(3/87)

CITY OF ROCKWALL
205 West Rusk
Rockwall, Texas

APPLICATION FOR ZONING CHANGE

Case No. 87-35-Z/SP Filing Fee $160.00 Date 6-11-87

Applicant C. L. "Ted" Freeman Phone 722-2898

Mailing Address Rt. 1 Box 221
Rockwall, TX. 75087

LEGAL DESCRIPTION OF PROPERTY SOUGHT TO BE REZONED: (If additional space is needed for description, the description may be put on a separate sheet and attached hereto.)[1]

Lot 1, Block 1, Lafon Addition

I hereby request that the above described property be changed from its present zoning which is

"C" Commercial District Classification to

"LI" Light Industrial District Classification for for the following reasons: (attach separate sheet if necessary)

There (are) (are not) deed restrictions pertaining to the intended use of the property.

Status of Applicant:[2] Owner _____ Tenant _____

Prospective Purchaser ✓

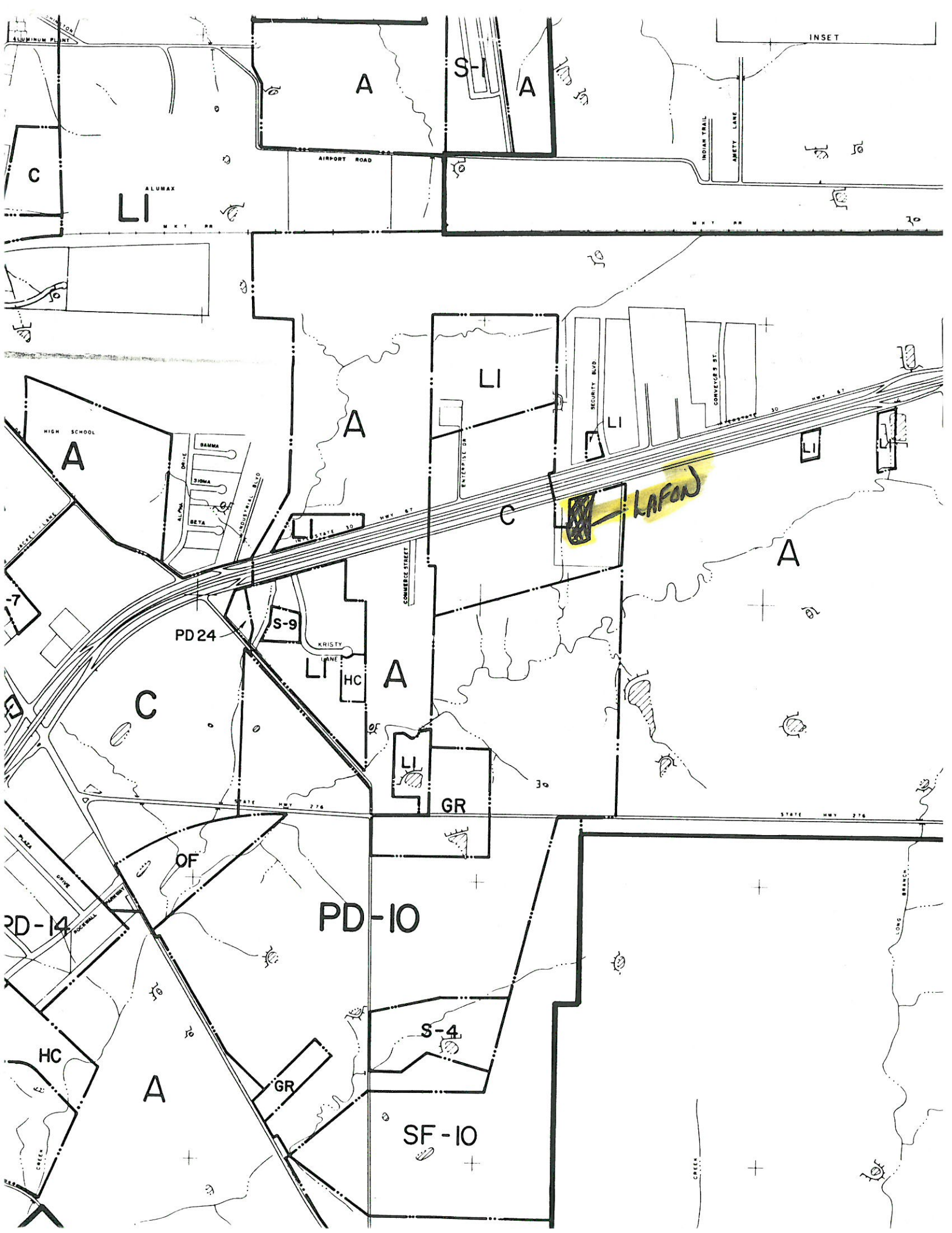
I have attached hereto as Exhibit "A" a plat showing the property which is the subject of this requested zoning change and have read the following concerning the importance of my submitting to the City a sufficient legal description.

