

CITY OF ROCKWALL
205 West Rusk
Rockwall, Texas

APPLICATION FOR CONDITIONAL USE PERMIT

Case No. 87-14- CUP Date Submitted 2/23/87
Filing Fee \$ \$108.00 *JAMES N. DELAVAN (H) 995-3895 (O) 591-2600*
Applicant Frank Springer
Address 3513 Springer Ln Phone Number 722-3171
Owner Tenant Prospective Purchaser

Legal description of property for which Conditional Use Permit is requested (if additional space is needed, the description may be typed legibly on a separate sheet and attached hereto):

I hereby request that a Conditional Use Permit be issued for the above described property for:

a temporary use for a gun club and target range

The current zoning on this property is _____.
There are/are not deed restrictions pertaining to the intended use of this property.

I have attached hereto as Exhibit A a plat showing the property which is the subject of this requested Conditional Use Permit and have read the following note concerning the importance of my submitting to the City a sufficient legal description.

Signed Frank Springer

Note: The legal description is used to publish the notice of the required hearing and in the preparation of the final ordinance granting the Conditional Use Permit. 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.

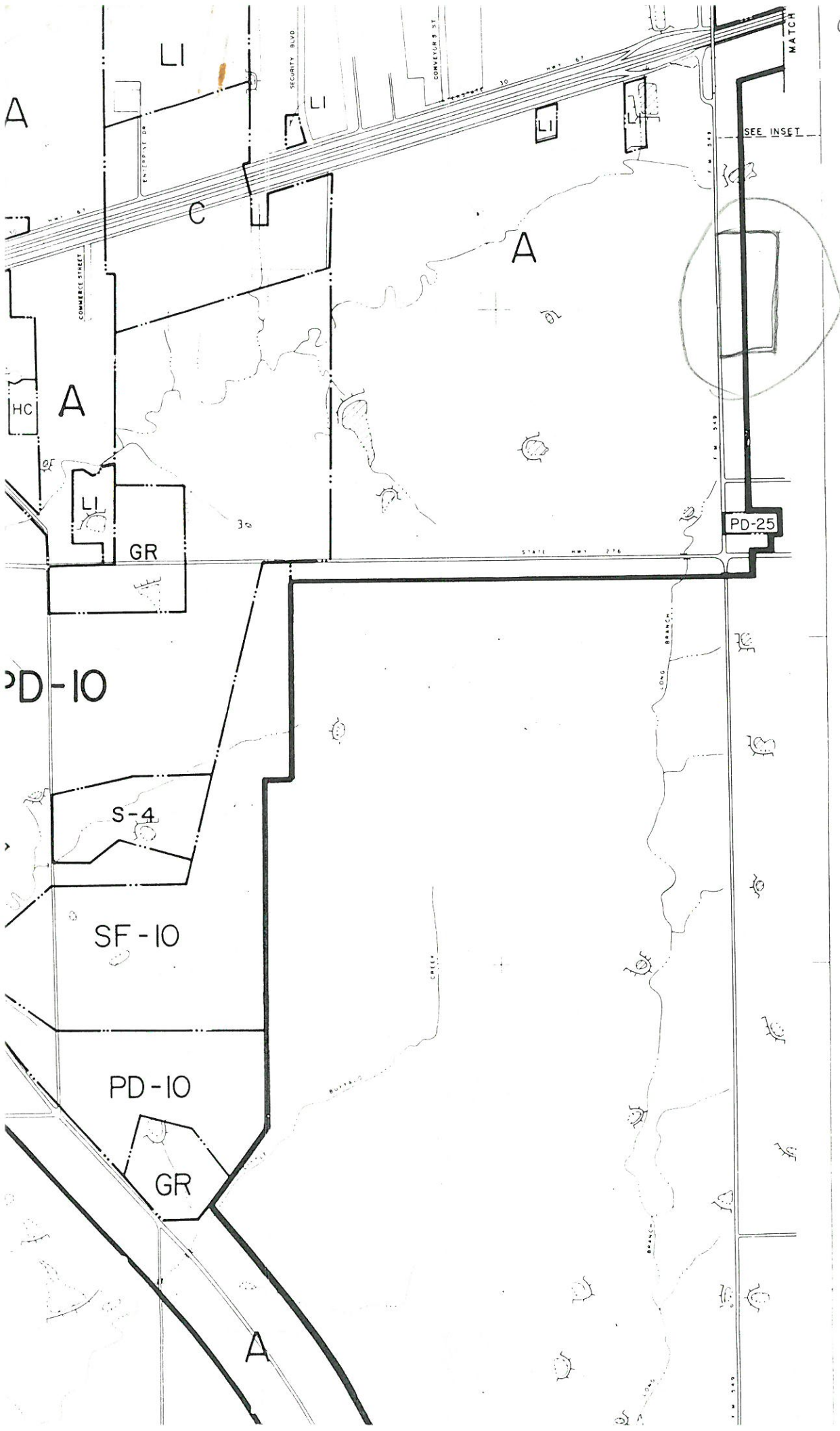
(The following Certificate may be used by the applicant to give notice to the City of the sufficiency of the legal description; however, the same is not a requirement of the Application.)

