

CITY HALL  
ROCKWALL, TEXAS

APPLICATION FOR ZONING CHANGE

Case No. 82-4 Filing Fee 50<sup>00</sup> Date MAY 25, 1982

Applicant TEXAS-FRATES COMPANY

Mailing Address 1 COMMODORE PLAZA Phone No. 722-5543

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.)

SEE ATTACHED

I hereby request that the above described property be changed from its present zoning which is "A" AGRICULTURAL District Classification to a "PD" PLANNED DEVELOPMENT District Classification for the following reasons: (Attach separate sheet if necessary.)

- 1.
- 2.
- 3.

THERE (ARE) DEED RESTRICTIONS PERTAINING TO THE INTENDED USE OF THE PROPERTY. (ARE NOT)

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.

Rich Burge  
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.)

- C COMMERCIAL
- CA CENTRAL AREA
- LI LIGHT INDUSTRY
- HI HEAVY INDUSTRY
- WR WATER RECREATION
- PD PLANNED DEVELOPMENT
- S SPECIFIC USE PERMIT
- FP FLOOD PLAIN

**LEGEND**

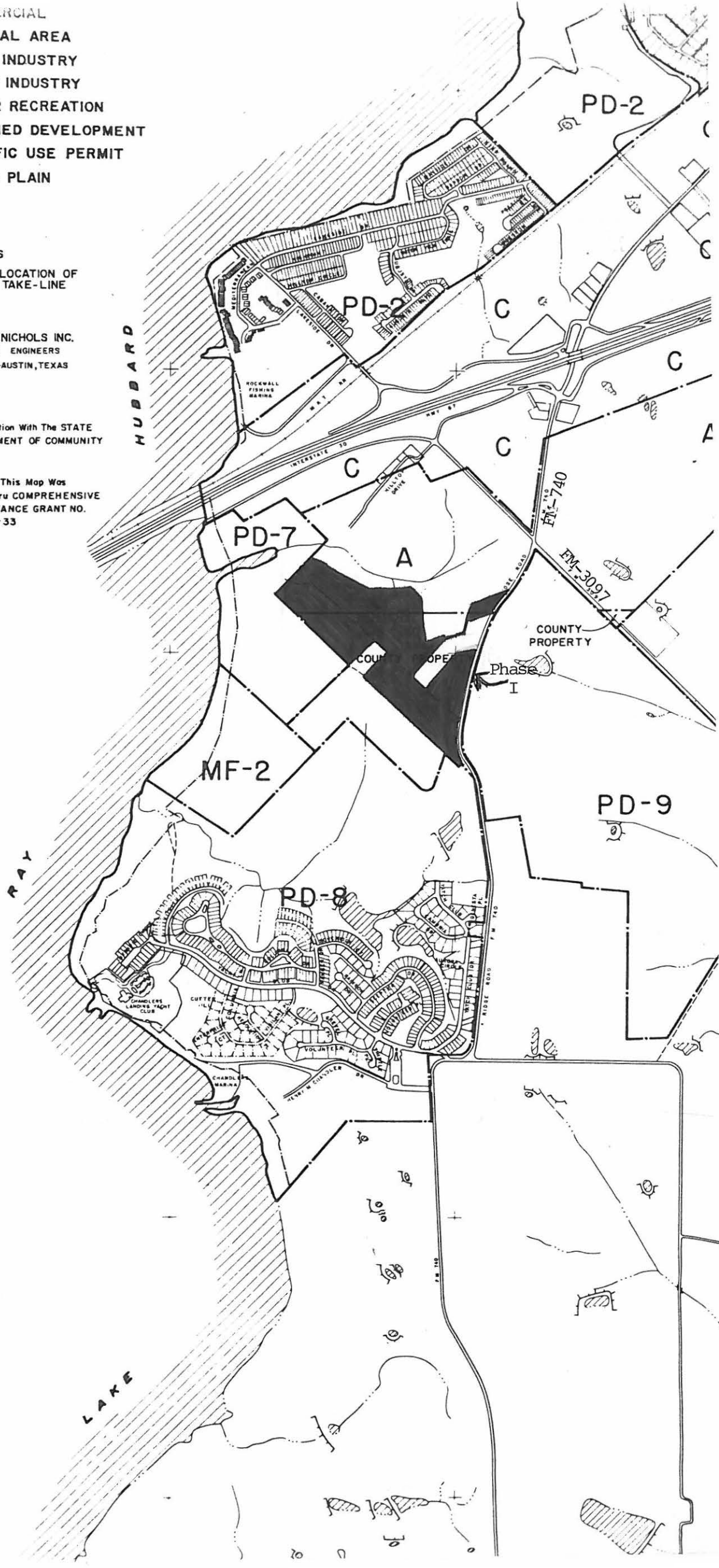
- CITY LIMITS
- - - - APPROX. LOCATION OF DALLAS TAKE-LINE