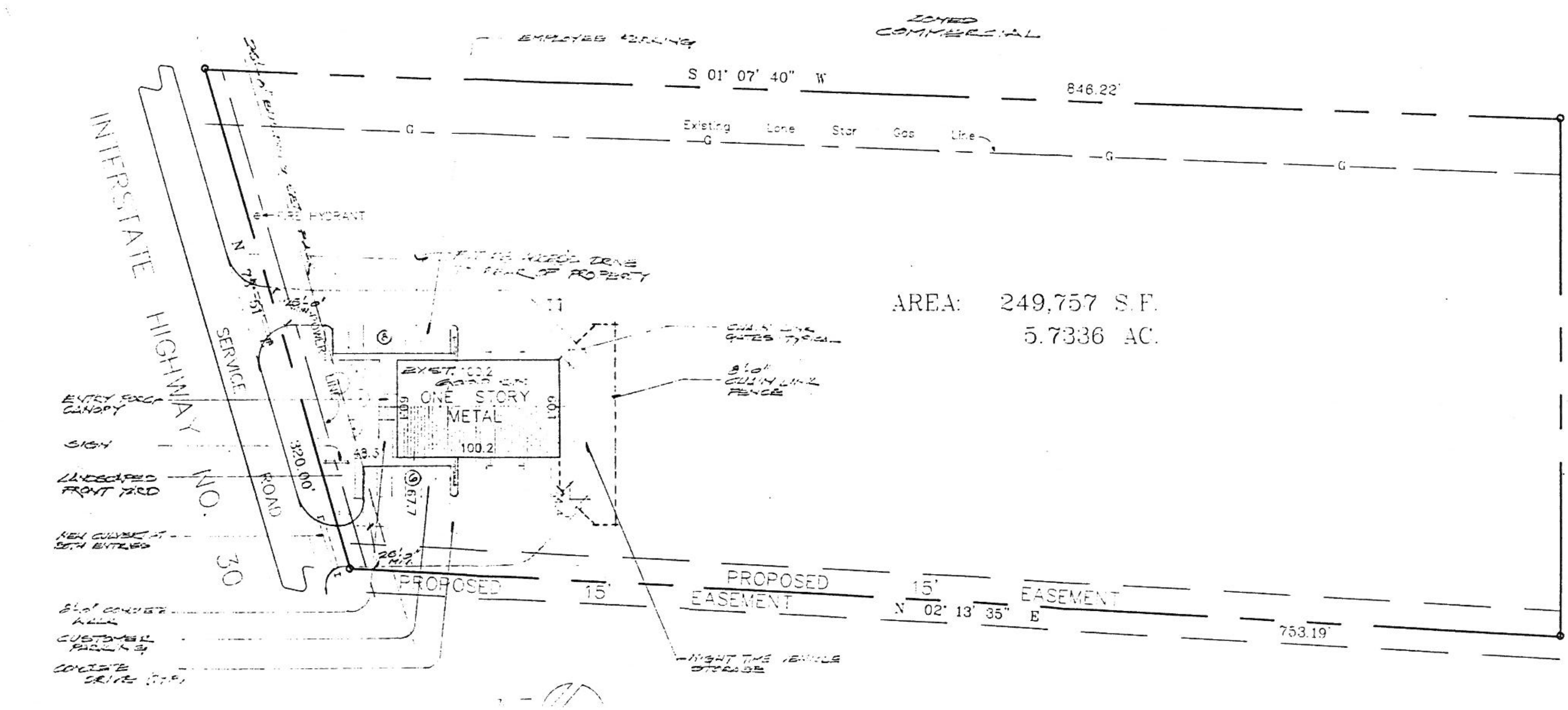
Signed _____
Ladd Property Manager for Duval Partnership

