CITY OF ROCKWALL, TEXAS

APPLICATION AND FINAL PLAT CHECKLIST

DATE: 3-26-87

Name of Proposed Development: Rockwall County Law Enforcement Center

Name of Developer: County of Rockwall

Address: County Court House Rockwall, Texas Phone: 722-5152

Owner of Record: Same as above

Address: _____ Phone: _____

Name of Land Planner/Surveyor/Engineer: B.L.S. & Associates Inc.

Address: P.O. Box 65 Rockwall, Texas Phone: 722-3036

Total Acreage: 10.263 Current Zoning: Commercial & Light Industr

Number of Lots/Units: 1 Signed: Gail C. Brown

The Final Plat shall generally conform to the Preliminary Plat, as approved by the City Council and shall be drawn to legibly show all data on a satisfactory scale, usually not smaller than one inch equals 100 feet. The final plat shall be submitted on a drawing which is 18 inches x 24 inches.

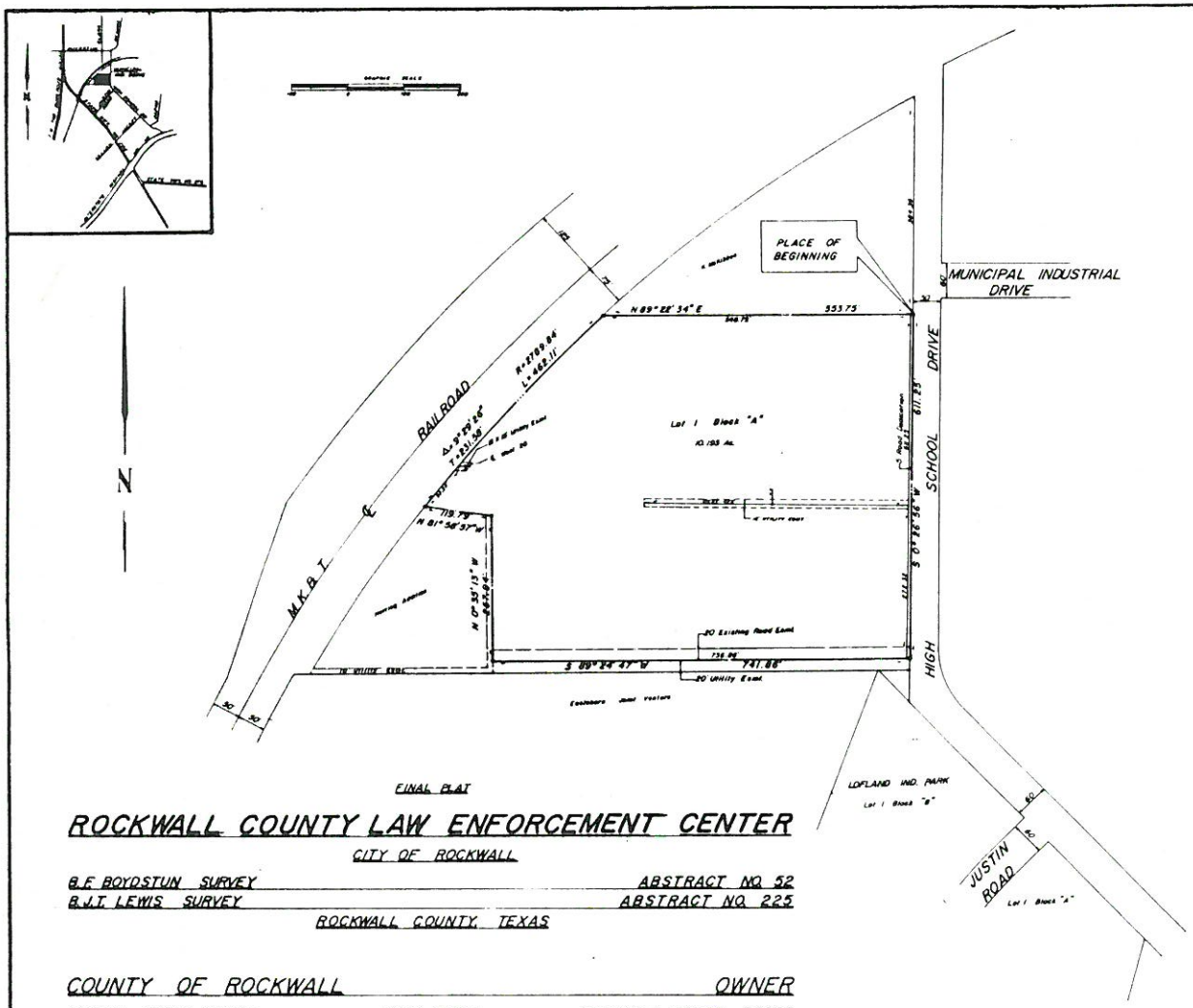
The following Final Plat Checklist is a summary of the requirements listed under Section VIII of the Rockwall Subdivision Ordinance. Section VIII should be reviewed and followed when preparing a final plat. The Checklist is intended only as a reminder and a guide for the preparation of plats.

INFORMATION

Provided or Shown on Plat	Not Applicable		
		1.	Title or name of development written and graphic scale, north point, date of plat and key map
		2.	Location of the development by City, County and State
		3.	Location of development tied to a USGS monument, Texas highway monument or other approved benchmark
		4.	Accurate boundary survey and property description with tract boundary lines indicated by heavy lines

Provided or Shown on Plat	Not Applicable		
_____	_____	5.	Accurate plat dimensions with all engineering information necessary to reproduce plat on the ground
_____	_____	6.	Approved name and right-of-way width of each street, both within and adjacent to the development
_____	_____	7.	Locations, dimensions and purposes of any easements or other rights-of-way
_____	_____	8.	Identification of each lot or site and block by letter and building lines or residential lots
_____	_____	9.	Record owners of contiguous parcels of unsubdivided land, names and lot patterns of contiguous subdivisions, approved Concept Plans refered by recorded subdivision plats or adjoining platted land by record name and by deed record volume and page
_____	_____	10.	Boundary lines, dimensions and descriptions of open spaces to be dedicated for public use of the inhabitants of the development
_____	_____	11.	Certificate of dedication of all streets, alleys, parks and other public uses signed by the owner or owners
_____	_____	12.	Designation of the entity responsible for the operation and maintenance of any commonly held property and a waiver releasing the City of such responsibility, a waiver releasing the City for damages in establishment or alteration of grades
_____	_____	13.	Instrument of dedication or adoption signed by the owner or owners
_____	_____	14.	Space for signatures attesting approval of the plat
_____	_____	15.	Seal and signature of the surveyor and/or engineer responsible for surveying the development and/or the preparation of the plat

Provided or Shown on Plat	Not Applicable	
_____	_____	16. Compliance with all special requirements developed in preliminary plat review
_____	_____	17. Waiver of drainage liability by the City due to development's design
_____	_____	18. Statements indicating that no building permits will be issued until all public improvements are accepted by the City.



