ Electronic Copy (PDF)

Print Requirements

- ☐ Staff Review
One (1) electronic copy for staff discussion. (Plans shall be received thirty (30) days prior to P&Z meeting.)
- ☐ Planning & Zoning Commission
One (1) electronic copy (Plans shall be received thirty (30) days prior to P&Z meeting.)

Meetings are held on the 1st and 3rd Monday at 7:00 p.m. of each month. All information must be received one week prior to the meeting date.

- ☐ City Council
One (1) electronic copy (PDF) of the complete site package with revisions recommended by the Planning & Zoning Commission.

Meetings are held on the 2nd and 4th Tuesday at 7:00 p.m. of each month. All information must be received one week prior to the meeting date. These prints should contain any revisions made by staff or Planning & Zoning Commission.

Site Plan

- ☐ Title block, titled Site Plan, lower right corner including subdivision name, block & lot numbers, and date of preparation.
- ☐ Names, addresses, phone numbers and emails of the owner, applicant and engineer or architect.
- ☐ North arrow and scale.
- ☐ Site Data Table / Scale 1" = 50'
 - Existing Zoning
 - Proposed Use
 - Square footage of each proposed use
 - Building area (gross sq. ft.)
 - Building height
 - Required & Provided parking per each use
 - Proposed lot coverage

Site Plan Continued

- ☒ Property boundaries with dimensions.
- ☒ Zoning districts adjacent to the property.
- ☒ Adjoining streets including existing and proposed median openings, curbs, sidewalks, street intersections, driveways, and alleys within 300 hundred feet of the property.
- ☒ Indicate spacing between driveways within the subject property and adjacent properties.
- ☒ Parking layout and driveways, including loading areas, dedicated fire lanes if required, access easements, and parking space dimensions.
- ☒ All existing and proposed drainage and utility easements.
- ☒ Topography with contour intervals of two (2) feet in 100 feet and minimum finished floor elevations, both referenced to mean sea level datum.
- ☐ Show location of the FEMA 100 year flood plain.
- ☒ Refuse facilities and mechanical equipment, including height, materials, and elevations or proposed screening.
- ☒ Lighting facilities, security lighting, screening, and glare shields.
- ☐ Proposed attached and monuments signs, showing elevations, dimensions, total square footage, materials, colors, font and lighting source. (sign information may be include on separate sheet)
- ☒ Preliminary Engineering. (conceptual utility and drainage)
- ☒ Show all existing and proposed sidewalks.
- ☐ Show Fire hydrant layout.
- ☒ Show existing and proposed Water & Waste Water.
- ☒ Any additional information as needed.

Building Elevations-Color Facade include any attached (wall-mounted) signage

- ☒ North, South, East and West building elevations.
- ☒ Proposed building materials that include manufacturer's specifications.
- ☒ Building height.
- ☒ Percentage of proposed materials.

Landscape Plan

N/A- SITE DOESN'T REQUIRE LANDSCAPING

- ☐ Title block, titled Landscaping Plan, lower right corner including subdivision name, block & lot numbers, and date of preparation.
- ☐ Names, addresses, phone numbers and emails of the owner, applicant and landscaping design proffessional.
- ☐ North arrow and scale. (same scale as site plan)
- ☐ Property boundaries with dimensions.

Landscape Plan Cont.

☐ Landscape Data Table showing required and provided square footage for each category as follows:

	Required	Provided
Perimeter Landscape	_____	_____
Number of Trees	_____	_____
Interior Landscape	_____	_____
Number of Trees	_____	_____
Non-vehicular Landscape	_____	_____
Number of Trees	_____	_____

Total Site Area devoted to landscape: _____ %

- ☐ Plant Table listing the number of each of tree and shrub species, providing scientific and common name and including caliper inches.
- ☐ A Plant Legend, if symbols or abbreviations are used.
- ☐ Show all areas of landscaped areas and plant materials on plan designated to fulfill interior, perimeter, and non-vehicular landscape requirements.
- ☐ Show location of trees to be preserved.
- ☐ Show spacing of plant material to be used.
- ☐ Show description of maintenance provisions for the Landscape Plan.
- ☐ Show proposed and existing sidewalks and utility easements.
- ☐ Show irrigation system if applicable.
- ☐ Show rain and freeze protection.

SITE PLAN APPROVAL CONDITIONS FOR RETAIL & OFFICE PROJECTS OUTSIDE INDUSTRIAL AREAS

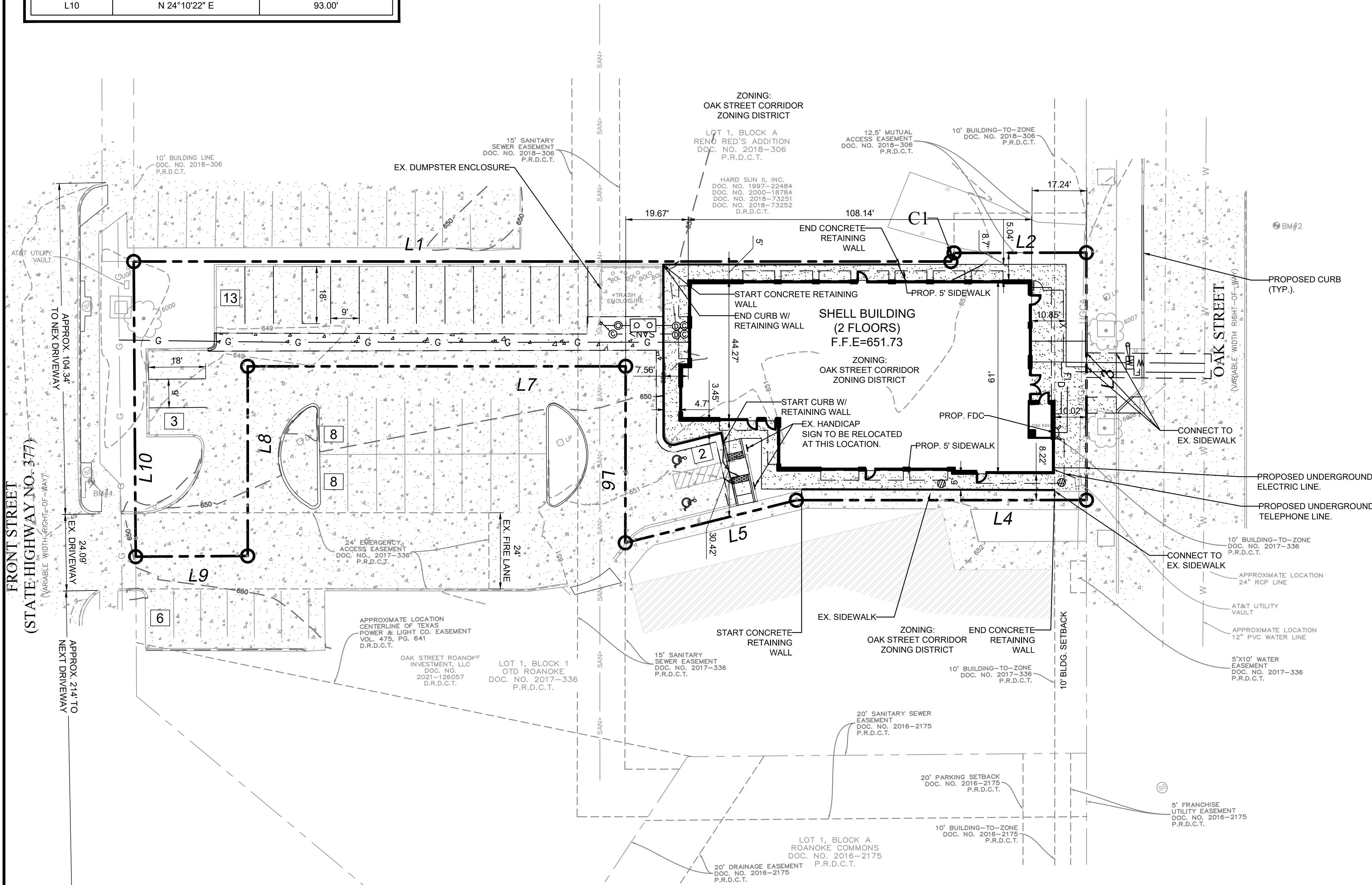
These conditions and other considerations outlined in the CIVIC report should be considered in the design of a site plan.

- ☒ Utility meters shall not be visible except in areas clearly intended as service areas where the public is generally excluded.
- ☒ All mechanical equipment including units located on rooftops shall be screened.

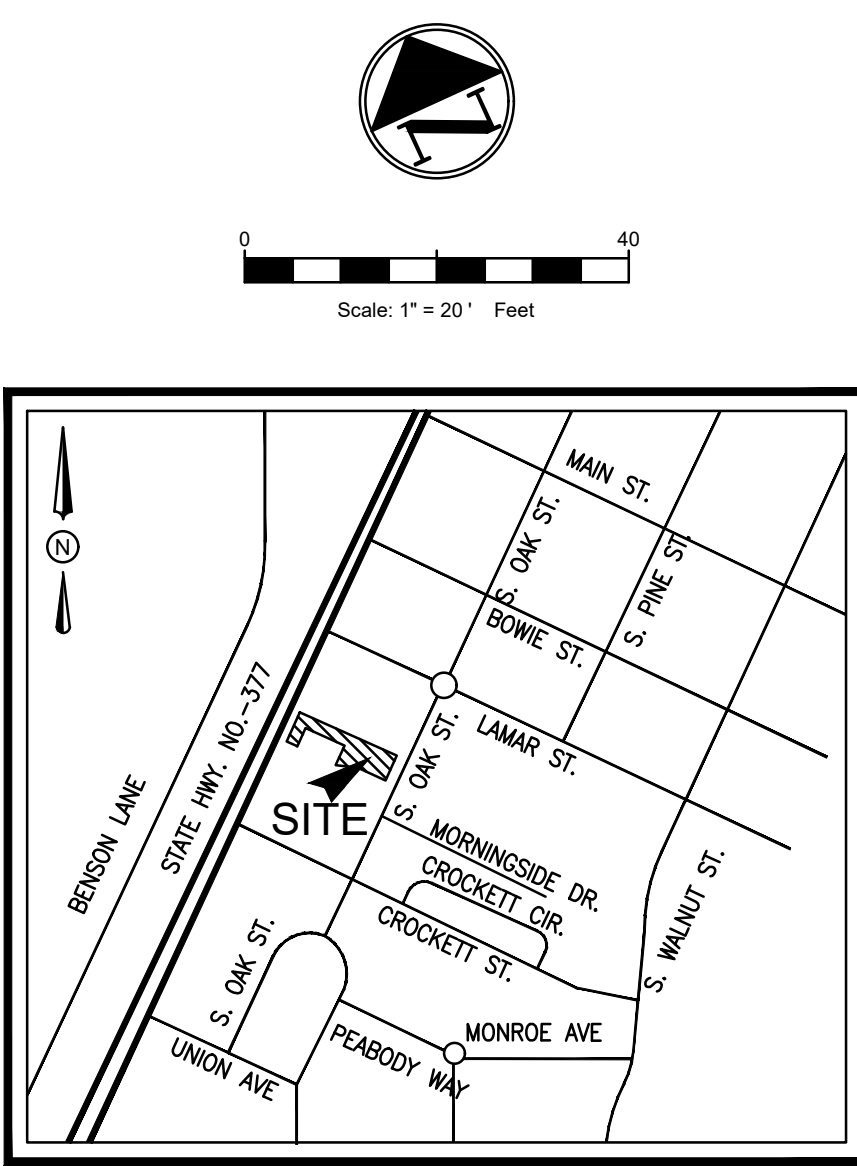
This checklist is provided as a supplement only. It is the applicant's responsibility to review and comply with the requirements of the Zoning Ordinance, Subdivision regulations and Construction specifications. Concept plans for Zoning Changes or Specific Use Permits require all items on the checklist (only civils may be excluded).