FREESE and NICHOLS INC.  
CONSULTING ENGINEERS  
FORT WORTH-AUSTIN, TEXAS

Prepared in Cooperation With The STATE  
OF TEXAS DEPARTMENT OF COMMUNITY  
AFFAIRS

The Preparation of This Map Was  
Financed in Part Thru COMPREHENSIVE  
PLANNING ASSISTANCE GRANT NO.  
TX-06-16-1183-33

N452,000  
N449,000  
N446,000  
N443,000  
N440,000  
N437,000



A tract or parcel of land situated in the Edward Teal Survey, Abstract No. 207 containing approximately 39.559 acres and further being described as the Lake Ridge Estates, a subdivision in Rockwall County, Texas, recorded in Volume 1, Page 10, Deed Records of Rockwall County, Texas, and more particularly described as follows:

All of the Lake Ridge Estates Subdivision, including all streets and public right-of-ways, save and except the following:

All of Lot 6, Lot 13, Lot 23, Lot 26, Lot 28 and the eastern end of Lot 22

Lake Ridge Est. (NIC)

- ① Beatrice Jones, To Eddie Brown, 1716 Duluth, Dallas 75212
- ② Bobbie Williams, 5614 Pickfair, Dallas 75235
- ③ J. L. Wilson, Rt 4, Box 37
- ④ F. P. Hughes, Rt 4, Box 36
- ⑤ AXIA Inc., 122 W. 22<sup>ND</sup> St. Oak Brook, Ill 60521
- ⑥ Kirby Bright % Harris Inc. Box 279
- ⑦ Jerry Nelson Box 121A
- ⑧ Paul Davis 101 N Galena
- ⑩ Mary Rae Neil, 6418 Chevy Chase Dallas 75205
- ⑪ A. P. Roffers 10341 Plummer, Dallas 75278

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 10th day of June,  
19   , in the Rockwall City Hall, Rockwall Texas, on the request of  
Texas-Frates Corporation for a change of zoning from  
"A" Agricultural District Classification,  
to "PD" Planned Development District Classification,  
on the following described property:

See Attached Description

As an interested property owner, it is important that you attend this hearing or notify the commission of your feeling in regard to the matter by returning the form below. In replying, please refer to Case No. 82-4.

  
\_\_\_\_\_  
City of Rockwall, Texas

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

Case No. 82-4

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. \_\_\_\_\_

- 1.
- 2.
- 3.

Signature \_\_\_\_\_

Address \_\_\_\_\_

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

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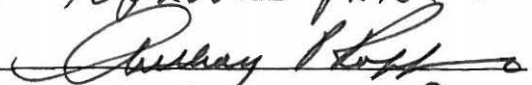
I am in favor of the request for the reasons listed below. X

I am opposed to the request for the reasons listed below. \_\_\_\_\_

1. *It has a master plan that's conducive to adjoining property that eliminates a bottleneck to Fm 740.*

2. *It has good accessibility & Traffic Flow to MAJOR Street Arteries.*

3. *It is well master planned to provide pride of ownership and accessibility to other properties & MAJOR Roads.*

Signature   
 Address 10341 Plummer Dr  
Dallas, Texas 75228

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

ACTION RECORD

CASE NAME: Frates Tony Case

CASE NO.: 82-4

Planning and Zoning  
Commission

City Council

Date

Approved.

