

86-19-2

APPLICATION FOR ZONING CHANGE

Case No. 1986-19-2 Filing Fee \$130.14 Date 2/25/86
Applicant Perry Bodin / Golden Crest Joint Venture Phone 475-8118
Mailing Address P. O. Box 109, Rowlett, Texas 75088

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

Multi-Family District Classification
to Commercial District Classification
for the following reasons: (attach separate sheet if necessary)

So that a Medical Office Complex can be constructed.

There ~~(XXX)~~ (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.

Signed Perry Bodin

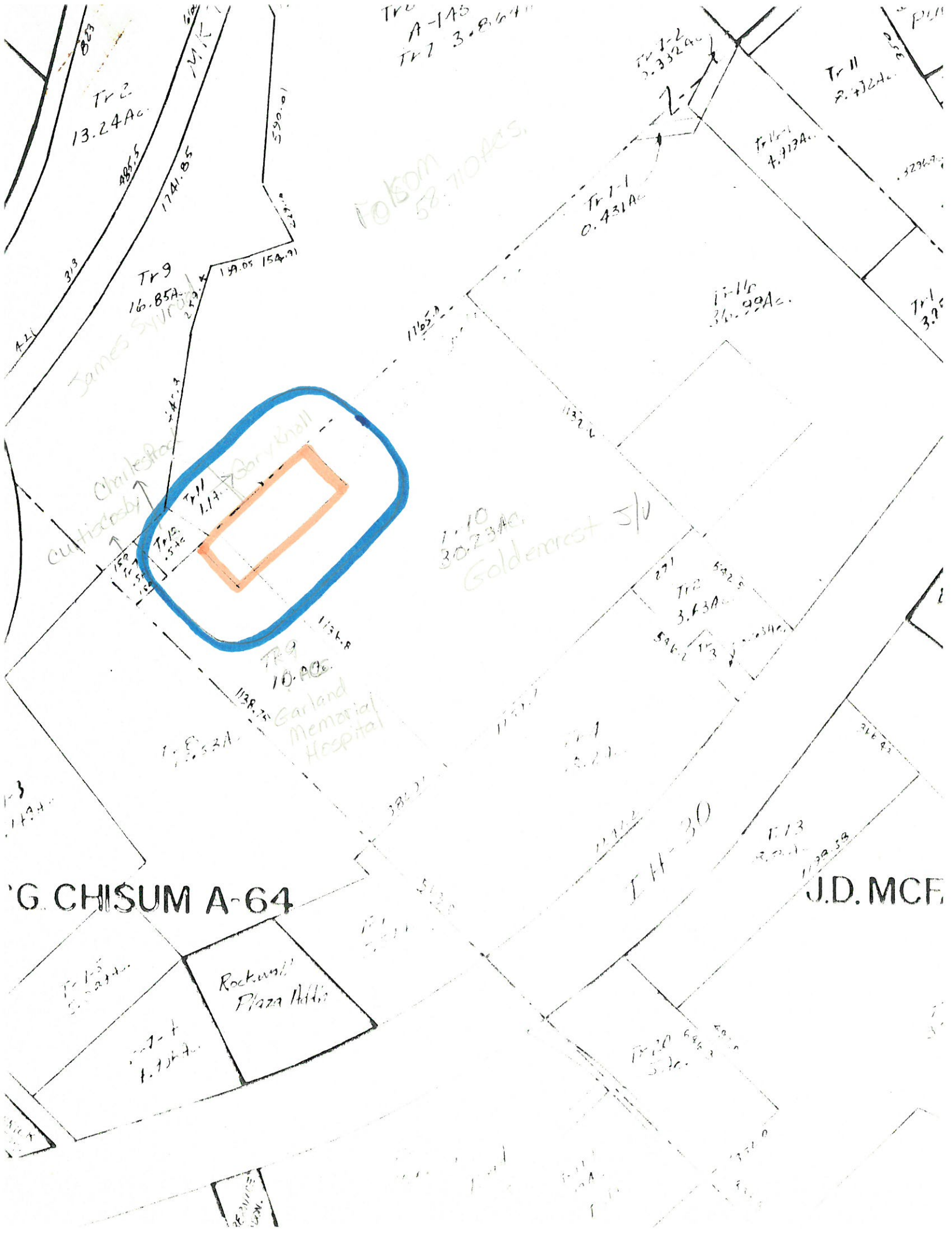
NOTE: The legal description is used to publish notice of the required hearing and in the preparation of the final ordinance granting the zoning change. The description must be sufficient so as to allow a qualified surveyor to take the description and locate and mark off the tract on the ground. Each 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.