BOUNDARY LINE DATA		
LINE NO.	BEARING	DISTANCE
L1	S 63°26'36" E	257.35'
L2	S 65°33'11" E	41.65'
L3	S 24°32'06" W	77.97'
L4	N 65°27'54" W	91.34'
L5	N 79°26'36" W	55.53'
L6	N 24°40'01" E	55.63'
L7	N 65°26'36" W	119.02'
L8	S 24°33'24" W	59.76'
L9	N 65°49'38" W	35.28'
L10	N 24°10'22" E	93.00'

BOUNDARY CURVE DATA					
CURVE NO.	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD DISTANCE
C1	686.30'	2.90'	0°14'32"	N 44°43'13" E	2.90'



EXISTING LEGEND		
● 1/2" IR FOUND	○ 1/2" IR SET	○ 5/8" IR FOUND
○ 3/8" IR FOUND	○ 60-D NAIL FOUND	● PK NAIL SET
● 1/2" IP FOUND	● X-FOUND	● X-SET
● 1" IR FOUND	● 1" IP FOUND	○ POINT FOR CORNER
■ CON. MONUMENT	■ 3/4" IP FOUND	■ TELE. BOX
■ CABLE BOX	■ ELECTRIC BOX	■ BRICK COLUMN
■ STONE COLUMN	■ STORM DRAIN MH.	■ SAN. SEW. CO.
■ BOLLARD POST	■ LIGHT POLE	■ SAN. SEW. MH.
○ IRRIGATION VALVE	○ WATER VALVE	○ FIRE HYDRANT
○ IR. VALVE	○ UTILITY POLE	○ WATER METER
○ GAS METER	○ A.C. PAD	○ TRANS. BOX
○ GAS MARKER	○ OVERHEAD UTILITY LINE	○ GUY WIRE ANCHOR
○ BARBED WIRE FENCE	○ IRON FENCE	○ CHAINLINK FENCE
○ WOOD FENCE	○ PIPE RAIL FENCE	○ COVERED AREA
○ ASPHALT	○ FIRE LANE STRIPE	○ BRICK RET. WALL
○ STONE RET. WALL	○ CON. RET. WALL	○ NO PARKING
○ CONCRETE	○ GRAVEL	○ BRICK
○ STONE	○ WOOD DECK	○ BUILDING WALL
○ TILE	○ BUILDING LINE	○ EASEMENT
○ BOUNDARY	○ HIGHBANK LINE	○ PARKING STRIPE
○ HANDICAP SPACE		



SITE DATA SUMMARY TABLE	
SITE ACREAGE:	0.428 ACRES (18,622 S.F.)
ZONING:	OAK STREET CORRIDOR
PROPOSED USE:	RESTAURANT/OFFICE
BUILDING FOOT PRINT AREA:	6284 S.F.
NUMBER OF STORIES:	2
BUILDING HEIGHT:	45'-0"
BUILDING COVERAGE:	68.6%
FLOOR AREA RATIO:	0.686
TOTAL BUILDING AREA:	12,791 SF
IMPERVIOUS AREA:	16,753 S.F. (90.0%)
PERVIOUS/LANDSCAPE AREA:	1,869 S.F. (10.0%)
REGULAR PARKING REQUIRED:	28 SPACES
1 SP PER 350 S.F.	
REGULAR PARKING PROVIDED(ON-SITE):	16 SPACES
HANDICAP PARKING REQUIRED:	02 SPACES (1 VAN ACCESSIBLE)
HANDICAP PARKING PROVIDED (ON-SITE):	02 SPACES (1 VAN ACCESSIBLE)
TOTAL PARKING PROVIDED:	18 SPACES
TOTAL RESTAURANT USE (SF)	4914 S.F.
TOTAL OFFICE USE (SF)	4606 S.F.

SITE LEGEND	
CONCRETE CURB	---
SAW-CUT LINE	---
FENCE	X X
FIRE LANE	---
STRIPING	---
PARKING SPACES	X
MONUMENT/PYLON SIGN	---
WHEEL STOPS	---
HANDICAP LOGO	---
HANDICAP SIGN	---
RAMP	---
BOLLARD	---
TRAFFIC ARROW	---
FIRE HYDRANT	---
SANITARY SEWER MANHOLE	---
SANITARY SEWER CLEANOUT	---
SANITARY SEWER DOUBLE CLEANOUT	---
SANITARY SEWER SAMPLE PORT	---
GREASE TRAP	---
DOMESTIC WATER METER	---
IRRIGATION METER	---
GAS METER	---
TRANSFORMER	---
LIGHT POLE	---
POWER POLE	---
UNDERGROUND TELEPHONE LINE	---
UNDERGROUND ELECTRIC LINE	---
GAS LINE	---
SANITARY SEWER LINE	---
WATER MAIN	---
DOMESTIC WATER LINE	---
PROPOSED SIDEWALK CONCRETE	---
PROPOSED CONCRETE PAVEMENT	---

- SITE GENERAL NOTES**
- ALL CONSTRUCTION SHALL BE IN STRICT ACCORDANCE WITH THE CITY OR LOCAL JURISDICTION STANDARDS.
 - THE LOCATION OF UNDERGROUND UTILITIES INDICATED ON THE PLANS IS TAKEN FROM AS-BUILTS, UTILITY PLANS OR SURVEY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO MAKE ARRANGEMENTS WITH THE OWNERS OF SUCH UNDERGROUND UTILITIES PRIOR TO WORKING IN THE AREA TO CONFIRM THEIR EXACT LOCATION AND TO DETERMINE WHETHER ANY ADDITIONAL UTILITIES OTHER THAN THOSE SHOWN ON THE PLANS MAY BE PRESENT. THE CONTRACTOR SHALL PRESERVE AND PROTECT ALL UNDERGROUND UTILITIES. IF EXISTING UNDERGROUND UTILITIES ARE DAMAGED, THE CONTRACTOR WILL BE RESPONSIBLE FOR THE COST OF REPAIRING THE UTILITY.
 - WHERE EXISTING UTILITIES OR SERVICE LINES ARE CUT, BROKEN OR DAMAGED, THE CONTRACTOR SHALL REPLACE OR REPAIR THE UTILITIES OR SERVICE LINES WITH THE SAME TYPE OF ORIGINAL MATERIAL AND CONSTRUCTION, OR BETTER, UNLESS OTHERWISE SHOWN OR NOTED ON THE PLANS, AT HIS OWN COST AND EXPENSE. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER AT ONCE OF ANY CONFLICTS WITH UTILITIES.
 - ALL EXCAVATIONS, TRENCHING AND SHORING OPERATIONS SHALL COMPLY WITH THE REQUIREMENTS OF THE U. S. DEPARTMENT OF LABOR, OSHA, CONSTRUCTION SAFETY AND HEALTH REGULATIONS AND ANY AMENDMENTS THERETO.
 - THE CONTRACTOR SHALL RESTORE ALL AREAS DISTURBED BY CONSTRUCTION TO ORIGINAL CONDITION OR BETTER. RESTORED AREAS INCLUDE, BUT ARE NOT LIMITED TO TRENCH BACKFILL, SIDE SLOPES, FENCES, DRAINAGE DITCHES, DRIVEWAYS, PRIVATE YARDS AND ROADWAYS.
 - ANY CHANGES NEEDED AFTER CONSTRUCTION PLANS HAVE BEEN RELEASED, SHALL BE APPROVED BY THE CITY ENGINEER. THESE CHANGES MUST BE RECEIVED IN WRITING.
 - THE CONTRACTOR SHALL PROVIDE "RED LINED" MARKED PRINTS TO THE ENGINEER PRIOR TO FINAL INSPECTION INDICATING ALL CONSTRUCTION WHICH DEVIATED FROM THE PLANS OR WAS CONSTRUCTED IN ADDITION TO THAT INDICATED ON THE PLANS.
 - ALL CURB RADIUS TO BE 10' OR 2' UNLESS OTHERWISE NOTED ON THE SITE PLAN.

PROJECT CONTACT LIST	
ENGINEER TRIANGLE ENGINEERING LLC 1782 McDERMOTT DR. ALLEN, TX. 75013 AKHILA REDDY 469-331-8566	OWNER/DEVELOPER LYNBA HOLDINGS LLC 545 S. KIMBALL AVE, SUITE 100 SOUTH LAKE, TX. 76092 VIKRAM JANGAM 917-250-5147
SURVEYOR TRAVERSE LAND SURVEYING LLC 359 LAKE PARK ROAD, SUITE 102 LEWISVILLE, TX. 75057 GRAYSON CEBALLOS 469-784-9321	ARCHITECT RASHMI C INC. 4117 OLD PLEASANT RIDGE RD. ARLINGTON, TX. 76016 RASHMI CHANDEL 817-891-7918

SITE PLAN

RESTAURANT

307 S. OAK STREET

CITY OF ROANOKE

DENTON COUNTY, TEXAS 76262

OTD ROANOKE, LOT 2, BLOCK 1

TRIANGLE ENGINEERING LLC

T: 469.331.8566 | F: 469.213.7145 | E: info@triangle-engr.com
W: triangle-engr.com | O: 1784 McDermott Drive, Suite 110, Allen, TX 75013

Planning | Civil Engineering | Construction Management

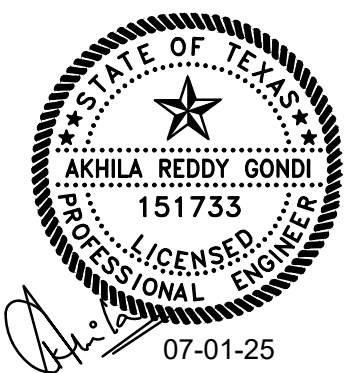
P.E.	DES.	DATE	SCALE	PROJECT NO.	SHEET NO.
AR	IA	05-13-25	SCALE BAR	011-25	C-3.0

TX. P.E. FIRM #11525

FLOOD PLAIN NOTE			
NO PORTION OF THE SUBJECT PROPERTY SHOWN HEREON LIES WITHIN THE 100 YR FLOOD HAZARD AREA ACCORDING TO THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 48121C0685G, DATED APRIL 18, 2011. THE SUBJECT PROPERTY IS LOCATED IN THE AREA DESIGNATED AS ZONE "X". (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN).			

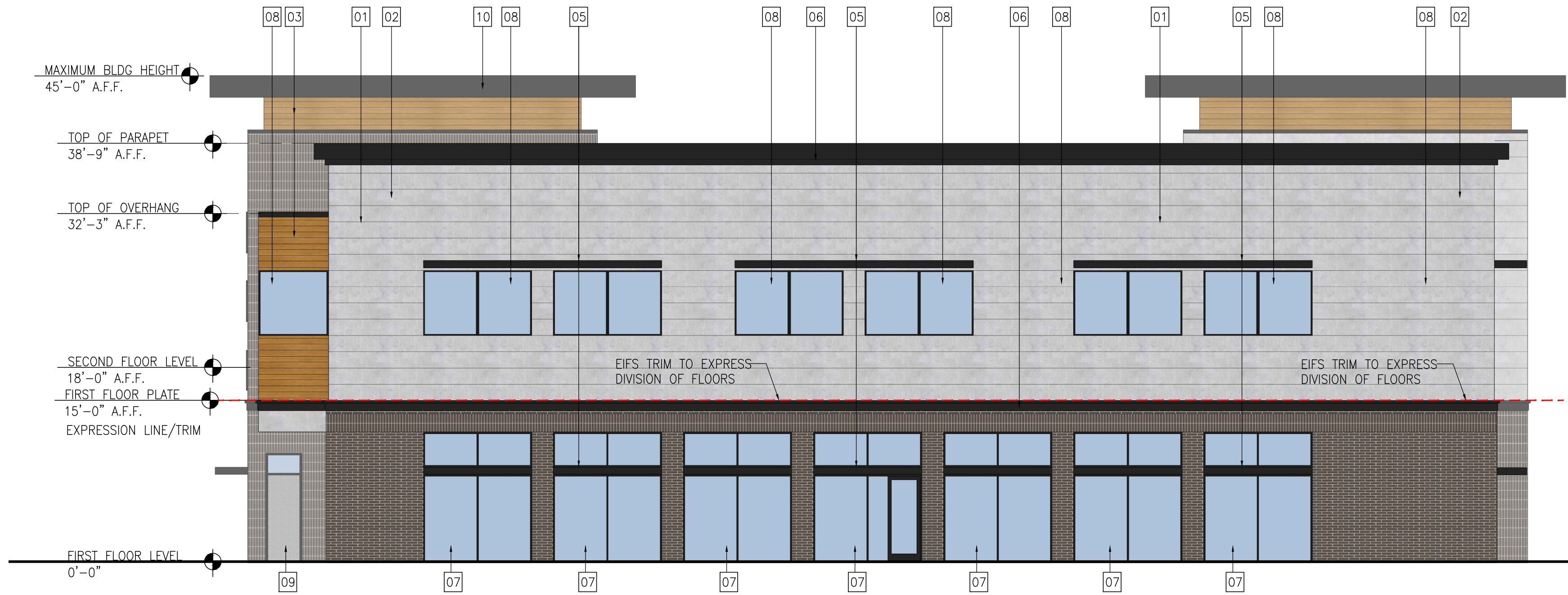
WATER METER & SANITARY SEWER SCHEDULE			
ID	TYPE	SIZE	NO.
D	DOMESTIC	2"	1
	SANITARY SEWER	6"	

NO.	DATE	DESCRIPTION	BY
1	05-30-25	1st SP SUBMITTAL	IA
2	07-01-25	2nd SP SUBMITTAL	IA
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1 EAST ELEVATION
SCALE: 1/8"=1'-0"



