

CITY HALL  
ROCKWALL TEXAS  
APPLICATION FOR ZONING CHANGE

Case No. 76-5 77-1 Filing Fee 50.00 Date 12-10-76

Applicant First Continental Enterprise Inc.

Mailing Address P.O. 30326 Dallas, Texas Phone No. 239-3784

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.)

Tract A & B See Attached Sheet

I hereby request that the above described property be changed from its present zoning which is "SF-3 & NS" <sup>Single Fa</sup> District Classification to a "G.R." District Classification for the following reasons: (Attach separate sheet if necessary.)

1. To comply with master plan
2. Previous zoning didn't match this needs.
- 3.

THERE <sup>(ARE)</sup> ~~(ARE NOT)~~ DEED RESTRICTIONS PERTAINING TO THE INTENDED USE OF THE PROPERTY.

STATUS OF APPLICANT: Owner X 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.

FIRST CONTINENTAL ENTERPRISES, INC.

BY: Fred L. Toan  
APPLICANT  
Fred L. Toan, President

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

X C. L. Toan P.E.  
Surveyor or Attorney for Applicant  
(Mark out one)

DATE

Nº 12048

*12/23/76*

GENERAL FUND RECEIPT

*Rezoning Fee*

*00*

TOTAL AMOUNT

*\$ 50*

NAME

*First Continental Enterprises*

Account No.

ADDRESS

**CITY OF ROCKWALL**

Rockwall, Texas







# City of Rockwall

102 EAST WASHINGTON

ROCKWALL, TEXAS 75087

## Tract "A"

COMMENCING at the southwest corner of said 154.46 acre tract of land said point being in the easterly line of State Highway NO. 205: THENCE N5°41 'W with easterly line of said Highway No. 205, 210.84 to the place of beginning of Tract "A", a point for corner;

THENCE N5°41 'W and continuing along the easterly line of said Highway No. 205, 66.26' to a point for corner;

THENCE N9°07'W with the easterly line of said Highway No. 205, 197.28' to a point for corner;

THENCE N12°20'W and continuing along the easterly line of State Highway No. 205, 39.73' to a point in the south line of a proposed 15' wide alley, a point for corner;

THENCE N89°25'E with the said south line of said proposed alley, 580.68' to a point for corner;

THENCE S45°35'E along the property line of said proposed alley, 28.28' to a point for corner;

THENCE S0°35'E with the west line of a proposed 15' wide alley, 278.62' to a point in the northerly line of Magnolia Drive, as proposed, (a 60' R/W), said point being the beginning of a curve to the right having a radius of 668.13', a central angle of 3°40' and a tangent bearing of S85°45'W, a point for corner;

THENCE in a westerly direction with the northerly line of said proposed Magnolia Drive and along said curve, 42,76' to the end of said curve, a point for corner;

THENCE S89°25'W and continuing along the northerly line of said proposed Magnolia Drive, 514.69' to the place of beginning and containing 3,96 acres of land.



# City of Rockwall

102 EAST WASHINGTON

ROCKWALL, TEXAS 75087

## Tract "B"

BEGINNING at the southwest corner of said 154.46 acre tract of land, said point being in the easterly line of State Highway No. 205, a point for corner;

THENCE N5°41'W with the easterly line of said State Highway No. 205, 150.60' to a point in the south line of Magnolia Drive, as proposed, (a 60' R/W), a point for corner;

THENCE N89°25'E with the south line of said proposed Magnolia Drive, 509.33' to the beginning of a curve to the left having a radius of 728.13' and a central angle of 5°13', a point for corner;

THENCE in an easterly direction with the southerly line of said proposed Magnolia Drive and along said curve, 66.24' to the end of said curve, a point for corner;

THENCE S3°14'W, 62.67' to an inside corner of said First Continental Enterprises, Inc. tract, a point for corner;

THENCE S13°02'W, 93.10' to a southeast corner of said First Continental Enterprises, Inc. tract, a point for corner;

THENCE S89°25'W with a south line of said First Continental Enterprises, Inc. tract, 536.00' to the place of beginning and containing 1.93 acres of land.



# *City of Rockwall*

102 EAST WASHINGTON

**ROCKWALL, TEXAS 75087**

February 7, 1977

## LEGAL NOTICE

### NOTICE OF PUBLIC HEARING

TO ALL INTERESTED PERSONS AND PROPERTY OWNERS:

You are hereby notified that the City Council of Rockwall will hold a Public Hearing at 7:30 P.M. on the 7th day of March 1977 to consider the granting of GR - General Retail Zoning Classification on the following described property.

(See attached Field Notes)



Galen Williams  
City Secretary



# Legal Notice

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s/Galen Williams,  
City Secretary

(1tc)



# Woodlake

Property owners within 200' of area  
West side of Hwy - 205

1. Hugh Scott — ss M<sup>c</sup>Curry #157 - .715 ac  
6713 Hwy 66  
Rowlett, Tx 75088
  2. Church of Christ — ss. M<sup>c</sup>Curry #156 — 2.8 ac  
% Pat Presley  
Box 618  
Rockwall, Tx 75087
  3. Bob Bridges — ss M<sup>c</sup>Curry #156 — 1 ac  
Rt. 2 - 1201 N. Goliad  
Rockwall, Tx 75087
  4. J. T. Price — Lot 1 - Green Valley  
Rt. 2, Box 64 - N. Goliad  
Rockwall, Tx 75087
- East side of Hwy - 205
5. Philip M. Robertson — M<sup>c</sup>Curry-Heath #93 - 11.527 ac  
Box 695  
Rockwall, Tx. 75087
  6. H. C. Willess Est. — ss M<sup>c</sup>Curry #156 — 5 ac  
% Mable Willess  
311 S. Fannin  
Rockwall, Tx 75087



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 27th day of  
January, 1977, in the Rockwall City Hall, Rockwall  
Texas, on the request of First Continental Enterprise, Inc.  
for a change of zoning from "SF-3 & NS" Single Family & Neighborhood Service  
District Classification to "G.R." General Retail  
District Classification on the following described property:

See Attached Field Notes

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. 77-1.

John Sellen  
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: \_\_\_\_\_

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



C. L. MOON, INC.

*Consulting Engineers*

11554 EAST N. W. HWY.

DALLAS, TEXAS 75218

January 19, 1977

FREESE AND NICHOLS  
Consulting Engineers  
811 Lamar Street  
Forth Worth, Texas 76102

Attention: Gary Anderson

Re: Woodlake Addition, Rockwall,  
Texas

Dear Gary:

As indicated in the enclosed set of plans, we have completely revised Woodlake Addition in Rockwall. The reason for this revision was brought about because of the extreme cost of relocating the gas main traversing the addition.

Please review these plans in the usual manner and make your report accordingly. Joe Salfrank, representing the owner, and I met with John Sellon and Ed Heath yesterday and went over the plans quite thoroughly regarding some of the various problems such as the gas line, grading situation, etc.

If you have any questions, please feel free to call me.

Very truly yours,

C. L. Moon

CLM/at

Enc.

cc: Joe Salfrank  
John Sellon  
Ed Heath



C. L. MOON, INC.

*Consulting Engineers*

11554 EAST N. W. HWY.

DALLAS, TEXAS 75218

January 28, 1977

FREESE AND NICHOLS  
Consulting Engineers  
811 Lamar Street  
Fort Worth, Texas 76102

Attention: Gary Anderson

Re: Woodlake Addition  
ROK 77014

Dear Gary:

I have received the corrected plans for the captioned addition together with your letter regarding these corrections. These plans have been corrected as we have seen fit to do so. I will make reference identifying the paragraphs of your letter.

