

CITY HALL

ROCKWALL TEXAS

APPLICATION FOR ZONING CHANGE

Case No. 7-6 Filing Fee \$50.00 Date 7-12-76

Applicant Billy W. Peoples

Mailing Address Box 35 Phone No. 722-5324

LEGAL DESCRIPTION OF PROPERTY SOUGHT TO BE REZONED:

(if additional space is needed for description, the description may be put on a separate sheet and attached hereto.)

Complete Legal Attached

I hereby request that the above described property be changed from its present zoning which is "SF3" District Classification

to a "Retail Commercial" District Classification

for the following reasons: (Attach separate sheet if necessary.)

1. This corner has been used for 75 years as a retail business and is completely useless for any other purpose.
- 2.
- 3.

THERE (ARE) DEED RESTRICTIONS PERTAINING TO THE INTENDED USE OF THE PROPERTY.

STATUS OF APPLICANT: Owner Tenant Prospective Purchaser

I have attached hereto as Exhibit "A" a Plat showing the property which is the subject of this requested zoning change and have read the following note concerning the importance of my submitting to the City a sufficient legal description.

Billy W. Peoples
APPLICANT

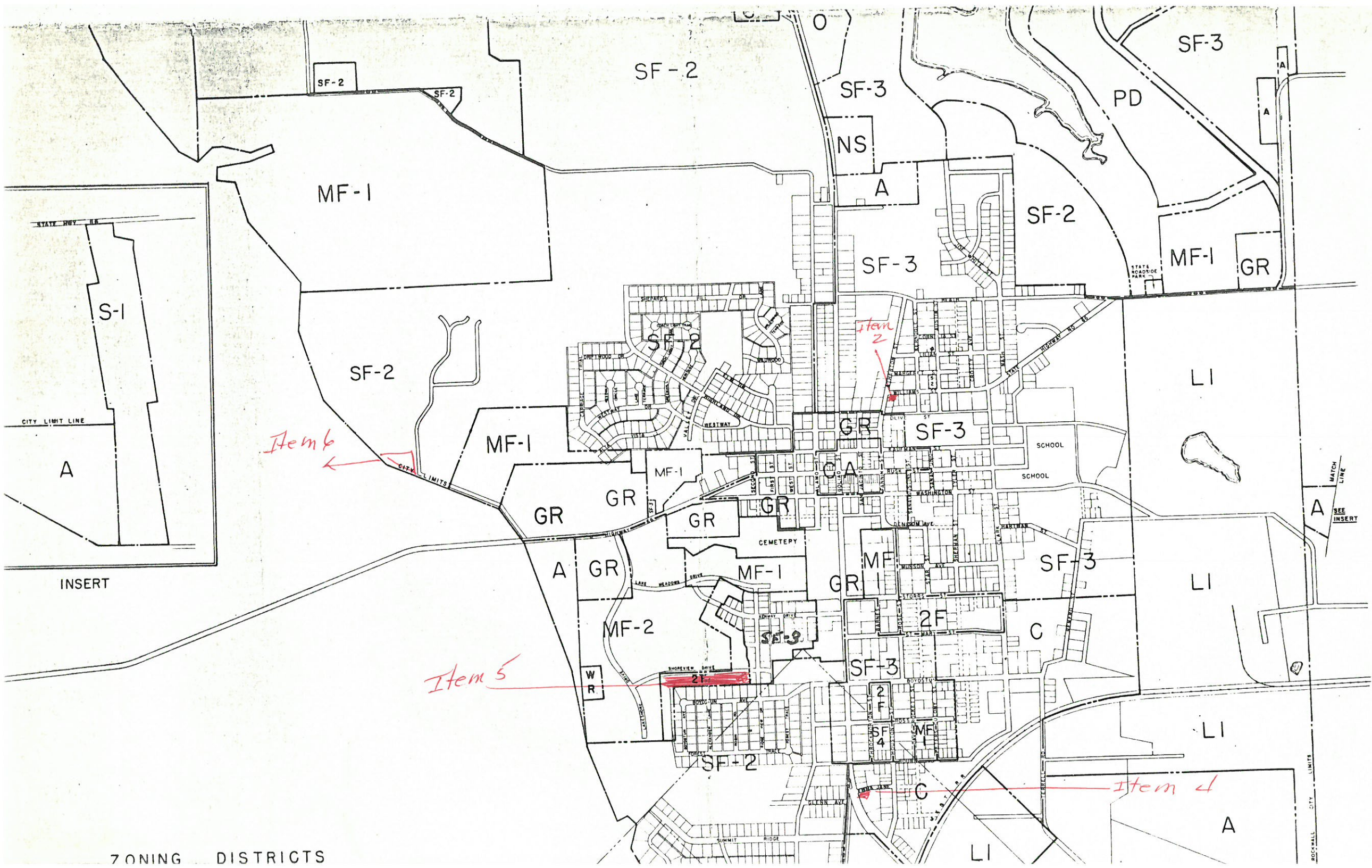
NOTE: The legal description is used to publish notice of the required hearing and in the preparation of the final ordinance granting the zoning change. The description must be sufficient so as to allow a qualified surveyor to take the description and locate and mark off the tract on the ground. Each applicant should protect himself by having a surveyor or his attorney approve his legal description. Failure to do so by the applicant may result in delay in passage of the final ordinance or the ordinance being declared invalid at some later date because of an insufficient legal description.