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

COP for gun club



1080'

ROCKWALL GOLF CLUB

SKEET RANGE

EXISTING CARREL DRIVEWAY

RECESSED 14'x28' PORTABLE BUILDING

145'

549

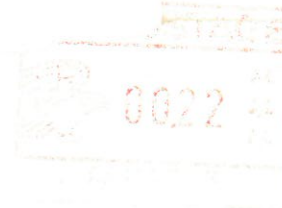


CITY OF ROCKWALL

"THE NEW HORIZON"

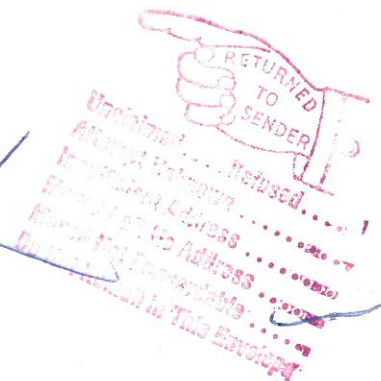
205 West Rusk

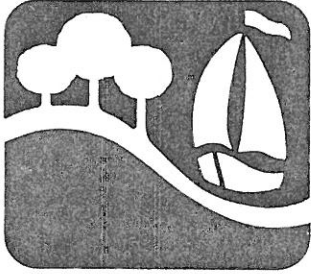
Rockwall, Texas 75087-3793



MNF

Blackland Water Corp.
113 Greene Loop
Royse City, TX 75089





CITY OF ROCKWALL
"THE NEW HORIZON"

March 16, 1987

Mr. Frank Springer
3515 Springer Lane
Rockwall, Texas 75087

Dear Mr. Springer:

On March 12, 1987, the Rockwall Planning and Zoning Commission recommended approval of your request for a Conditional Use Permit for a temporary gun club and target range on a tract of land located on FM-549 between I-30 and SH-276 subject to the following conditions:

1. CUP to include construction of a portable building
2. yearly review of permit
3. review at any period when development proposals are submitted on adjacent properties
4. property need not be platted prior to issuance of a building permit

On April 6, 1987, the Rockwall City Council will hold a public hearing and consider approval of your request in City Hall, 205 West Rusk at 7:00 P.M.

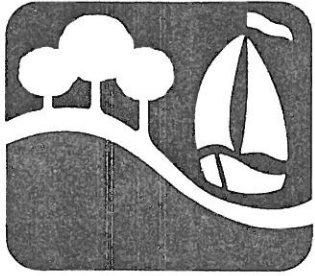
Please feel free to call if you have any questions.

Sincerely,

Mary Nichols

Mary Nichols
Administrative Aide

MN/mmp



CITY OF ROCKWALL
"THE NEW HORIZON"

April 9, 1987

Mr. Frank Springer
3515 Springer Lane
Rockwall, Texas 75087

Dear Mr. Springer:

On April 6, 1987, the Rockwall City Council approved your request for a Conditional Use Permit for a temporary gun club and target range, with the understanding that only skeet shooting will take place on the property. Council placed the following conditions on the approval:

1. CUP to include construction of a portable building
2. Yearly review of permit
3. Review at any period in time when development proposals are submitted on adjacent or nearby property
4. Property need not be platted prior to issuance of a building permit

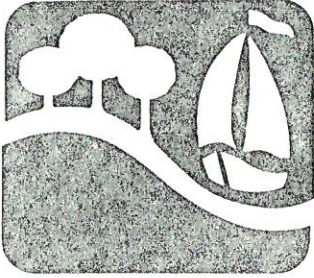
Please feel free to call me if you have any questions.

Sincerely,

Mary Nichols

Mary Nichols
Administrative Aide

MN/mmp



CITY OF ROCKWALL
"THE NEW HORIZON"

June 3, 1988

Mr. Frank Springer
3515 Springer Lane
Rockwall, Texas 75087

Dear Mr. Springer:

On May 4, 1987, an ordinance was adopted by the City Council authorizing a Conditional Use Permit for a temporary gun club. One of the conditions of this ordinance is that the permit be reviewed one year from the date of passage of the ordinance. One year has expired.

The Rockwall Planning and Zoning Commission will review the permit at their regular meeting on Thursday, June 9th at 7:30 P.M. in City Hall, 205 West Rusk. You may wish to attend this meeting.

Sincerely,

A handwritten signature in cursive script that reads "Mary Nichols".