NOTE:

[1]The legal description is used to publish notice of the required hearing and in the preparation of the final ordinance granting the zoning change. The description must be sufficient so as to allow a qualified surveyor to take the description and locate and mark off the tract on the ground. Each applicant should protect himself by having a surveyor or his attorney approve his legal description. Failure to do so by the applicant may result in delay in passage of the final ordinance or the ordinance being declared invalid at some later date because of an insufficient legal description.

[2]If the applicant is someone other than the owner, written acknowledgement by the owner of the zoning request must also be submitted.


INSET
ALUMINUM PLANT
A
S-1
A
C
LI
ALUMAX
AIRPORT ROAD
INDIAN TRAIL
AMETY LANE
M K T RR
M K T RR
70
LI
A
SECURITY BLVD
LI
CONVEYOR ST.
LI
LI
HIGH SCHOOL
A
GAMMA
DRIVE
ALPHA
BETA
INDUSTRIAL BLVD
ENTERPRISE DR
STATE HWY 30
HWY 67
LAFON
C
A
COMMERCE STREET
PD 24
S-9
KRISTY
LANE
LI
HC
A
C
LI
GR
30
STATE HWY 276
STATE HWY 276
OF
PD-10
PD-14
PLAZA
DRIVE
ROCKWALL
S-4
HC
A
GR
SF-10
LONG BRANCH
CREEK
CREEK



ZONED COMMERCIAL
EMPLOYEE PARKING
S 01° 07' 40" W
846.22'
Existing Lone Star Gas Line
FIRE HYDRANT
AREA: 249,757 S.F.
5.7336 AC.
ONE STORY
METAL
100.2
60.1
67.7
320.00'
SERVICE ROAD
INTERSTATE HIGHWAY NO. 30
PROPOSED 15' EASEMENT
N 02° 13' 35" E
753.19'
POWER LINE
ENTRY PORCH CANOPY
SIGN
LANDSCAPED FRONT YARD
CUSTOMER PARKING
NIGHT TIME VEHICLE STORAGE

SITE PLAN APPLICATION

Date: May 26, 1987

NAME OF PROPOSED DEVELOPMENT [redacted] BOWMAN MTL. FABRICATION & SUPPLIES

NAME OF PROPERTY OWNER/DEVELOPER Scott Bowman

ADDRESS _____ PHONE 442-1490

NAME OF LAND PLANNER/ENGINEER Archimatrix, Inc. Chas. E. Hodges A.I.A.

ADDRESS 2233 Ridge Road Suite 201, Rockwall, Texas PHONE 722-0044

TOTAL ACREAGE 5.7336 ac. CURRENT ZONING Commercial

NUMBER OF LOTS/UNITS 1

Signed Chas. E. Hodges A.I.A.

Following is a checklist of items that may be required as a part of the site plan. In addition, other information may be required if it is necessary for an adequate review of a specific development proposal.

Provided or Shown on Site Plan	Not Applicable	
✓		1. Location of all existing and planned structures on the subject property and approximate locations of structures on adjoining property within 100 ft.
✓		2. Landscaping, lighting, fencing and/or screening of yards and set-back areas
✓		3. Design and location of ingress and egress
✓		4. Off-street parking and loading facilities
✓		5. Height of all structures
✓		6. Proposed Uses
✓		7. Location and types of all signs including lighting and heights
✓		8. Elevation drawings citing proposed exterior finish materials

Provided or Shown on Site Plan	Not Applicable	
✓		9. Street names on proposed streets
		10. The following additional information:

If the site plan is required as a preliminary or development plan under a Planned Development Zoning Classification, the attached applicab items specified for preliminary plans or development plans must be included.