Paragraph No. 2: Our preliminary plat for this addition has been approved with Magnolia Drive as a 60' wide Right-of-Way which requires 37' of pavement as indicated in our plans.

Paragraph No. 3: The requirements we have in our files regarding the width of pavement for your primary streets is 27' back to back. This is also shown in our plans.

Paragraph No. 4: The owner of this addition and I met with Mr. Sellon and Mr. Heath recently and discussed the subject matter in Paragraph No. 4. I believe it will meet with the City's approval if our contractors are fully bonded and that the bond be in the favor of the City of Rockwall thereby protecting the City against anything not being constructed and maintained properly.

Paragraph Nos. 5 & 6: At this same meeting with Mr. Sellon and Mr. Heath, we explained to them the difficulty in obtaining these long sight distances due to the topography of the land. They made no commitment to us relative to this matter but did say that they would take it into consideration and discuss it with you. Incidentally, our sight distances do conform to the City of Dallas' which I think is adequate.

Paragraph No. 7: I am not quite sure that I know what you mean when you refer to the sanitary sewer line in Joe White Street being on the "wrong" side of the street. I realize most cities have requirements



C. L. MOON, INC.

*Consulting Engineers*

11554 EAST N. W. HWY.

DALLAS, TEXAS 75218

Page 2 - FREESE AND NICHOLS  
Re; Woodlake Addition  
ROK 77014

suggesting that water and sewer lines be on certain sides of the streets. However, it does not seem logical to put the sanitary sewer line on the high side of the street thereby causing the construction to be disadvantageous to both the utility contractor and the plumber. We always put sewer lines on the low side if possible.

Paragraph No. 8: The required note has been added to the plans.

Paragraph No. 9: You make reference to a requirement of the Department of Health Resources in this paragraph. I find no mention of this requirement in the City of Rockwall's Standards.

Paragraph No. 11: Our storm sewer cannot be lowered to meet the existing grade because it will conflict with the existing sanitary sewer lines as shown in our plans. The only other method would be to go under the sanitary sewer line which would put the storm sewer in a hole together with making it excessively deep. We have however called for a rip rap headwall for erosion protection.

Paragraph No. 12: The hydraulic gradient of this storm sewer has been lowered as per your request.

I am returning herewith the marked set of corrected prints together with a new set.

Very truly yours,

C. L. Moon

CLM/at

Enclosures

cc: Joe Salfrank

City of Rockwall



**FREESE AND NICHOLS, INC.**

C O N S U L T I N G E N G I N E E R S

February 14, 1977

SIMON W. FREESE  
JAMES R. NICHOLS  
ROBERT L. NICHOLS  
LEE B. FREESE  
ROBERT S. GOOCH  
JOE PAUL JONES

JOE B. MAPES  
OCIE C. ALLEN  
ROBERT A. THOMPSON III  
W. ERNEST CLEMENT  
ELVIN C. COPELAND  
JOHN H. COOK  
T. ANTHONY REID

Ed Heath  
305 S. Goliad  
Rockwall, Texas 75087

Re: Woodlake Addition  
ROK 77014

Dear Sir:

Enclosed is the set of subdivision plans for Woodlake Addition. In comparing these plans to the City of Rockwall Ordinance 11-71 as amended and other officially adopted policy statements, I find the following errors.

The width of Magnolia Drive does not conform to the Type "E" street (44 feet wide) required by the Rockwall Thoroughfare Plan. The plat submitted has been redesigned including a reduction in the width of the approved width of Joe White.

OK  
? \*

The width of Joe White Street should be 28 feet, not 26 feet, as required by the Major Thoroughfare Plan.

28' STREET  
? BUS  
Alameda

Statements required on the file plat by Section VIII, Paragraph F and Paragraph H of Ordinance 11-71 have been omitted.

The vertical curve on Joe White Street at station 8+00 is too short to give the required sight distance. Since the possible length of curve at this site is restricted, I would recommend that the sight distance requirement be waived, and the length of curve be extended only 100 feet.

W

The vertical curve on Magnolia Drive at station 7+50 does not give the required sight distance.

FIN will check  
W

The water and sewer lines in the east-west portion of Joe White Street are on the wrong side of the street. They should be moved to that side of the street called for in the Ordinance, if possible. No evidence has been submitted to show that it is physically or hydraulically impossible to move this sewer line.

W



The requirement for pressure type pipe for sewers at water line crossings written on page 10 of the latest "Design Criteria" of the Texas Department of Health Resources should be followed.

OK

Based on the number of violations of the City of Rockwall Ordinance and other regulations listed above, I would not recommend acceptance of these plans.

The following comments are not directly a part of the official policy of the City of Rockwall, but are recommendations based on professional experience.

Experience in Rockwall has shown that Storm Sewer outfalls that do not discharge at or below the natural flowline grade of an existing watercourse will erode rapidly. The outfall of the storm sewer design submitted discharges onto a three to one slope. Severe erosion will occur at the toe of this slope when the storm sewer discharges. This pipe should be lowered, and if necessary, a channel cut to carry this water away.

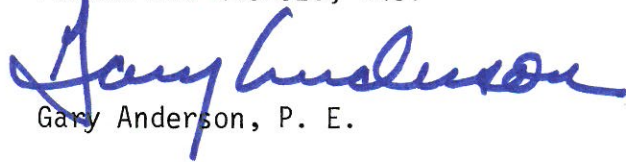
ENSURE  
LOW FLOW  
PROBLEM

No sanitary sewer or storm drain profiles have been submitted with the revised plans, so I cannot check these.

W

Yours very truly,

FREESE AND NICHOLS, INC.



Gary Anderson, P. E.

GA:ms



# *City of Rockwall*

102 EAST WASHINGTON  
ROCKWALL, TEXAS 75087

March 10, 1977

Mr. Fred L. Toan, President  
First Continental Enterprise, Inc.  
P. O. Box 30326  
Dallas, Texas

Dear Mr. Toan:

The Rockwall City Council approved in principle the rezoning of the Neighborhood Shopping District to General Retail which is contained in the specific field notes for this revision. This will be submitted to our attorney for preparation of an official ordinance and should be ready for the April 4th Council meeting.

If we can be of further service, please do not hesitate to contact City Hall.

Sincerely yours,

John Sellon  
City Administrator

JS/mmp

**FREESE AND NICHOLS, INC.**

C O N S U L T I N G   E N G I N E E R S

March 25, 1977

SIMON W. FREESE  
JAMES R. NICHOLS  
ROBERT L. NICHOLS  
LEE B. FREESE  
ROBERT S. GOOCH  
JOE PAUL JONES

JOE B. MAPES  
OCIE C. ALLEN  
ROBERT A. THOMPSON III  
W. ERNEST CLEMENT  
ELVIN C. COPELAND  
JOHN H. COOK  
T. ANTHONY REID

Mr. C. L. Moon, P.E.  
C. L. Moon, Inc.  
11554 East Northwest Highway  
Dallas, Texas 75218

Re: Woodlake Addition  
ROK 77014

Dear Mr. Moon:

Mr. John Sellon, City Administrator for the City of Rockwall, has requested that I review our previous reviews of the subdivision plans for the Woodlake Addition, Section 1, in Rockwall. Mr. Sellon also requested that I advise you of my comments. This letter is in compliance with those requests.

In reviewing the history of the Woodlake Addition, it appears that it was first submitted for consideration in the summer of 1975. It appears that it was originally intended to reroute the Lone Star Gas Company pipe line. Reviews of the submissions were made at that time and comments submitted to your office.