2 NORTH ELEVATION
SCALE: 1/8"=1'-0"

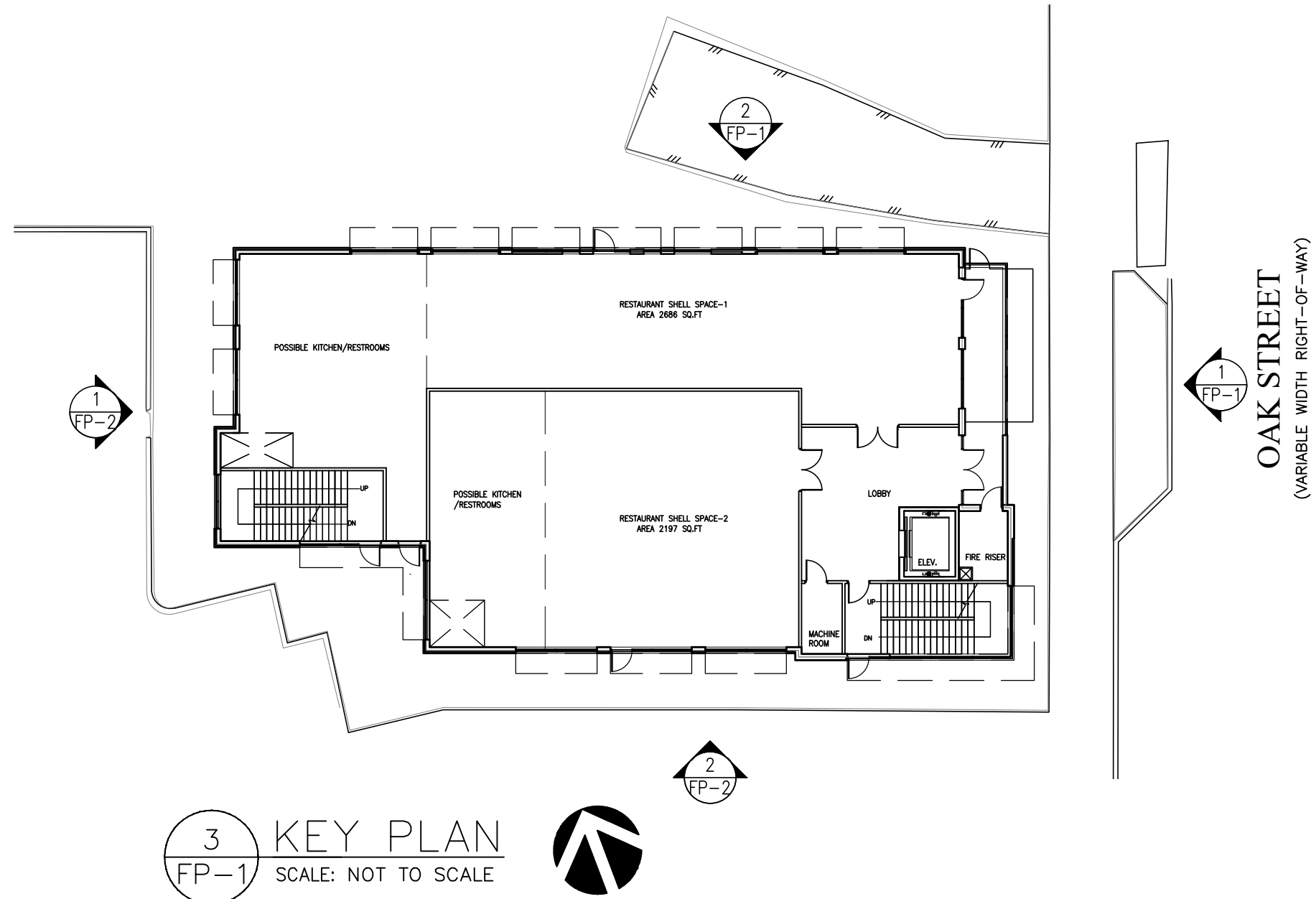
ELEVATION MATERIAL KEY	
01	BRICK VENEER- KING SIZE- BY ACME BRICK COLOR: WESTCHESTER/ TEXTURE:VELOUR
02	CEMENTITIOUS FIBER CLAP BOARD-BY NICHHA COLOR: INDUSTRIAL BLOCK- GREY
03	CEMENTITIOUS FIBER CLAP BOARD-BY NICHHA COLOR: VINTAGEWOOD - POPLAR
05	CANTILEVER ALUMINUM AWNING COLOR EQUAL TO MBCI CHARCOAL GRAY
06	STUCCO OVER EIFS FORM TRIM COLOR EQUAL TO MBCI CHARCOAL GRAY
07	ANODIZED ALUMINUM STOREFRONT SYSTEM WITH 1" INSULATED CLEAR GLASS COLOR: EQUAL TO KAWNEER#29 BLACK
08	ANODIZED ALUMINUM WINDOW SYSTEM WITH 1" INSULATED CLEAR GLASS COLOR: EQUAL TO KAWNEER#29 BLACK
09	INSULATED HOLLOW METAL DOOR FINISH: PAINT COLOR EQUAL TO INDUSTRIAL GREY
10	STUCCO OVER SOFFIT & FASCIA COLOR EQUAL TO MBCI CHARCOAL GRAY
11	PRE-FINISHED METAL COPING COLOR EQUAL TO MBCI CHARCOAL GRAY
12	DECORATIVE WALL SCENCE- REF.ELECTRICAL DRAWINGS
13	EXTERIOR WALL PACK ABOVE DOORS (TYPICAL)
14	ROOF LINE BEYOND (SHOWN DASHED)
15	FUTURE ROOF TOP UNIT LOCATIONS BEYOND
16	BUILDING/STREET NUMBER SIGNAGE
CITY OF ROANOKE STANDARD NOTES	
1. ALL SIGNAGE (SHOWN AS DASHED BOX ON FRONT AND SIDE ELEVATIONS) IS SUBJECT TO BUILDING INSPECTION DEPARTMENT APPROVAL, SEC 22.100.4A	
2. MECHANICAL UNITS SHALL BE SCREENED IN ACCORDANCE WITH ZONING ORDINANCE.	
3. UTILITY BOXES AND CONDUIT SHALL BE PAINTED TO MATCH BUILDING COLOR.	

NOTE: CONTRACTOR SHALL OBTAIN CITY APPROVED COLORED FACADE PLANS FOR REFERENCE OF VARIOUS MATERIALS & COLORS DURING CONSTRUCTION FROM ARCHITECT.

MANUFACTURER'S SPECIFICATION	
01	BRICK VENEER- KING SIZE- BY ACME BRICK COLOR: WESTCHESTER/ TEXTURE:VELOUR
Manufacturer: Acme Brick Plant Location: Denton Plant	
Dimensions 9 5/8" L x 2 5/8" H x 2 3/4"	
ASTM Grade SW	
ASTM Spec C216	
ASTM Type FB5	
Brick Size King	
Brick Texture Velour	
Standard List Commercial	
Layup 6.75	
Return 0	
Grade Rating A	
02	CEMENTITIOUS FIBER CLAP BOARD-BY NICHHA COLOR: INDUSTRIAL BLOCK- GREY
Dimensions (in.) 17 7/8 H x 119 5/16 L	
Dimensions (actual mm) 455 H x 3030 L	
Thickness (in.) 5/8	
Thickness (actual mm) 16	
Weight (lbs. per panel) 57.3	
Weight (lbs. per sq. ft.) 3.8	
Exposed Coverage (sq. ft. per panel) 14.81	
Packaging (pieces per pack) 2 [29.62 SQ. FT]	
Panel Orientation Horizontal or Vertical	
03	CEMENTITIOUS FIBER CLAP BOARD-BY NICHHA COLOR: VINTAGEWOOD - POPLAR
Dimensions (in.) 17 7/8 H x 119 5/16 L	
Dimensions (actual mm) 455 H x 3030 L	
Thickness (in.) 5/8	
Thickness (actual mm) 16	
Weight (lbs. per panel) 57.3	
Weight (lbs. per sq. ft.) 3.8	
Exposed Coverage (sq. ft. per panel) 14.81	
Packaging (pieces per pack) 2 [29.62 SQ. FT]	
Panel Orientation Horizontal or Vertical	

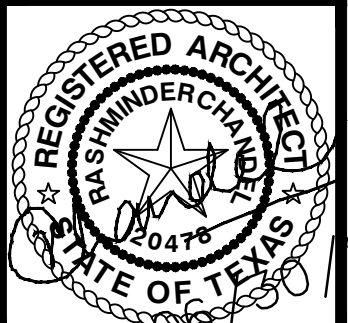
EAST ELEVATION: (STREET FACING)	
TOTAL FACADE AREA	= 2,506 SF
GLASS/DOOR AREA	= 822 SF
NET FACADE AREA	= 1,684 SF
FIRST FLOOR:	
TOTAL FACADE AREA	= 914 SF
GLASS/DOOR AREA	= 470 SF (51%)
SECOND FLOOR	
TOTAL FACADE AREA	= 914 SF
GLASS/DOOR AREA	= 352 SF (38%)
MATERIALS:	
BRICK AREA	= 571 SF (34%)
CEMENTIOUS FIBRE BD	= 349 SF (21%)
INDUSTRIAL BLOCK-GREY	= 627 SF (37%)
CEMENTIOUS FIBRE BD	= 627 SF (37%)
VINTAGEWOOD-POPLAR	= 137 SF (08%)
STUCCO OVER EIFS AREA	= 137 SF (08%)
PRIMARY MATERIALS	
= 1,547 SF (92%)	
SECONDARY MATERIALS	
= 137 SF (08%)	

NORTH ELEVATION:	
TOTAL FACADE AREA	= 4,669 SF
GLASS/DOOR AREA	= 1,282 SF
NET FACADE AREA	= 3,387 SF
FIRST FLOOR:	
FACADE AREA	= 1615 SF
GLASS/DOOR AREA	= 850 SF (52%)
MATERIALS:	
BRICK AREA	= 932 SF (29%)
CEMENTIOUS FIBRE BD	= 1,981 SF (58%)
INDUSTRIAL BLOCK-GREY	= 176 SF (05%)
CEMENTIOUS FIBRE BD	= 176 SF (05%)
VINTAGEWOOD-POPLAR	= 298 SF (08%)
STUCCO OVER EIFS AREA	= 298 SF (08%)
PRIMARY MATERIALS	
= 3,089 SF (92%)	
SECONDARY MATERIALS	
= 298 SF (08%)	



3 KEY PLAN
SCALE: NOT TO SCALE

EXTERIOR ELEVATION EXHIBIT		
BUSINESS & RESTAURANT DEVELOPMENT		
307 SOUTH OAK STREET ROANOKE TEXAS-76262		
DATE OF PREPARATION :06/26/2025		
OWNER/DEVELOPER	#	REVISION DATE
LynBa Ventures 545 S. Kimball avenue, Suite 100, Southlake, TX 76092	1	06/30/2025
Contact: Vikram Jangam (Vik) Cell#: (917)250-5147 Email: jangam@lynba.com		
rashmi C Inc. ARCHITECTURE. PLANNING. INTERIORS 4117 OLD PLEASANT RIDGE RD. ARLINGTON, TX-76016 CONTACT: RASHMINDER CHANDEL PH. NO. (817) 891-7918 EMAIL: rashmi@rashmic.com		SHEET NO. FP-1





1 WEST ELEVATION
FP-2 SCALE: 1/8"=1'-0"



2 SOUTH ELEVATION
FP-2 SCALE: 1/8"=1'-0"

ELEVATION MATERIAL KEY	
01	BRICK VENEER- KING SIZE- BY ACME BRICK COLOR: WESTCHESTER/ TEXTURE:VELOUR
02	CEMENTITIOUS FIBER CLAP BOARD-BY NICHIIA COLOR: INDUSTRIAL BLOCK- GREY
03	CEMENTITIOUS FIBER CLAP BOARD-BY NICHIIA COLOR: VINTAGEWOOD - POPLAR
05	CANTILEVER ALUMINUM AWNING COLOR EQUAL TO MBCI CHARCOAL GRAY
06	STUCCO OVER EIFS FORM TRIM COLOR EQUAL TO MBCI CHARCOAL GRAY
07	ANODIZED ALUMINUM STOREFRONT SYSTEM WITH 1" INSULATED CLEAR GLASS COLOR: EQUAL TO KAWNEER#29 BLACK
08	ANODIZED ALUMINUM WINDOW SYSTEM WITH 1" INSULATED CLEAR GLASS COLOR: EQUAL TO KAWNEER#29 BLACK
09	INSULATED HOLLOW METAL DOOR FINISH: PAINT COLOR EQUAL TO INDUSTRIAL GREY
10	STUCCO OVER SOFFIT & FASCIA COLOR EQUAL TO MBCI CHARCOAL GRAY
11	PRE-FINISHED METAL COPING COLOR EQUAL TO MBCI CHARCOAL GRAY
12	DECORATIVE WALL SCENCE- REF.ELECTRICAL DRAWINGS
13	EXTERIOR WALL PACK ABOVE DOORS (TYPICAL)
14	ROOF LINE BEYOND (SHOWN DASHED)
15	FUTURE ROOF TOP UNIT LOCATIONS BEYOND
16	BUILDING/STREET NUMBER SIGNAGE