Disapproved

Approved

Disapproved

Preliminary Plat

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Final Plat

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Zoning

\_\_\_\_\_ ✓

\_\_\_\_\_

6/19/82 ✓

\_\_\_\_\_

7/6/82

Changes: 1st Phase approved <sup>PD</sup> for office/Retail subject to approval of drainage plan and 6' masonry fence on west  
prop line. Balance zoned PD - no uses no site plan

## MINUTES OF THE ROCKWALL CITY COUNCIL

July 6, 1982

Members present were Mayor Leon Tuttle, Councilmen Bob Lackland, Bob Sparks, Ken Dickson, and Richard Slaughter. Councilman Kuhlman was not present. The Council first considered approval of the minutes of June 2, June 7, June 21, and June 30, 1982. There being no additions or deletions, Bob Lackland made a motion to approve the minutes, Bob Sparks seconded the motion, the same was voted on and carried unanimously. Art Kuhlman entered the meeting at this point.

The Council then considered approval of the Consent Agenda as follows:

A. Consider Approval of an Ordinance Approving a Rate Increase for Texas Power and Light

B. Consider Approval of a Resolution Reaffirming the Date Set for a Public Hearing on July 19, 1982, to Determine the Existence of Blighted or Economically Depressed Areas in the City of Rockwall, Texas

The Mayor called for any comments concerning the Consent Agenda. Councilman Dickson asked that Item A be pulled for separate consideration. The Council then considered approval of the Consent Agenda. Richard Slaughter made a motion to approve Item B, Bob Lackland seconded the motion, the same was voted on and carried unanimously.

The Council then considered approval of an Ordinance approving a rate increase for TP&L. Councilman Dickson asked for a brief review of the rate increase being submitted. Ike Harper, representing TP&L, reviewed the increase and explained how it was arrived at between Texas Municipal League and TP&L. After a brief discussion, Bob Sparks made a motion to approve the ordinance approving the rate increase, Art Kuhlman seconded the motion, the same was voted on and carried unanimously.

The Council then held a public hearing to consider the proposed annexation of 11.502 acres of land adjacent to FM-740. The Mayor called for comments on the public hearing. Richard Harris was present as a property owner to answer any questions. There being no comments, the Mayor closed the public hearing.

The Council then held a public hearing to consider approval of an ordinance changing the zoning from "SF-3" Single Family to "SUP" Specific Use Permit to operate a Day Care center at 302 East Boydston. Mrs. Patsy Thomas was present to explain her request. She explained that she wanted to operate a Day Care center at this location which would accommodate approximately twenty-four children. Mrs. Couch explained that all ten of the property owners within 200 ft. had been notified and only one property owner, Mr. Daves, was opposed to the change. After a brief discussion, Art Kuhlman made a motion that the Specific Use Permit be



granted, subject to the requirements as submitted by the Planning and Zoning Commission, including approval on licensing of the facility by the State, the provision of adequate parking as required by the Zoning Ordinance, the construction of a circular drive for loading and unloading purposes, and the restriction of hours of operation from six o'clock A.M. to six o'clock P.M. Bob Lackland seconded the motion, the same was voted on and carried unanimously.

The Council then held a public hearing to consider approval of an ordinance establishing zoning for 41.559 acres of land adjacent to FM-740 to "PD" Planned Development. The Mayor called for comments concerning the proposed zoning. Harold Evans and Rick Burgy were present to explain their request. Mr. Evans explained that they were requesting "PD" zoning with a site plan and proposed uses to be submitted later on the bulk of the property, and with the front acreage to be approved for office/retail uses as proposed on the submitted site plan. After some discussion, Art Kuhlman made a motion to approve the zoning request, subject to the provisions submitted by the Planning and Zoning Commission, including the development and approval by City Engineers of a drainage plan to solve the excess drainage onto Mr. I. Lee Wilson's adjacent property and subject to the construction of a six foot solid masonry screening fence along the west property line to screen the commercial property from Mr. Wilson's house. Richard Slaughter seconded the motion, the same was voted on and carried unanimously.