(The following Certificate may be used by the applicant to give notice to the City of the sufficiency of the legal description, however, the same is not a requirement of the Application.)

CERTIFICATE

I hereby certify that I have checked the legal description of the property described in this Application and the same describes the tract of land shown on the Plat attached hereto as Exhibit "A" and said description is sufficient to allow qualified surveyor to locate and mark off said tract on the ground

Surveyor or Attorney for Applicant
(Mark out one)



have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey unto the said

Billy Peoples

of the County of Rockwall, State of Texas, all that certain lot, tract or parcel of land, lying and being situated in Rockwall County, Texas, and more particularly described as follows:
Situated in the Town of Rockwall, Rockwall County, Texas, out of the B. F. Boydston Survey, described as follows:
BEGINNING at the Northwest corner of the Laura Williams tract, near the Northeast corner of the original plat of the town of Rockwall;
THENCE East 100 feet;
THENCE South $13\frac{1}{2}$ West 100 feet;
THENCE West 100 feet;
THENCE North $13\frac{1}{2}$ East 100 feet to the place of beginning, and being the same premises ~~deeded by H. B. Lofland, Executor, to Bess Martin by deed dated January 17, 1948, of record in Volume 43, Page 212, Rockwall County, Texas Deed Records, and being the same property conveyed by deed to Charles Wilson from Harry Martin and wife, Bess Martin, said deed dated April 17, 1969, and recorded in Volume 86, Page 492, Deed Records of Rockwall County, Texas.~~

City of Rockwall

102 EAST WASHINGTON
ROCKWALL, TEXAS 75087

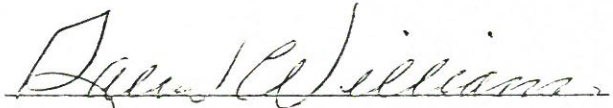
LEGAL NOTICE

NOTICE OF PUBLIC HEARING

TO ALL INTERESTED PERSONS AND PROPERTY OWNERS:

You are hereby notified that the City Council of the City of Rockwall will hold a Public Hearing at 7:30 P.M. on the 4th day of October 1976 at the City Hall, Rockwall, Texas, to consider the granting of a GR - "General Retail Zoning Classification District" on the following described property:

SEE ATTACHED FIELD NOTES



Galen Williams
City Secretary
September 14, 1976

BEFORE THE PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

The Planning and Zoning Commission will hold a public hearing at 7:30 o'clock P. M, on the 28th day of July, 19 76, in the Rockwall City Hall, Rockwall Texas, on the request of Billy W. Peoples for a change of zoning from "SF-3" Single Family 3 District Classification to "GR or C" General Retail or Commercial District Classification on the following described property:

SEE ATTACHED

As an interested property owner, it is important that you attend this hearing or notify the committee of your feeling in regard to the matter by returning the below form. In replying, please refer to Case No. _____

John Seldon
City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning & Zoning Commission, 102 E. Washington, Rockwall, Texas 75087.