[Signature]
Surveyor ~~XXXXXXXXXX~~ for Applicant
(Mark out one)



Tr 6
A-145
Tr 7 3.864

Tr 2
13.24 Ac.

Tr 1-2
2.332 Ac.

Tr 11
2.432 Ac.

Folsom
52.710 Acres

Tr 1-1
0.431 Ac.

Tr 1-1
4.912 Ac.

Tr 9
16.85 Ac.

Tr 1-6
36.99 Ac.

Tr 1-10
30.23 Ac.
Goldenrest 30

Tr 9
10.40 Ac.

Tr 2
3.63 Ac.

Garland Memorial Hospital

G. CHISUM A-64

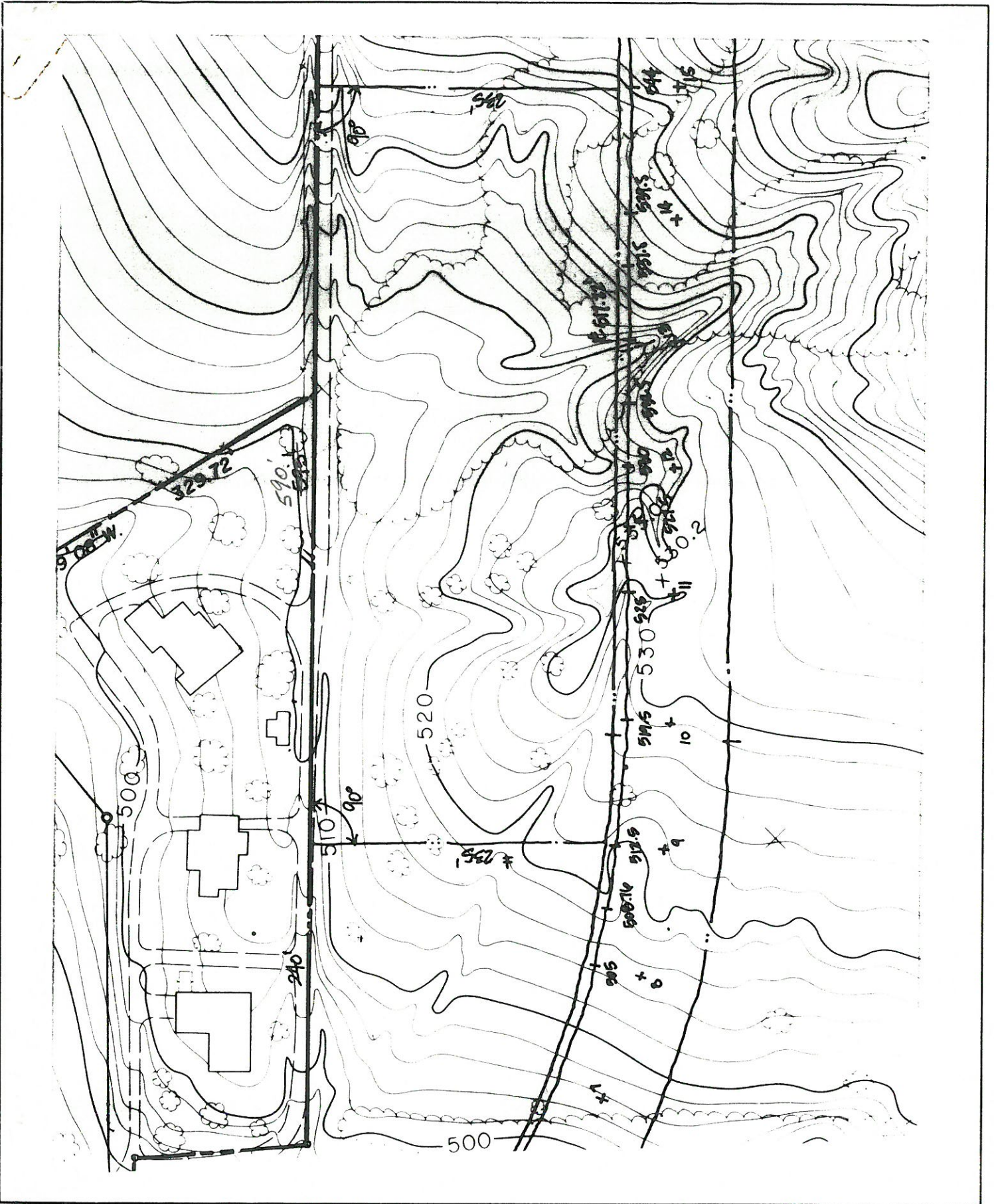
J.D. MCF

Rockwell Plaza Hotel

EH-30

Tr 7-4
1.734 Ac.