Mary Nichols
Administrative Aide

MN/mmp

Agenda Notes
P&Z - 3/12/87

III. D. P&Z 87-14-CUP - Hold Public Hearing and Consider Approval of a Request form Frank Springer for a Conditional Use Permit for a Temporary Gun Club and Target Range on a Tract of Land Located on FM-549 between I-30 and SH-276

We have received a request form the Rockwall Gun Club for a Conditional Use Permit for a Gun Club and shooting range located on FM-549. In December of 1985 we annexed the front 160 ft. of the east side of FM-549. Part of the area we annexed included the front area of the Rockwall Gun Club including their storage building. They now want to replace the existing portable building with a new building. They cannot be issued a building permit until the zoning is correct. Under "AG" zoning this use is allowed with a CUP. They are asking for a CUP for a temporary Gun Club and shooting range including the construction of a portable building. Recognizing that this is a temporary use, the CUP can indicate that the property need not be platted prior to issuing a building permit for the storage building.

The only conditions other than the above that we would recommend including would be a one year time limit as specified in the Zoning Ordinance and also a condition that the permit would be reviewed for continuance by P&Z and Council should any development proposals on property adjacent to the site be submitted.

Springer

MINUTES OF THE PLANNING AND ZONING COMMISSION

March 12, 1987

Chairman Don Smith called the meeting to order at 7:30 P.M. with the following members present: Bob McCall, Norm Seligman, Bill Sinclair, Hank Crumbley and Tom Quinn.

The Commission considered approval of the Consent Agenda which consisted of the minutes of February 12, 1987, and a vacation of and replat for the Goldencrest Subdivision. McCall made a motion to approve the Consent Agenda. Seligman seconded the motion. The motion was voted on and passed unanimously.

Smith then opened a public hearing on a request from Westerfield/Tomlinson for a change in zoning from "A" Agricultural to "C" Commercial on 19.705 acres and "HC" Heavy Commercial on 56.980 acres, both located at SH-205 south off Sids Road and East of Mims Road. Assistant City Manager Julie Couch explained the location of the property and how it related to the Land Use Plan. Couch added that if the request were approved, Staff recommended a 200 ft. depth of Commercial zoning along Mims Road and that the Land Use Plan be amended to reflect the area as Heavy Commercial and Commercial instead of Single Family.

Bob Brown, representing the applicants, explained that the 400 foot depth of Commercial along SH-205 was to be consistent with existing development and that a large depth of Commercial on Mims Road would minimize useable Heavy Commercial property. Bill Lofland, representing Evelyn Lofland, pointed out how Mims Road related to the Thoroughfare Plan and requested a 400 foot deep buffer of Commercial zoning along the frontage of Mims. As there was no one else wishing to address this matter, the public hearing was closed.

Couch noted that of 19 public notices mailed, three were returned in favor and one, Evelyn Lofland's, in favor with a Commercial depth along Mims. After discussion, Seligman made a motion to approve the zone change including a 250 ft. depth of Commercial zoning along Mims and to recommend to the City Council revising the Land Use Plan to reflect Commercial use in that area. Sinclair seconded the motion. The motion was voted on and passed unanimously.

The Commission then held a public hearing and considered approval of a request from Harold Chenault for a change in zoning from "A" Agricultural to "SF-16" Single Family and a preliminary plat on approximately 14 acres, generally located on SH-205 south of Dalton Road. Couch explained that the request consisted of the rezoning, a preliminary plat and a request for a waiver of street escrow requirements. She added that one of the three lots didn't have street frontage which would require a variance from the minimum lot frontage requirements of the Zoning Ordinance and would be

considered by the Board of Adjustments on March 19th. She also stated that the three lots must meet the requirements of the Park Land Dedication Ordinance.

Harold Chenault addressed the Commission and explained his request. He said that the property would not be salable with street escrow attached to it. As there was no one else wishing to address the Commission with regard to this matter, the public hearing was closed. Smith stated that this house was being sold and escrow would not necessarily cause financial hardship on an individual but on the sale of a piece of property.

Smith told the Commission that no precedent had been set with regard to escrow waivers. Seligman made a motion to approve the preliminary plat and the change in zoning subject to approval by the Board of Adjustments for a variance to the minimum lot frontage requirement and recognizing escrow for compliance with the Park Land Dedication Ordinance in the amount of \$473.02. Sinclair seconded the motion. The motion was voted on and passed, 5 to 1, with Crumbley voting against the motion.

The Commission then held a public hearing and considered approval of a request from Joanne Sidlinger for a change in zoning from "A" Agricultural to "LI" Light Industrial on a .988 acre tract of land located off Airport Road adjacent to the Rockwall Municipal Airport. Couch explained the applicant's request, the location of the property and that "LI" zoning was in conformance with the Comprehensive Land Use Plan. Robert Hager, Attorney representing the applicant, explained that the existing building on the property was being used for storage for an off-premise business but that the use had since ceased. He added that the property needed permanent zoning before the application could get a Certificate of Occupancy for a future use. As there was no one else wishing to address the Commission with regard to this matter, the public hearing was closed. McCall confirmed with Staff that the property would still need to be platted. Sinclair made a motion to approve the zone change. Seligman seconded the motion. The motion was voted on and passed unanimously.