The Council then held a public hearing to consider action on a dilapidated and dangerous structure located on Lot 2, Isaac Brown Subdivision. Ed Heath explained that the property owner had been notified that the structure was in violation of the Dangerous and Dilapidated Building Ordinance and had taken no action. He explained that they had been notified of the meeting. The Mayor asked for comments concerning the disposition of the house. There being none, Bob Sparks made a motion that the structure be demolished or upgraded as required by the ordinance within 90 days by the property owner, or the City would enforce the provisions of the ordinance. Richard Slaughter seconded the motion, the same was voted on and approved unanimously.

The Council then considered approval of a final plat on the Wing Hill Ridge Addition, Phase I, a 54 lot subdivision located on FM-3097. Mrs. Couch presented the plat to the Council, explaining that it did meet all of the restrictions as provided in the Planned Development Ordinance covering the property, with the exception of the provision of an alley behind the lots facing along a future collector. She stated that this would be done. After some discussion, Art Kuhlman made a motion to approve the final plat, subject to the provision of the alley. Bob Sparks seconded the motion. Councilman Lackland stated that he thought that some planning needed to be done on cases such as this that included large undeveloped areas in terms of parks, schools, and municipal facilities. There being no further discussion, the motion was approved unanimously.

The Council then considered approval of an ordinance prohibiting the parking of boats and trailers on public streets. Councilman Kuhlman said that he felt that there should be a time limit in the ordinance. Ken Dickson suggested a time limit of 48 hours. After some additional discussion, Bob Sparks made a motion to approve the ordinance, subject to the amendment to prohibit the parking of boats and trailers for longer than 48 hours on public property. Richard Slaughter seconded the motion, the same was voted on and carried unanimously.

The Council then considered approval of a resolution retaining the firm of Ludlum and Ludlum as Special Counsel to the City of Rockwall. Mayor Tuttle explained that the firm needed authorization to proceed as Counsel in relation to the lawsuit against the Police Officers. Bob Lackland made a motion to approve the resolution to authorize retaining the firm of Ludlum and Ludlum regarding the lawsuit against the Police Officers, Bob Sparks seconded the motion, the same was voted on and carried unanimously. The Mayor asked that monthly billings be submitted to the Council for their review.

The Council then discussed the report of the Minimum Square Footage Committee. Richard Harris reported that the Committee had recommended that the minimum square footages be as follows:

<u>District</u>	<u>Minimum Unit Size</u>
"SF-1"	1,800 sq. ft.
"SF-2"	1,500 sq. ft.
"SF-3"	900 sq. ft.
Townhouse	800 sq. ft.
Duplex	600 sq. ft./unit

After some discussion, Art Kuhlman made a motion to accept the recommendations of the Minimum Square Footage Committee and include them in the Revised Zoning Ordinance. Ken Dickson seconded the motion. Bob Sparks called for an amendment to the motion to specify that duplexes should have a minimum of 800 square feet per unit without a garage, and 600 square feet per unit with a garage. Bob Lackland seconded the motion to amend the minimum square footage requirements. The motion carried with Councilmen Slaughter, Sparks and Lackland voting for the amendment, and Councilmen Dickson and Kuhlman voting against. The Council then voted on the original motion to adopt the minimum square footage requirements with the amendment to the duplex classification. The motion carried unanimously.

The Council then discussed parking around the Square. Chief Beaty stated that an informal survey indicated that the two hour parking was working. He explained to the Council that the City had no jurisdiction over parking around the Courthouse, that it was on County property. The Council then expressed the desire that the Mayor approach the County and discuss utilizing the City parking lot for County parking purposes.