Taken by: _____ File No. _____

Date: _____

Fee: _____

City of Rockwall (3/87)

SITE PLAN REVIEW

Date Submitted 4-21-87

Scheduled for P&Z 6-11-87

Scheduled for Council ~~6-1~~ 7-6-87

Applicant/Owner Scott Bowman

Name of Proposed Development Bowman Metal Fabrication

Location T-30 Legal Description Lot 1 - Lafon addition

Total Acreage 5.7 ac. No. Lots/Units 1

Current Zoning C

Special Restrictions

Surrounding Zoning C, PD, Ag.

Planning		Yes	No	N/A
1. Is the site zoned properly? app made to rezone			✓	
2. Does the use conform to the Land Use Plan?		✓		
3. Is this project in compliance with the provisions of a Concept Plan?				✓
4. Is the property platted?		✓		
5. Is plat filed of record at Courthouse? File No.				
6. If not, is this site plan serving as a preliminary plat?			✓	
7. Does the plan conform to the Comprehensive Zoning Ordinance or PD Ordinance on the following:				
a. Are setbacks correct?	front	✓		
	side	✓		
	rear	✓		

b. Are buildings on same lot adequately separated?			✓
c. Is the lot the proper size?	✓		
d. Does the lot have proper dimensions?	✓		
e. Are exterior materials correct? existing Bldg Metal		✓	
f. Are structural materials correct?	✓		
g. Is coverage correct?	✓		
h. Is adequate area in landscaping shown? need to check	✓		
i. Is it irrigated? need to check	✓		
j. Is landscaping in parking lot required?		✓	
k. Are types of landscaping indicated? what type		✓	
l. Is floor area ratio correct?	✓		
m. Is building height correct?	✓		
n. Are correct number of parking spaces provided?	✓		
o. Are driving lanes adequate in width?	✓		
p. Are parking spaces dimensioned properly ~~They are too close together~~	✓	✓	
q. Does the parking lot meet City specifications	✓		
r. Is a fire lane provided?	✓		
s. Is it adequate in width?	✓		
t. Are drive entrances properly spaced?		✓	
u. Are drive entrances properly dimensioned? too close together		✓	
v. Is lighting provided and correctly directed?			✓
w. Are sidewalks required?		✓	
x. Are sidewalks provided? underneath	✓	✓	
y. Is a screen or buffer required?		✓	
....Is it sized properly?			✓
....Is it designed properly?			✓
....Is it of correct materials?			✓

7. Does the site plan contain all required information from the application checklist?	✓		
8. Is there adequate access and circulation?	✓		
9. Are street names acceptable?			✓
10. Was the plan reviewed by a consultant? (If so, attach copy of review.)		✓	
11. Does the plan conform to the Master Park Plan?			✓

Comments: trash pick up where?

Building Codes

1. Do buildings meet fire codes?	✓		
2. Do signs conform to Sign Ordinance?	✓		

Comments:

Engineering

1. Does plan conform to Thoroughfare Plan?	✓		
2. Do points of access align with adjacent ROW?			✓
3. Are the points of access properly spaced? too close together		✓	
4. Are street improvements required?		✓	
5. Will escrowing of funds or construction of substandard roads be required?		✓	
6. Does plan conform with Flood Plain Regulations?	✓		
7. Is adequate fire protection present?	✓		
8. Are all utilities adequate?			
9. Are adequate drainage facilities present?			
10. Is there a facilities agreement on this site?		✓	

11. Have all required conditions been met? ____ ____ ____

12. Is there a pro rata agreement on this site? ____ ____ ____

13. Have all charges been paid? ____ ____ ____

Time Spent on Review

Name	Date	Time Spent (hours)
[signature]	6/4/87	½ hr.