The Commission then held a public hearing and considered approval of a request from Frank Springer for a Conditional Use Permit for a temporary gun club and target range on a tract of land located on FM-549 between I-30 and SH-276. Couch explained the applicant's request and recommended that if the Planning and Zoning Commission chose to approve the CUP, that it be temporary and allowing adjacent developments to trigger review of the permit. James Needleman addressed the Commission and explained that the new proposed building would be portable and that the gun club would be strictly skeet shooting. As there was no one else wishing to address the Commission on this matter, the public hearing was closed. The Commission discussed the request and the time limit for the permit. Crumbley made a motion to approve the Conditional Use Permit for one year. Seligman offered a substitute motion to approve the CUP for one year, to review the CUP at any point in time

when adjacent or nearby property develops, and to issue a building permit without requiring the property to be platted as the usage was temporary. Sinclair seconded the motion. The motion was voted on and passed unanimously.

Next the Commission held a public hearing and considered approval of a request from Mike Rogers for a Conditional Use Permit for an accessory structure over the maximum height requirement in an "SF-10" classification, and a vacation of and replat for the Carroll Estates. Couch explained that the structure was seven feet over the maximum height and that the building would cut into the hillside, providing minimal visibility from Ridge Road.

Wayne Rogers told the Commission that the height was needed to enclose a car carrier and show cars. He added that it would be 38 feet from the alley and utilizing roll-up doors. Chip Gehle of 1316 South Alamo said that a residential area was not a safe location for such storage, that the building would add noise and deteriorate the neighborhood. Smith confirmed the size, 42 ft. by 60 ft. with Mr. Rogers. He added that the issue at hand was height, not whether or not he could construct the building. Lorraine Burns pointed out that property owners who were present were confused with regard to the proposed height. Rogers stated that with a CUP the structure would be 22 ft. high. J. D. Shriber, 204 Becky Lane, said that the height would be detrimental to the neighborhood. Inez Shriber stated that the permit would defeat the purpose of the high development standards in Rockwall. The Commission discussed the appearance of the building, usage of the structure, and a possible periodic review of the permit. Smith then closed the public hearing. Seligman made a motion to approve the vacation and replat prior to further discussion regarding the permit. Quinn seconded the motion. The motion was voted on and passed unanimously.

The Commission then discussed the appearance of the building and concerns of the residents present who were nearest to the proposed building. Smith pointed out that the Commission hadn't seen all sides of the building. Mike Rogers offered some additional drawings and assured the Commission that the structure would be used solely for storage. Sinclair made a motion to deny the CUP request for the height restrictions. Seligman seconded the motion. The motion was voted on and passed 4 to 2, with McCall and Crumbley voting against the motion.

The Commission then held a public hearing and considered approval of a request from Burgy/Miller, Inc. for a change in zoning from "GR" General Retail to "SF-10" Single Family and approval of a preliminary plat. Couch explained the application, the location of the tract, and that the preliminary plat was in compliance with the Land Use Plan. She stated that they were asking for a waiver to alley requirements for homes that backed up to the lake and that they were subject to escrow of \$2,709.45 to comply with the Mandatory Park Land Dedication Ordinance.

Harold Evans, Consulting Engineer for the applicants, explained the locations of General Retail in the area and the need for additional Single Family. Nora Myers, 1100 Teakwood, expressed support for additional residential although she had hoped for a community park at this location. Suzanne Ingram, 1101 Bayshore, expressed her favor for the change to Single Family. As there was no one else wishing to address the Commission on this matter, the public hearing was closed. Seligman made a motion to approve the change in zoning and preliminary plat recognizing a requirement of \$2,709.45 in escrow to comply with the Mandatory Park Land Dedication Ordinance. Quinn seconded the motion. The motion was voted on and passed unanimously.

The Commission then held a public hearing and considered changing the zoning or modifying the preliminary plan for PD-19 located west of FM-740 on Summer Lea Drive. Couch explained that the property was undeveloped and zoned for "MF-15". Bryan Marcus, Nelson Corporation, stated that the new ownership only recently became aware of the PD review and requested tabling the PD review until the new owner, Robert Greenberg, had the opportunity to submit a plan. Clark Beard confirmed with Planning and Zoning Commission that "MF-15" was the only use allowed. As there was no one further wishing to speak on the matter, Smith closed the public hearing. Seligman made a motion to table the review of PD-19 until May 14th. Sinclair seconded the motion. The motion was voted on and passed unanimously.