It also appears that the City had either just adopted or was in process of adopting the "Major Thoroughfare Plan." I am advised by Gary Anderson, of our staff, that a staff decision was made not to invoke the requirements of the "Major Thoroughfare Plan" on those subdivisions under construction or in the submittal process. As the result of this decision the regulations were not imposed upon your 1975 submittal.

As you are aware, the 1975 submittal was not carried out and a revised proposal was submitted probably in about August 1976. Comments and recommendations were noted on those plans and returned to your office.

Apparently the current plans under consideration were submitted in the latter part of 1976 or the first of 1977. This submittal is a



C. L. Moon  
March 25, 1977  
Page Two

complete revision of the platting, particularly as it relates to Magnolia Drive. It would be my interpretation that the most recent submittal should be considered as a new transaction since it varies considerably from the earlier filings. Normally I would have expected a new preliminary plat to have been submitted and that it be carried through the normal review and approval procedures. It would appear to serve no useful purpose, however, to request such a preliminary plat on Section 1, Woodlake Addition since the final plat is now available for review. The skipping of the preliminary plat review stage, however, probably accounts for some of the misunderstandings that now exist between our staff and your office.

Your most recent plat was reviewed by Gary Anderson and his comments set forth in a letter dated January 25, 1977. Your response of January 28th has been reviewed and taken into consideration.

After considering all of the correspondence, the City Ordinances, the Major Thoroughfare Plan and a proposal which we now have under consideration for recommending to the City for modifications of Rules and Regulations, I would make the following comments:

1. Application of the Thoroughfare Plan - Since the Thoroughfare Plan has been in effect for some 18 months or longer, it appears appropriate that all developments now being considered comply with the intent of the plan including Woodlake.
2. Street Grades - The City Ordinance now requires that the sight distance for residential streets be 400-feet and 600-feet for secondary streets. Our office has under consideration recommendations to revise this section of the Ordinance. We plan to base our recommendations on the publication by the American Association of State Highway Officials entitled, "A Policy on Design of Urban Highways and Arterial Streets." The minimum stopping sight distances, which we are considering, are as follows:

<u>Design Speed in Miles Per Hour</u>	<u>Minimum Stopping Sight Distance in Feet</u>
30	200
40	275
50	350
60	475

Based on the above information, we have developed the attached tabulation. It is our present thinking that residential streets shall be designed for 30 MPH and secondary and thoroughfares for 50 MPH. Our review of your current plans for Woodlake Addition are based upon these tentative recommendations. As you will fully understand, these tentative recommendations are much less restricted than those contained in the Ordinance. It is our opinion that this should be a minimum and that exceptions should be granted only under very unusual or extreme circumstances.

3. Magnolia Drive - The Major Thoroughfare Plan calls for a Type E street in the vicinity of this Addition. It is anticipated that this street will serve as a major collector street across the north and east sides of Rockwall. We consider this an important element of the plan and would strongly urge the City not to delete a street which would comply with this intent. In looking at the available information, Magnolia Drive appears to be the last opportunity south of Caruth Lake. It is therefore my conclusion that the City should insist on a street capable of handling high volumes of traffic. In reviewing the history of the Woodlake Project, I note that at no time was this particularly called to your attention. I am also aware that we were not forcing the Thoroughfare Plan at the time of the original submittal. As noted earlier in the letter, however, I consider this current submittal a new project and that the Thoroughfare Plan is in effect and applicable to this consideration. Recognizing that requesting a right-of-way width of 70-feet would cause a complete replatting, I have endeavored to develop a compromise. I would suggest for your consideration that we agree to a 60-foot right-of-way and a Type F



collector street (40-foot). If you concur, I am prepared to recommend to the City that they accept this solution. If this compromise is not acceptable then I have no alternative but to return to the Thoroughfare Plan and insist upon a 70-foot right-of-way and a Type E collector street.

In reviewing the street plans in light of our tentative revisions of sight distances, we find several instances of non-compliance. It is noted that no provisions are made for vertical curves at Stations 1+00, 4+00, 6+00, and 9+00. I am particularly concerned about the intersection of Magnolia and Highway 205. I believe it would be in order to require that grades at Station 1+00 and 4+00 conform or nearly conform.

Station 7+50 is considerably short of compliance. I realize that you are paralleling a gas line and that you may have some restrictions. In an effort to solve what probably is a difficult design problem, I would be agreeable to recommending to the City that this vertical curve and the one at 15+00 comply with the design speeds of 40 MPH. While this may create some engineering design difficulties, I do not believe that it is unreasonable for the City to expect subdivisions to meet at least a minimum criteria. (A criteria much less than what is actually specified in the current Ordinance.) I assume that you will be able to work this out in a satisfactory manner.

It is noted that several of the "sags" fail to meet the criteria. I do not consider this nearly as serious as the vertical curves and would be willing to recommend an exception be allowed for these.

4. Joe White Street - The Thoroughfare Plan sets a minimum residential street width of 28-feet. This was noted on the 1976 submittal and you therefore were aware of this fact at the time you prepared the current plans under consideration. I see no justification to recommend a waiver to the City. Station 8+00 does not meet our tentative recommendations for vertical curves. You are requested to extend the length of the curve to a minimum of 342 feet.

C. L. Moon  
March 25, 1977  
Page Five

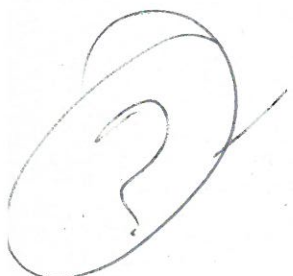
This probably does not require much additional excavation. It is also noted that the sag at Station 12+00 fails to comply, but again I am willing to recommend that the City grant an exception.

5. Statements Required by Section VIII, Paragraphs F and H of Ordinance 11-71 - This is a legal matter and, by copy of this letter, I am requesting that Mr. Sellon seek the opinion of the City Attorney. I would note, however, that compliance does not appear to be insurmountable to me.
6. Water and Sewer Lines on Joe White Street - The City has established a policy for the location of water and sewer lines. This is to facilitate more familiarity with the system by their operating personnel. I have examined the street profiles and concur that to reverse the water and sewer lines would increase the depth of trench on the sewer line - maybe an average of 1 foot to a maximum of 3 feet. By the same token, I would assume that if the water line remained at the location where you propose, it would be somewhat deeper than normal. I further would assume that the sewer lines would be constructed after street excavation and that the back slopes would have been completed. This would reduce the elevation difference somewhat. As I view this situation, to place the sewer line at the location normally required by the City might increase the initial cost but the advantages of uniformity outweigh the initial cost. I would therefore not be in a position to recommend a waiver of the standards for utilities locations.
7. Pressure Type Pipe for Sewers at Water Line Crossings - I concur that this particular point is not covered in city ordinances. It is contained in the "Design Criteria" of the Texas Department of Health Resources and should be considered good design criteria. As a matter of fact the regulations of the DPHS may be the equivalent of state statutes.



C. L. Moon  
March 25, 1977  
Page Six

8. Storm Sewer Outfall Outlet - As Gary has indicated, the City has experienced considerable difficulties from erosion from installations similar to what you are proposing. Based on these experiences, we believe that it is desirable to lower the outlet to or below the natural flow line. In reviewing your plans, it does not appear that this would result in excessive cuts although, obviously, it would be deeper. It might be necessary to cut a channel from the outlet to the water course, but, again, this does not seem to be a major obstacle.
9. Hydraulic Gradient in Storm Sewer - Your letter of January 28th, states that this has been revised but we do not seem to have a copy of the revision.
10. Cul-de-sac on Magnolia Court - The Thoroughfare Plan calls for a 40 foot radius back of curb. My review notes that you call for only a 38 foot to face of curb. While Gary overlooked this in the earlier review, I believe it would be appropriate to suggest that compliance be made to the Thoroughfare Plan.
11. We do not seem to have a copy of specifications for the latest submittal. I will therefore withhold comments on the specifications until they have been filed.
12. Caruth Lake - It is my understanding that there is a flood easement in connection with this SCS reservoir. While I do not have the information, it appears that the easement probably would encroach upon some of the platted lots. I think it would be appropriate for either the easement to be shown on the plat or a certification from either the engineer or the developer that the easements do encroach on the development. This again is a legal matter and Mr. Sellon may wish to rely on his City Attorney on advice.