CITY OF ROCKWALL

"THE NEW HORIZON"
Rockwall, Texas 75087-3628

205 West Rusk

(214) 722-1111
Metro 226-7885

No. 6383

Cash Receipt

Name Bowman Fencing & Welding Date 4-21-87

Mailing Address _____

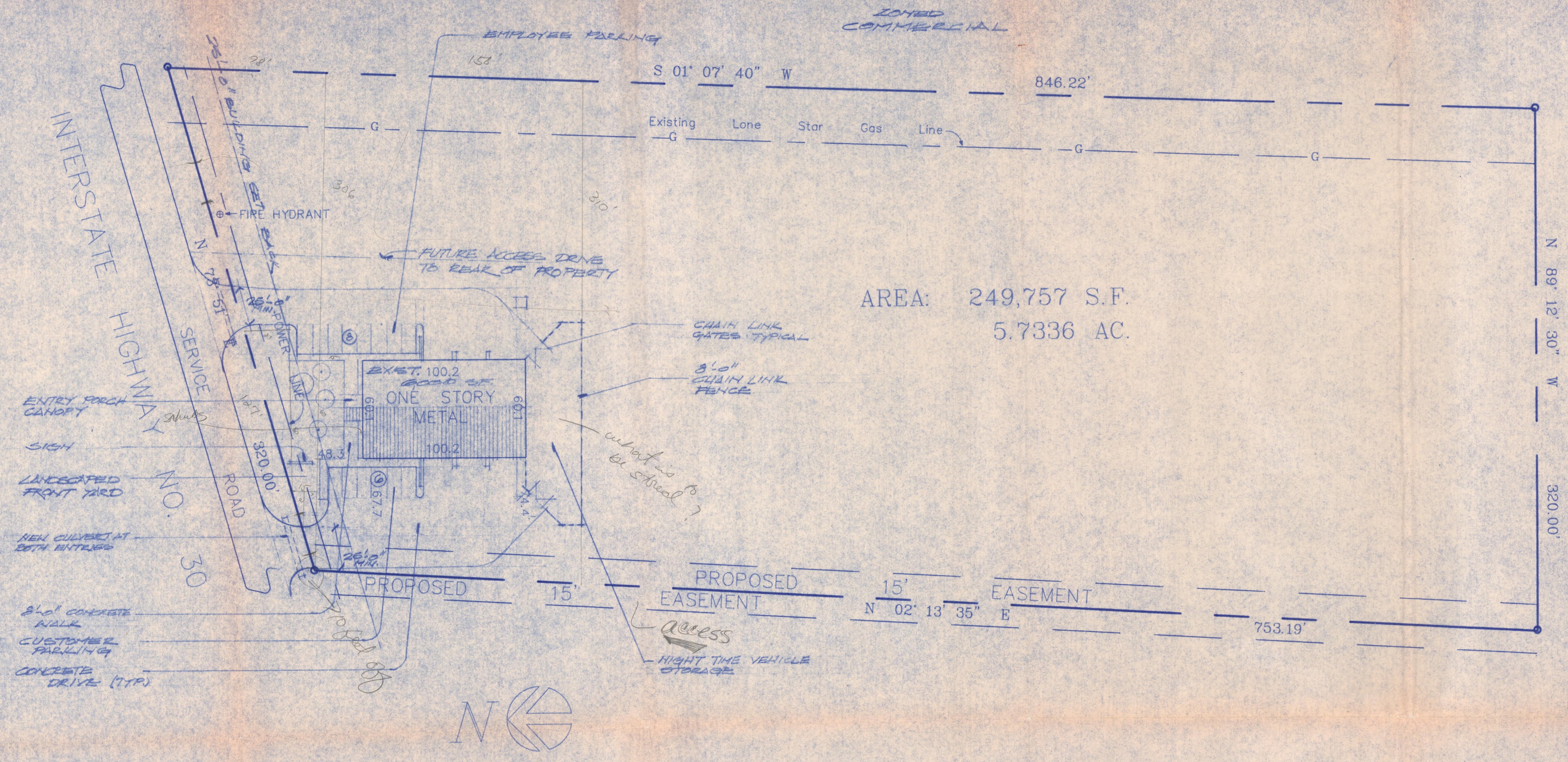
Job Address _____ Permit No. _____

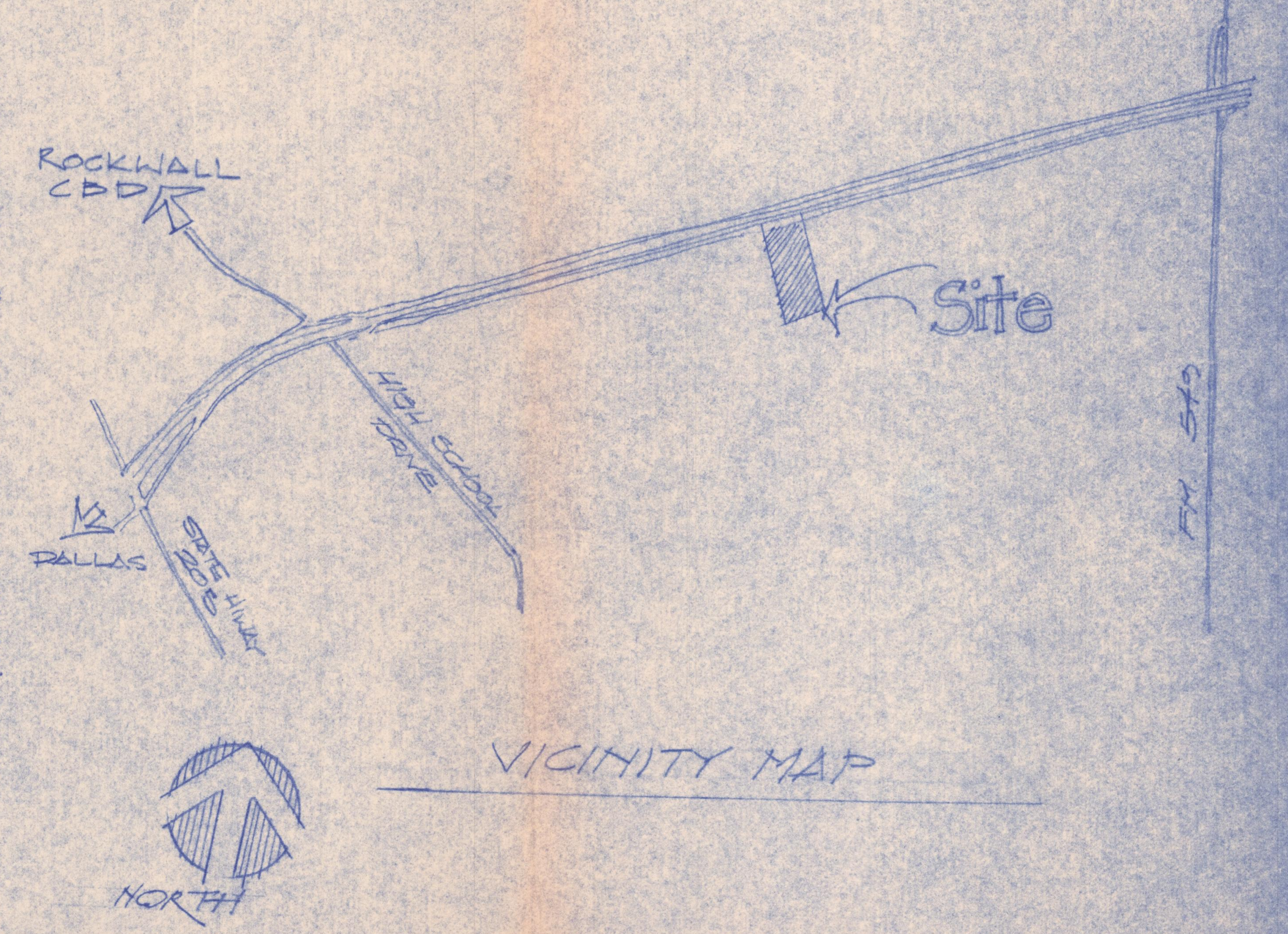
Check ☑ Cash ☐ Other ☐

General Fund Revenue 01			W & S Fund Revenue 02		
DESCRIPTION	Acct. Code	Amount	DESCRIPTION	Acct. Code	Amount
General Sales Tax	00-00-3201		RCH	00-00-3211	
Beverage Tax	00-00-3204		Blackland	00-00-3214	
Building Permit	00-00-3601		Water Tap	00-00-3311	
Fence Permit	00-00-3602		10% Fee	00-00-3311	
Electrical Permit	00-00-3604		Sewer Tap	00-00-3314	
Plumbing Permit	00-00-3607		Reconnect Fees	00-00-3318	
Mechanical Permit	00-00-3610		Water Availability	33-00-3835	
Zoning, Planning, Board of Adj.	00-00-3616	160 00	Sewer Availability	34-00-3836	
Subdivision Plats	00-00-3619		Meter Deposit	00-00-2201	
Sign Permits	00-00-3628		Portable Meter Deposit	00-00-2202	
Health Permits	00-00-3631		Misc. Income	00-00-3819	
Garage Sales	00-00-3625		Extra Trash	00-00-1129	
Misc. Permits	00-00-3625		Check Charge	00-00-3819	
Misc. License	00-00-3613		NSF Check	00-00-1128	
Misc. Income	00-00-3819				
Sale of Supplies	00-00-3807				
TOTAL GENERAL			TOTAL WATER		

TOTAL DUE 160.00 Received by _____

4-86 5000





SITE PLAN - PRELIMINARY

BOWMAN METAL FABRICATION & SUPPLIES

SCALE: 1" = 40'-0"