Case Number: 76-6

Reason for Change:

I am in favor of the request for the following reasons: _____

I am opposed to the request for the following reasons: _____

- 1.
- 2.
- 3.

Signature _____

Address _____

Check one item PLEASE and return this Notice to this Office IMMEDIATELY.

Thank You,
CITY OF ROCKWALL, TEXAS

BEFORE THE PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

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SEE ATTACHED

As an interested property owner, it is important that you attend this hearing or notify the committee of your feeling in regard to the matter by returning the below form. In replying, please refer to Case No. _____.

Paul Nelson
City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning & Zoning Commission, 102 E. Washington, Rockwall, Texas 75087.

Case Number: 76-6

Reason for Change:

I am in favor of the request for the following reasons: _____

I am opposed to the request for the following reasons: _____

- 1.
- 2.
- 3.

Signature W. L. Nixon

Address 306 N FANNIN Rockwall Tex

Check one item PLEASE and return this Notice to this Office IMMEDIATELY.

Thank You,
CITY OF ROCKWALL, TEXAS

BEFORE THE PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

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SEE ATTACHED

As an interested property owner, it is important that you attend this hearing or notify the committee of your feeling in regard to the matter by returning the below form. In replying, please refer to Case No. _____.

John Helton
City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning & Zoning Commission, 102 E. Washington, Rockwall, Texas 75087.

Case Number: 76-6

Reason for Change:

I am in favor of the request for the following reasons: _____

I am opposed to the request for the following reasons: ✓

- 1.
- 2.
- 3.

Signature *Myrtle Armstrong*

Address 308 W Fannin

Check one item PLEASE and return this Notice to this Office IMMEDIATELY.

Thank You,
CITY OF ROCKWALL, TEXAS

BEFORE THE PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

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SEE ATTACHED

As an interested property owner, it is important that you attend this hearing or notify the committee of your feeling in regard to the matter by returning the below form. In replying, please refer to Case No. _____.

John T. Nelson
City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning & Zoning Commission, 102 E. Washington, Rockwall, Texas 75087.

Case Number: 76-6

Reason for Change:

I am in favor of the request for the following reasons: Adapted for Retail use.

I am opposed to the request for the following reasons: _____

- 1.
- 2.
- 3.

Signature Mad Max A. T. Gray

Address 503 N Lannin St

Check one item PLEASE and return this Notice to this Office IMMEDIATELY.

Thank You,
CITY OF ROCKWALL, TEXAS

The following form may be filled out and mailed to the City Planning & Zoning Commission, 102 E. Washington, Rockwall, Texas 75087.

Case Number: 76-6

Reason for Change:

I am in favor of the request for the following reasons: _____

I am opposed to the request for the following reasons: ✓

1. It would hurt the value of my property
2. It would cause too much congestion in residential areas
3. It would force too many people to move and lose on their property.

Signature A. L. Price

Address 402 N. Linn St.

Check one item PLEASE and return this Notice to this Office IMMEDIATELY.

Thank You,
CITY OF ROCKWALL, TEXAS

The following form may be filled out and mailed to the City Planning & Zoning Commission, 102 E. Washington, Rockwall, Texas 75087.

Case Number: 76-6

Reason for Change:

I am in favor of the request for the following reasons: To increase Value of Prop.

I am opposed to the request for the following reasons: _____

- 1.
- 2.
- 3.