The Council then discussed a Downtown Square Landscape Plan submitted by Rockwall Beautiful. Chuck Johnson, with Rockwall

Beautiful, was present to answer questions of the Council and explain the landscape plans. Members of the Council expressed their opinion that grass should be used on the majority of the islands in order to allow people to utilize them. After some discussion, it was agreed that grass would be utilized in the islands, with some landscaping around the trees.

The Council then discussed the Revised Fence Ordinance. Mrs. Couch reviewed the proposed ordinance with the Council, explaining how it would operate. She explained that under certain conditions it would allow homeowners on corner lots to construct side yard fences to the property line. After a brief discussion, Art Kuhlman made a motion to give approval of the proposed ordinance, Councilman Dickson seconded the motion, the same was voted on and carried unanimously. Mrs. Couch explained that it would be placed on the Consent Agenda for the July 19th meeting for official approval.

The Council then discussed appointments to Boards and Commissions. Mayor Tuttle reviewed the positions which were expired, and explained that they would be placed on the July 19th Agenda for appointment.

Bruce Beaty then gave his Police Report. He explained that he had been approached by the Sheriff to take over the Animal Control responsibilities of the County, with the County reimbursing the City for its costs. The Council expressed interest in this type of plan. The Mayor stated that he would meet with the County Judge and work out some arrangements to be submitted to the Council at a later date.

The Council then discussed the status of the effluent agreement between the City and The Shores for irrigation purposes and the lease agreement for the golf course. Mr. Gilbert explained that under the effluent agreement the Council had the option to begin charging The Shores for the effluent used for irrigation purposes. He also explained that we would begin to collect a fee for the lease agreement on the golf course. After a brief discussion, Art Kuhlman made a motion to begin charging The Shores per the effluent contract and that the money derived from both agreements be placed in the Recreational Development Fund. Councilman Dickson seconded the motion, the same was voted on and carried unanimously.

Under Article 6252-17 of the Open Meetings Act, Mayor Tuttle called for an Executive Session to discuss real estate acquisition. The Mayor then closed the Executive Session and the meeting was adjourned at 10:45 P.M.

ATTEST:

*Jane E. [Signature]*  
City Secretary



APPROVED:

*[Signature]*  
Mayor

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO GRANT "PD" PLANNED DEVELOPMENT DISTRICT NUMBER 18 ON THE FOLLOWING DESCRIBED TRACT: A TRACT OR PARCEL OF LAND SITUATED IN THE EDWARD TEAL SURVEY, ABSTRACT NO. 207 CONTAINING APPROXIMATELY 39.559 ACRES AND FURTHER BEING DESCRIBED AS THE LAKE RIDGE ESTATES, A SUBDIVISION IN ROCKWALL COUNTY, TEXAS, RECORDED IN VOLUME 1, PAGE 10, DEED RECORDS OF ROCKWALL COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: ALL OF THE LAKE RIDGE ESTATES SUBDIVISION, INCLUDING ALL STREETS AND PUBLIC RIGHT-OF-WAYS, SAVE AND EXCEPT THE FOLLOWING: ALL OF LOT 6, LOT 13, LOT 23, LOT 26, LOT 28 AND THE EASTERN END OF LOT 22; ATTACHING THE APPROVED SITE PLAN AS EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the 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 grant "PD" Planned Development District Number 18 on the following described property:

A tract or parcel of land situated in the Edward Teal Survey, Abstract No. 207 containing approximately 39.559 acres and further being described as the Lake Ridge Estates, a subdivision in Rockwall County, Texas, recorded in Volume 1, Page 10, Deed Records of Rockwall County, Texas, and more particularly described as follows:

All of the Lake Ridge Estates Subdivision, including all streets and public right-of-ways, save and except the following:

All of Lot 6, Lot 13, Lot 23, Lot 26, Lot 28, and the eastern end of Lot 22

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 Planned Development District Number 18 shall be used only in the manner and for the purposes authorized by the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended and as amended hereby, provided that the granting of Planned Development District No. 18 to the above described tract of land is subject to the following special conditions:

A. Phase I

(1) The site plan attached hereto as Exhibit "A" and made a part hereof shall control the development of Phase I of Planned Development District No. 18 and any and all such development of Phase I shall be in strict accordance with such site plan.