C. L. Moon  
March 26, 1977  
Page Seven

It is my understanding that Woodlake Addition, Section 1, will be submitted to the Planning and Zoning Committee on March 31st. I propose to recommend approval subject to the compliance with my comments set forth above. Should you feel that there are circumstances which would justify modifications of my recommendations, I would suggest that you contact our office prior to the March 31st meeting.

Yours very truly,

FREESE AND NICHOLS, INC.

Robert L. Nichols, P.E.

RLN:mg  
Enclosure  
cc: John Sellon  
Ed Heath



MINIMUM LENGTH VERTICAL CURVES - IN FEET

CREST VERTICAL CURVES

ALGEBRAIC DIFFERENCE IN GRADE - PERCENT	DESIGN SPEED - MILES PER HOUR			
	30 MPH	40 MPH	50 MPH	60 MPH
1.0	100	100	100	160
2.0	100	110	170	320
3.0	100	165	255	480
4.0	120	220	340	640
5.0	150	275	425	820
6.0	180	330	510	960
7.0	210	385	595	1120
8.0	240	440	680	1280
9.0	270	495	765	1440
10.0	300	550	850	1600

SAG VERTICAL CURVES

ALGEBRAIC DIFFERENCE IN GRADE - PERCENT	DESIGN SPEED - MILES PER HOUR			
	30 MPH	40 MPH	50 MPH	60 MPH
1.0	100	100	100	105
2.0	100	110	150	210
3.0	105	165	225	315
4.0	140	220	300	420
5.0	175	275	375	525
6.0	210	330	450	630
7.0	245	385	525	735
8.0	280	440	600	840
9.0	315	495	675	945
10.0	350	550	750	1050

MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING

February 24, 1977

Chairman Glasscock called the meeting to order at 7:30 P.M. He asked for additions and corrections to the minutes of the previous meeting. There were none, so the minutes were approved as presented.

The first order of business was the request for the zoning change by Baker-Crow on the Stonebridge Meadows, Phase 2, Addition. This request was for a change from Multi-family-2 and 2-F zoning to SF-3 zoning. Larry Peebles presented the request representing Baker-Crow. Also present was a Mr. Ingram who is a home owner in the adjoining development of Ridgeview and he expressed his concurrence with this request. It was moved by Bob Coats that the zoning be recommended for approval to the City Council, seconded by Pert Virtanen, and the vote for was unanimous.

Chandlers Landing, Phase 6, was submitted by Harold Evans, representing Clark-Frates, for revision. This request for replat was to change zero lot line development to larger lots that would be designed for single family detached development. The Freese and Nichols letter covering details of engineering included a few minor changes in utilities and Harold Evans advised the Planning and Zoning Commission that these changes could be made prior to the submission to the City Council at the March 7th meeting. It was moved by Bob Coats that this be recommended for approval of the replatting of Chandlers Landing, Phase 6, subject to clearing up the engineering requests. Wayne Rogers seconded the motion. The vote for: Kenneth Glasscock, Wayne Rogers, Bob Coats, with Pert Virtanen abstaining.

The Woodlake Subdivision, Section 1, was not completed in engineering detail and therefore is omitted from consideration at this meeting.

Lakehill Subdivision, Section 1, was submitted for reconsideration by Ronnie Cowan, owner. Also present was Harold Evans who is doing the engineering on this development. This subdivision lies in the extra-territorial jurisdiction of the City of Rockwall and had been referred back to the Planning and Zoning Commission by the City Council with instructions to review in detail the exceptions requested by the developer and then be resubmitted to Planning and Zoning. The discussion of the pros and cons of 100% compliance to the City's Subdivision standards lasted about an hour. Ronnie Cowan stated that in accordance with the County requirements, there would be a cul de sac constructed at the north end of the development. The developer pointed out that the cost of complying with all of the City Subdivision standards would make the price of these large lots prohibitive in comparison with similar developments in this area but which lie outside the City's jurisdiction. He also pointed out that no City



vote for this motion. It was stated during this discussion on annexation that the City of Rockwall, under General Law, cannot annex property except by petition of the property owner. Therefore, any annexation would have to be voluntary and could not be required by the City. Discussion continued, and Pert Virtanen made a motion to reject this plat. The motion died for want of a second. Wayne Rogers then suggested that the whole question be referred to the City Council to establish a policy for the enforcement of subdivision standards in extra-territorial jurisdiction. Pert Virtanen then made a motion that a final decision on enforcement of City subdivision standards be held in abeyance by Planning and Zoning, but that the question be presented to the City Council for a policy decision; the question: that if the City is to enforce full compliance with subdivision standards in the extra-territorial jurisdiction that it be on the basis that the property will be annexed and City utilities be made available within a three year period; if these conditions cannot be reasonably met within an approximate three year period that the developer be permitted some variances from the subdivision standards. The motion was seconded by Wayne Rogers. The vote for was unanimous.

Harold Evans presented a replat of Royal Park Place which would extend the back lot lines of lots along the take line approximately 6 ft. The necessity for this replat was due to a miscalculation in the location of the City take line. The only effect is to increase the size of the lots facing the lake. It was moved by Pert Virtanen to approve the replat of Royal Park Place; seconded by Wayne Rogers; the vote for was unanimous.

The single lot plat of the Chamber of Commerce location fronting on FM-740 with drive access to the I-30 service road was presented. This was reviewed and it was moved by Wayne Rogers to approve this plat; it was seconded by Bob Coats; the vote for: Kenneth Glasscock, Earl Slaughter, Wayne Rogers and Bob Coats, with Pert Virtanen abstaining.

A request had been received from the National Advertising Company from a Mr. Paul Revier to enlarge the maximum permitted size of outdoor advertising signs along the Interstate from 370 sq. ft. to 600 sq. ft. Mr. Revier pointed out that the 370 sq. ft. size contained in our ordinance is well below the average maximum size permitted in other municipalities. The information submitted by the Chief Building Inspector showed that the sizes vary considerably, but the more reasonable average in the Metropolitan District is approximately 400 sq. ft. It was moved by Pert Virtanen to recommend that the size of the maximum interstate highway sign be permanently changed in the ordinance from 370 sq. ft. to 400 sq. ft. It was seconded by Earl Slaughter, and the vote for was unanimous.

could be included in any other zoning category without changing the basic zoning. It was suggested that the Dallas ordinance be redrafted by the City Attorney. Pert suggested that he would be glad to do a redrafting as a means of accomplishing that in a little faster way and the draft could then be submitted to the City Council at their March 7th meeting. The idea of submitting to the City Council would be to see if they would in principle support the creation of an Historical Landmark District. If the Council did approve in principle, then a final draft could be prepared for review by the Planning and Zoning Commission and recommended to the City Council at their next meeting. Pert Virtanen moved that a redraft be prepared of the Dallas ordinance and submitted to the City Council for their agreement in principle. The second was by Wayne Rogers. The vote for was unanimous.

The meeting adjourned at 9:30 P.M.