The Commission then held a public hearing and considered changing the zoning or modifying the preliminary plan for PD-20 located west of FM-740 on Summer Lea Drive. Couch explained that only six acres remained undeveloped in the PD and the rest of the property was being developed as Orleans on the Lake. Richard Harris, developer of Orleans on the Lake, asked the Commission to make no changes with regard to this area. Smith stated that Orleans was platted and not the concern at present, but the remainder of the PD was subject to review. Clark Beard, owner of the six acres in question, explained that he had misunderstood the object of the review and requested action be deferred as on PD-19. Sinclair made a motion to table review of PD-20 until May 14th. Crumbley seconded the motion. The motion was voted on and passed unanimously.

Next, the Commission considered approval of a site plan for a Quick Lube located on Ridge Road. Couch explained revisions to the plan that had been done at Staff or Planning and Zoning Commission's recommendation and briefly reviewed the plan. Sh added that FM-740 in this area was indicated as a scenic route in the Land Use Plan. John Fulgham, Car Wash Equipment Company, outlined the appearance of the building, the materials, the landscaping, and expressed his willingness to comply with recommendations of the Commission. Quinn pointed out that although a Quick Lube was an allowed use in this area, and even though the plan was well-done, this was an inappropriate business for an area designated as a scenic route. He recommended that the City pursue the possibility of establishing overlay zoning requirements for scenic routes. The Commission

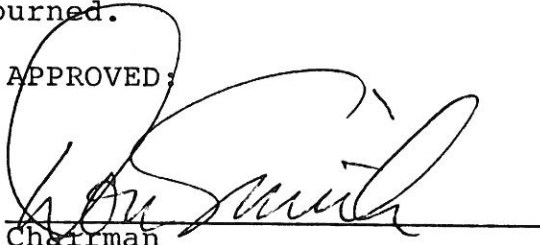
discussed this point with the applicants and encouraged some design improvements. Quinn made a motion to approve the site plan with the stipulation that an improved design be submitted to the City Council and recognizing that this use was inappropriate, although allowed. He further recommended that Council consider initiating a study of possible overlay requirements for scenic routes. Crumbley seconded the motion. The motion was voted on and passed 5 to 1, with McCall voting against the motion.

The Commission then considered approval of a site plan/preliminary plat for the Rockwall County Jail site located on High School Road. Couch explained the location of the site, the existing gravel drive and the proposed drive. She added that the County was requesting a waiver to irrigation requirements, to be allowed a temporary gravel drive and to be given a waiver of escrow for substandard paving until next budget year. Chuck Hodges was available to answer questions. Seligman made a motion to approve the site plan/preliminary plat allowing a gravel drive, waiving irrigation requirements, waiving escrow for street improvements, and temporarily waiving escrow for storm sewer, curb and gutter, and sidewalk. Quinn offered a substitute motion to include a time limit of not more than one budget year to the temporary waiver of escrow. Sinclair seconded the motion. The motion was voted on and passed unanimously.


The Commission then considered approval of a final plat for Rockwall Towne Centre Phase III located on the north service road of I-30. Couch explained that the only concern regarding the plat was the need for an access easement along the front of the property and the 20 ft. setback needed to meet the required 25 feet. Pat Donovan, Dunning Development, explained that both the requirements could be met and that the same brick would be used on all the businesses locating in the Centre. Seligman made a motion to approve the plat contingent to provision of an access easement through the lots and the required 25 foot setback being met. Crumbley seconded the motion. The motion was voted on and passed unanimously.

As there was no further business to come before the Commission for consideration, the meeting was adjourned.

APPROVED:


Chairman

ATTEST:



CITY OF ROCKWALL

Planning and Zoning Agenda

AGENDA DATE: June 9, 1988 AGENDA NO. IV. B.

AGENDA ITEM: Discuss and Review a Conditional Use Permit Issued for a
Temporary Gun Club Located on FM-549 between I-30 and
SH-276 and Consider Any Necessary Recommendation

ITEM GENERATED BY: Staff

ACTION NEEDED: Review of CUP by Planning and Zoning Commission
for compliance with the Ordinance

BACKGROUND INFORMATION:

When the CUP for the temporary gun club on F.M.-549 a condition was placed in the ordinance that the CUP would be reviewed one year after the ordinance was adopted in order to determine if the CUP was still active and that all conditions have been complied with. We can find no problem with any of the conditions in the ordinance. There was some anticipation of development in the area when the permit was granted, but it now appears that any development in the area is some time off.

ATTACHMENTS:

1. Location Map
2. Ordinance granting the CUP

AGENDA ITEM: Gun Club on SH-276

ITEM NO: IV. B.

MINUTES OF THE PLANNING AND ZONING COMMISSION

June 9, 1988

Interim Chairman Tom Quinn called the meeting to order with the following members of the Commission present; Leigh Plagens, Mike Reid, Robert Wilson, Bill Sinclair, and Hank Crumbley.