FINAL PLAT

ROCKWALL COUNTY LAW ENFORCEMENT CENTER

CITY OF ROCKWALL

B.F. BOYDSTUN SURVEY — ABSTRACT NO. 52
B.J.T. LEWIS SURVEY — ABSTRACT NO. 225
ROCKWALL COUNTY, TEXAS

COUNTY OF ROCKWALL — OWNER
COUNTY COURT HOUSE (722-5152) ROCKWALL TEXAS 75087

B.L.S. & ASSOCIATES INC. (722-3036) SURVEYORS
RT. 1 BOX 142-E SIDS ROAD ROCKWALL TEXAS 75087

SCALE 1" = 100' — FEBRUARY 20, 1987

OWNERS CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

Whereas, County of Rockwall, being the owner of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

being, a tract of land situated in the B.F.Boydstun Survey, Abstract No.52 and the B.J.T.Lewis Survey, Abstract No.225, City of Rockwall, Rockwall County, Texas, and being that tract as recorded in Volume 63, Page 644, Deed of Trust Records of Rockwall County, Texas, and being more particularly described as follows:
Beginning, at a point on the west line of High School Drive, and also being the Northeast corner of said tract recorded in Volume 63, Page 644, an iron stake for corner;
Thence, S.0°26'56"W., along the West line of High School Drive, a distance of 611.25 feet to an iron stake for corner;
Thence, S.89°34'47"W., leaving the said West line of High School Drive, and along the South line of a 20' foot Easemnet, a distance of 741.88 feet to an iron stake for corner;
Thence, N.0°35'13"W., a distance of 257.94 feet to an iron stake for corner;
Thence, N.81°58'57"W., a distance of 117.79 feet to a point on the Southeast line of the M.K.&.T. Railroad R.O.W., an iron stake for corner;
Thence, in a Northeasterly direction and along the Southeast line of the M.K.&.T. Railroad R.O.W., and around a curve having a central angle of 9°29'26", a radius of 2789.84 feet, a distance of 462.11 feet to the end of said curve, an iron stake for corner;
Thence, N.89°23'34"E., leaving the said Southeast line of the M.K.&.T. Railroad R.O.W., a distance of 353.75 feet to the PLACE OF BEGINNING and containing 10.263 acres of land.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That, County of Rockwall, being owner, does hereby adopt this plat designating the herein above described property as ROCKWALL COUNTY LAW ENFORCEMENT CENTER, to the City of Rockwall, Rockwall County, Texas, and does hereby dedicate to the public use forever, the streets and alleys shown thereon and do hereby reserve the right-of-way and easement strips shown on this plat for the purpose stated and for the mutual use and accommodation of all utilities desiring to use or using same, any public utility shall have the right to remove all or part of any buildings, fences, trees, shrubs or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective systems on any of the right-of-way and easement strips; and any public utility shall have the right of ingress and egress to, from and upon the said right-of-way and easement strips for the purpose of construction, reconstruction, patrolling, maintaining and either adding to or removing all or part of their respective systems without the necessity of at any time procuring the permission of anyone. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grades of streets in this addition. A) It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. B) The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability of water for personal use and fire protection within such plat.

WITNESS our hand at Rockwall, Texas this ____ day of _____ A.D. 1987.

BY _____
William B. Lofland — County Judge

STATE OF TEXAS

Before me, the undersigned Notary Public, in and for the State of Texas, on this day personally appeared William B. Lofland, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration herein expressed.

GIVEN under my hand and seal of office this ____ day of _____ A.D. 1987

Notary Public for the State of Texas
My Commission Expires _____

SURVEYORS CERTIFICATE

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:
That I, Bob O. Brown, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision.

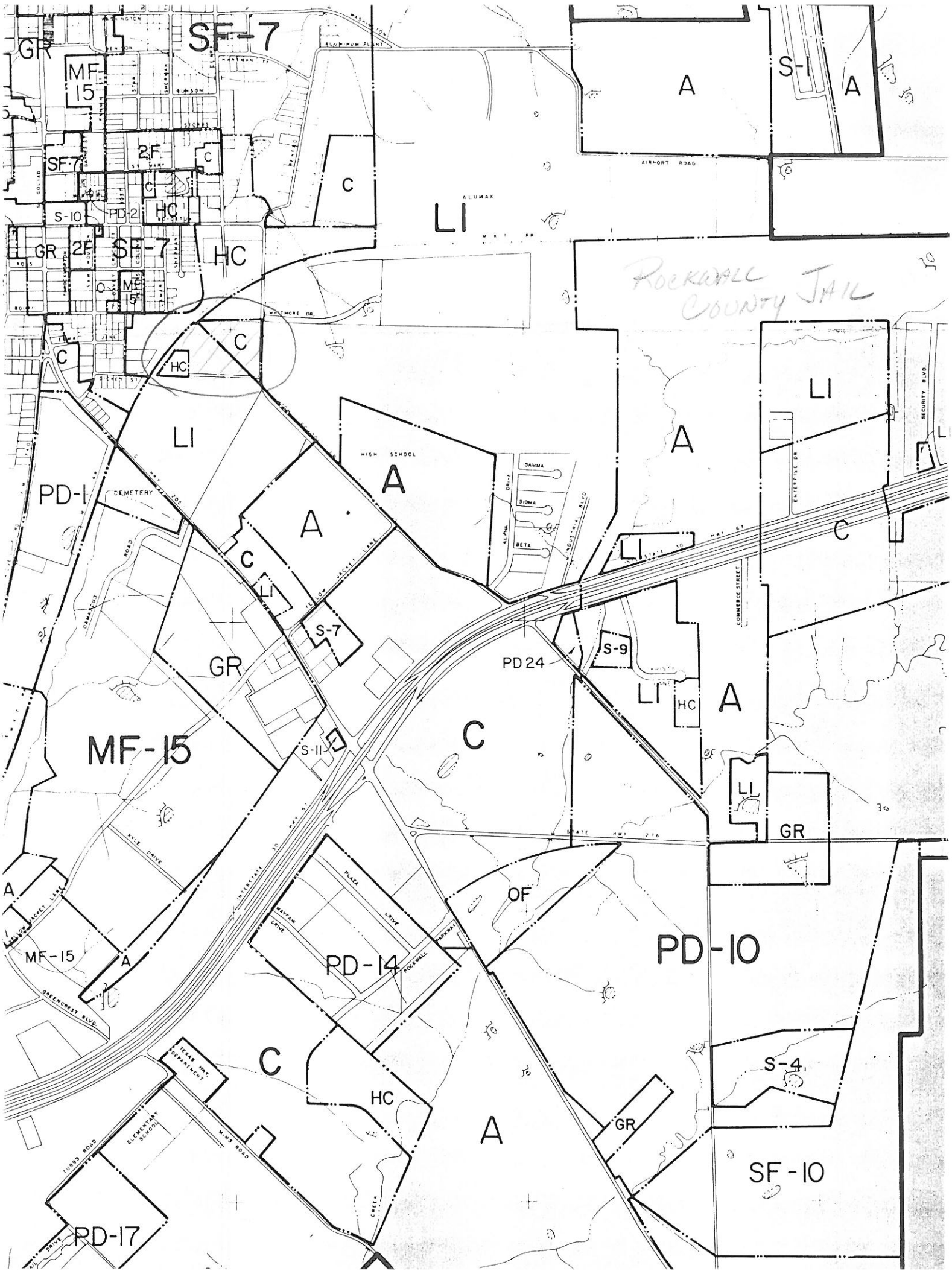
Bob O. Brown, Registered Public Surveyor No. 1744

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned Notary Public, in and for the State of Texas, on this day personally appeared Bob O. Brown, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration herein expressed.