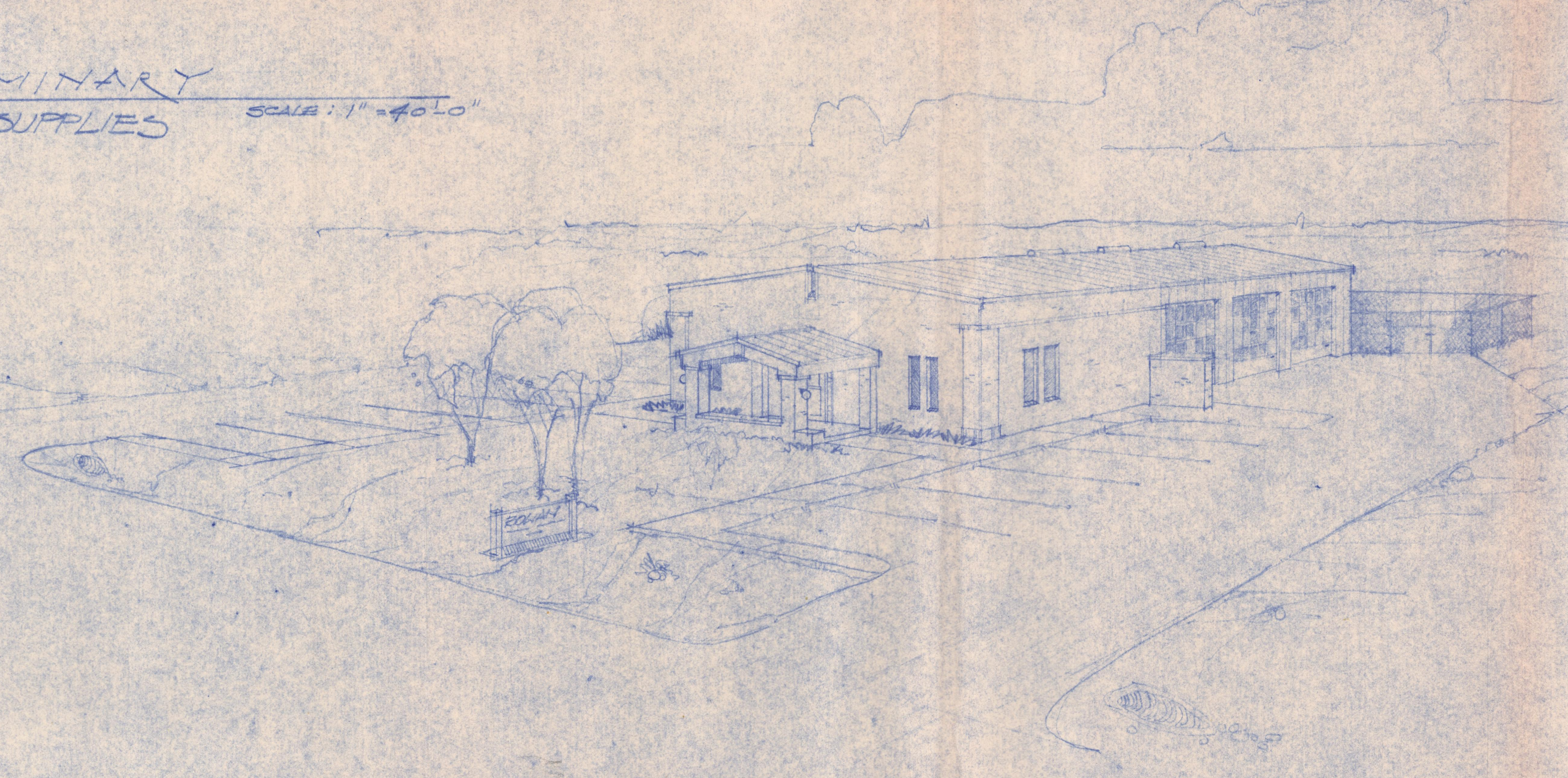
PROGRAM INFORMATION

- EXISTING ZONING - COMMERCIAL
- ZONING REQUESTED : LIGHT INDUSTRIAL
- PARKING DESIGNED : 14 STALLS
- PARKING REQUIRED : 13 spaces - reqd.
- TOTAL BUILDING AREA EXIST. 6,000 S.F.
  - OFFICE : @600 S.F.
  - SHOP : 5,400 S.F.
- TOTAL FENCED AREA : 4,000 S.F.
- TOTAL LANDSCAPED AREA : 2,800 S.F. ?

BUILDING FINISHES (PROPOSED)

FRONT & 1/3 DOWN SIDES : BRICK VENEER
INSTALL NEW ENTRY CANOPY : BRICK W/ METAL ROOF
NEW CONCRETE DRIVE & WALKS
INSTALL 8'-0" H. REAR VEHICLE STORAGE AREA

total site landscaping reqd - 12,488 ¢
total developed area = 63,658
reqd = 3383 ¢
change at least = 3327



PERSPECTIVE ELEVATION

TRANSMITTAL LETTER

AIA DOCUMENT G810

PROJECT: (name, address) Scott Bowman

ARCHITECT'S PROJECT NO:

DATE: May 26, 1987

TO: City of Rockwall
205 W. Rusk
Rockwall, Texas

ATTN: Julie Couch

If enclosures are not as noted, please inform us immediately.

If checked below, please:

( ) Acknowledge receipt of enclosures.
( ) Return enclosures to us.

WE TRANSMIT:

(x) herewith ( ) under separate cover via _____

( ) in accordance with your request _____

FOR YOUR:

(x) approval (x) distribution to parties (x) information
(x) review & comment (x) record
( ) use ( ) _____

THE FOLLOWING:

(x) Drawings ( ) Shop Drawing Prints ( ) Samples