The first order of business was to elect a chairperson. Plagens made a motion to appoint Tom Quinn as Chairman. Crumbley seconded the motion. Sinclair moved to close nominations. Crumbley seconded the motion. Both motions were voted on and passed unanimously with Quinn abstaining. The Commission then considered appointment of a vice-chairman. Crumbley nominated Bob McCall. Assistant City Manager Julie Couch pointed out that Mr. McCall would be out of town most of the summer. Sinclair nominated Leigh Plagens who declined the nomination. Plagens nominated Bill Sinclair. Reid seconded the nomination. The motion was voted on and passed with all in favor except Sinclair who abstained from voting.

The Commission then considered approval of the minutes of May 12, 1988. Sinclair made a motion to approve the minutes as submitted. Plagens seconded the motion. The motion was voted on and passed with all in favor except Reid and Wilson who abstained from voting.

The next item on the agenda was to hold a public hearing and consider approval of a request from Michael Stephenson for a Conditional Use Permit for a Private Club for a proposed restaurant to be located with the Harbor, a development located off the south service road of I-30 at Lake Ray Hubbard. The Commission opted to postpone consideration of this item until later in the meeting pending the arrival of the applicant or his representative.

The Commission then held a public hearing and considered approval of a proposed landscape ordinance. Couch outlined in general the provisions of the ordinance which would

- * eliminate landscape requirements from the zoning ordinance and place them in a regulatory ordinance
- * provide for submission of a formal landscape plan during the site plan process
- * require certain buffers between commercial properties and arterial streets
- * require certain buffers between commercial properties and residential properties
- * defines acceptable landscaping plants and materials
- * defines certain prohibited plants and landscaping materials in and around rights of way and easements
- * required masonry screens to meet City standards
- * Provided for minimum landscaping and maintenance requirements within

rights of way

- * raised the current minimum of interior landscaping in parking areas from 2% to 5% and provided for a certain number of trees on lots of 20,000 square feet or more
- * provided certain screening requirements for trash receptacles
- * raised the overall minimum landscaping requirement by 5% in each category while providing for certain credits to be given for enhanced landscaping which could reduce the percentage back to the current minimums (except that Commercial properties shall be required to meet a 10 % landscaping requirement regardless of credits).

Quinn opened the public hearing and as there was no one wishing to address the Commission on this issue the public hearing was closed. Sinclair pointed out some technical and typographical corrections and changes that could be made in the ordinance. The Commission discussed some specific changes with regard to screening of off-street loading docks. Discussion centered on whether to require screening for docks in industrial areas which did not face an arterial street. The Commission discussed requirements for off street loading docks in Commercial zoning categories and off street loading docks in Industrial areas which faced or had frontage on an arterial street. Sinclair made a motion to recommend approval of the proposed landscape ordinance with specific changes which he had previously outlined and providing that section VI.B.3 read as follows "The screening must be at least three feet in height utilizing only evergreen planting materials, berms, and masonry walls." Plagens seconded the motion. The motion was voted on and passed unanimously.

The Commission then held a public hearing and considered approval of a replat of a portion of the Sanger Addition. Couch explained that the lot was originally platted as one lot which was 200 feet deep and had 100 feet of frontage on two streets, and was currently owned by two persons. She stated that while there was a house on one side of the lot, the other side was vacant but could not be built on unless replatted as two homes could not be built on one lot. Couch explained that the property owners planned to live in the house once constructed and was therefore also requesting a waiver of the escrow requirements. Marilyn Slaughter, representing the applicant Nell Papas, offered to answer questions. Reid made a motion to approve the replat and the requested waiver of escrow requirements for street improvements. Plagens seconded the motion. The motion was voted on and passed unanimously.

The Commission then held a public hearing a considered approval of a request from Michael Stephenson for a Conditional Use Permit for a private club for a proposed restaurant to be located within the Harbor, a development located off the south service road of I-30 at Lake Ray Hubbard. Quinn opened the public hearing and as there was no one present wishing to address the commission on this issue, the public hearing was closed. Upon discovery that the applicant was not present, Plagens made a motion to postpone action on the item until the next worksession. Crumbley seconded the motion. The motion was voted on and passed unanimously.

The Commission then discussed PD-28, Total Car Care and reviewed the

Planned Development for compliance with parking, landscaping, and outside storage requirements as specified in the ordinance authorizing the PD. Couch outlined the provisions within the ordinance and explained that although the applicant had installed some landscaping, the shrubs had not survived. Diane Payne stated that although she did leave vehicles outside overnight while waiting to be picked up or repaired, she did not store anything outside. Couch explained that any vehicles parked outside overnight that did not belong to an employee were considered outside storage. Payne suggested making some amendments in her site plan regarding areas of landscaping and amending the listed uses within PD-28 to allow outside storage with a minimum number of allowed vehicles to be stored outside. Couch explained that these changes would require a public hearing to amend the PD ordinance. Plagens made a motion to instruct the applicant to submit the necessary application so that the Commission may consider the amendments requested at a public hearing at the next regular meeting of the Commission. Crumbley seconded the motion. Sinclair offered an amendment to clarify that the amendments to be considered would be a revision in the development plan pertaining to landscaping and listed uses. Plagens seconded the amendment. The amendment was voted on and passed unanimously. The motion as amended was voted on and passed unanimously.