GIVEN under my hand and seal of office this ____ day of _____ A.D. 1987

Notary Public for the State of Texas
My Commission Expires _____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ALUMAX
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AIRPORT ROAD
ROCKWALL COUNTY JAIL
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A
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SECURITY BLVD
PD-1
CEMETERY
HIGH SCHOOL
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GR
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MF-15
S-11
KYLE DRIVE
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MF-15
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GREENCREST BLVD.
PLAZA DRIVE
PD-14
ROCKWALL PARKWAY
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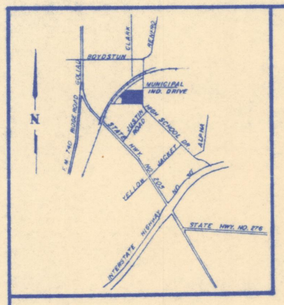
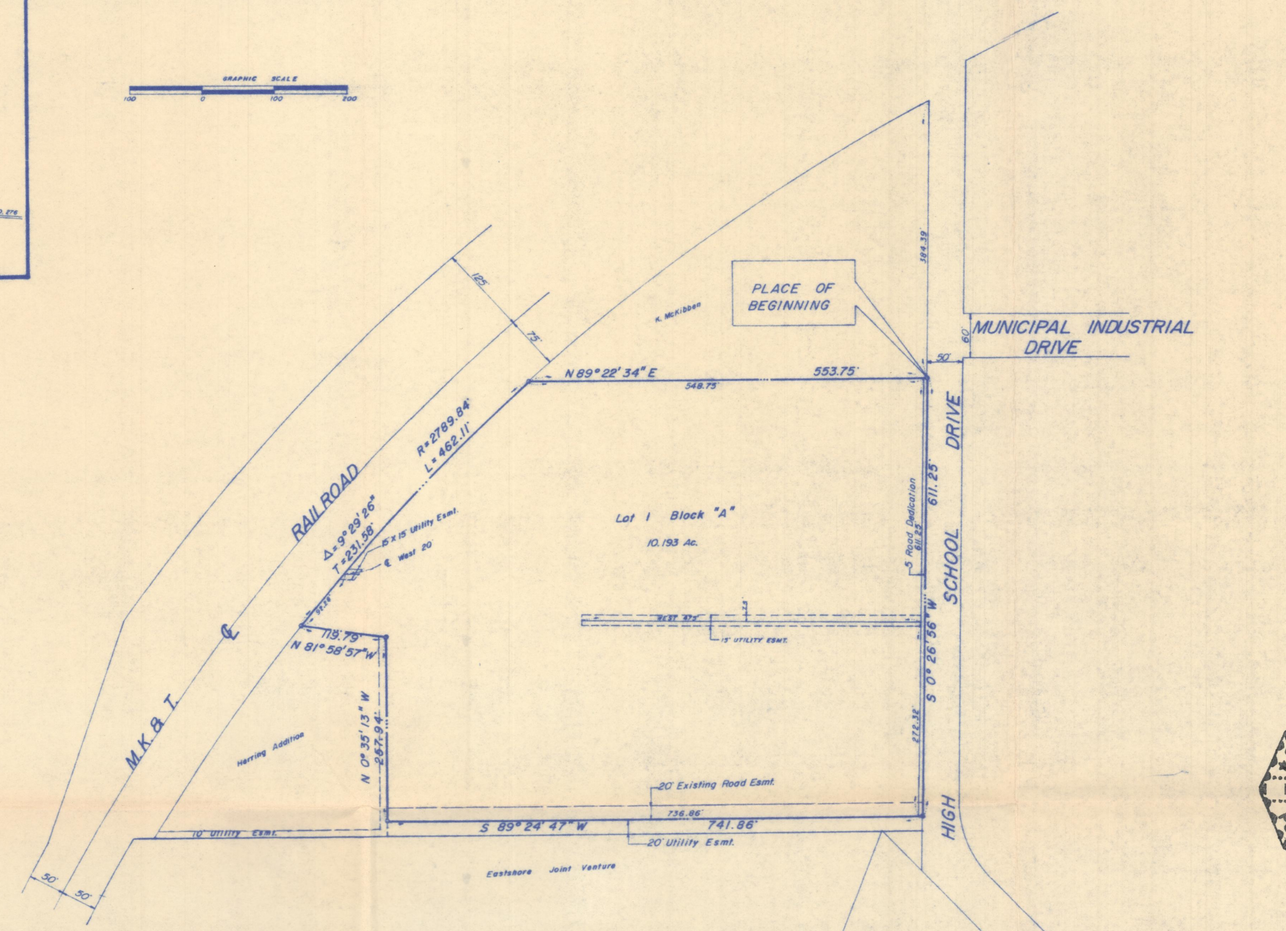
SF-10
TUBBS ROAD
ELEMENTARY SCHOOL
MIMS ROAD
PD-17





FINAL PLAT

ROCKWALL COUNTY LAW ENFORCEMENT CENTER

CITY OF ROCKWALL

B.F. BOYDSTUN SURVEY — ABSTRACT NO. 52
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RT. 1 BOX 142-E SIDS ROAD ROCKWALL TEXAS 75087

SCALE 1" = 100' FEBRUARY 20 1987

Slide C
Pg 1

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STATE OF TEXAS
COUNTY OF ROCKWALL

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Thence, N.89°22'34"E., leaving the said Southeast line of the M.K.& T. Railroad R.O.W., a distance of 553.75 feet to the PLACE OF BEGINNING and containing 10.263 acres of land.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That, County of Rockwall, being owner, does hereby adopt this plat designating the herein above described property as **ROCKWALL COUNTY LAW ENFORCEMENT CENTER**, to the City of Rockwall, Rockwall County, Texas, and does hereby dedicate to the public use forever, the streets and alleys shown thereon and do hereby reserve the right-of-way and easement strips shown on this plat for the purpose stated and for the mutual use and accommodation of all utilities desiring to use or using same, any public utility shall have the right to remove all or part of any buildings, fences, trees, shrubs or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective systems on any of the right-of-way and easement strips; and any public utility shall have the right of ingress and egress to, from and upon the said right-of-way and easement strips for the purpose of construction, reconstruction, patrolling, maintaining and either adding to or removing all or part of their respective systems without the necessity of at any time procuring the permission of anyone. The City of Rockwall will not be responsible for any claims of any nature resulting from or occassioned by the establishment of grades of streets in this addition. A) It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. B) The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability of water for personal use and fire protection within such plat.

WITNESS our hand at Rockwall, Texas this 30 day of June A.D. 1987.

BY William B. Lofland
William B. Lofland County Judge

STATE OF TEXAS

Before me, the undersigned Notary Public, in and for the State of Texas, on this day personally appeared William B. Lofland, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration herein expressed.

GIVEN under my hand and seal of office this 30 day of June A.D. 1987

Bob O. Brown
Notary Public for the State of Texas
My Commission Expires 3-12-91

SURVEYORS CERTIFICATE

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:
That I, Bob O. Brown, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision.

Bob O. Brown
Bob O. Brown, Registered Public Surveyor No. 1744

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned Notary Public, in and for the State of Texas, on this day personally appeared Bob O. Brown, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration herein expressed.