CITY OF ROANOKE STANDARD NOTES

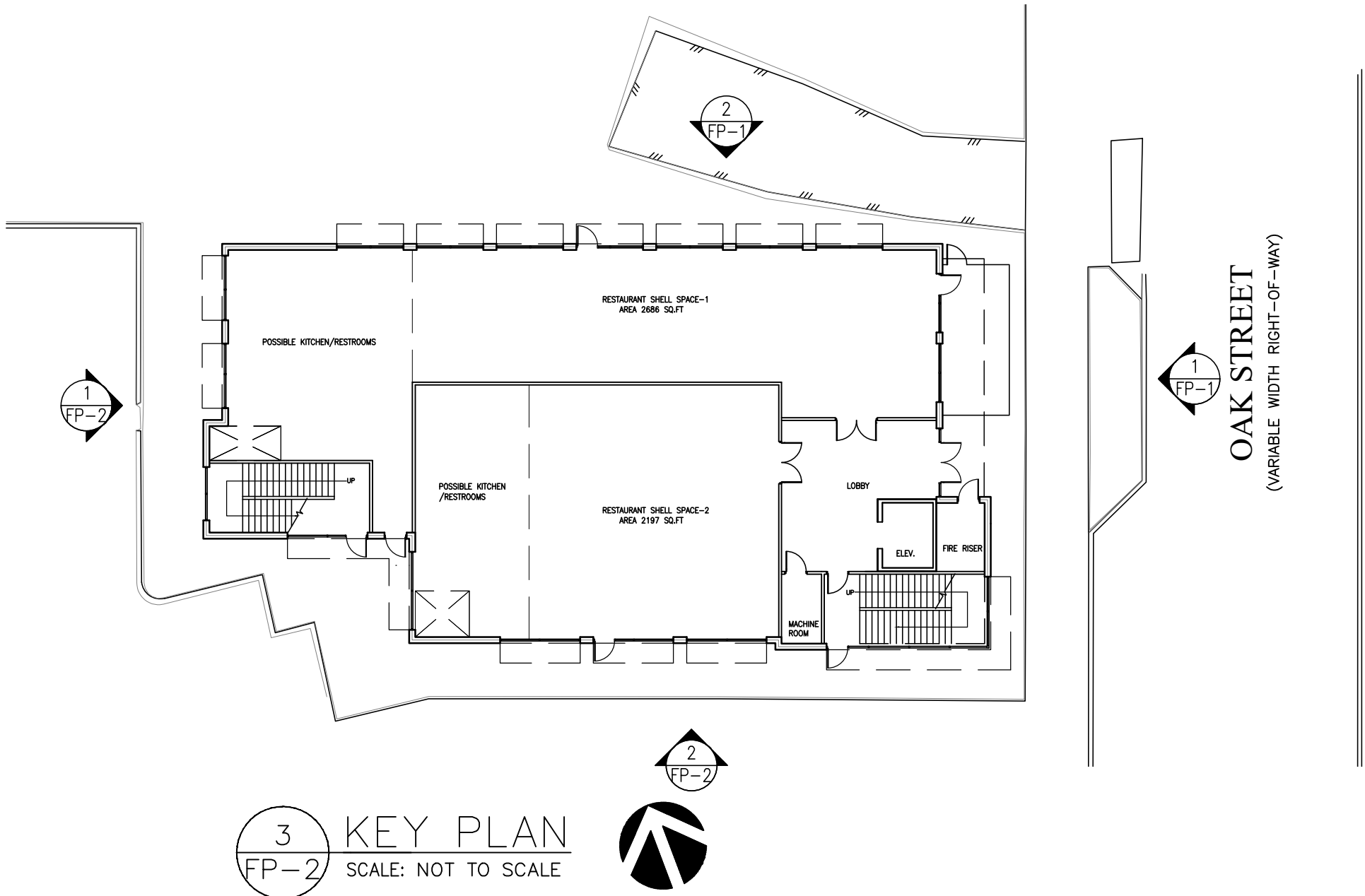
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- MECHANICAL UNITS SHALL BE SCREENED IN ACCORDANCE WITH ZONING ORDINANCE.
- UTILITY BOXES AND CONDUIT SHALL BE PAINTED TO MATCH BUILDING COLOR.

NOTE: CONTRACTOR SHALL OBTAIN CITY APPROVED COLORED FACADE PLANS FOR REFERENCE OF VARIOUS MATERIALS & COLORS DURING CONSTRUCTION FROM ARCHITECT.

MANUFACTURER'S SPECIFICATION	
01	BRICK VENEER- KING SIZE- BY ACME BRICK COLOR: WESTCHESTER/ TEXTURE:VELOUR Manufacturer: Acme Brick Plant Location: Denton Plant Dimensions: 9 5/8"L x 2 5/8"H x 2 3/4" ASTM Grade: SW ASTM Spec: C216 ASTM Type: F85 Brick Size: King Brick Texture: Velour Standard List: Commercial Layup: 6.75 Return: 0 Grade Rating: A
02	CEMENTITIOUS FIBER CLAP BOARD-BY NICHIIA COLOR: INDUSTRIAL BLOCK- GREY Dimensions (in.): 17 7/8 H x 119 5/16 L Dimensions (actual mm): 455 H x 3030 L Thickness (in.): 5/8 Thickness (actual mm): 16 Weight (lbs. per panel): 57.3 Weight (lbs. per sq. ft.): 3.8 Exposed Coverage (sq. ft. per panel): 14.81 Packaging (pieces per pack): 2 [29.62 SQ. FT.] Panel Orientation: Horizontal or Vertical
03	CEMENTITIOUS FIBER CLAP BOARD-BY NICHIIA COLOR: VINTAGEWOOD - POPLAR Dimensions (in.): 17 7/8 H x 119 5/16 L Dimensions (actual mm): 455 H x 3030 L Thickness (in.): 5/8 Thickness (actual mm): 16 Weight (lbs. per panel): 57.3 Weight (lbs. per sq. ft.): 3.8 Exposed Coverage (sq. ft. per panel): 14.81 Packaging (pieces per pack): 2 [29.62 SQ. FT.] Panel Orientation: Horizontal or Vertical

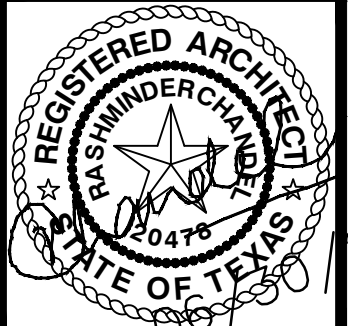
WEST ELEVATION: (STREET FACING)	
TOTAL FACADE AREA	= 2,434 SF
GLASS/DOOR AREA	= 606 SF
NET FACADE AREA	= 1,828 SF
FIRST FLOOR: FACADE AREA	= 890 SF
GLASS/DOOR AREA	= 471 SF (52%)
SECOND FLOOR: FACADE AREA	= 890 SF
GLASS/DOOR AREA	= 135 SF (15%)
MATERIALS: BRICK AREA	= 408 SF (22%)
CEMENTIOUS FIBRE BD	= 1239 SF (69%)
INDUSTRIAL BLOCK-GREY	= 44 SF (02%)
CEMENTIOUS FIBRE BD	= 44 SF (02%)
VINTAGEWOOD-POPLAR	= 137 SF (07%)
STUCCO OVER EIFS AREA	= 137 SF (07%)
PRIMARY MATERIALS	= 1,691 SF (93%)
SECONDARY MATERIALS	= 137 SF (07%)

SOUTH ELEVATION:	
TOTAL FACADE AREA	= 4,985 SF
GLASS/DOOR AREA	= 1,467 SF
NET FACADE AREA	= 3,518 SF
FIRST FLOOR: TOTAL FACADE AREA	= 1773 SF
GLASS/DOOR AREA	= 882 SF (50%)
MATERIALS: BRICK AREA	= 1,214 SF (35%)
CEMENTIOUS FIBRE BD	= 1,867 SF (53%)
INDUSTRIAL BLOCK-GREY	= 171 SF (05%)
CEMENTIOUS FIBRE BD	= 171 SF (05%)
VINTAGEWOOD-POPLAR	= 266 SF (07%)
STUCCO OVER EIFS AREA	= 266 SF (07%)
PRIMARY MATERIALS	= 3,252 SF (93%)
SECONDARY MATERIALS	= 266 SF (07%)



3 KEY PLAN
FP-2 SCALE: NOT TO SCALE

EXTERIOR ELEVATION EXHIBIT BUSINESS & RESTAURANT DEVELOPMENT		
307 SOUTH OAK STREET ROANOKE TEXAS-76262		
DATE OF PREPARATION : 06/26/2025		
OWNER/DEVELOPER LynBa Ventures 545 S. Kimball avenue, Suite 100, Southlake, TX 76092 Contact: Vikram Jangam (Vik) Cell#: (917)250-5147 Email: jangam@lynba.com	# 1	REVISION DATE 06/30/2025
rashmi C Inc. ARCHITECTURE. PLANNING. INTERIORS 4117 OLD PLEASANT RIDGE RD. ARLINGTON, TX-76016 CONTACT: RASHMINDER CHANDEL PH. NO. (817) 891-7918 EMAIL: rashmi@rashmic.com		SHEET NO. FP-2



**DECLARATION OF RECIPROCAL CROSS ACCESS
AND PARKING EASEMENT AGREEMENT**

This Reciprocal Access And Parking Agreement (the "Agreement") is made and entered into this 24th day of March, 2020, by and between OTD ROANOKE, LLC d/b/a Old Town Development, a Texas Limited Liability Company (the "Parcel A Owner"), and LynBa Holdings, LLC (the "Parcel B Owner").

RECITALS

- A. The Parcel A Owner is the owner of certain real property situated in the City of Roanoke, Denton County, Texas, more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference ("Parcel A").
- B. The Parcel B Owner is the owner of that certain real property situated in the City of Roanoke, Denton County, Texas, more particularly described on Exhibit "B" attached hereto and incorporated herein by this reference ("Parcel B"), which Parcel B is located adjacent to Parcel A.
- C. Parcel A is developed as a restaurant ("Chop Shop").
- D. Parcel B is currently an undeveloped vacant lot.
- E. The parties hereto desire to provide for cross-access and shared parking on the Parcels, and to establish certain covenants with respect to said Parcels, for the mutual and reciprocal benefit and complement of Parcel A and Parcel B and the present and future owners and occupants thereof, on the terms and conditions hereinafter set forth.

TERMS OF AGREEMENT

NOW, THEREFORE, in consideration of the above premises and of the covenants herein contained, the Parcel A Owner and the Parcel B Owner hereby covenant and agree that during the term of this Agreement the Parcels and all present and future owners and occupants of the Parcels shall be and hereby are subject to the terms and covenants hereinafter set forth in this Agreement, so that said Parcels shall be maintained, kept, sold and used in full compliance with and subject to this Agreement and, in connection therewith, the parties hereto on behalf of themselves and their respective successors and assigns covenant and agree as follows:

1. **Definitions.** For purposes hereof:

1.1 The term "Owner" or "Owners" means the Parcel A Owner (as to Parcel A) and the Parcel B Owner (as to Parcel B) and any and all successors or assigns of such persons as the owner or owners of fee simple title to all or any portion of the real property covered hereby, whether by sale, assignment, inheritance, operation of law, trustee's sale, foreclosure, or otherwise, but not

including the holder of any lien or encumbrance on such real property or any tenants or other owners of non-fee estates.

1.2 The term "Parcel A" means that certain real property situated in the City of Roanoke, Denton County, Texas, more particularly described on Exhibit "A" attached hereto and incorporated herein by reference.

1.3 The term "Parcel B" means that certain real property situated in the City of Roanoke, Denton County, Texas, more particularly described on Exhibit "B" attached hereto and incorporated herein by reference.

1.4 The term "Parcel" or "Parcels" means Parcel A and Parcel B, and, and any future subdivisions thereof.

1.5 The term "Permittees" means the Parcel A Owner, the Parcel B Owner, and the tenant under the Restaurant Lease, and their respective employees, agents, contractors, customers, invitees and licensees.

1.6 The term "Restaurant" means "Chop Shop" a sports bar related restaurant with live music, consisting of approximately 7,200 square feet of total dining space, 5,400 square feet of building area, and 1,800 square feet of outdoor patio area and outdoor stage, together with associated sidewalks, landscaping, lighting, utilities, signage and parking improvements.

1.7 The term "Restaurant Lease" shall mean that Lease of Parcel A from the Parcel A Owner as landlord to Chop Shop or other approved restaurant as tenant, and any amendments, extensions or replacements thereof.

1.8 The term "Site Plan" shall mean that site plan of the Parcels attached hereto as Exhibit "C" and by reference made a part hereof. Except as may be otherwise provided in this Agreement, the Site Plan is for identification purposes only.

1.9 The term "Dumpster Pad" shall mean that certain concrete pad located on Parcel B.

2. Easements.

2.1 Grant of Easement. Subject to any express conditions, limitations or reservations contained herein, the Owners hereby grant, establish, covenant and agree that the Parcels, and the Owners and Permittees of the Parcels, shall be benefited and burdened by a nonexclusive reciprocal easement for reasonable access, ingress, egress over the paved driveway areas as presently or hereafter constructed on Parcel A and Parcel B (the "Driveway"), so as to provide for the passage of motor vehicles to and from the Parcels, and a nonexclusive reciprocal easement for shared parking over the paved parking areas as presently or hereafter constructed on Parcel A and Parcel B (the "Parking Areas"), so as to provide for common, shared parking, and a nonexclusive

reciprocal easement for shared access to the dumpster pad constructed on Parcel B (the "Dumpster Pad"), so as to provide for common, shared use of the trash receptacle located thereon, all as depicted on the Site Plan, or any alterations of such Site Plan properly approved and permitted by the City of Roanoke.

2.2 Access. The Driveway, Parking Areas, Dumpster Pad and the street access points on the Parcels for entry into and exit from the Driveway may not be blocked, closed, altered, changed or removed except as necessary for the preservation of public safety or repairs to such areas, in which case the Owner of the property affected agrees to complete such repairs as quickly as practical, to limit access only to the extent reasonably necessary to complete such repairs, and to provide for alternate access to the extent reasonably practical. In no event shall the businesses or facilities operated on the Parcels be conducted in such a manner as to cause motor vehicles to stop or stand on the other Parcel or the Driveway, or otherwise interfere with the normal pattern and flow of vehicular traffic on and across the Parcels and the Driveway.