Tr 1-10
5.76 Ac.



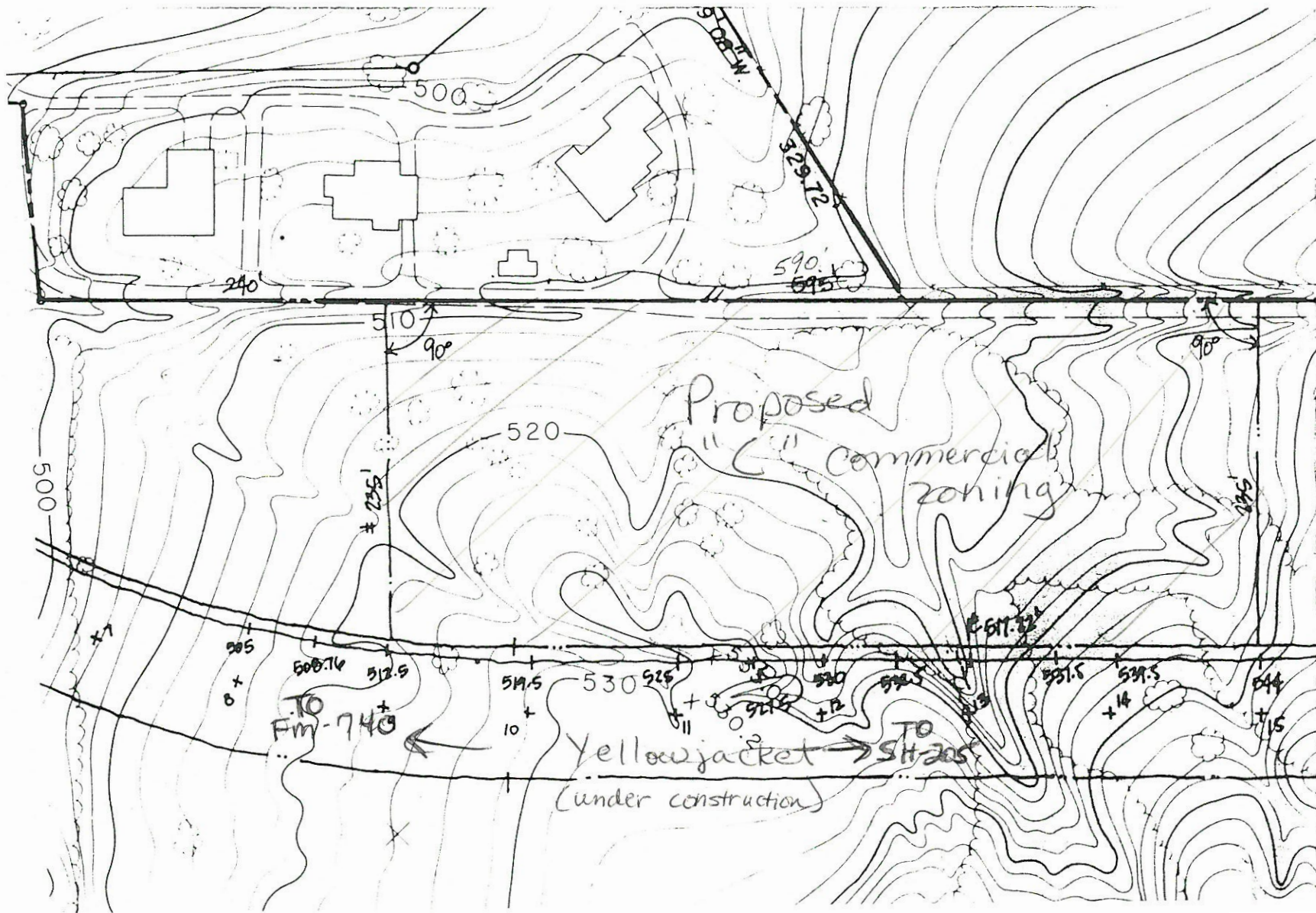

EDI ARCHITECTS, INC.
 ARCHITECTURE PLANNING ENGINEERING INTERIOR DESIGN
 6440 WALNUT HILL LANE
 SUITE 100
 DALLAS, TEXAS 75231
 814 / 750-1925