GIVEN under my hand and seal of office this 15 day of July A.D. 1987

Notary Public for the State of Texas
My Commission Expires 8-28-91

STATE OF TEXAS — BOB O. BROWN — 1744 — REGISTERED PUBLIC SURVEYOR

RECOMMENDED FOR FINAL APPROVAL:

City Manager

APPROVED:

Chairman Planing and Zoning Commission

I hereby certify that the above and foregoing plat of ROCKWALL COUNTY LAW ENFORCEMENT CENTER to the City of Rockwall, Texas was approved by the City Council of the City of Rockwall, Texas on the

18th day of May A.D. 1987.

WITNESS our hand this

4th day of August A.D. 1987.

Mayor

City Secretary

CITY OF ROCKWALL, TEXAS — SEAL

archimatrix inc.
chas. e. hodges a. i. a.

Many file - in County jail plat file

March 20, 1987

Honorable Judge Bill Lofland
& Members of Commissioners Court
Rockwall County Courthouse
Rockwall, Texas 75087

Re: City Council Meeting
March 16, 1987

Dear Judge Lofland;

The following constitutes my understanding of the Council proceedings regarding the proposed Rockwall County Law Enforcement Center.

In light of the budget consideration:

Item 1. - Waive landscape requirement for providing irrigation.

Item 2. - The existing access drive along the southern property line to be made a 24'-0" wide seal coat County specified road.

Item 3. - The money for curb and gutter along High School Drive would be excrowed and budgeted in the 1988 County budget.

Item 4. - The City and County enter into a contract for the afore mentioned items subject to City approval of the site plans.

Early in the conversation with the City Council, a question was asked if the possibility of a joint City/County law enforcement effort would be feasible.

My answer was that several months back, a conversation regarding further development of the property was discussed and the decision was that this site could accomodate a program of this nature.

Thank you,

Chas. E. Hodges A.I.A.

CEH/sld

cc Julie Couch ✓
Bill Eisen

The items referenced above constitutes the understanding of statements made, direction given and/or the general understanding reached during the meeting held. If other interpretations of the above were reached or further clarification required, please notify this office within ten (10) working days after receipt of this report. If no response is received, the above shall become a permenant part of the project record.

a.c. 214-722-0044 2233 ridge road, suite 201 rockwall, texas 75087

MEMORANDUM

May 15, 1987

TO: Mayor and City Council

FROM: Bill Eisen, City Manager

SUBJECT: County Jail Ordinance Waivers

When you considered the preliminary plat and site plan for the County Jail you also considered a series of waivers of City requirements regarding development. These waivers were incorporated into an Agreement the form of which was approved by the Council.

The Commissioner's Court has reviewed the document and has requested three changes in the proposal. One, the original agreement stated that the County would budget funds in 1988 to pay escrow for curb and gutter and sidewalks. However, the County cannot legally commit to payment of funds in a future year. Consequently, a change in wording has been proposed.

Second, the County has requested that the 1988 escrow be calcualted at the ratio of total escrow to the amount of the property that is being developed at this time. This is consistent with what has been done on other property in the City.

Third, the County has requested that the contract specifically state that they will not be called upon to build a concrete street on the South side of the property if it develops at some later date. This is something we would not normally require.

A revised contract incorporating these changes is attached for your consideration.

Agenda Notes
P&Z - 5/14/87

IV. E. P&Z 87-28-FP - Discuss and Consider Approval of a Final Plat for the Rockwall County Jail Located on High School Road

The final plat has been submitted for the Rockwall County Jail Site on High School Road. The plat as submitted meets all of our requirements. The Council did approve certain waivers for the jail site as recommended by the Commission including a temporary waiver to the drive standards and a waiver for the escrow for paving along High School. They also approved a temporary waiver to the escrow of funds for curb and gutter, sidewalk and storm drainage until their 1988 budget year. The Council also stipulated that a contract would be entered into outlining these conditions. It would be appropriate to reaffirm the waivers relating to street improvements with the approval of the final plat. A copy of the plat is attached.

County Jail PP

MINUTES OF THE PLANNING AND ZONING COMMISSION
May 14, 1987

Chairman Don Smith called the meeting to order with the following members present: Bob McCall, Leigh Plagens, Norm Seligman, Bill Sinclair, and Hank Crumbley.

The Commission first considered approval of the minutes of April 9 and April 30, 1987. Sinclair suggested that in the April 9th minutes the third paragraph specify which items and which applicants were postponed until later in the meeting. Seligman made a motion to approve the minutes of April 9th with the amendment as recommended. Sinclair seconded the motion. The motion was voted on and passed unanimously. Seligman then made a motion to approve the minutes of April 30th. Plagens seconded the motion. The motion was voted on and passed unanimously.

The Commission then continued a public hearing on PD-19 located on Summer Lea Drive. Assistant City Manager Julie Couch explained the location of the tract and the changes in densities of adjacent properties. She explained that the four acre tract was designated for multifamily although densities of area properties had been substantially downgraded. She added that the applicant had submitted a proposal that would designate the property as something between Zero Lot Line and Townhouse. She added that the applicant was not present at this time although he had intended to appear. Seligman made a motion to delay consideration of this item until the end of the public hearing section of the Agenda. Sinclair seconded the motion. The motion was voted on and passed unanimously.

The Commission then continued a public hearing on PD-20 located on Summer Lea Drive and considered amending the zoning or modifying the preliminary plan for PD-20. Couch pointed out the location of the tract. She explained that the applicants had expressed a preference to leave the property designated as "MF-15" Multifamily at 15 units per acre, although in the current Zoning Ordinance "MF-15" is 14 units per acre. Kirby Albright addressed the Commission and explained that he was one of several joint property owners who owned this tract of land. He stated that although he preferred to leave the property designated as "MF-15" at 15 units per acre, he hoped that the Commission would not recommend downgrading the density to be less than 7 units per acre which was the same as Orleans on the Lake. He explained that the eleven acres that made up PD-20 had originally been owned by himself until six of those acres were sold and developed into Orleans on the Lake by Richard Harris. McCall suggested reducing the PD to 14 units per acre which is the current standard in "MF-15" zoning classification. Seligman pointed out that although 14 units per acre would be downgrading the density, adjacent properties had been reduced to Single Family and Zero Lot Line. He recommended reducing the density to 7 units per acre to match Orleans on the Lake. Couch pointed out that the two items necessary in amending the PD were designating the land use and establishing area requirements. She

explained that if no area requirements were established, when the developer was ready to develop the property a public hearing process would be necessary to revise the preliminary plan. After further discussion, Seligman made a motion to amend the designated land use from "MF-15" to seven units to the acre. Plagens 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 Terry Adams for a Conditional Use Permit for a structure with less than 90% exterior masonry materials. Couch explained the applicant's request and that now aggregate tilt wall would be used throughout the building instead of stone veneer. Terry Adams explained that his proposal to use metal doors instead of plexiglass would discourage break-ins while allowing some visibility from a small window strip. He explained that the metal band on the roof would give it a classier appearance and that the tilt wall around the structure would be an integral color and of a pebble texture. He added that he was still waiting to obtain easements from WalMart. After further discussion, Sinclair made a motion to approve the Conditional Use Permit allowing metal doors in the rear and the metal band on the roof. Seligman seconded the motion. The motion was voted on and passed unanimously.