3. Construction and Maintenance. The Driveway and Parking Areas on Parcel B shall be constructed and completed by the Owner of Parcel B at the same time as such Owner develops Parcel B. Each Owner covenants, during the term hereof, to maintain or cause to be maintained at its expense the portion of the Driveway and Parking Areas located on its Parcel in good order, condition and repair. Maintenance of the Driveway and Parking Areas shall include, without limitation, maintaining and repairing the paved surface and performing any and all such other duties as reasonably necessary to maintain the Driveway and Parking Areas, including maintaining marking, directional signs, lines and striping in good condition. All maintenance work shall be conducted in such a manner and at such time as to minimally interfere with access to and from the Parcels. An Owner must provide reasonable advance written notice to the other Owner of any maintenance work to be performed by or on behalf of such Owner that will require temporary blockage of access to, from, or along the Driveway and Parking Areas, except for emergency repairs the need for which cannot reasonably be anticipated in advance.
4. Insurance. Both the Parcel A Owner and Parcel B Owner agree to maintain, or require its tenants to maintain, at all times a policy providing comprehensive property casualty and liability insurance protection with limits in an amount not less than one million Dollars (\$1,000,000.00) per occurrence, issued by an insurer licensed in the State of Texas covering the Driveway and the Parking Areas located on its Parcel.
5. No Rights in Public; No Implied Easements. Nothing contained herein shall be construed as creating any rights in the general public or as dedicating for public use any portion of Parcel A or Parcel B. No easements shall be implied by this Agreement except those expressly created herein.
6. Restrictions on Use. None.

7. Remedies and Enforcement. In the event of a breach or threatened breach by any Owner or its Permittees of any of the terms or covenants hereof, the other Owner or its Permittees shall be entitled all legal and equitable remedies available under law for such breach.
8. Term. The easements and covenants contained in this Agreement shall be effective from the date of signature and shall continue perpetually thereafter. However, if, and to the extent that, any provisions in this instrument would otherwise be unlawful, void or voidable for violation of: (a) the rule against perpetuities, (b) the rule restricting restraints on alienation, or (c) any other statutory or common law rule analogous thereto or otherwise imposing time limitations for which such provisions may be valid, then, and on that event, such provisions shall be deemed to be operative only until twenty-one (21) years after the death of the last survivor of the now living descendants of Rick Perry, former Governor of the State of Texas, and of George W. Bush, former President of the United States of America.
9. Miscellaneous.
- 9.1 Attorney's Fees. In the event any party institutes any legal action or proceeding for the enforcement of any right or obligation herein contained, the prevailing party after a final adjudication shall be entitled to recover its costs and reasonable attorneys' fees incurred in the preparation and prosecution of such action or proceeding.
- 9.2 Amendment. The parties agree that the provisions of this Agreement may be modified or amended, in whole or in part, or terminated, only by the written consent of all record Owners of Parcel A and Parcel B.
- 9.3 Covenants to Run with Land. It is intended that each of the easements, covenants, conditions, restrictions, rights and obligations set forth herein shall run with the land and create equitable servitudes in favor of the real property benefited thereby, shall bind every person having any fee, leasehold or other interest therein and shall inure to the benefit of the respective parties and their successors, assigns, heirs, and personal representatives.
- 9.4 Severability. Each provision of this Agreement and the application thereof to Parcel A and Parcel B are hereby declared to be independent of and severable from the remainder of this Agreement. If any provision contained herein shall be held to be invalid or to be unenforceable or not to run with the land, such holding shall not affect the validity or enforceability of the remainder of this Agreement. In the event the validity or enforceability of any provision of this Agreement is held to be dependent upon the existence of a specific legal description, the parties agree to promptly cause such legal description to be prepared. Ownership of both Parcels by the same person or entity shall not terminate this Agreement nor in any manner affect or impair the validity or enforceability of this Agreement.

9.5 Time of Essence. Time is of the essence of this Agreement.

9.6 Notices. Notices or other communication hereunder shall be in writing and shall be sent certified or registered mail, return receipt requested, or by other national overnight courier company, or personal delivery. Notice shall be deemed given upon receipt or refusal to accept delivery. Each party may change from time to time their respective address for notice hereunder by like notice to the other party. The notice addresses of the Parcel A Owner and the Parcel B Owner are as follows:

Parcel A Owner: Chris Gordon, Manager
OTD Roanoke, LLC d/b/a Old Town Development
2241 Veranda Avenue
Trophy Club, Texas 76262

Parcel B Owner: Vikram Jangam, Managing Member
LynBa Holdings, LLC
1012 Whittington PL
Southlake, TX 76092

9.7 Governing Law. The substantive laws of the State of Texas, exclusive of its choice-of-law rules, shall govern the interpretation, validity, performance, and enforcement of this Agreement.

9.8 No Third Party Beneficiaries. There are no intended third-party beneficiaries of this Agreement except the Permittees named or identified in this Agreement, and nothing contained herein shall be construed as creating any other third-party beneficiaries.

9.11 Entire Agreement. This Agreement contains the entire agreement between the parties hereto and supersedes all prior agreements, oral or written, with respect to the subject matter hereof. The provisions of this Agreement shall be construed as a whole and not strictly for or against any party.

9.12 Application of Texas Laws and Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Denton County, Texas. Venue for any action arising under this Agreement shall lie in Denton County, Texas.

9.13 Captions and Headings. The captions and headings of the Sections of this Agreement are for convenience and reference only and shall not affect, modify or amplify the provisions of this Agreement nor shall they be employed to interpret or aid in the construction of this Agreement.

END OF AGREEMENT – SIGNATURES TO FOLLOW

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

Parcel A Owner:
OTD Roanoke, LLC,
d/b/a Old Town Development

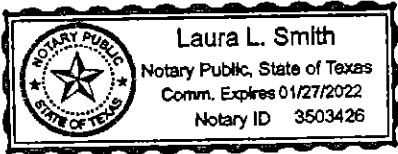
By: Chris Gordon
Member and Manager

ATTEST:

ACKNOWLEDGEMENT

This instrument was acknowledged before me on the 24th day of March, 2020, by Chris Gordon, a Member and Manager of OTD Roanoke, LLC, d/b/a Old Town Development, a Texas limited liability company, on behalf of said limited liability company.

Laura L. Smith
Notary Public for the State of Texas



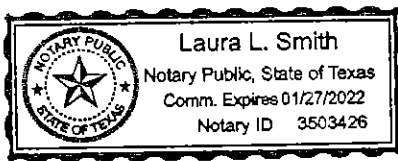
Signed this 24th day of March, 2020.

Parcel B Owner:
LynBa Holdings, LLC

By: 
Vikram Jangam, Managing Member

ACKNOWLEDGEMENT

This instrument was acknowledged before me on the 24th day of March, 2020, by Vikram Jangam, Managing Member of LynBa Holdings, a Texas limited liability company, on behalf of said limited liability company.



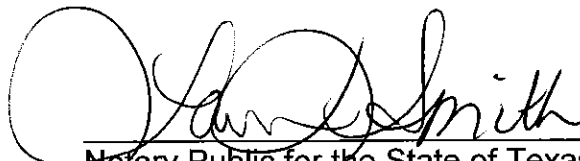

Notary Public for the State of Texas

Exhibit "A" - Legal Description of Parcel A.
Exhibit "B" - Legal Description of Parcel B.
Exhibit "C" - Site Plan.

EXHIBIT "A"
Legal Description of Parcel A

Lot 1, Block 1, OTD Roanoke, an Addition to the City of Roanoke, Denton County, Texas, according to the Map or Plat thereof, recorded in Document Number 2017-336, Plat Records, Denton County, Texas.

EXHIBIT "B"
Legal Description of Parcel B

Lot 2, Block 1, OTD Roanoke, an Addition to the City of Roanoke, Denton County, Texas, according to the Map or Plat thereof, recorded in Document Number 2017-336, Plat Records, Denton County, Texas.

EXHBIT “C”
Site Plan
(See Attached)

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	686.30'	2.90'	2.90'	N 44°45'30" E	*14°31.58"

LINE	BEARING	DISTANCE
L1	S 65°30'51" E	41.65'
L2	N 24°48'46" E	55.64'
L3	S 24°33'03" W	59.83'
L4	N 65°43'05" W	35.23'

TO ALL PARTIES DIRECTLY INTERESTED IN THE PREMISES SURVEYED

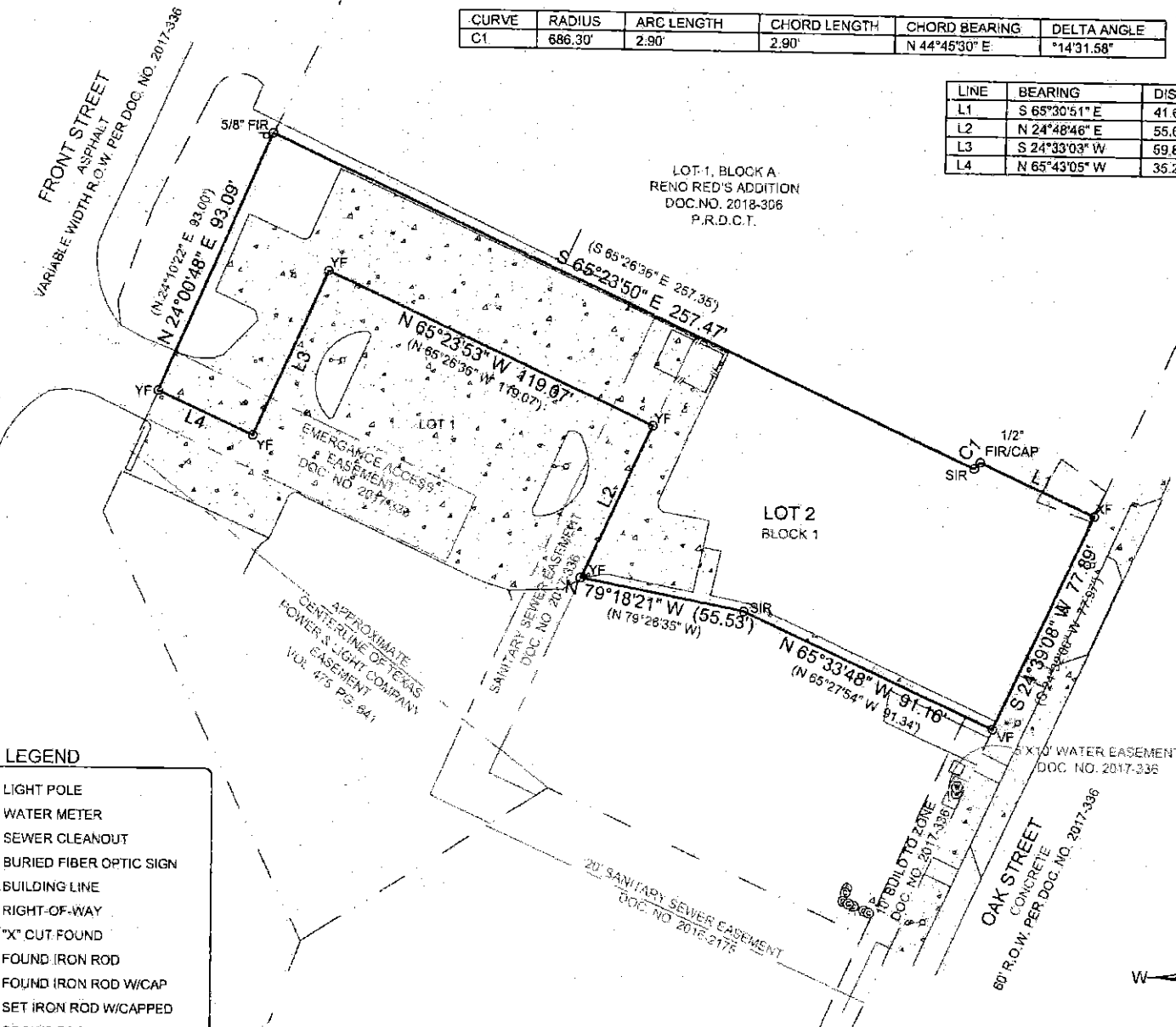
I have this date directed a careful and accurate survey made on the grounds of the property located at 307 South Oak Street in the City of Roanoke, Denton County, Texas, being Lot 2, Block 1, of OTD Roanoke, an Addition to the City of Roanoke, Denton County, Texas, according to the Plat thereof recorded in Document Number 2017-336, Plat Records, Denton County, Texas.

FLOOD STATEMENT: I have reviewed the F.E.M.A. Flood Insurance Rate Map for the City of Roanoke, Community Number 480785 effective date 4-18-2011 and that map indicates as scaled, that this property is within "Non-Shaded Zone X" defined as "Areas determined to be outside the 0.2% annual chance flood (500-year)" as shown on Panel 655 G of said map.

SURVEYORS CERTIFICATION

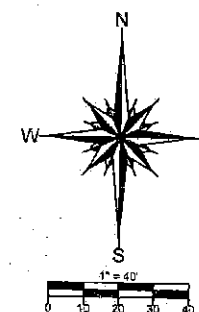
Certified to OTD Roanoke, LLC.

This survey correctly represents the results of an on-the-ground survey made under my direction and supervision on 02-03-2020, and substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition II Survey. There are no apparent encroachments, intrusions or protrusions except as shown hereon.