K L Glasscock

ATTEST:

John S. Llan



REGULAR MEETING OF THE CITY COUNCIL HELD  
March 7, 1977

The Rockwall City Council met in its regular meeting on March 7, 1977, in the Council Chambers of the City Hall. The meeting was called to order at 7:30 P.M. by Mayor Harry F. Myers. Councilmen present were Leland Miller, A. H. Kuhlman, Garvin Tate and Randolph Gheen. Councilman Jim Bryant was absent.

The minutes of the previous meeting were approved as prepared.

The first item before the Council was the request on the part of John Ernest for the Catfish Restaurant approving the sewer easement that would service the Catfish Restaurant as well as the Richard Harris and David Hogg approved sites. It was moved by Councilman Tate that this easement be accepted. Councilman Gheen seconded the motion and the vote for was unanimous.

It was then moved by Councilman Tate that underwriter approved PVC pipe be approved. It was seconded by Councilman Gheen and the vote for was unanimous.

The second item of business was Stonebridge Meadows Zoning Ordinance as prepared by the attorney. There was no discussion. Councilman Gheen moved that the ordinance be approved. Councilman Miller seconded the motion, and Council voted unanimously in favor.

The third item of business was the Woodlake zoning request which was a change from NS to GR that was primarily designed to define the area which had previously been approved by field notes. This would avoid the conflict that might be apparent by scaling the map and assure that the General Retail would not conflict with the SF-3 zoning. The Planning and Zoning Commission had recommended approval. It was moved by Councilman Tate to approve the requested zoning. Councilman Gheen seconded the motion. The vote for was unanimous.

Chandlers Landing, Phase VI, was the next item on the agenda. This request for a replat was approved by the Planning and Zoning Commission and Underwriter approved PVC water line had also been approved. The purpose of the replat was to enlarge the lots to single family detached. It was moved by Councilman Kuhlman to approve this replat. Councilman Tate seconded the motion, and the vote for was unanimous.

Harold Evans then presented three other replats of Chandlers Landing, Phase V. These covered Lot 1, Block C of Chandlers Landing, Phase V; Block B of Chandlers Landing, Phase V; and Blocks D and E. These replats were also a change in lot lines to develop single family residential. It was moved by Councilman Miller that the replats be approved. Councilman Kuhlman

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

Royal Park Place requested a replat. Harold Evans showed that the original platting had incorrectly located the take line, the line between private property and the City of Dallas, and this was readjusted to enlarge the west portion of the lots along the take line approximately six feet. Councilman Tate moved approval of the replat of Royal Park Place. Councilman Kuhlman seconded the motion, and the vote for was unanimous.

The next item was the Chamber of Commerce final plat fronting on SH-740 with drive access to the service road of I-30. After a brief review, Councilman Gheen moved approval of the plat. Councilman Miller seconded the motion and the vote for was unanimous.

Lakehill Subdivision was submitted for plat approval. This subdivision is in the extraterritorial jurisdiction of the City of Rockwall and therefore, comes under the Subdivision standard ordinance. Kenneth Glasscock, Chairman of the Planning and Zoning Commission, was present to explain the recommendation of Planning and Zoning, which recommendation stated that if the Council would establish a specific policy for the review of extraterritorial jurisdiction subdivision, the City Planning Commission would be very willing to follow this policy. Otherwise it was felt that if a subdivision in the extraterritorial jurisdiction could be annexed within an approximate three year period that all of the subdivision standards should apply. If it was questionable or quite definite that the area would not be annexed within a period of approximately three years that variances be granted so that such subdivisions would be on the same footing as others located throughout the County beyond the extraterritorial jurisdiction area. There was a very lengthy discussion by the Councilmen. Also, Mr. Raymond Cameron was present to give background on the property and the efforts by the developer, Ronny Cowan, to create a subdivision. Bob Nichols, the City Consulting Engineer, also commented. Pert Virtanen of the Planning and Zoning Commission expressed his opinions about utilities being available, and the developer's engineer, Harold Evans, brought out some of the points that were involved in drainage, water lines and sewer lines.

Mayor Myers then personally invited each Councilman to express his opinion, and at the conclusion of the requests, Councilman Tate moved the following: 1. The street design will eliminate any division of single lot as presented in the original plan. 2. Curbs will be constructed, but the street paving itself may meet the County specifications instead of the City concrete specifications. 3. The water line must meet the Mt. Zion Water Supply District specifications which could include PVC pipe. 4. It will be the responsibility of owners, should this property be annexed, to bring streets up to standards, water and sewer lines to be brought to standards at the property owners cost before the City will assume responsibility for the maintenance of these items. The motion was seconded by Councilman Miller, and the vote for was unanimous.



A request by National Outdoor Advertising, Mr. George Kelner, to enlarge the maximum interstate highway sign size from 370 sq. ft. to 400 sq. ft. was presented. This was discussed and reviewed, and it was moved by Councilman Miller to approve the increase in the maximum size of interstate signs to 400 sq. ft. The motion was seconded by Councilman Tate and the vote for was unanimous.

A request by the Planning and Zoning Commission for an opinion on pursuing an ordinance that would preserve historical sites and areas was presented. The Council informally indicated that they would be glad to look at such an ordinance if approved by Planning and Zoning.

The Lone Star Gas Company's increase was reviewed. Rudy Ramirez, Lone Star local representative, discussed the rate increase, pointing out that it was merely to increase the net income to the approved 8% return. This amounts to an increase of 3.4% across the board to all residential customers. In dollars this is a little more than \$9,000 for all of the City of Rockwall, and on an average bill it will mean approximately 90¢ increase per month. The City Administrator advised the City Council that they could, under the provisions of the Public Utilities Regulatory Act of 1975, suspend the application for the rate increase for a period of 120 days in order to have more time to study the details of this rate increase. The discussion continued along the lines that it would be very difficult for the City Council to force any reduction in this rate increase and that Lone Star Gas could at the termination of 120 days or even prior to that time submit the request to the Railroad Commission and, as Councilman Tate expressed, there would be no question that it would be approved. Mr. Seth Stephens of Joe Nall and Associates, Consulting Engineers, was present to explain the way in which consulting engineers would review these rate increases for the City. The cost of such a review might be in the range of \$4,000 to \$4,500, but it would be determined on the basis of the time and expenses it took to complete this review. The point was made that any cost to the consultant would be paid for by Lone Star Gas and then pro rated to the consumer over a three year period. It was moved by Councilman Gheen to suspend the rates for 120 days under the authority of the Public Utilities Regulatory Act of 1975. Councilman Miller seconded the motion and the vote for was unanimous.

The City Administrator presented the request of the High School Student Council to place an activity sign on City property inside the fence that surrounds the south side of City Hall (the old reservoir). Councilman Tate moved approval of placing such a sign if it is properly maintained. Councilman Kuhlman seconded the motion, and the vote for was unanimous.

The City Administrator presented a request to increase the cost of the Cemetery plot from \$50.00 to \$200.00. The City Secretary, Galen Williams, advised the Council that at the very low price of \$50.00 he had been approached by people who do not live in

Rockwall to purchase such plots because the cost is so much lower than similar cemeteries. It was further suggested by the City Administrator that the monies from Cemetery plots be set up in a special fund to help in the maintenance of the Cemetery. He also stated that within a reasonable time he wished to present an ordinance which would establish a trust fund from the money received from the sale of plots that would begin to establish some level of perpetual care as a means of defraying the General Fund expenses for operating the Cemetery. It was moved by Councilman Tate to increase the price from \$50.00 to \$200.00 per plot and set up a special fund for receipts of this money. It was seconded by Councilman Kuhlman, and the vote for was unanimous.