The Commission then held a public hearing and considered amending PD-9 to revise the preliminary plan to include the manufacturing of wiring harnesses as an allowed use and reduce square footage requirements for buildings in Office/Warehouse. Couch outlined the boundaries of PD-9 and explained the location of the Office/Warehouse District in the PD-9. She pointed out that light assembly was an allowed use, but that the developer wanted to be sure that manufacturing of wiring harnesses was an allowed use. She explained that the current landscaping requirement in Office/Warehouse was 20% although the City requirements were only 5% in a Light Industrial zoning classification. Although the proposed development plan for Precision Cable indicated 12.9% landscaping, the developer wished to reduce the landscaping requirement to 5% to bring it in line with the Light Industrial requirements. Prior to opening the public hearing Smith pointed out that the objections that had been received by property owners addressed the land use which had already been established. He read aloud the objections that had been received and pointed out that each one of these addressed land use. Rob Whittle, Whittle Development, pointed out that this section had at one time been proposed for Multifamily, that being the purpose for the 20% landscaping requirement. He stated that although he was requesting a 5% requirement, his deed restrictions could require up to 15%. He stated he was also requesting a new maximum building size of 30,000 square feet to provide the latitude for businesses to increase in size and number of employees. The Commission discussed landscaping, the dedicated right-of-way, possible landscaping strip in the back of the lot by the parking, and the ability for the proposed roads to bear heavy traffic. Richard Lopez addressed the Commission and explained that his property was directly across the street from the Office/Warehouse district and that he was concerned with chemicals,

stripers, and cleaners being passed through the water system and pollutants that could inhibitplant growth accumulate through the water supply. He urged the Commission not to allow businesses that would emit contaminants. The Commission then discussed whether or not the proposed business would contribute to pollutants, whether light assembly would emit pollutants or not, and whether or not the waste materials would be disposed of through the water system of handled on site. Couch explained that as this was light assembly, there were no chemicals to be disposed of to her knowledge. After further discussion, Seligman made a motion to amend the preliminary plan for PD-9 to allow the manufacturing of wiring harnesses, increase the maximum building size to 30,000 square feet, to reduce the required landscaping to 5%, and to require the landscaping of parkways and dedicated rights-of-way. Plagens seconded the motion. The motion was voted on and passed unanimously.

The Commission then discussed PD-19 as the applicant was present and prepared to answer questions. Richard Waldorsky presented a rendering of a proposed subdivision, explaining that by using a cul-de-sac he had attempted to capture a view of the lake from all of the lots, and that lots on the east side would have front entry and lots on the west would have rear entry. He outlined the proposed area requirements and allowed uses. Smith stated that one of the uses for private, unlighted tennis courts was not feasible as the lots were too small. Couch explained that Staff had reviewed the proposed land uses and area requirements and that if these are approved, the development plan can be submitted and acted on without further public hearing. Sinclair suggested that the Commission require a two car garage as a minimum one car garage in Townhouse was not necessarily adequate. Smith recommended removing a temporary concrete batching plant as an allowed use as it was not necessary in a small development. After further discussion, Seligman made a motion to adopt the proposed land uses and area requirements as submitted with the exception of the private unlighted tennis courts, the temporary concrete batching plant, changing the requirement of an accessory building to meet current requirements, and requiring a minimum two car garage. Sinclair seconded the motion. The motion was voted on and passed unanimously.

The Commission then discussed and considered approval of a development and final plat for Buffalo Creek Office Park. Couch pointed out that Staff had requested a few technical changes, including the 10 ft. easement at the rear being changed to 15 ft., the 5 ft. dedication for right-of-way along FM-3097 being increased by an addition 5 ft., and reflecting that Rainbow Lake Road ties into Lincoln Drive rather than running alongside it. Harold Evans, Consulting Engineer, pointed out on the plat where Rainbow Lake Road would tie into Lincoln Drive. The Commission then discussed the existing gravel road which would eventually be phased out. Seligman made a motion to approve the final plat and development plan with the recommended changes by Staff. Plagens seconded the motion. The motion was voted on and passed unanimously.

The next item on the Agenda was a final plat for the T.L.A. Subdivision located on Yellowjacket Lane. As the applicant indicated that easements had not as yet been received from WalMart, the Planning and Zoning Commission did not consider the item. Receipt of the easements was a contingency placed on the approval of the preliminary plat.

The Commission then discussed and considered approval of a final plat for Northshore Phase IV, a 45 lot subdivision located on North Lakeshore Drive north of SH-66. Couch stated that the final plat as submitted met all the City's current requirements and that one street, Highpoint, needed to be renamed as there was already a street by that name in Lakeside Village. Sinclair made a motion to approve the final plat with the revision of the street name. Plagens seconded the motion. The motion was voted on and passed unanimously.

The Commission then considered approval of a preliminary plat for Randy's Place, an 8.0156 acre lot located off SH-205 south of Dalton Road. Harold Evans presented a rendering of the preliminary plat and explained that basically it was a creation of a building site. He added that although the lot did not have frontage on SH-205, a variance had been granted by the Board of Adjustments. Seligman made a motion to approve the preliminary plat as submitted. Sinclair seconded the motion. The motion was voted on and passed unanimously.

The Commission then considered approval of a final plat for the Rockwall County Jail located on High School Road. Couch pointed out that the plat as submitted met all of the City's requirements and that Council had previously approved certain waivers for the jail site as recommended by the Commission, including a temporary waiver to the drive standards and a waiver for the escrow for paving along High School Road. Council also approved a temporary waiver to the escrow of funds for curb and gutter, sidewalk and storm drainage until the 1988 budget year. Seligman made a motion to approve the final plat, restating that escrow of funds for curb and gutter, sidewalk, and storm drainage would be provided in the 1988 budget year. Sinclair seconded the motion. The motion was voted on and passed unanimously.

The Commission then considered approval of a replat of portions of Ellis Centre Phase I and Phase II located off High School Road. Couch pointed out that this application was basically to move a lot line and an easement to allow space in order to increase the building size on one of the lots. David Ellis of Ellis Companies addressed the Commission and explained that the property owner wanted to expand his business and expand his number of employees and that he could not do this with the lot line where it was currently located. Smith pointed out that where Phase I ended and Phase II began had been the developer's decision to begin with. Ellis stated that the easement could be relocated by moving it approximately 41 ft. north of its present location. Sinclair made a motion to

approve the replat. Plagens seconded the motion. The motion was voted on and passed unanimously.

The Commission then discussed and considered approval of a revised site plan for the Quick Lube to be located on Ridge Road. Couch pointed out that the application was in an effort to save a large tree that was located in the middle of the driveway as it was currently site planned. She stated that the applicant's proposal was to allow two drives, a 20 ft. entry and a 25 ft. exit separated by 30 ft., and making these drives one way. She explained that the Commission could limit the drives to 15 ft. each to insure they would be utilized as one way drives. She also stated that in order to prevent the 30 ft. separation from becoming additional parking the Commission could require the applicant to install a culvert, landscaping it to prevent the area from becoming one large driveway should the tree die. After further discussion, Sinclair made a motion to approve the revised site plan for the Quick Lube with the condition that if technically possible and approved by the State, a culvert would be installed all the way between both drives and that this area be landscaped and curbed. McCall seconded the motion. The Commission then briefly discussed whether or not to require limiting the drives to 15 ft. in width. The motion was voted on and passed, with all voting in favor except Seligman, who voted against the motion.