LEGEND

- = LIGHT POLE
- = WATER METER
- = SEWER CLEANOUT
- = BURIED FIBER OPTIC SIGN
- = BUILDING LINE
- = RIGHT-OF-WAY
- = "X" CUT FOUND
- = FOUND IRON ROD
- = FOUND IRON ROD W/CAP
- = SET IRON ROD W/CAPPED
- = CROWS FOOT FOUND
- = "V" CUT FOUND
- = CONTROLLING MONUMENT
- = PLAT OR DEED CALL
- = WOOD FENCE
- = ASPHALT
- = CONCRETE

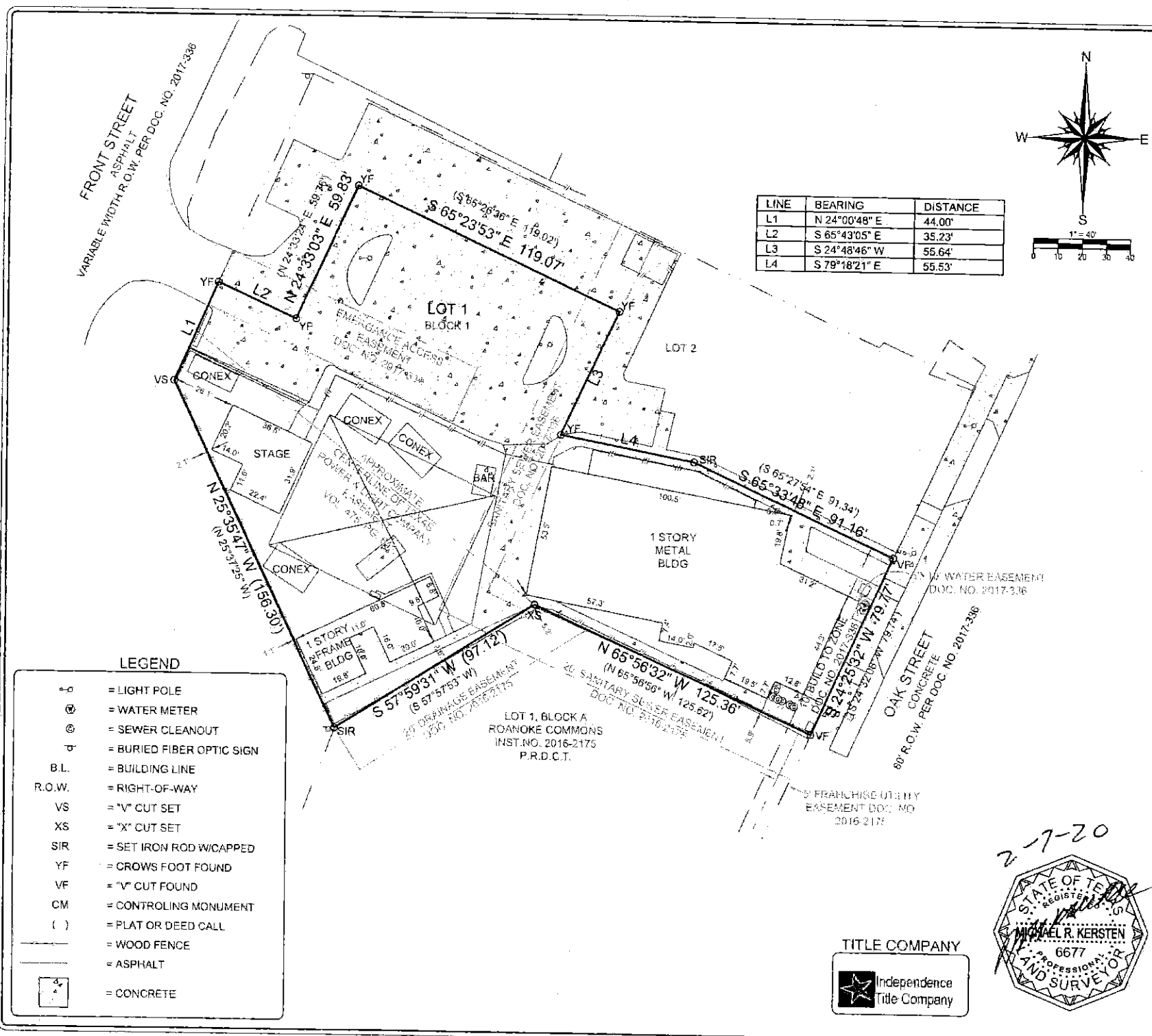


TX FIRM REGISTRATION # 10002100

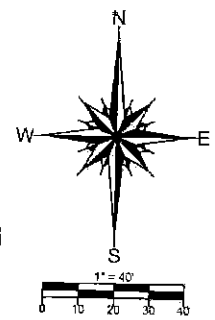
1720 WESTMINSTER
DENTON, TX 76205
(940)382-3446

JOB NUMBER: 200077
DRAWN BY: MMF
DATE: 02-07-2020
R.P.L.S.
MICHAEL R. KERSTEN

Y:\JOBS\JOBS 2020\0007\DRAWINGS\2007\LOT 1.dwg, 2/7/2020 11:30:36 AM User: SVENONCA\MSOLTA\CHES\POL



LINE	BEARING	DISTANCE
L1	N 24°00'48" E	44.00'
L2	S 65°43'05" E	35.23'
L3	S 24°48'46" W	55.64'
L4	S 79°18'21" E	55.53'



TO ALL PARTIES DIRECTLY INTERESTED IN THE PREMISES SURVEYED
I have this date directed a careful and accurate survey made on the grounds of the property located at 309 South Oak Street in the City of Roanoke, Denton County, Texas, being Lot 1, Block 1, OTD Roanoke, an Addition to the City of Roanoke, Denton County, Texas, according to the Map or Plat thereof, recorded in Document Number 2017-336, Plat Records, Denton County, Texas.

FLOOD STATEMENT: I have reviewed the F.E.M.A. Flood Insurance Rate Map for the City of Roanoke, Community Number 480785 effective date 4-18-2011 and that map indicates as scaled, that this property is within "Non-Shaded Zone X" defined as "Areas determined to be outside the 0.2% annual chance flood (500-year)" as shown on Panel 655 G of said map.

SURVEYORS CERTIFICATION

Certified to Title Resources Guaranty Company, Independence Title Company (GF#2004451-SKDF), and OTD Roanoke, LLC.
This survey correctly represents the results of an on-the-ground survey made under my direction and supervision on 02-03-2020, and substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition II Survey. There are no apparent encroachments, intrusions or protrusions except as shown hereon.

SCHEDULE "B" ITEMS

Commitment for Title Insurance, (T-7), dated January 30, 2020.
Policy Number 2004451-SKDF:
10(I.) Volume 475, Page 641 Easement to Texas Power & Light Company; does affect as shown (no width provided)

- LEGEND**
- = LIGHT POLE
 - ⊙ = WATER METER
 - ⊙ = SEWER CLEANOUT
 - ⊙ = BURIED FIBER OPTIC SIGN
 - B.L. = BUILDING LINE
 - R.O.W. = RIGHT-OF-WAY
 - VS = "V" CUT SET
 - XS = "X" CUT SET
 - SIR = SET IRON ROD W/CAPPED
 - YF = CROWS FOOT FOUND
 - VF = "V" CUT FOUND
 - CM = CONTROLLING MONUMENT
 - () = PLAT OR DEED CALL
 - = WOOD FENCE
 - = ASPHALT
 - = CONCRETE

TITLE COMPANY
Independence
Title Company



TX FIRM REGISTRATION # 10002100

1720 WESTMINSTER
DENTON, TX 76205
(940)382-3446

JOB NUMBER: 200077
DRAWN BY: MMF
DATE: 02-07-2020
R.P.L.S.

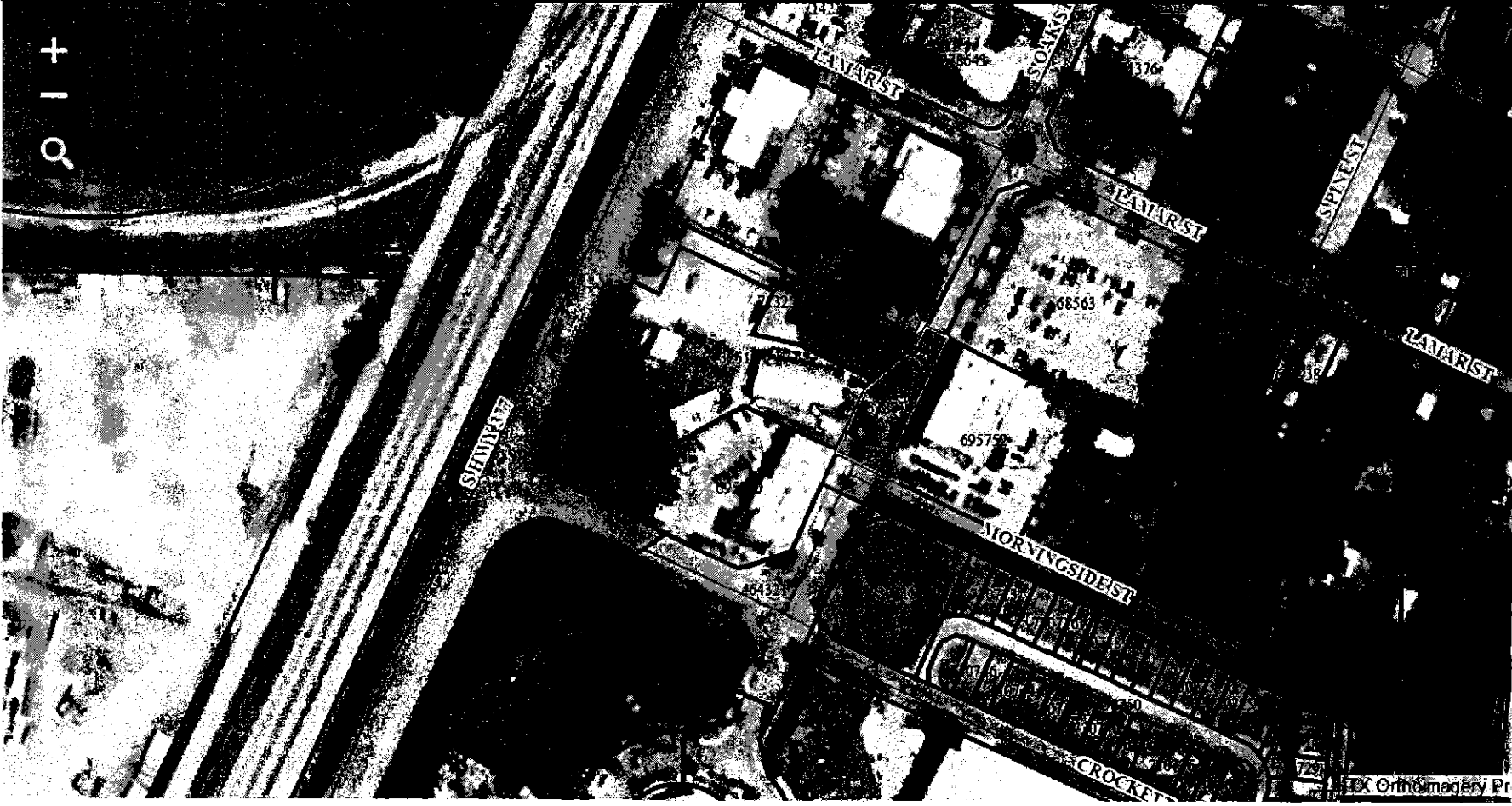
MICHAEL R. KERSTEN

Denton CAD Webmap

Main DCAD Site 🗺 Basemaps

+

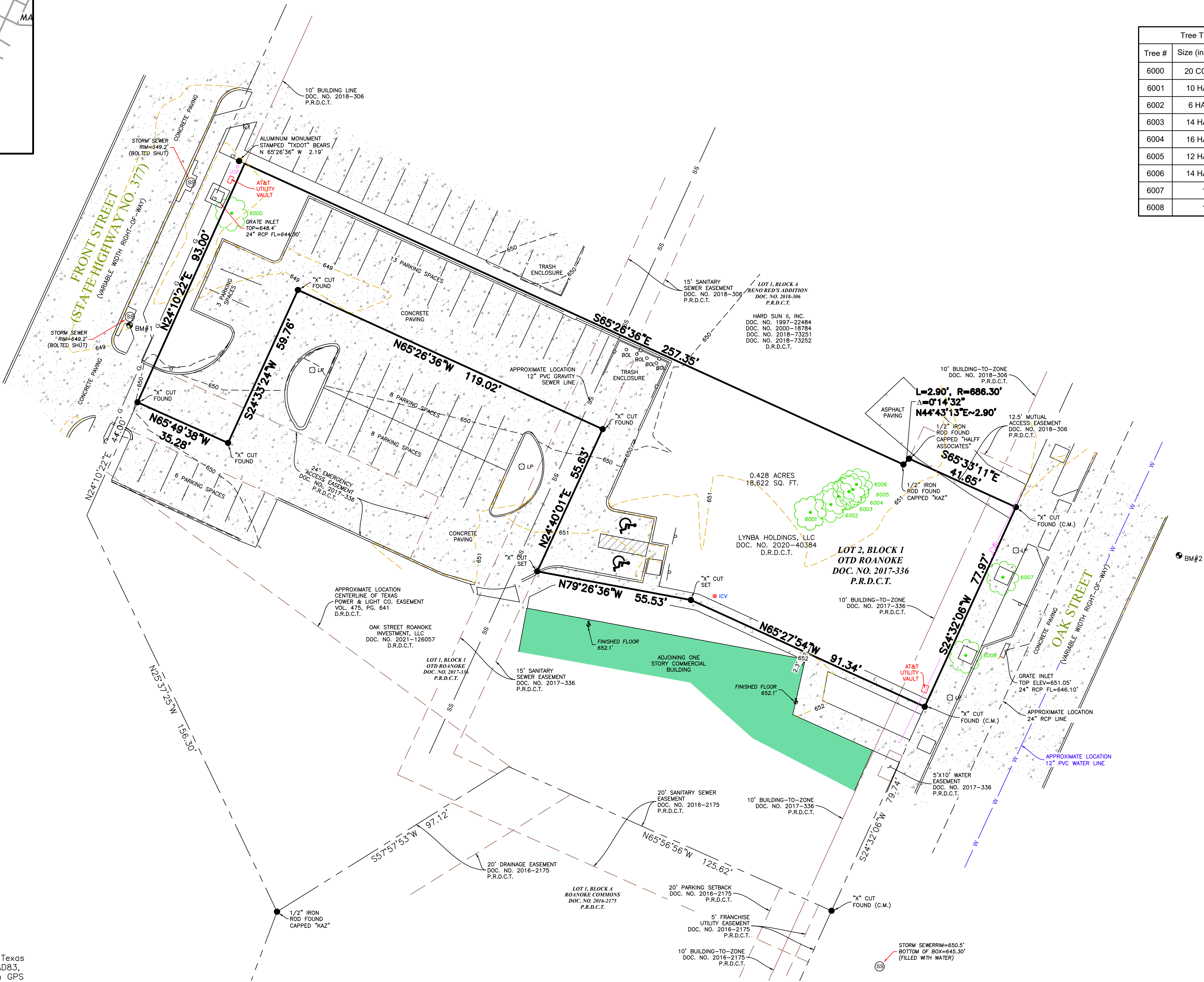
🔍



Orthomageary Pr



VICINITY MAP
SCALE: 1"=1000'