Councilman Gheen presented a problem in the City sewer line servicing two houses on South Clark Street. The present City sewer line is inadequate to handle these dwellings and it would be possible to extend a sewer line to the south and tie into a City sewer main. The material costs of this extension would be somewhere in excess of \$600.00. It was moved by Councilman Gheen that this sewer extension be installed by the City. This motion was seconded by Councilman Miller, and the vote for was unanimous.

Councilman Kuhlman presented the list of recommended appointees to the Growth Management Planning Committee. This list consisted of 29 people selected on the basis of representing the various City bodies as well as special interests throughout the community. Councilman Tate moved that these 29 members be appointed to this Growth Management Planning Committee. Councilman Miller seconded the motion, and the vote for was unanimous.

The City Administrator advised the Council that on the subject of smoke detectors the 1976 Uniform Building Code provides for the installation of these detectors in all new dwellings and in multiple family units. It was felt that a special ordinance would not be necessary since the 1976 Uniform Building Code is being reviewed and hopefully will be presented for final passage within the next two months.

The City Administrator then presented a revised schedule of commercial and industrial permit fees as a means of covering more of the costs of inspection. Commercial and industrial buildings take considerably more inspection time than residential dwellings, and therefore should reflect a higher fee than the residential construction. It was determined by the Council that this was an administrative matter and not one that needs official Council action.

The City Administrator presented a request for road dedication which would be an extension of the road that passes the church in the Settlement. The plat has been executed by all adjoining owners, and it would be a reasonable extension of this street so that the City could have the responsibility of maintaining an all weather road to the dwellings along this street. It was moved by Councilman Tate to accept this dedication. Councilman



Kuhlman seconded the motion, and the vote for was unanimous.

Mayor Myers announced that he was calling a Special Meeting on March 21st at 7:30 P.M. to review and consider approval of the Saddlebrook Recreation Club golf course lease on the City of Rockwall property adjoining the Lake shoreline.

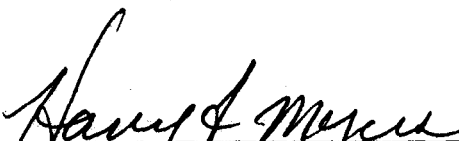
The City Secretary, Galen Williams, presented the names of Mr. Underwood and Mrs. Stephenson to be respectively the Election Judge and Alternate Election Judge for the coming election on April 2nd. Mr. Underwood will select the two clerks necessary for a full complement, and the rate of pay will be the same as last year. Councilman Gheen moved approval of the appointments. Councilman Kuhlman seconded the motion, and the vote for was unanimous.

The question was brought up about the maintenance of the Cemetery in Ridge Road Village that had been contested in Court and the City Administrator was instructed to consult the City Attorney about the responsibilities of maintenance.

Councilman Miller then brought up the question about the minimum size of lots permitted under the present zoning ordinance in the SF-4 District. The size of this lot that is approved is 6,000 sq.ft. and he felt that this was a size that was too small for the type of development and construction that is best for the City of Rockwall. The City Administrator was instructed to review this question and to see if the SF-4 District could be removed from the Zoning Ordinance.

Bruce Beaty read a petition from tenants of Hilltop Shopping Village which was a request to eliminate the loitering on the part of young people in that shopping area. The Council discussed the question of where do these young children go and where else would they congregate. It was felt that this was not an item to place in an ordinance and that some other means of reasonable control should be exercised.

The Council meeting was adjourned by the Mayor at 10:45 P.M.

  
 \_\_\_\_\_  
 Mayor

ATTEST:

  
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 Assistant City Secretary

REGULAR MEETING OF THE CITY COUNCIL HELD  
April 4, 1977

The Rockwall City Council met in its regular session on April 4, 1977, in the Council Chambers of the City Hall at 7:30 P.M. The meeting was called to order by Mayor Harry F. Myers at 7:40 P.M. The following Councilmen were present: Garvin Tate, Randolph Gheen, Jim Bryant and Arthur Kuhlman. Councilman Miller was absent. The minutes of the Special Council meeting of March 21st were approved as prepared. Mayor Myers suspended the reading of the minutes of the regular Council meeting of March 7th since these minutes had not been forwarded to the Councilmen prior to this meeting. He instructed the City Administrator to send these out with the minutes of the April 4th meeting and both sets of minutes would be reviewed at the regular May meeting.

The Stonebridge Meadows request for a zoning change in Phase II from MF-2 and 2-F to SF-3 was reviewed by Larry Peebles representing the owners, Crow-Coker. This request had been approved by the Planning and Zoning Commission. Councilman Tate moved approval of the zoning request. Councilman Bryant seconded the motion, and the vote for was unanimous.

The Woodlake change in zoning was presented in formal ordinance form, which ordinance changed the NS zoning to GR and defined by filed notes the GR district and the SF-3 District. Councilman Tate moved approval. Councilman Kuhlman seconded the motion, and the vote for was unanimous.

Richard Fagin, President of American Diversified Properties, Inc., presented his request for a lighted sign on the south end of the floating pier at what has been previously known as Lakeside Marina. Mr. Fagin pointed out that he has requested a formal change in the name of this marina to "Rockwall Fishing Marina" and by means of aerial photographs and some renderings of the sign showed that the sign would be 6x20 ft. facing I-30 and be a lighted sign which would say "Fishing Marina". This request was discussed by the City Council and Councilman Gheen moved approval of this request for a lighted sign. Councilman Kuhlman seconded the motion, and the vote for was unanimous.

The formally prepared ordinance for amending Sign Ordinance 76-7 to change maximum square footage of Interstate signs from 370 Sq. ft. to 400 sq.ft. as approved at the last Council meeting was presented by the City Administrator. The ordinance was recommended for approval by the Planning and Zoning Commission. Councilman Tate moved approval of this change in the Sign Ordinance. Councilman Bryant seconded the motion, and the vote for was unanimous.

Councilman Gheen presented information that in effect was a re-statement of sewer extension policy that had been followed by the City Council for a number of years in attempting to extend sanitary sewer to all of the residences in the old part of town.



His request was to consider formal adoption of this policy that the City would pay for the extension of sewers to residences which had been built prior to 1971 in a designated area of town, as shown on a map which he submitted. The City Council was in general agreement with the policy and as a means of formalizing this for any future circumstances the City Administrator was requested to prepare a resolution formally adopting the policy and a map showing the specific areas involved for the next Council meeting.

Bob Reeves, minister of the First Presbyterian Church, requested the Council give consideration to waiving the moving and permit fees for a trailer which would be placed in the small subdivision of Emma Jane which will be used for an organization called "Rockwall County Helping Hand". This is a philanthropic group supported by the townspeople whose purpose is to lend a helping hand on a one time basis for people with financial or material problems which can be momentarily alleviated by their assistance. After this assistance, they attempt to help the people contact the proper agencies for additional assistance if necessary. In the question period that followed the Councilmen asked about other possible locations, some suggestions were made, and consideration as to the long term needs of this organization were covered. This mobil home will not be used for living quarters except on an emergency basis, but will serve primarily as an office for this organization. Its location is in legal nonconforming use area for mobil homes, and this will not be in violation of this classification. Councilman Kuhlman moved approval of the request. Councilman Bryant seconded the motion, and the vote for was unanimous.