Signature Ray Parker
Address 501 Keonoda

Check one item PLEASE and return this Notice to this Office IMMEDIATELY.

Thank You,
CITY OF ROCKWALL, TEXAS

City of Rockwall

102 EAST WASHINGTON
ROCKWALL, TEXAS 75087

October 6, 1976

Mr. Billy Peoples
P. O. Box 35
Rockwall, Texas 75087

Billy:

To properly prepare the official Zoning Ordinance so that the action of the City Council at Monday night's meeting will be legal, I must have a set of field notes which will describe in one tract the complete 113 acres. These will be used for both the Zoning and Annexation Ordinances. I should receive these field notes no later than the 20th of October.

We can use the field notes that you gave us for the General Retail tract at Fannin and Williams, but these field notes, as you know, do not properly describe the property as it exists. Since the excess of the property is in right of way zoning that will make no difference, but it would be preferable to have a legal description to the property without the right of way. If you will give us a set of field notes describing the property as it exists by this October 20th date we will accept those for the Zoning Ordinance. If not, we will use the set of field notes that were included with your original request.

Sincerely yours,



John Sellon
City Administrator

JS/mmp

City of Rockwall

102 EAST WASHINGTON

ROCKWALL, TEXAS 75087

October 27, 1976

Mr. Bob Baker
Saner, Jack, Sallinger and Nichols
Republic National Bank Building
Dallas, Texas

Bob:

Enclosed are the field notes for a piece of property for which the Council has approved rezoning. The property is presently zoned SF-3 - Single Family 3, and was approved for GR - General Retail.

I would appreciate having this ordinance prepared for the regular November 1st City Council meeting.

Sincerely yours,

John Sellon
City Administrator

JS/mmp
Enclosure

REGULAR MEETING OF THE CITY COUNCIL HELD
November 1, 1976

The Rockwall City Council met in its regular meeting on November 1, 1976 in the Council Chambers of the City Hall at 7:30 P.M. The meeting was called to order by Mayor Myers at 7:40 P.M. The following Councilmen were present: Randolph Gheen, Arthur Kuhlman, Leland Miller and Jim Bryant. Councilman Garvin Tate was absent.

The minutes of the Special Meeting of October 4th meeting were approved as prepared.

Mrs. Pansy Dobbs, representing the Friends of the Library, spoke to the Council about the background of the Library situation in the County of Rockwall. She stated that the Library had requested \$10,000 for their 1977 annual budget, and the County Commissioners had approved \$5,200. She pointed out that to be an approved library, the State requires a \$1.00 per person expenditure based on the previous census figures. Mrs. Dobbs then pointed out many of the current and future needs for a Rockwall County Library. She requested consideration by the City to include in their budget the amount of \$4,800 which would meet the \$10,000 need of the Library for next year. She also stated she felt that it would be very important for the City to continue to support the Library in the coming years. The subject was discussed and questions asked concerning the Library by members of the Council. Leland Miller suggested that the other four cities in the County be contacted regarding their interest in support for the Library. It was felt that the Council could not make any immediate decision on this request, and the Mayor advised Mrs. Dobbs that the Council would take it under advisement.

Richard Williams, of the Rockwall Fire Department, itemized equipment needs that the Fire Department will have and for which the monies are sufficient in the Fire Department Equipment Fund. The specific request for approval is for a special nozzle costing approximately \$661.00 that would considerably improve the Fire Department's ability to fight fires of other than a residential nature. Councilman Gheen moved approval of the requested item. Councilman Kuhlman seconded the motion, the Council voted unanimously in favor.

The formal ordinance for the rezoning of the property at the southeast corner of Fannin and Williams from SF-3 to GR was submitted. Councilman Gheen moved approval of the ordinance. Councilman Kuhlman seconded the motion, and the Council voted unanimous approval.