Tree Table	
Tree #	Size (in) & Description
6000	20 COTTOWOOD
6001	10 HACKBERRY
6002	6 HACKBERRY
6003	14 HACKBERRY
6004	16 HACKBERRY
6005	12 HACKBERRY
6006	14 HACKBERRY
6007	14 OAK
6008	14 OAK

LEGEND	
	BOUNDARY LINE
	ADJOINER BOUNDARY LINE
	EASEMENT LINE (AS NOTED)
	WATER LINE
	SEWER LINE
	OVERHEAD ELECTRIC LINE
	WOOD FENCE
	CHAIN LINK FENCE
	FIRE HYDRANT
	WATER VALVE
	IRRIGATION CONTROL VALVE
	SEWER CLEAN OUT
	VAULT
	TRANSFORMER
	ELECTRIC VAULT
	ELECTRIC METER
	ELECTRIC BOX
	CABLE VAULT
	TELEPHONE JUNCTION BOX
	SANITARY SEWER MAN HOLE
	STORM MAN HOLE
	TELEPHONE MAN HOLE
	LIGHT POLE
	POWER POLE
	GAS METER
	AIR CONDITIONER UNIT
	FLAG POLE
	TRAFFIC SIGN
	BENCH MARK
	CONTROL MONUMENT
	OFFICIAL PUBLIC RECORDS DENTON COUNTY, TEXAS
	DEED RECORDS DENTON COUNTY, TEXAS
	PLAT RECORDS DENTON COUNTY, TEXAS

SURVEYOR'S CERTIFICATION

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS and includes Items 1-5, 8, 11 (a), and 13 in conjunction with the laws of the State of Texas.

The fieldwork was completed on 12/11/24.

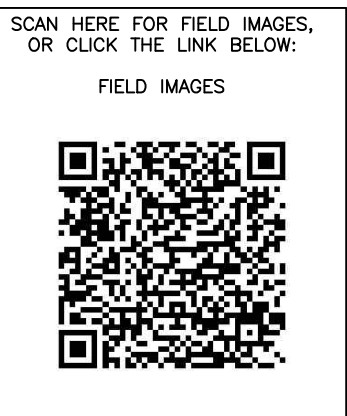
Date of Plat or Map: 12/13/24

PRELIMINARY, THIS SURVEY SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

David F. McCullah
Registered Public Land Surveyor
Texas Registration No. 4023

DIGTESS NOTE

Texas 811 Ticket Number: 2484495549



ALTA/NSPS LAND TITLE SURVEY
LOT 2, BLOCK 1,
OTD ROANOKE
DAVID HOOVER SURVEY, ABSTRACT NO. 603
CITY OF ROANOKE, DENTON COUNTY, TEXAS



14200 Midway Road, Suite 130, Dallas, TX 75224 | T: 469.784.9321
W: TraverseLandSurveying.com | Texas Firm No. 10194631

Surveying | Construction Staking | Platting

DRAWN	CHECK	DATE	SCALE	PROJECT NO.	SHEET NO.
ER	DMC	12/13/24	1" = 20'	TR-642-24	1

BENCHMARK NOTES

The Benchmarks and elevations shown are based on the North American Vertical Datum 1988 (NAVD88) by using GPS observations in conjunction with the AllTerra RTK Network.

Benchmark No. 1

An "X" cut set on top of a concrete storm sewer inlet along the southeast side of the road within Front Street and located approximated 56 feet southwest of a grate inlet.
Elevation: 649.16'

Benchmark No. 2

An "X" cut set on top of a concrete sidewalk across the road on Oak Street and located approximately 58 feet east of a light pole.
Elevation: 652.27'

FLOOD NOTES

No portion of the subject property shown hereon lies within the 100 year flood hazard area according to the Flood Insurance Rate Map, Community Panel No. 48121C0655G, dated 04/18/2011. The subject property is located in the area designated as Zone "X", (areas determined to be outside the 0.2% annual chance floodplain).

GENERAL NOTES

- All underground utilities shown hereon were taken from existing plans, none of the underground utilities shown hereon have been field verified by the surveyor.
- This survey was performed without the benefit of a Title Commitment and abstractor's encumbrance research and with information provided by the client only. The surveyor did not perform any additional encumbrance research and there may be encumbrances that affect the subject property that are not shown hereon.



CITY COUNCIL AGENDA ITEM

TO: City Council

SUBJECT: Final Plat (FP-2025-03) Old Town Pointe

MEETING DATE: August 12, 2025

DEPARTMENT: Planning

ITEM SUMMARY:

Consideration and action on Final Plat (FP-2025-03) request from Jacob Hawkins for an approximate 1.82 acres located in the M.E.P. and P.R.R. Co Survey, abstract no. 923, City of Roanoke Texas, Denton County Texas. The property is generally located at the corner of Dallas Dr. and Turner Ave.

INFORMATION:

- Zoning: SF-7 with Old Town Overlay
- Drainage: A drainage plan will be accepted by the engineering consultant prior to construction.
- Utilities: A utility plan will be accepted by the engineering consultant prior to construction.
- Proposed Uses: Single-family detached

STAFF RECOMMENDATION:

Staff recommends approval of this request.

SPECIAL CONSIDERATION:

At their August 4 meeting, the Planning and Zoning Commission unanimously voted to recommend approval of this item.

FINANCIAL CONSIDERATION:

ATTACHMENTS:

1. Final Plat Application
2. Final Plat



Plat Application

City of Roanoke 500 S. Oak Street Roanoke, Texas 76262

Planning Department (817) 491-2411

☐ Preliminary Plat ☒ Final Plat ☐ Re-plat ☐ Minor/Amended Plat

Date Filed:

File No.

Name of Applicant Jacob Hawkins	Address of Applicant 613 N. Walnut St Roanoke, TX 76262	Phone Number & E-Mail 940-206-0973 jacob@hawkins.com	
Engineer or Land Planner Ridinger	Address 550 Edmunds Lane Ste 101 Lewisville, TX 75067	Phone Number & E-Mail 972-353-8000 jkilpatrick@ridingerassociates.com	
		Fax Number	
Location of Property Dalks Dr. + Turner	Name of Addition/Subdivision Old Town Pointe	Acres 1.88	Lot / Block

Does the proposed subdivision require the abandonment or relocation of any existing streets, alleys or easement?

☐ Yes ☒ No

If "Yes" has an application to secure approval of such abandonment or relocation been made?

☐ Yes ☐ No

Type of Subdivision

- ☐ Re-subdivision of existing lot or lots
☒ Original subdivision of acreage
☐ Platting of Streets or Alleys
☐ Correcting error or omission

Proposed Use

- ☒ Residential Lots
☐ Industrial
☐ Commercial or Retail
☐ Public or Institutional

Improvements Proposed

- ☒ City of Roanoke
☐ Well
☐ Other _____

Type of Sanitary facilities

- ☒ City of Roanoke Sewer
☐ Septic Tank
☐ Other _____

Type of Street Surfacing

- ☒ City of Roanoke Standards
☐ Existing paved street
☐ Other _____

Type of Storm Drainage

- ☒ Curb and Gutter
☐ Storm Sewers
☐ Other _____

In submitting this application for approval of the above described subdivision, I understand that if said subdivision is within the corporate limits or within the extraterritorial jurisdiction of the City of Roanoke that all improvements installed shall be in conformance with the standards and requirements of the City of Roanoke.

Fees for Preliminary and Final Plat are \$300.00 plus \$10.00 per acre and \$250.00 for a Re-plat, Minor and Amended Plat. Fees are subject to change if amended by Ordinance.

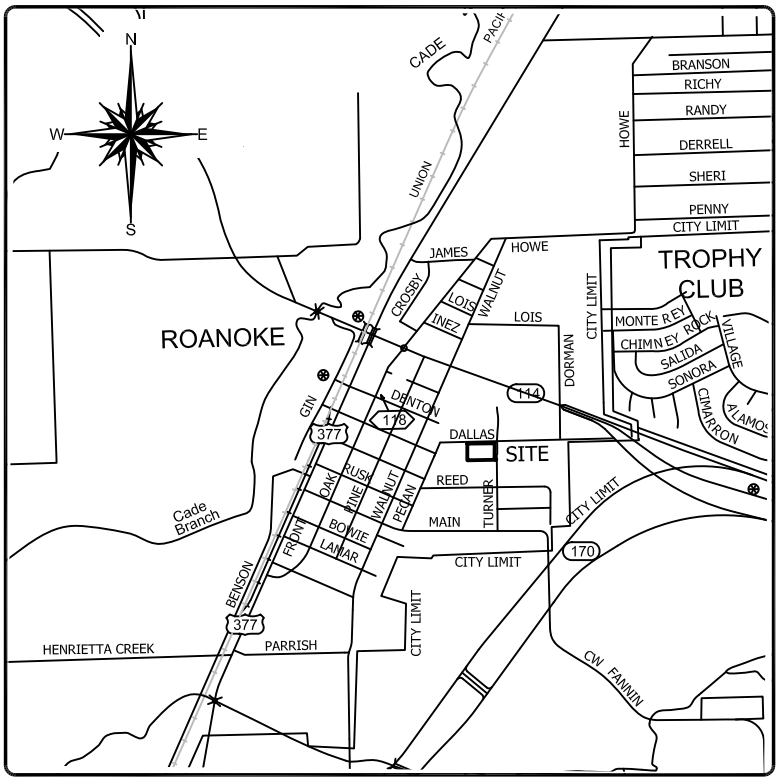
Applicant's Signature

Date

FOR OFFICE USE ONLY

Preliminary Plat Filing Fee	Final Plat Filing Fee \$ 318.80	P&Z Meeting 8/16/25	CC Meeting 8/26/25	File for Record FP-2025-03
Paid REC #00863975 07/09/2025 JM				

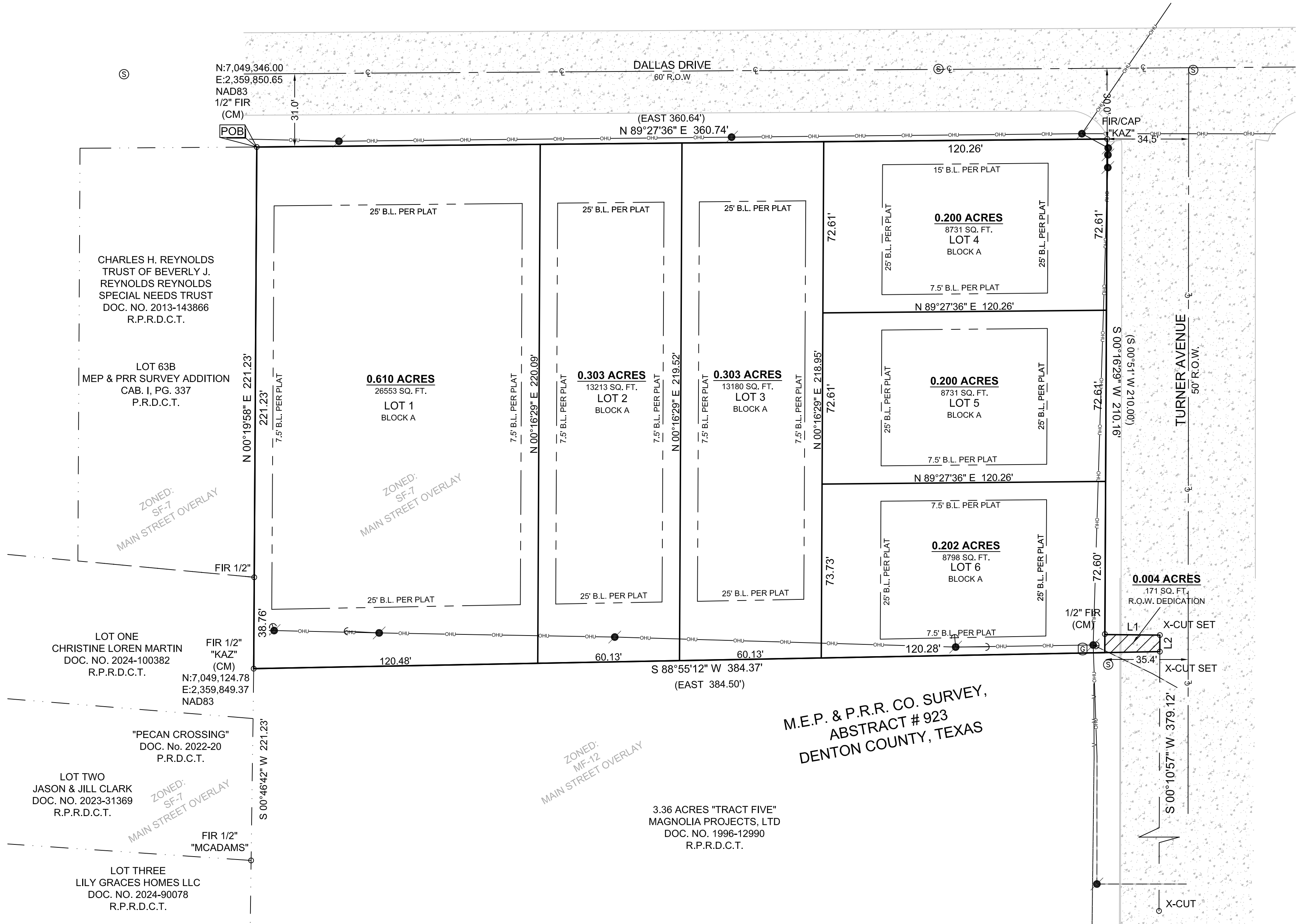
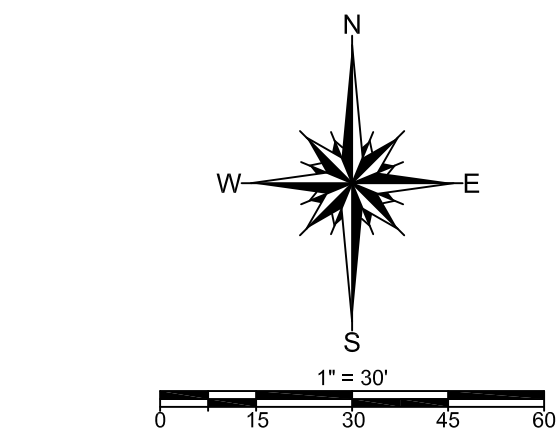
7/20/2023