AMERICAN BANK TOWER
 SUITE 300
 AUSTIN, TEXAS 78701
 818 / 489-9309

PRELIM BOUNDARY LINES
 GOLDENCREST MEDICAL OFFICE

JOB NO

SHEET NO
 A-1
 DATE
 2.18.86



Agenda Notes
P&Z - 3/13/86

IV. D. P&Z 86-19-Z - Hold Public Hearing and Consider Approval of a Request from Perry Bodin for a Zone Change from "MF-15" Multifamily to "C" Commercial Classification on a 2.1461 Acre Tract of Land Located on Yellowjacket Lane off of FM-740

Action Needed: Approve or deny a request for a zone change from "MF-15" to "C" Commercial

Now that Yellowjacket Lane is being constructed all the way from SH-205 to FM-740 and with the hospital going in in this location, we are beginning to see some activity in this general area. We have a request from Perry Bodin to rezone a 2.1461 acre tract of land on Yellowjacket just north of the future hospital site from multifamily 15 to "C" Commercial. The proposed buyers of the property are planning to build a 50,000 sq. ft. medical office building on the site. The property will back up to the three residences which are currently located off of FM-740. This zone change is in compliance with the City Land Use Plan as it is currently drafted. It does show office in this area. A copy of the location map is attached.

Agenda Notes

City Council - 4/7/86

V.C. P&Z 86-19-Z - Hold Public Hearing and Consider Approval of a Request from Perry Bodin for a Zone Change from "MF-15" Multifamily to "C" Commercial Classification on a 2.1461 Acre Tract of Land Located on Yellowjacket Lane off of FM-740

Action Needed: Approve or deny a request for a zone change from "MF-15" to "C" Commercial

Now that Yellowjacket Lane is being constructed all the way from SH-205 to FM-740 and with the hospital going in in this location, we are beginning to see some activity in this general area. We have a request from Perry Bodin to rezone a 2.1461 acre tract of land on Yellowjacket just north of the future hospital site from multifamily-15 to "C" Commercial. The proposed buyers of the property are planning to build a 50,000 sq. ft. medical office building on the site. The property will back up to the three residences which are currently located off of FM-740. This zone change is in compliance with the City Land Use Plan as it is currently drafted. It does show office in this area. A copy of the location map is attached.

The Planning and Zoning Commission has recommended approval.


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 13th day of March, 1986 in
the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at the re-
quest of Pery Bodin, Goldencrest Joint Venture
for a zone change from "MF-15" Multifamily to "C" Commercial classification on a
3.1461 acre tract of land on Yellowjacket Lane west of SH-205 on the following
described property:

on the following described property:

See attached legal description and location map.

As an interested property owner, it is important that you attend this hear-
ing or notify the Commission of your feeling in regard to the matter by re-
turning the form below. In replying, please refer to Case No. P&Z 86-19-Z



City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning and
Zoning Commission, 205 West Rusk Street, Rockwall, Texas 75087.

Case NO P&Z 86-19-86

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

I am opposed 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

Yellow Jacket - new extension

Atkins TR.7 Curtis Cosby
c/o Wm. T. Allen
1630 Williams
Rockwall

" TR.18 Charles Frock
Rt. 3, Box 22-A
Rockwall

" TR.11 Gary Knoll
Rt. 3, Box 22
Rockwall

" TR.9 James P. Syvrud
121 Shepherds Glenn
Rockwall

Atkins TR.8 Tokom, Tru.
% Property Tax Analysis
P.O. Box 36425
Dal. 75235

Garland TR.9 Garland Memorial Hospital
925 State St.
Garland, 75040

Garland TR.10 Goldencrest S/V
4817 Rowlett
Suite B
Rowlett, Tx. 75088

*Perry Bodin
P&Z 86-19-2*

file copy

ORDINANCE NO. 86-42

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 A TRACT OF LAND WHICH IS MORE FULLY DESCRIBED HEREIN FROM "AG" AGRICULTURAL CLASSIFICATION TO "C" COMMERCIAL; CORRECTING THE OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF ONE THOUSAND DOLLARS (\$1,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR 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, 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, as heretofore amended, be and the same is hereby amended by amending the zoning map of the City of Rockwall so as to give "C" Commercial District classification to the tract of land described in Exhibit "A".