The Commission then reviewed and discussed SUP-7, a Specific Use Permit issued for miniwarehouses located on Yellowjacket Lane. Couch explained that the permit had been issued in 1978 for the site where Mitchell's Hardware building is located. She stated that although the original plan was to construct offices where the current building is located, nothing has been built in the area where the miniwarehouses were planned to go. Jim Mitchell, the property owner, addressed the Commission and explained that although he didn't have any immediate plans, he would like to retain the option to put in the miniwarehouses as he did still hope to develop a carwash. He stated that the property was in a landlocked situation surrounded on three sides in and no other use would be appropriate. Plagens pointed out that there was no provision in today's Zoning Ordinance for granting a Conditional Use Permit for miniwarehouses in a Commercial zoning classification. She stated that SUP-7 did necessitate public hearings. Plagens then made a motion to remand the SUP to City Council and recommended initiation of public hearings. Seligman seconded the motion. The motion was voted on and passed unanimously.

The next item on the Agenda, a possible overlay zoning district along certain areas of FM-740, was not reviewed. Couch stated that this item would be on the Work Session for discussion. She stated that if the Commission so chose, she could put it on the Agenda as an action item. The Commission voiced no objections to this.

Council stated that the applicants for Harbor Landing, Phase II had asked that the final plat be considered as an action item at the Work Session as well. The Commission did not favor this idea.

Smith also suggested that at the next meeting the Commission meet at 6:30 at the Work Session in order to do site tours. As there were no further items to come before the Commission for consideration, the meeting was adjourned.

APPROVED:

Chairman

ATTEST:

By_____

Agenda Notes
City Council - 5/18/87

V. D. P&Z 87-28-FP - Discuss and Consider Approval of a Final Plat for the Rockwall County Jail Located on High School Road

The final plat has been submitted for the Rockwall County Jail Site on High School Road. The plat as submitted meets all of our requirements. The Council did approve certain waivers for the jail site as recommended by the Commission including a temporary waiver to the drive standards and a waiver for the escrow for paving along High School. You also approved a temporary waiver to the escrow of funds for curb and gutter, sidewalk and storm drainage until their 1988 budget year. The Council also stipulated that a contract would be entered into outlining these conditions. It would be appropriate to reaffirm the waivers relating to street improvements with the approval of the final plat. A copy of the plat is attached.

The Planning and Zoning Commission has recommended approval with the waivers that were granted.

County Jail

MINUTES OF ROCKWALL CITY COUNCIL
May 18, 1987

Mayor Frank Miller called the meeting to order with the following members present: Nell Welborn, Jean Holt, John Bullock, Bill Fox, Pat Luby and Ken Jones.

The Council first considered approval of the Consent Agenda which consisted of : a) the minutes of May 4, 1987; b) an ordinance amending the Comprehensive Zoning Ordinance to revise the preliminary plan for PD-5 on second reading; c) an ordinance authorizing a change in zoning from "MF-15" to "PD" Planned Development on a tract of land located on Damascus Road south of SH-205 on first reading; d) an ordinance authorizing a change in zoning from "MF-15" to "SF-10" Single Family on a tract of land located north of SH-66 and east of North Lakeshore Drive on first reading; e) an ordinance authorizing a change in zoning form "A" to "LI" Light Industrial on a tract of land located adjacent to Lofland Industrial Park on first reading; and f) an ordinance establishing Reinvestment Zone No. 1 on second reading. Assistant City Manager Julie Couch read the ordinance captions. Welborn made a motion to approve the Consent Agenda. Jones seconded the motion. The motion was voted on and passed unanimously.

Ron Clower, Attorney for James Brown, addressed the Council to voice his client's opposition to the approval of an ordinance prohibiting the sale, use or possesison of fireworks within 5,000 feet of the City Limits. He stated that the statute under which the City could pass this ordinance referred to prohibition of nuisances where health, safety, or general welfare was affected. He requested Council to review the ordinance and amend the ordinance to provide restriction only if a particular sale location becomes a nuisance. Clower added that although he had campaigned against fireworks sales at the State Legislature, the State had chosen to permit the sale and therefore sales should be allowed outside City Limits. Welborn stated that fireworks did affect safety, health and general welfare and that the City could not regulate only certain areas. Clower suggested that sales be allowed on a permit basis, giving the opportunity to judge safe or unsafe locations.

Council then considered approval of an ordinance prohibiting the sale, use, or possession of fireworks within 5,000 feet of the Rockwall City Limits. Couch read the ordinance caption. Fox made a motion to approve the ordinance on second reading. Luby seconded the motion. The motion was voted on and passed unanimously.

At this time property owners and a representative of the applicant addressed Council regarding the approval of a Conditional Use Permit for an accessory structure over the maximum height restrictions in an "SF-10" classification.

Miller summarized the series of events that had been prompted by the application. He explained that although the Planning and Zoning Commission had recommended denial of the permit, Council had overridden the recommendation by voting to approve with three quarters (6 votes) of the Council. He stated that a permit was issued and construction begun prior to the tabling of the ordinance authorizing the permit on second reading. By second reading Council had received an indication of the opposition of the adjacent property owners although none had spoken in opposition at the hearing conducted by Council.

Bill Wolf, attorney representing Mike Rogers, addressed the Council and explained that Rogers had been totally unprepared at the Planning and Zoning hearing. Wolf stated that Rogers was better prepared for the council meeting and was able to satisfactorily address Council's concerns. The Council had approved the request, a building permit was issued, and Rogers began preliminary construction on the building after expending $20,000 on materials. Wolf stated that although the first reading was passed unanimously, second reading was tabled and Rogers was advised to delay construction until the second reading. He added that later the next day a green tag was issued and construction resumed.

Miller suggested that Wolf save the remainder of his presentation until all the objections had been voiced, whereby he may be able to satisfy some concerns. Welborn suggested that the Mayor rotate the speakers by alternating one in favor of the permit and one opposed. Couch provided a transparency depicting the location of the building in relation to adjacent properties and their street addresses.

Chip Gehle, 1613 South Alamo, spoke in opposition to the permit explaining that the structure was out of character with a residential neighborhood and would generate additional traffic. Wayne Rogers addressed the Council and stated that all City requirements had been met, a building permit had been issued, that $40,000 had been expended and that Mike Rogers was not at fault. Luke Campbell, 1609 South Alamo, stated that the structure was a warehouse and had no place in a residential neighborhood. H. C. Northcutt, an area builder, told Council that the City should stand behind the permit it issued and that although Rogers could build a building 15 ft. high and meet height restrictions, the structure would be unattractive. Lorraine Burns, 1605 South Alamo, presented pictures of the building under construction. She told Council that she had attended the Planning and Zoning Commission hearing as did many property owners in opposition and that until the Zoning Ordinance was amended an accessory building was limited to 225 square feet. Burns pointed out that the proposed structure was 2,520 square feet and over ten times the original allowed size. She stated that the 16 feet overhead doors were larger than the 12 foot restriction in industrial areas and urged Council to rigidly enforce zoning regulations in single family

classifications. Clayvon Carroll argued that a building in compliance would have a tar flat top far more unsightly than the presently planned roof, that the building would not decrease property values, and that 95% of homes being built had inadequate storage space. Randy Simmons, 1611 South Alamo, stated he had moved to Rockwall because of the beautiful, well-manicured homes. He told Council that although he had originally approved of the building, he hadn't realized the magnitude until it was under construction. He said the structure would decrease property value and urged Council to minimize damage already done by denying the second reading. Bernice Peoples, 1308 Ridge Road, stated that the building had been begun because it was allowed and that she knew the structure would be used for nothing more than storage if that was what Rogers had said it would be used for. Ken Dickson, 205 Meadowdale, stated that the building was not atune to the neighborhood but that he hoped a compromise could be reached on an issue that was dividing the neighborhood. Frank Smith stated that as an ex-member of Council, he felt the City was obligated to allow the permit issued as it was issued to begin and complete construction. Ines Schreiber, 204 Becky Lane, stated her opposition and explained that many property owners were present who didn't wish to speak but needed to make their feelings known. She urged Council to stand behind the high quality and readdress the regulations that governed the size of accessory buildings. Miller asked Wolf if he would like to address concerns raised so far. Wolf offered to show building plans and Miller suggested he save those for the rebuttal at the end.