(2) Phase I is approved for those non-residential uses allowed in the Office and General Retail Districts of the Comprehensive Zoning Ordinance.

(3) A six (6) foot solid masonry screening fence shall be erected along the westernmost property line as shown on the site plan "Exhibit A" to screen the commercial development from the existing single family structures.

(4) A drainage plan shall be submitted and approved by City engineers prior to the issuance of a building permit.

B. Balance of property under "PD-18

(1) Prior to the issuance of any building permit in Planned Development District No. 18, a comprehensive site plan of the development shall be filed with the Planning and Zoning Commission, and after appropriate recommendation by the Commission, and after hearing, the City Council shall approve a final site plan, which shall be filed and included as Exhibit "B" and made a

part of this ordinance for all purposes. Such comprehensive site plan shall set forth in detail the requirements for ingress and egress to the property, public or private streets or drives, with adequate right-of-way to conform to the thoroughfare plan of the City of Rockwall, sidewalks, utilities, drainage, parking space, height of buildings, maximum lot coverage, yards and open spaces, screening walls or fences and other development and protective requirements considered necessary by the City Council so as to create a reasonable transition to and protection of the adjacent property.

(2) A list and description of proposed uses shall be submitted as a part of the comprehensive site plan and no building permit shall be issued until such uses are finally approved by the City Council.

(3) No building or other permits shall be issued by an officer, agent or employee of the City of Rockwall for development of the above described tract in "PD-18" unless and until a final comprehensive site plan and list of proposed uses shall have been finally approved by the City Council of the City of Rockwall and attached to and made a part of this ordinance as Exhibit "B".

C. All development of property covered by Planned Development District No. 18 shall be in accordance with the provision of this ordinance and the finally approved comprehensive site plan and list of approved uses, and no substantial change in the development shall be permitted, except after obtaining approval of the change of such site plan in the manner required for changes and amendments to the Comprehensive Zoning Ordinance.

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.

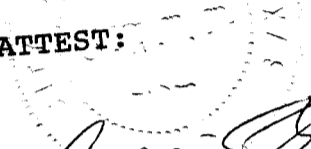

SECTION 5. This ordinance shall become effective from and after its passage and the publication of the caption as the law in such cases provides.