Section 2. That the property described in Exhibit "A" shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. Any person, firm or corporation violating any of the provisions of this ordinance shall be punished by a penalty of fine not to exceed the sum of ONE THOUSAND DOLLARS (\$1,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.


Section 5. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, nor shall adjudication affect any other section or provision of the Comprehensive Zoning Ordinance of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 6. That all ordinances of the City of Rockwall in conflict with the provisions of this 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 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such case provides.

DULY PASSED AND APPROVED this 19th day of May, 1986.

APPROVED:


MAYOR

ATTEST:

BY: 
City Secretary

1st reading 5/5/86

2nd reading 5/19/86

EXHIBIT "A"

STATE OF TEXAS
COUNTY OF ROCKWALL

BEING all that tract of land in Rockwall County, Texas, a part of the R. B. Irvine Survey, A-120, and being all of that call 20.136 acre tract of land as described in Volume 215, Page 201, Rockwall County Deed Records, and being all of that called 3 acre tract of land as described in Volume 215, Page 218, Rockwall County Deed Records, and being further described as follows:

BEGINNING at the Southwest corner of said 20.136 acre tract, said point being the intersection of the North Line of U. S. Highway 67 (IH -30) with the East line of F.M. 549, a wooden right-of-way marker found for corner;

THENCE along the East line of F.M. 549 as follows:

North 08 deegred 50 minutes West, 461.36 feet to a wooden right-of-way marker found for corner;

North 00 degrees 19 minutes 30 seconds West, 215.98 feet to the Northwest corner of said 3 acre tract, said point also being the Southwest said 2 acre tract conveyed to Charles H. Nuytten as recorded in Volume 132, Page 161, Rockwall County Deed Records, a round steel post found for corner;

THENCE South 80 degrees 57 minutes 40 seconds East, 435.26 feet to the Southeast corner of said 2 acre Charles H. Nuytten tract, a $\frac{1}{4}$ " steel rod found for corner;

THENCE North 00 degrees 21 minutes 30 seconds West, 199.88 feet to the Northeast corner of said 2 acre Charles H. Nuytten tract, a $\frac{1}{2}$ " steel rod found for corner;

THENCE North 89 degrees 59 minutes East, 1242.28 feet to the Northeast corner of said 20.316 acre tract, said point also being the Northwest corner of a 2 acre tract of land conveyed to Mike Stafford as recorded in Volume 140, Page 202, Rockwall County Deed Records, a $\frac{1}{2}$ " steel rod found for corner;

THENCE South 00 degrees 37 minutes East, 424.54 feet to the Southeast corner of said 20.136 acre tract, said point also being the Southwest corner of said 2 acre Mike Stafford tract, said point also being on the North line of U. S. Highway 67 (IH -30), an "X" chilsed in concrete found for corner;

THENCE along the North line of U. S. Highway 67 (IH-30), as follows:

South 73 degrees 24 minutes 10 seconds West, 1172.44 feet to a concrete right-of-way marker;

South 79 degrees 22 minutes 10 seconds West, 302.03 feet to a concrete right-of-way marker;

South 73 degrees 14 minutes 40 seconds West, 196.64 feet to the point of beginning, containing 23.313 acres of land.

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 A TRACT OF LAND WHICH IS MORE FULLY DESCRIBED HEREIN FROM ~~MULTIFAMILY~~ COMMERCIAL CORRECTING THE OFFICIAL ZONING MAP;

PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF ONE THOUSAND DOLLARS (\$1,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR 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, 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, as heretofore amended, be and the same is hereby amended by amending the zoning map of the City of Rockwall so as to give COMMERCIAL ^{District} classification to the tract of land described in Exhibit "A".

Section 2. That the property described in Exhibit "A" shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

Perry Beckin 86-19-2

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of ONE THOUSAND DOLLARS (\$1,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 5. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, nor shall adjudication affect any other section or provision of the Comprehensive Zoning Ordinance of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 6. That all ordinances of the City of Rockwall in conflict with the provisions of this 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 7. That this ordinance shall 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 AND APPROVED this day of , 1985.

APPROVED: _____

ATTEST:

BY _____

1st Reading — 2nd Reading — MAYOR