VICINITY MAP
NOT TO SCALE

GENERAL NOTES:

- ALL CORNERS ARE MARKED WITH CAPPED 1/2" IRON RODS STAMPED "KAZ" UNLESS OTHERWISE NOTED.
- FLOOD STATEMENT: I HAVE REVIEWED THE F.E.M.A. FLOOD INSURANCE RATE MAP FOR THE TOWN OF NORTHLAKE, COMMUNITY NUMBER 480782 EFFECTIVE DATE 4-18-2011 AND THAT MAP INDICATES AS SCALED, THAT A PORTION OF THIS PROPERTY IS WITHIN "NON-SHADED ZONE X" DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD (500-YEAR)" AS SHOWN ON PANEL 345 G AND 485 G OF SAID MAP.
- THE PURPOSE OF THIS FINAL PLAT IS TO CREATE 6 LOTS OF RECORD FROM AN UNPLATTED TRACT OF LAND.
- NOTE: BEARINGS SHOWN HEREON ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE (4202), AND ARE BASED ON THE NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT.
- "THE OWNER SHALL INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF ROANOKE, ITS OFFICERS, EMPLOYEES, AND AGENTS FROM ANY DIRECT OR INDIRECT LOSS, DAMAGE, LIABILITY, OR EXPENSE AND ATTORNEY'S FEES FOR ANY NEGLIGENCE WHATSOEVER, ARISING OUT OF THE DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE, CONDITION, OR USE OF THE "DETENTION FACILITY", INCLUDING ANY NON-PERFORMANCE OF THE FOREGOING, IN FORM AND SUBSTANCE AS REQUIRED BY THE "UNIFORM DEVELOPMENT CODE."
- SANITARY SEWER PROVIDED BY CITY OF ROANOKE.
- NOTICE - SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF TOWN ORDINANCE AND STATE LAW AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- THE SUBJECT PROPERTY SHOWN HEREON IS ZONED SF-7 (SINGLE FAMILY-DISTRICT 7/MAIN STREET OVERLAY)



Closure Report		Thu May 22 12:02:32 2025		
Northing	Easting	Bearing	Distance	
7049345.999	2359850.653	N 89°27'36" E	360.739	
7049349.399	2360211.376	S 00°16'29" W	210.161	
7049139.240	2360210.368	S 89°27'47" E	23.324	
7049139.021	2360233.691	S 00°10'57" W	7.000	
7049132.021	2360233.669	S 88°55'12" W	384.369	
7049124.777	2359849.369	N 00°19'58" E	221.226	
7049345.999	2359850.653			
Closure Error Distance> 0.00000				
Total Distance> 1206.820				
Polyline Area: 79377 sq ft, 1.822 acres				



4321 I-35 SUITE 575
GAINESVILLE, TX 76240
(940)382-3446
JOB NUMBER: 240109-03
DRAWN BY: TEP
DATE: 5-22-2025
R.P.L.S.
KENNETH A. ZOLLINGER

SURVEYOR:
KAZ SURVEYING, INC.
4321 I-35 SUITE 575
GAINESVILLE, TEXAS 76240
PHONE: 940-382-3446
TBPLS FIRM# 10002100

OWNER:
ROANOKE PROJECT 1, LLC.
3236 W 7TH ST, STE A
FT. WORTH, TEXAS 76107
CONTACT: JACOB HAWKINS
JACOB@HAW3.COM

LEGEND

R.O.W. = RIGHT-OF-WAY
POB = POINT OF BEGINNING
FIR = 1/2" IRON ROD FOUND
SIR = CAPPED IRON ROD SET
X SET = X CUT IN CONCRETE
R.P.R.D.C.T. = REAL PROPERTY RECORDS DENTON COUNTY TEXAS
P.R.D.C.T. = PLAT RECORDS DENTON COUNTY TEXAS
B.L. = BUILDING LINE
(S) = SEWER MANHOLE
) = GUY ANCHOR
(G) = GAS PIPELINE SIGN
● = POWER POLE
— = ADJOINING PROPERTY LINE
— = ADJOINING PROPERTY LINE
— = CENTERLINE OF ROAD
— = BUILDING LINE
— = OVERHEAD UTILITY LINE

THIS PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF ROANOKE, TEXAS, AND IS HEREBY RECOMMENDED BY SUCH COMMISSION TO THE CITY COUNCIL FOR ITS CONSIDERATION FOR APPROVAL.
DATED THIS ____ DAY OF ____, 19____.

BY: _____
CHAIRMAN

ATTEST: _____

SECRETARY

APPROVAL OF THE CITY COUNCIL OF THE CITY
THIS PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY COUNCIL OF THE CITY OF ROANOKE, TEXAS, AND IS HEREBY APPROVED BY SUCH CITY COUNCIL.
DATED THIS ____ DAY OF ____, 2025.

BY: _____
MAYOR

ATTEST: _____

SECRETARY

OWNER'S CERTIFICATION

STATE OF TEXAS
COUNTY OF DENTON

WHEREAS ROANOKE PROJECT 1, LLC IS THE OWNER OF ALL THAT CERTAIN TRACT OF LAND SITUATED IN THE M.E.P. & P.R.R. CO. SURVEY, ABSTRACT #923, DENTON COUNTY, TEXAS AND BEING ALL OF A CALLED 1.822 ACRE TRACT OF LAND CONVEYED TO ROANOKE PROJECT 1, LLC. BY DEED OF RECORD IN DOCUMENT NUMBER 2025-52247, REAL PROPERTY RECORDS, DENTON COUNTY, TEXAS AND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD FOUND MAINTAINING THE NORTHWEST CORNER OF SAID 1.822 ACRE TRACT, THE NORTHEAST CORNER OF LOT 63B, BLOCK 923, M.E.P. & P.R.R. ADDITION, AN ADDITION TO THE CITY OF ROANOKE AS SHOWN BY PLAT OF RECORD IN CABINET I, PAGE 337, PLAT RECORDS, DENTON COUNTY, TEXAS, AND IN THE SOUTH LINE OF DALLAS DRIVE;

THENCE NORTH 89 DEGREES 27 MINUTES 36 SECONDS EAST, ALONG THE NORTH LINE OF SAID 1.822 ACRE TRACT AND THE SOUTH LINE OF SAID DALLAS DRIVE, A DISTANCE OF 360.74 FEET TO A 1/2 INCH IRON ROD PREVIOUSLY SET WITH A CAP MARKED "KAZ" FOR THE NORTHEAST CORNER OF SAID 1.822 ACRE TRACT AND IN THE INTERSECTION OF THE SOUTH LINE OF SAID DALLAS DRIVE AND THE WEST LINE OF TURNER AVENUE;

THENCE SOUTH 00 DEGREES 16 MINUTES 29 SECONDS WEST, ALONG AN EAST LINE OF SAID 1.822 ACRE TRACT AND THE WEST LINE OF SAID TURNER DRIVE, A DISTANCE OF 210.16 FEET TO A 1/2 INCH IRON ROD FOUND MAINTAINING AN ANGLE POINT OF SAID 1.822 ACRE TRACT;

THENCE SOUTH 89 DEGREES 27 MINUTES 47 SECONDS EAST, ALONG A NORTH LINE OF SAID 1.822 ACRE TRACT, A DISTANCE OF 23.32 FEET TO A "X" CUT PREVIOUSLY SET FOR THE EASTERN MOST NORTHEAST CORNER OF SAID 1.822 ACRE TRACT;

THENCE SOUTH 00 DEGREES 10 MINUTES 57 SECONDS WEST, ALONG THE EAST LINE OF SAID 1.822 ACRE TRACT, AND SAID TURNER AVENUE, A DISTANCE OF 7.00 FEET TO A "X" CUT PREVIOUSLY SET FOR THE SOUTHEAST CORNER OF SAID 1.822 ACRE TRACT AND THE NORTHEAST CORNER OF A 3.36 ACRE "TRACT 5" OF LANDS CONVEYED TO MAGNOLIA PROJECTS LTD. BY DEED OF RECORD IN DOCUMENT NUMBER 1996-12990 OF SAID REAL PROPERTY RECORDS;

THENCE SOUTH 88 DEGREES 55 MINUTES 12 SECONDS WEST, ALONG THE SOUTH LINE OF SAID 1.822 ACRE TRACT AND THE NORTH LINE OF SAID 3.36 ACRE "TRACT 5", A DISTANCE OF 384.37 FEET TO A 1/2 INCH IRON ROD PREVIOUSLY SET WITH A CAP MARKED "KAZ" FOR THE SOUTHWEST CORNER OF SAID 1.822 ACRE TRACT 4, THE NORTHWEST CORNER OF SAID 3.36 ACRE "TRACT 5" AND IN THE EAST LINE OF LOT ONE, PECAN CROSSING, AN ADDITION TO THE CITY OF ROANOKE AS SHOWN BY PLAT OF RECORD IN DOCUMENT NUMBER 2022-20 PLAT RECORDS, DENTON COUNTY, TEXAS;

THENCE NORTH 00 DEGREES 19 MINUTES 58 SECONDS EAST, ALONG THE WEST LINES OF SAID 1.822 ACRE TRACT AND THE EAST LINE OF SAID PECAN CROSSING, PASSING A 1/2 INCH IRON ROD FOUND AT A DISTANCE OF 38.76 FEET, AND CONTINUING ON SAID COURSE, A TOTAL DISTANCE OF 221.23 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.822 ACRES OF LAND, MORE OR LESS.

OWNER'S DEDICATION

STATE OF TEXAS
COUNTY OF DENTON,
DATE ____, 2025

THAT ROANOKE PROJECT 1, LLC, THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS **OLD TOWN POINT ADDITION**, A SUBDIVISION TO THE CITY OF ROANOKE, 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 FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

JACOB HAWKINS
REPRESENTATIVE OF PROJECT ROANOKE 1, LLC.

STATE OF TEXAS
COUNTY OF DENTON

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED **JACOB HAWKINS**, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF ____, 2025.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

COUNTY

MY COMMISSION EXPIRES ON _____

CERTIFICATE OF SURVEYOR

STATE OF TEXAS
COUNTY OF DENTON

I, KENNETH A. ZOLLINGER, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AND ACTUAL SURVEY MADE ON THE GROUND AND THAT THE MONUMENTS SHOWN HEREON WERE FOUND OR PLACED WITH 1/2" IRON RODS CAPPED "KAZ" UNDER MY DIRECTION AND SUPERVISION IN ACCORDANCE WITH THE ORDINANCES OF THE CITY OF ROANOKE, DENTON COUNTY, TEXAS.

KENNETH A. ZOLLINGER R.P.L.S. # 5312 DATE _____

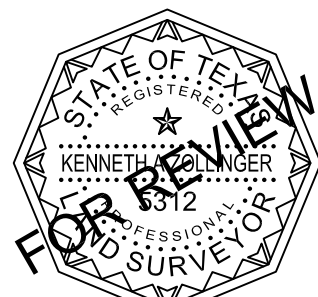
STATE OF TEXAS
COUNTY OF DENTON

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED KENNETH A. ZOLLINGER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE THIS ____ DAY OF ____, 2025.

NOTARY PUBLIC, DENTON COUNTY, TEXAS.

MY COMMISSION EXPIRES _____



APPROVAL BLOCK

FINAL PLAT
LOTS 1-6, BLOCK A
OLD TOWN POINT ADDITION
BEING 1.822 ACRES
(0.004 ACRES RIGHT-OF-WAY DEDICATION)
IN THE M.E.P. & P.R.R. CO. SURVEY,
ABSTRACT NUMBER 923,
CITY OF ROANOKE,
DENTON COUNTY, TEXAS