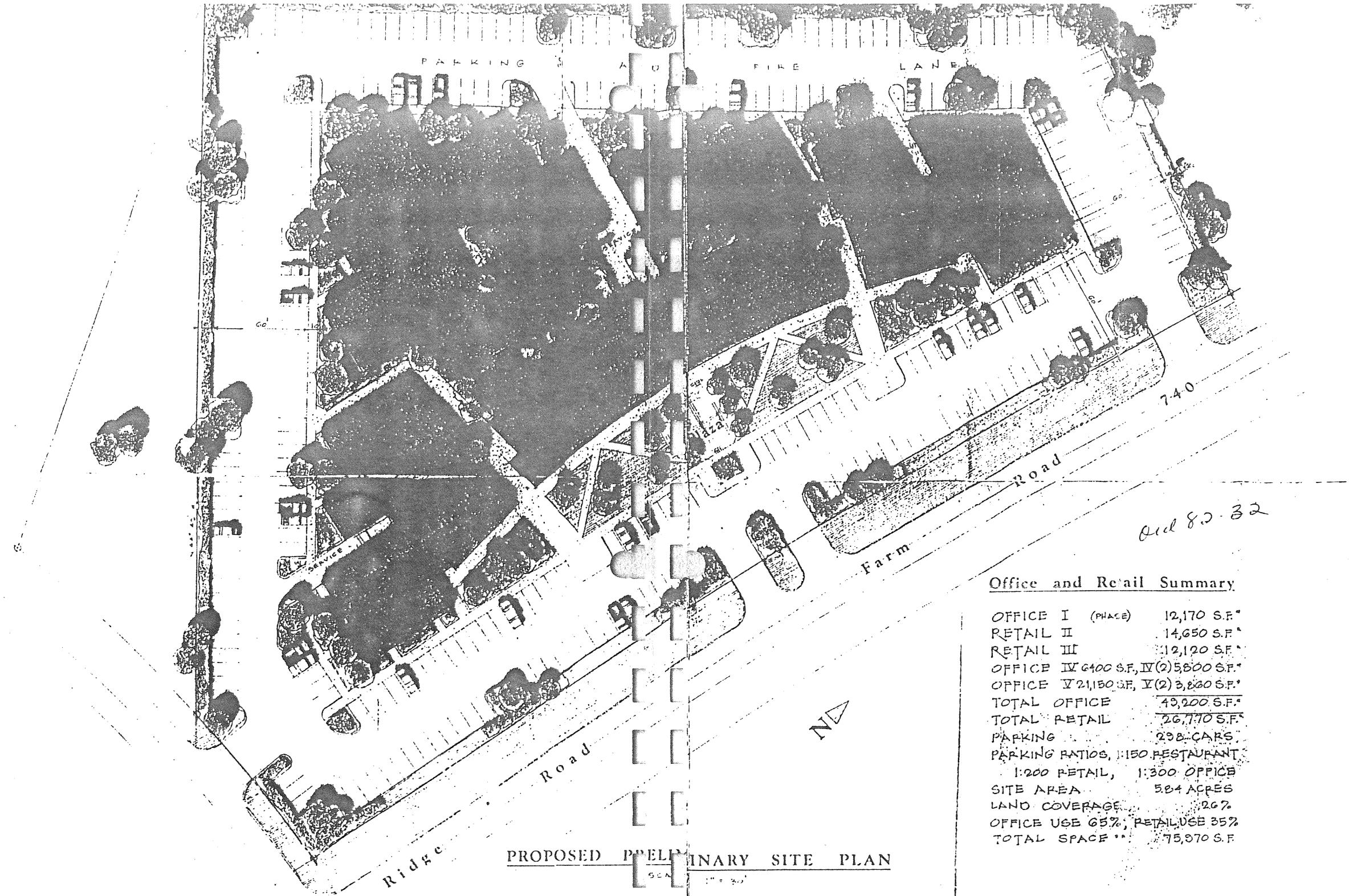
DULY PASSED by the City Council of the City of Rockwall, Texas, on the 6th day of July, 1982.

APPROVED:

  
\_\_\_\_\_  
Mayor

ATTEST:

  
  
\_\_\_\_\_  
City Secretary



*Jul 82-32*

Office and Retail Summary

OFFICE I (PHASE)	12,170 S.F.
RETAIL II	14,650 S.F.
RETAIL III	12,120 S.F.
OFFICE IV 6400 S.F., IV(2) 5800 S.F.	
OFFICE V 21,150 S.F., V(2) 3,820 S.F.	
TOTAL OFFICE	43,200 S.F.
TOTAL RETAIL	26,770 S.F.
PARKING	238 CARS
PARKING RATIOS, 1:150 RESTAURANT	
1:200 RETAIL, 1:300 OFFICE	
SITE AREA	584 ACRES
LAND COVERAGE	26%
OFFICE USE 65%, RETAIL USE 35%	
TOTAL SPACE **	75,970 S.F.

PROPOSED PRELIMINARY SITE PLAN

**OFFICE & RETAIL DEVELOPMENT FOR VIRGINIA CLARK**  
 Adjacent to Chandlers Landing • Smith, Ekblad & Assoc. Inc. Arch./Engrs. • May 12, 1982 • Rockwall, Texas

PD-18