John Petty, 106 Joe White Street, stated that a permit was basically a contract and the City was obligated to let Rogers fulfill the intent of the permit as issued. Olivia Barstow, 1510 South Alamo, stated that she had not understood the size of the building when Rogers showed her the plans. She said she did not want the building in the neighborhood. John Weddle, 1601 South Alamo, told Council that Rogers had informed him in the beginning that if there was much opposition he wouldn't apply for a permit, but that the building was now too far into construction to revoke the permit. Wayne Rogers confirmed that Council had seen a letter of approval from Lee Mitchell. Miller told the audience that Council had received copies of letters both opposed to and in favor of the request. He then polled the other residents present who did not wish to address Council but whose opinion was germane to Council's decision. The following residents stated opposition to the Building: Donna Walter -1608 South Alamo, Martha Sue Keegan - 207 Meadowdale, Charles Pannell - 1425 South Alamo, Phyllis Heron - 203 Meadowdale, and Paul Botsacos - 104 Becky Lane. Wolf then concluded his presentation by saying that however Council chose to revise the issuance of permits and accessory buildings standards should apply to only those structures not presently under construction and that revocation of this permit could result in litigation. Lorraine Burns concluded her statements

as representative of residents in opposition by saying that property owners were unaware of Council's hearing of the case and they were, therefore, not represented at the meeting. She added that the opposition present clearly called for denial of the ordinance. Don Smith, Chairman of the Planning and Zoning Commission, then addressed Council and assured the members that the Commission's recommendation had resulted from careful review and consideration of all parties affected. He stated that many times different jurisdictions don't connect, that no permit guarantees absolute freedom, and that if an error was made Council was within its right to correct it.

Welborn questioned the revision of the Zoning Ordinance that allowed a building this size. Couch explained that originally the ordinance did not address garages although it did restrict portable and storage buildings. The modification included one title "accessory" building for all three types. Council discussed the requirements for accessory buildings regarding the detached garage, on what basis Council approved the permit originally, and whether the structure could affect property values as stated by one resident. Fox pointed out the Council's obligation to preserve the quality of life in Rockwall. Luby urged Council to look for an ethical solution. Miller stated that the issue at hand was whether the building would have a flat roof at 15 feet or a gabled roof at 22 feet. Holt reiterated for the sake of the audience understanding that under the current ordinance, Council was addressing only the height, not the size or overall square footage.

After extensive discussion, Council considered approval of an ordinance authorizing a Conditional Use Permit for a structure over the maximum height restrictions in an "SF-10" classification to be located in the Carroll Estates on second reading. Couch read the ordinance caption. Jones made a motion to recess. The motion died for lack of a second. Welborn made a motion to disapprove the second reading. Fox seconded the motion. Eisen explained that the applicant could not reapply within one year. Welborn then amended her motion to deny the permit without prejudice. Fox seconded the amendment. The amendment was voted on and passed unanimously. The motion as amended was voted on and passed unanimously.

After a brief recess, Council reconvened and Don Smith gave the Planning and Zoning Chairman's report. He told Council that he would stress at each meeting that the Commission's action was only a recommendation. He then explained the recommendation made with regard to a revised site plan for a Quick Lube and said he would be available to answer questions on any other items as they were considered by Council.

Council then held a public hearing and considered approval of an ordinance amending PD-9 to revise the preliminary plan to include the manufacturing of wiring harnesses as an allowed use and amend the square footage requirements for buildings and

landscaping in Office/Warehouse. Couch explained that the applicant was requesting a 30,000 square foot maximum building size to allow for larger industries or smaller ones which needed to expand. She explained that although the current plat submitted for Buffalo Creek Office Park showed 12.9% landscaping, the applicant was requesting the 20% requirement to be reduced to 5% as currently required in Light Industrial zoning. Miller stated that the 20% was necessary to beautify loading areas and the Light Industrial area in general. Welborn pointed out that the intent of the landscaping requirement had been to give the area a campus atmosphere. Council discussed the requirement with regard to the Buffalo Creek final plat, whether to address landscaping on a case by case basis within PD-9, and whether or not to decrease the percentage for the PD as a whole. Don Smith told Council that although the Buffalo Creek plat only had 12.9%, the main concentration was in the front. Council discussed the potential for back to back parking lots, a possible buffering or screening requirement between business parks, and the request for an increased maximum building size. Couch read the ordinance caption. Welborn made a motion to approve the ordinance amend PD-9 to increase the maximum building size in Office/Warehouse to 30,000 square feet, to include manufacturing of wiring harnesses as an allowed use in Office/Warehouse, retaining a 20% landscaping requirement with the exception of the tract platted as Buffalo Creek Office Park, allowing a minimum of 12.9% landscaping on that tract, and requiring parkways adjacent to the tract to be landscaped. Fox seconded the motion. The motion was voted on and passed unanimously.

The Council then discussed and considered approval of a development plan and final plat for Buffalo Creek Office Park. Couch explained that the final plat and development plan as submitted met all the City requirements with the exception of a few technical corrections. She explained that the 10 ft. easement to the rear needed to be changed to 15 ft., that the 5 ft. dedication of right-of-way shown on FM-3097 needed to be increased by an addition 5 ft. to provide for a future 6-lane roadway, and that the plat needed to reflect that Rainbow Lake Road tied into Lincoln Drive rather than running alongside of it. Harold Evans, Consulting Engineer, presented a larger rendering of the plat and explained that the applicant could meet all of Staff's recommendations. Welborn made a motion to approve the final plat and development plan for Buffalo Creek Office Park with the stipulations as recommended by Staff. Holt seconded the motion. The motion was voted on and passed unanimously.

The Council then considered approval of a final plat for Northshore Phase IV, a 45 lot subdivision located on North Lakeshore Drive north of SH-66. Couch explained that the plat as submitted met all the City's requirements and that the only recommendation was that the street name "Highpoint Circle" be

changed as there was a Highpoint located in Lakeside Village. Miller confirmed that there was adequate right-of-way for future road expansion of SH-66. Holt made a motion to approve the final plat with the stipulation that the street name "Highpoint Circle" be changed. Fox seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of a preliminary plat for Randy's Place, an 8.0156 acre lot located off SH-205 south of Dalton Road. Couch outlined the applicant's request and explained that although a public street did not serve the lot, the Board of Adjustments had granted a variance from the minimum lot frontage requirements and access would be provided through the lot facing SH-205. Welborn made a motion to approve the preliminary plat with the stipulation that the plat indicate that the City does not guarantee access along the private drive access easement. Bullock seconded the motion. The motion was voted on and passed unanimously.