The Commission then reviewed a Conditional Use Permit issued for a temporary gun club located on FM-549 between I-30 and SH-276. Couch explained that when the CUP for the gun club was issued, one of the requirements in the ordinance authorizing the permit state that the Commission would review the permit in one year to verify that all conditions had been complied with and that no development had occurred adjacent to the property. Frank Springer, the applicant, explained to the Commission that no changes had been made since the permit had been approved and that it appeared that there were no present plans for development in the proximity.

The Commission then considered approval of a site plan for a proposed Whataburger restaurant to be located on I-30 west of SH-205. Couch explained that the wood paneling shown on the elevations drawings would be stucco to meet the 90% masonry requirements, that the front drive lane would be changed from 20 feet to the required 24 feet in width, that some additional landscaping needed to be provided in the front of the building, and that the applicant proposed to meet the required parking minimums through a shared access agreement with Folsom Properties. John Heiman Jr., Whataburger of Mesquite, addressed the Commission regarding proposed landscaping and parking. After a lengthy discussion regarding landscaping, drive locations, and maneuverability, Sinclair made a motion to approve the site plan subject to submission and approval of a grading and drainage plan by the City Engineer, and providing that the curb shown along the east parking area be expanded to a two to three foot landscaped area to connect the island at the east entrance into the site to the landscaping around the dumpster location. Plagens seconded the motion. The motion was voted on and passed unanimously.

The Commission then considered approval of a final plat for the Roadrunner Addition and a site plan for a proposed convenience store to be located at I-30 and FM-740. Couch explained that the Commission might consider requesting landscaping of the right of way with grass, brick treatment of the supports for the gasoline canopy, and requiring a cross access

easement to be dedicated and a grading and drainage plan to be approved prior to issuance of a building permit. She further explained that the plat did not meet the minimum site size requirements for sites with frontage along I-30 but that application had been made for appearance before the Board of Adjustments. She added that approval of the plat should be contingent upon approval of the variance request by the Board of Adjustments. Michael Craven, Truman Arnold Company, showed photographs of other Roadrunner stores and stated that extensive market studies and traffic reviews had been conducted prior to deciding on this location. The Commission discussed with Craven extending the parapet around the entire building, bricking the gasoline canopy support columns, landscaping the right of way, hours of operation proposed and the color scheme. After a lengthy discussion, Plagens made a motion to recommend approval of the final plat subject to approval of a variance to the minimum site size requirements by the Board of Adjustments and approval of the site plan subject to 1) bricking the support columns for the gasoline canopy, 2) dedication of a cross access easement 3) submission and approval of a grading and drainage plan by the City Engineer 4) extension of the parapet around the entire roof line 4) screening of the dumpster. Crumbley seconded the motion. The motion was voted on and passed unanimously.

The Commission then considered approval of a site plan for a One Stop convenience store to be located at SH-66 and Lakeshore Drive. Couch outlined the applicant's site plan and explained the necessary amount of right of way for future improvement of SH-66. The Commission discussed the drive separation proposed of 173 feet, proposed landscaping to provide a buffer between the store's lot and the adjacent residential properties. Tom Welch, representing the applicant, stated that he proposed to screen the dumpster, that the lot contained more than the minimum amount of landscaping, that the lighting would be directional to prevent spillage, and that some ligustrums would be planted along the south property line to screen the residences. Sinclair made a motion to recommend approval of the site plan subject to the following conditions: 1) that the lighting be directional for minimal spillage 2) that cross access easements be provided to the east 3) allowing less than 200 feet drive separation 4) that a grading and drainage plan be submitted to and approved by the City Engineer prior to issuance of a building permit 5) that a fire hydrant be installed. Plagens seconded the motion. The motion was voted on and passed with all in favor except Reid who abstained from voting.

As there was no further business to come before the Commission for consideration, the meeting adjourned at 11:30 P.M.

Julie Coet

Thomas E. Quinn
Chairman

Agenda Notes

City Council - 4/6/87

V. F. P&Z 87-14-CUP - Hold Public Hearing and Consider Approval of a Request from Frank Springer for a Conditional Use Permit for a Temporary Gun Club and Target Range on a Tract of Land Located on FM-549 between I-30 and SH-276

We have received a request from the Rockwall Gun Club for a Conditional Use Permit for a Gun Club and shooting range located on FM-549. In December of 1985 we annexed the front 160 ft. of the east side of FM-549. Part of the area we annexed included the front area of the Rockwall Gun Club including their storage building. They now want to replace the existing portable building with a new building. They cannot be issued a building permit until the zoning is correct. Under "AG" zoning this use is allowed with a CUP. They are asking for a CUP for a temporary Gun Club and shooting range including the construction of a portable building. Mr. Springer indicated that only shotguns would be allowed for target practice and skeet shooting. Recognizing that this is a temporary use, the CUP can indicate that the property need not be platted prior to issuing a building permit for the storage building.