Don Allison, representing Cutter Hill, and Harold Evans, his engineer, presented the final plan on Cutter Hill which had been approved by the Planning and Zoning Commission. The change from the previous platting was the inclusion of easements for public utilities. The original platting anticipated private utilities so that no easements would be necessary. These easements and the engineering details had been reviewed by Freese and Nichols and approved. Councilman Kuhlman moved approval of the plat.

Councilman Miller seconded the motion, and the Council voted unanimously in favor.

A preliminary plat for the Woodlake Addition was presented by the developer's engineer, Mr. Moon. The preliminary plat had been approved by the Planning and Zoning Commission. Mr. Moon explained that this preliminary plat was completely different from that which had been submitted some time ago. The flood plain area, being under the jurisdiction of the U. S. Soil Conservation Service, could not be altered, and the economic analysis of the project made it evident that the total land should be developed in three separate segments. This segment would include the property of the southwest section. There is an opportunity for the developer and the City to work together in planning and utilizing the approximate 170 acres of open space included in the flood plain area. Councilman Miller moved approval of the preliminary plat. Councilman Gheen seconded the motion, and the Council vote was unanimously in favor.

Mayor Myers advised the Council that he had discussed with Mr. Earl Slaughter about accepting the vacancy on the Planning and Zoning Commission. He reported that Mr. Slaughter was willing to accept the job. Councilman Gheen moved that Mr. Slaughter be appointed to the Planning and Zoning Commission. Councilman Miller seconded the motion, and the Council voted unanimous approval.

The City Administrator asked the Council if they would be interested in considering a proposal for establishing a perpetual trust for the City Cemetery and rules and regulations that would establish the maintenance regulations for both the City and the property owners. The perpetual trust would be created by putting all of the monies from the sale of the remaining lots into this trust fund. Interest from the trust fund would then go to defray some of the City's costs for the Cemetery's maintenance. The sentiments of the Council were to prepare the details with the aid of the City Attorney.

The City Administrator advised the City Council that on November 30th at 10:00 o'clock the Public Hearing on the City of Rockwall's Landfill application would be conducted at the Dallas Public Library. He did not feel that there would be any problems in being approved.

The City Administrator reported that the City had missed by one having its Community Grant application approved. Gene Wright, of the Dallas HUD office, had been very helpful in explaining the details and reasons for the close miss. We should be in a good position for next year's application. The Rockwall sewer grant application remained at 127 on the priority list, with the report that only 11 grants were being approved at this time.

The City Administrator then submitted the dedication agreement approved by the City Attorney between Cambridge Company and the City of Rockwall for the dedication of 30' of right of way in the

Eastplex Industrial development. This would be ready for Mayor Myers signature as soon as Cambridge Company submitted the field notes of the property as an attachment to the agreement. Councilman Kuhlman moved that the Mayor be authorized to execute the agreement, subject to the addition of the field notes. Councilman Gheen seconded the motion, and the Council voted unanimous approval.

The City Council determined that Wednesday, November 7th at 7:30 P.M., the Budget Committee would meet with the Administrative Staff for review of the prepared budget.

The City Administrator reported that the City of Dallas is initiating stringent enforcement regulations against violators of the policies regulating the use of the shoreline of Lake Ray Hubbard. The City of Rockwall will assist the City of Dallas with its enforcement within the City of Rockwall.

The question of Lone Star Gas meters relocation was again discussed, and it was decided to have the Mayor write to Lone Star Gas for detailed clarification.

Mayor Myers reported that he had had lengthy conversations with the Saddlebrook Valley people concerning the golf course lease and that this was ready for review and negotiation by the City Council.

The regular Council meeting was adjourned at 9:10 P.M.

Mayor Myers then called a closed session of the City Council to review details of the negotiations on this real estate lease with Saddlebrook Valley.

ATTEST:

John Sellen
Assistant City Secretary

Harry Myers
Mayor

Rezoning Billy Peoples
SF3 GR or C old filing section (6/27/04) P+Z