The City Administrator presented to the City Council the cost for purchasing all of the RCH lines that lie within the City Limits south of I-30. This cost would total \$29,680. There would be additional costs to make the switchover, the most expensive of which would be moving the meter box on the north side of I-30 to a location on the west side of SH-205 at the City Limit line. It is estimated that the cost for building this meter box would be in the range of \$10,000 to \$11,000. There would also need to be some work done at the Chandlers Landing meter station that supplies water to RCH for the town of Heath. All of these problems have been discussed with Mr. J. E. Harris, the Manager of the RCH system, and he has kept in touch with members of the RCH Board. The purchase price was thoroughly reviewed by the City's Consulting Engineers, Freese and Nichols, and Mr. Harold Evans, who represents the RCH Board. After discussion of details concerning this purchase, Councilman Kuhlman moved that the City of Rockwall purchase the RCH system that remains within the City Limits at the price as quoted, and that the City Administrator see that all the necessary paper work which would include the contract of purchase, as well as the release from the FHA lien, be properly prepared prior to finalizing this purchase. Councilman Bryant seconded the motion. The vote for was Councilmen Kuhlman, Gheen and Bryant, with Councilman Tate abstaining since he was a stockholder in the RCH system.

Mayor Myers brought up the subject of the Lone Star Gas rate increase and whether or not the City should consider the hiring of a consultant to review this rate increase and see if it was possible to negotiate a reduction, both in the rate and the possibility of keeping the gate rate from going up. Rudy Ramirez, local manager of the Lone Star Gas Office, again expressed the position of Lone Star Gas Company and emphasized the point that the rate increase in Rockwall was about as small as any rate increase being requested. Discussion by members of the City Council considered the pros of hiring a consultant and the cons of not taking any specific stand other than to state that the Council does not agree with the rate increase and feels that it is unjustified. The result of the discussion was that on an informal basis the Council requested Rudy Ramirez to discuss with the home office whether or not they would consider a reduction in the rate increase from 3.48% to 2% and retain the gate rate at its present figure of \$1.0399. Mr. Ramirez said that he would take this to the home office and report back to the City Administrator.

Mayor Myers appointed Councilmen Bryant, Kuhlman and Gheen to canvass the Election Returns. The committee adjourned to the Mayor's office and after some discussion and questions concerning one of the sheets containing lists of names, which was cleared up by one of the Election Clerks, the committee returned and reported that they found the Election Returns to be accurate. They then declared that the results of the election were that Mayor Myers was re-elected as Mayor of the City of Rockwall, Councilman Tate was re-elected as Councilman and Roger McCallum was newly elected to the City Council. There were a total of 471 votes cast and the votes were as follows:

For Mayor:	Harry F. Myers	301
	Randolph Gheen	158
Write Ins:	Paul Hill	2
	Killer Cantrell	1
	Jackie Willess	1
	Joe Shields	1
For Alderman:	Billy Dave Collins	103
	Garvin L. Tate	177
	Mickey Florence	154
	Roger D. McCallum	221
	Dale Morgan	131
	Ed Jennings	95
Write Ins:	Ken Jones	1
	Jim Head	1

The City Administrator presented the Fire Department's request for an increase in one part of their insurance policy which must be renewed by April 16th. The request for increase was in the accidental death and dismemberment section of the policy. The present policy calls for a \$10,000 coverage for AD&D. The



request is for an increase to \$50,000 of the AD&D coverage. Councilmen discussion covered the point that these gentlemen are volunteers and certainly if any of them should need that type of coverage it was warranted to give them, under present economic conditions, a lot more than \$10,000 to cover such an accident. Councilman Tate moved approval of the increase. Councilman Bryant seconded the motion, and the vote for was unanimous.

Police Chief Beaty presented to the Council a problem that exists with the hauling of abandoned and wrecked vehicles. Present City ordinances do not provide for control of who will haul vehicles, and neither does it spell out the requirements for storing such vehicles in a place that would be acceptable within the City Limits. His request was to have the City Council instruct him to work with our City Attorney to prepare an ordinance that would give the City better control of the hauling and storing of these vehicles. After a detailed discussion of the problems involved, Mayor Myers instructed the Police Chief to prepare an ordinance for consideration by the City Council.

Police Chief Beaty presented the bids that were received for two new police vehicles. The two vehicles being replaced have or will exceed the 70,000 mile limit before the cars are delivered. His recommendation was the Pontiac Le Mans bid from Musser Motors in Terrell, Texas. The bid for these vehicles was several hundred lower than the competing bids of Lakeside Chevrolet and Andrews Ford. He also stated that he had been advised by other Police officers that the performance of these automobiles was as good, and in certain characteristics better, than the Fords and Chevrolets. The Councilmen then discussed the question of which bid to accept and the point was brought up that we do want to try to do business with local firms as much as possible. Councilman Tate moved acceptance of the Chief's recommendation for purchase of the Pontiac Le Mans from Musser Motors. Councilman Gheen seconded the motion. The vote for Councilmen Gheen, Tate and Bryant. Opposed: Councilman Kuhlman.

Police Chief Beaty then briefed the City Council on some personnel problems in the Police Department. Prior to the official opening of the City Council meeting the Chief had introduced Jerry Payne, the police officer who was hired to replace Ray Sumrow who is becoming the investigator for the District Attorney's office. This new officer will go to work on the first of May, but Bruce pointed out that there were two circumstances which made it difficult to employ this officer. The first was the problem of finding adequate housing in the City of Rockwall, and the second was the fact that the City does not have a Retirement Plan. Chief Beaty also mentioned that he may have some problems with dispatching since two of the dispatchers are getting married and there is some question as to whether or not they will remain as employees.

Mayor Myers then briefed the Council on the negotiations that

took place with the Howmet Manager, Mr. John Smith, concerning the acquisition of property for expansion of the Municipal Park and property that could be adequately used for an alternate relocation of our Public Works and Water Utilities Service Area.

Mayor Myers requested Council consideration of waiving the fees and permits for the Chamber of Commerce building which is being constructed at cost by members of the community and from which communitywide benefits will be received. It was moved by Councilman Tate to waive these fees. The motion was seconded by Councilman Bryant, and the vote for was unanimous.

Mayor Myers adjourned the Council meeting at 10:50 P.M.

ATTEST:

  
Assistant City Secretary

  
Mayor



ORDINANCE NO. 77-3

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON TWO TRACTS OF LAND FROM "SF-3" SINGLE-FAMILY DWELLING AND "NS" NEIGHBORHOOD SERVICE DISTRICT CLASSIFICATIONS TO "GR" GENERAL RETAIL DISTRICT CLASSIFICATION; SAID TRACTS BEING MORE FULLY DESCRIBED AS FOLLOWS: BEING TWO TRACTS OF LAND IN THE S. S. McCURRY SURVEY, ABSTRACT NO. 146, SITUATED IN THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS BEING OUT OF A 154.46-ACRE TRACT OF LAND CONVEYED TO CONTINENTAL ENTERPRISES, INC., AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: TRACT I: COMMENCING AT THE SOUTHWEST CORNER OF SAID 154.46-ACRE TRACT OF LAND, SAID POINT BEING IN THE EASTERLY LINE OF STATE HIGHWAY NO. 205; THENCE, N. 5° 41' W. WITH EASTERLY LINE OF SAID HIGHWAY NO. 205, 210.84' TO THE PLACE OF BEGINNING OF TRACT "A," A POINT FOR CORNER; THENCE, N. 5° 41' W. AND CONTINUING ALONG THE EASTERLY LINE OF SAID HIGHWAY NO. 205, 66.26' TO A POINT FOR CORNER; THENCE, N. 9° 07' W., WITH THE EASTERLY LINE OF SAID HIGHWAY NO. 205, 197.28' TO A POINT FOR CORNER; THENCE, N. 12° 20' W. AND CONTINUING ALONG THE EASTERLY LINE OF STATE HIGHWAY NO. 205, 39.73' TO A POINT IN THE SOUTH LINE OF A PROPOSED 15' WIDE ALLEY, A POINT FOR CORNER; THENCE, N. 89° 25' E. WITH THE SAID SOUTH LINE OF SAID PROPOSED ALLEY, 580.68' TO A POINT FOR CORNER; THENCE, S. 45° 35' E. ALONG THE PROPERTY LINE OF SAID PROPOSED ALLEY, 28.28' TO A POINT FOR CORNER; THENCE, S. 0° 35' E. WITH THE WEST LINE OF A PROPOSED 15' WIDE ALLEY, 278.62' TO A POINT IN THE NORTHERLY LINE OF MAGNOLIA DRIVE, AS PROPOSED, (A 60' R/W), SAID POINT BEING THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 668.13', A CENTRAL ANGLE OF 3° 40' AND A TANGENT BEARING OF S. 85° 45' W., A POINT FOR CORNER; THENCE, IN A WESTERLY DIRECTION WITH THE NORTHERLY LINE OF SAID PROPOSED MAGNOLIA DRIVE AND ALONG SAID CURVE, 42.76' TO THE END OF SAID CURVE, A POINT FOR CORNER; THENCE, S. 89°