The Planning and Zoning Commission recommended approval of the CUP with a one year time limit as specified in the Zoning Ordinance, a condition that the permit would be reviewed for continuance by the P&Z and Council should any development proposals on property adjacent to the site be submitted, and providing that a building permit may be issued without requiring the applicant to plat the property.

Springer

ORDINANCE NO. 87-21

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 A CONDITIONAL USE PERMIT FOR A TEMPORARY GUN CLUB AND TARGET RANGE ON A TRACT OF LAND WHICH IS MORE FULLY DESCRIBED HEREIN; PROVIDING FOR CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF ONE THOUSAND DOLLARS (\$1,000) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; 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 grant a Conditional Use Permit for a temporary gun club and target range on the tract of land described in Exhibit "A".

SECTION 2. That the Conditional Use Permit shall be subject to the following special conditions:

1. Permit is subject to review one year from the date of passage of this ordinance.
2. Permit is subject to review at any time when the development process is initiated on adjacent or nearby property.
3. Permit shall include a temporary portable building.
4. Building permit for construction of said building may be issued without requiring the property to be platted.
5. Only skeet shooting will take place as an activity on the property by club members.

SECTION 3. 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 4. That the above described tract of land 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 5. 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.

each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 6. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Comprehensive Zoning Ordinance No. 83-23 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 of this ordinance are declared to be severable.

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 4th day of May, 1987.

APPROVED:

J. R. Miller

ATTEST:

By: *Julie Cook*

1st reading 4/20/87
2nd reading 5/4/87

EXHIBIT "A"

All that certain tract or parcel of land situated in Rockwall County, Texas, described as follows:

J.H.B. Jones Survey, Abstract No. 125 and the J. A. Ramsey Survey, Abstract No. 774, described as follows:

BEGINNING at the intersection of the North line of the Rockwall and Nadine road with the East line of the Forney Farmersville public road, said beginning point also being the Southwest corner of this tract of land;

THENCE East along the said North line of said Rockwall and Nadine public road 950 varas to a stake for corner;

THENCE North parallel to the Forney and Farmersville public road 475 varas to a stake for corner;

THENCE West and parallel with the Rockwall and Nadine public road 950 varas to a stake for corner in the East line of said Forney and Farmersville public road;

THENCE South along said road 475 varas to the place of beginning, containing eighty (80) acres of land;

SAVE AND EXCEPT 1.197 acres conveyed off the West end for right-of-way for Farm to Market Road No. 549 by deed recorded in Volume 42, Page 317, Deed Records of Rockwall County, Texas; and

SAVE AND EXCEPT 2.315 acres conveyed off the South side of said tract for right-of-way for Farm to Market Road No. 1143 by Deed recorded in Volume 45, Page 182 Deed Records of Rockwall County, Texas, leaving a net remainder in this tract of 76.488 acres of land.

PLANNING AND ZONING ACTION SHEET

Applicant Ivy/Springer Case No. P+Z 87-14-CUP
 Property Description 549 between I-30 and SH-205
 Case Subject Matter Conditional Use Permit for a temporary gun club and target practice

CASE ACTION

Date to P&Z March 12 Approved Disapproved Tabled

Conditions subject to yearly review on any point in time when development begins around property

Date to City Council April 6 Approved Disapproved Tabled

Conditions _____

Ordinance no. _____ Date _____

ITEMS IN FILE

Zoning Cases

- Application
- Site Plan
- Filing Fee
- Notice to Paper
- Notice to Residents
- List of Residents Notified
- Residents' Responses
- Consultant's Review
- Agenda Notes
- Minutes
- Ordinance
- Correspondence
- Applicant Receipts

Plat/Site Plan Cases

- Application
- Filing Fee
- Plat/Plan
- Engineer's Review
- Consultant's Review
- Agenda Notes
- Minutes
- Correspondence
- County File Number
- Applicant Receipts

PUBLIC NOTICE

The Rockwall Planning and Zoning Commisison will hold public hearings on March 12, 1987, at 7:30 P.M. in City Hall, 205 West Rusk to consider the following requests:

1. A request from Harold Chenault for a change in zoning from "A" to "SF-16" on a 14.66 acre tract of land generally located on SH-205 south of Dalton Road
2. A request from Frank Springer for a Conditional Use Permit for a temporary gun club and target range on a tract of land on FM-549 between I-30 and SH-276.
3. A request from Mike Rogers for a Conditional Use Permit for an accessory structure over the maximum height requirement in an "SF-10" classification on a 2.876 acre tract located in the Carroll Estates on Ridge Road
4. A request from Burgy-Miller, Inc. for a change in zoning from "GR" to "SF-10" on a 10.88 acre tract of land located on North Lakeshore Drive north of SH-66.