The Council then considered approval of a final plat for the Rockwall County Jail located on High School Road. Couch suggested that the Council consider thisitemin conjunctionwitha revised contract with the County regarding the Rockwall County Jail which was an item to be considered later in the Agenda. Council discussed the waivers that they had previously granted at the preliminary platting stage of the County Jail and whether or not they could insure compliance with the stipulation that escrow for street improvements be provided in the 1988 budget. Welborn suggested that the City withhold issuance of a Certificate of Occupancy until the funds were received. City Attorney Pete Eckert pointed out that although it was a good solution, if the contract was not signed it would not be enforceable. After further discussion, Welborn made a motion to approve the agreement with the revision that a Certificate of Occupancy would not be issued prior to the escrowing of funds for street improvements in the 1988 budget. Miller asked Eisen to clarify the wording with regard to the statement in the contract that stated that escrow would be provided for the amount of the property being developed for the jail. Eisen explained that that phrase referred to the total square footage of the tract of property and that could be clarified in the agreement. The motion was voted on and passed unanimously.

Council then considered approval of the final plat. Jones then made a motion to approve final plat for the County Jail with the waivers as recommended by the Planning and Zoning Commission and stipulated in the contract. Bullock seconded the motion. Fox confirmed that the sealcoat drives were addressed in the contract. The motion was voted on and passed unanimously.

Council next considered approval of a replat of portions of Ellis Centre Phase I and Phase II located on High School Road.

Couch outlined the applicant's request and explained that the moving of the building line was in order to allow expansion of the building already on one portion of the property. David Ellis explained that moving the plat line would allow room to double the building size on one lot. Fox made a motion to approve the replat. Bullock seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of a revised site plan for a Quick Lube to be located on Ridge Road. Couch explained that the applicants proposed to have two drives rather than one drive in order to retain a large tree located in the middle of the original driveway. She stated that what they were proposing would not meet the minimum separation requirement between drives which was 200 ft. as the entire lot was only 100 ft. wide. She explained the drives would be a 20 ft. entrance separated by 30 ft. and a 20 ft. exit drive. She explained that the Planning and Zoning Commission had recommended these drives be one way drives signed with low rise signs indicating entrance and exit only, and that, if technically possible and approved by the State, a culvert would be installed all the way between both drives and that this area would be landscaped and curbed. Welborn made a motion to approve the revised site plan with the stipulations recommended by the Planning and Zoning Commission, including that if technically possible the culvert would be installed as recommended, landscaped and curbed. Luby seconded the motion. The motion was voted on and passed unanimously.

The Council then considered calling public hearings to review SUP-7, a Specific Use Permit issued for miniwarehouses on Yellowjacket at SH-205. Couch explained that the SUP had been issued in 1978 for the site where Mitchell's hardware building was currently located. She explained that nothing had been built in the area where the miniwarehouses were planned to go and that the current Zoning Ordinance did not allow miniwarehouses, either as a permitted or a conditional use in a Commercial classification. She added that as this area did have an underlying Commercial zoning, the Planning and Zoning Commission had recommended initiating public hearings. Fox made a motion to initiate public hearings remanding the SUP back to the Planning and Zoning Commission. Welborn seconded the motion. The motion was voted on and passed unanimously.

Council then discussed and considered approval of an ordinance amending the Comprehensive Zoning Ordinance to modify SUP-6, a Specific Use Permit issued for a car wash at Washington and SH-66 on second reading. David Cook addressed the Council and outlined a history of the site plan for Hubbard Car Wash which had prompted the review of Specific Use Permits. He explained that his application was in progress prior to the initiation of the review of this permit that the Planning and Zoning Commission had recommended approval of the original site plan for Hubbard Car Wash and that the City

Council had overturned their recommendation because of the car wash's proximity to the cemetery and not due to noncompliance. He outlined the review process that had taken place on SUP-6 including the Planning and Zoning Commission's recommendations that the permit be removed from the entire tract of property with the exception of that area that had been previously site planned as Hubbard Car Wash. He added that Council had also approved by majority the continuance of the permit on that same section as recommended by the Planning and Zoning Commission. Gerald Burgamy addressed the City Council and explained that he and Bill Way were co-owners of the property and that the new lots in the cemetery had been put in after the City had approved the Specific Use Permit for a car wash. He stated that the lots were put in knowing that the adjacent property was zoned for a car wash. Cook added that the City probably had had intentions of developing that tract even so far back as when the permit was issued. Burgamy explained also that he had requested the property be zoned for a car wash to provide a buffer for the cemetery. He added that he had been able to find no other suitable business that wanted to be located adjacent to a cemetery. Council discussed the original site plan, the basis for denial, and the development of the cemetery since the original issuance of the permit. Holt pointed out that although the Cemetery Association did state opposition, there were at least three members of the Association she had spoken to who were unopposed. Couch read the ordinance caption. Bullock made a motion to approve the second reading of the ordinance. Jones seconded the motion. Fox pointed out that although there may be a few members of the Cemetery Association who were unopposed to the car wash, the majority voted against it. The motion was voted on and passed 4 to 3, with Miller, Luby and Fox voting against the motion.

At this point John Bullock left the meeting and Council discussed the annual budget Retreat. Eisen stated that preliminary planning had revealed that August 7th and 8th, a Friday and Saturday, appeared to be the convenient dates for the Retreat. Welborn suggested the Holiday Inn in Greenville as a possible location for the Retreat. Miller stated through previous experience he had found that the Radison Suites in Arlington were economical, would not add costly travel expenses, and would be far enough away from Rockwall to be productive. Luby stated his preference for a hotel that was local as well. Fox stated that Shreveport was only a three hours drive. Jones stated favor for Shreveport as well. Eisen said that based on Council's direction Staff would comprise some preliminary information on these areas.

Council then discussed the status of the Animal Control contract with Rockwall County. Eisen explained that the County had cancelled the Animal Control Contract with the City of Rockwall and that an Animal Control Officer had resigned. He stated that funds from the contract were intended to provide an additional vehicle and an additional employee. He explained

that it would now not be necessary to refill the position that had recently been vacated and that the City would have eventually had to purchase another vehicle as the other vehicle had become unreliable. Fox pointed out that the City had reduced the amount for storage of animals picked up in the County. Eisen added that the County had paid a portion of their Animal Control bill but had not as yet paid the balance of the bill.

Council then discussed and considered approval of an emergency ordinance requiring businesses operating in Lake Ray Hubbard out of areas leased by the City of Rockwall to obtain a permit for such operation. Couch read the ordinance caption. Fox made a motion to approve the ordinance. Holt seconded the motion. Fox asked if any further controls were necessary to regulate businesses out of areas leased by the City. Pete Eckert outlined the intent of the ordinance and the City's ability to enforce it. The motion was voted on and passed unanimously.

Jones then made a motion to table the Executive Session and any consideration to the appointments to the Board of Adjustments and for the Mayor Pro Tem. Holt seconded the motion. The motion was voted on and passed unanimously.

As there were no further items to come before the City Council for consideration, the meeting was adjourned.

APPROVED:

_____
Mayor

ATTEST:

By_____

PLANNING AND ZONING ACTION SHEET

Applicant Rockwall County Case No. 87-28-FP

Property Description County Jail Site

Case Subject Matter Final Plat

CASE ACTION

		Approved	Disapproved	Tabled
Date to P&Z	May 14			
Conditions				
Date to City Council				
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
C-1 County File Number

____Applicant Receipts