25' W. AND CONTINUING ALONG THE NORTHERLY LINE OF SAID PROPOSED MAGNOLIA DRIVE, 514.69' TO THE PLACE OF BEGINNING AND CONTAINING 3.96 ACRES OF LAND. TRACT II: BEGINNING AT THE SOUTHWEST CORNER OF SAID 154.46-ACRE TRACT OF LAND, SAID POINT BEING IN THE EASTERLY LINE OF STATE HIGHWAY NO. 205, A POINT FOR CORNER; THENCE, N. 5° 41' W. WITH THE EASTERLY LINE OF SAID STATE HIGHWAY NO. 205, 150.60' TO A POINT IN THE SOUTH LINE OF MAGNOLIA DRIVE, AS PROPOSED, (A 60' R/W), A POINT FOR CORNER; THENCE, N. 89° 25' E. WITH THE SOUTH LINE OF SAID PROPOSED MAGNOLIA DRIVE, 509.33' TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 728.13' AND A CENTRAL ANGLE OF 5° 13', A POINT FOR CORNER; THENCE, IN AN EASTERLY DIRECTION WITH THE SOUTHERLY LINE OF SAID PROPOSED MAGNOLIA DRIVE AND ALONG SAID CURVE, 66.24' TO THE END OF SAID CURVE, A POINT FOR CORNER; THENCE, S. 3° 14' W., 62.67' TO AN INSIDE CORNER OF SAID FIRST CONTINENTAL ENTERPRISES, INC. TRACT, A POINT FOR CORNER; THENCE, S. 13° 02' W., 93.10' TO A SOUTHEAST CORNER OF SAID FIRST CONTINENTAL ENTERPRISES, INC. TRACT, A POINT FOR CORNER; THENCE, S. 89° 25' W. WITH A SOUTH LINE OF SAID FIRST CONTINENTAL ENTERPRISES, INC. TRACT, 536.00' TO THE PLACE OF BEGINNING AND CONTAINING 1.93 ACRES OF LAND; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held a joint public hearing and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, the governing body, in the exercise of its legislative discretion, has concluded that the Comprehensive Zoning Ordinance of the City of Rockwall should be amended as follows:



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

SECTION 1. That the Comprehensive Zoning Ordinance of  
the City of Rockwall, Texas, as heretofore amended, be and the  
same is hereby amended by amending the Zoning Map of the City  
of Rockwall so as to give the following-described property  
the zoning classification of "GR" General Retail District  
Classification:

BEING two tracts of land in the S. S. McCurry Survey,  
Abstract No. 146, City of Rockwall, Rockwall County,  
Texas, being out of a 154.46-Acre Tract of land conveyed  
to Continental Enterprises, Inc., and being more parti-  
cularly described as follows:

TRACT I.

COMMENCING at the Southwest corner of said 154.46-acre  
tract of land, said point being in the Easterly line of  
State Highway No. 205; THENCE, N. 5° 41' W. with easterly  
line of said Highway No. 205, 210.84' to the place of  
beginning of Tract "A," a point for corner;

THENCE, N. 5° 41' W. and continuing along the Easterly  
line of said Highway No. 205, 66.26' to a point for  
corner;

THENCE, N. 9° 07' W. with the Easterly line of said  
Highway No. 205, 197.28' to a point for corner;

THENCE, N. 12° 20' W. and continuing along the Easterly  
line of State Highway No. 205, 39.73' to a South line  
of a proposed 15' wide alley, a point for corner;

THENCE, N. 89° 25' E. with the said South line of said  
proposed alley, 580.68' to a point for corner;

THENCE, S. 45° 35' E. along the property line of said  
proposed alley, 28.28' to a point for corner;

THENCE, S 0° 35' E. with the West line of a proposed  
15' wide alley, 278.62' to a point in the Northerly line  
of Magnolia Drive, as proposed, (a 60' R/W), said point  
being the beginning of a curve to the right having a  
radius of 668.13', a central angle of 3° 40' and a tangent  
bearing of S. 85° 45' W., a point for corner;

THENCE, in a Westerly direction with the Northerly line of  
said proposed Magnolia Drive and along said curve, 42.76'  
to the end of said curve, a point for corner;

THENCE, S. 89° 25' W. and continuing along the Northerly  
line of said proposed Magnolia Drive, 514.69' to the PLACE  
OF BEGINNING and containing 3.96 acres of land.

TRACT II.

BEGINNING at the Southwest corner of said 154.46-acre tract of land, said point being in the Easterly line of State Highway No. 205, a point for corner;

THENCE, N. 5° 41' W. with the Easterly line of said State Highway No. 205, 150.60' to a point in the South line of Magnolia Drive, as proposed, (a 60' R/W), a point for corner;

THENCE, N. 89° 25' E. with the South line of said proposed Magnolia Drive, 509.33' to the beginning of a curve to the left having a radius of 728.13' and a central angle of 5° 13', a point for corner;

THENCE, in an Easterly direction with the Southerly line of said proposed Magnolia Drive and along said curve, 66.24' to the end of said curve, a point for corner;

THENCE, S. 3° 14' W., 62.67' to an inside corner of said First Continental Enterprises, Inc. tract, a point for corner;

THENCE, S. 13° 02' W., 93.10' to a Southeast corner of said First Continental Enterprises, Inc. tract, a point for corner;

THENCE, S. 89° 25' W. with a South line of said First Continental Enterprises, Inc. tract, 536.00' to the PLACE OF BEGINNING and containing 1.93 acres of land.

SECTION 2. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. That the above-described tracts of land shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, and as amended herein, by the granting of this zoning change.

SECTION 4. Any person, firm or corporation violating any of the provisions of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, and as amended hereby, and upon conviction shall be punished by a penalty of fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.



SECTION 5. Whereas, it appears that the above-described property requires classification as a General Retail District in order to permit its proper development and in order to protect the public interest and general welfare of the City of Rockwall, such requirement creates an urgency and an emergency in the preservation of the public welfare and requires that this ordinance take effect immediately from and after its passage and the publication of the caption of said ordinance, as the law in such cases provides.

DULY PASSED by the City Council of the City of Rockwall, Texas, on the 4 day of April, 1977.

APPROVED:

*Sam L. Myer*  
MAYOR

ATTEST:

*David Williams*  
CITY SECRETARY

APPROVED AS TO FORM:

*B. Robert Baker*  
ATTORNEY

Ed

Please review  
this in detail,  
with Gary Anderson  
if necessary, and  
after your review  
get with me for  
my briefing

JS

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35