( ) Specifications ( ) Shop Drawing Reproducibles ( ) Product Literature
( ) Change Order ( ) _____

COPIES	DATE	REV. NO.	DESCRIPTION	ACTION CODE
9			Schematic Site Plan & Perspective Elevation	

ACTION CODE
A. Action indicated on item transmitted
B. No action required
C. For signature and return to this office
D. For signature and forwarding as noted below under REMARKS
E. See REMARKS below

REMARKS _____

Thanks.

COPIES TO: (with enclosures)

☐
☐
☐
☐
☐

BY: Chuck Hazen A.I.A.

CITY OF ROCKWALL

"THE NEW HORIZON"

July 10, 1987

Mr. Scott Bowman
Rt. 1, Box 221
Rockwall, Texas 75087

Dear Mr. Bowman:

On July 6, 1987, the Rockwall City Council approved a zone change from "C" Commercial to "LI" Light Industrial on a portion of the Lafon Addition. An ordinance authorizing this change was approved on first reading and is scheduled to be read again July 20th.

The site plan was also approved subject to the following conditions:

1) providing an access easement at the west entrance

2) waiving the drive setback requirement on the west property line

3) waiving the drive separation requirements to allow a drive separation of not less than 127 feet.

Please note that the ordinance must be approved on second reading and the easement must be received by the City and filed of record with Rockwall County prior to the issuance of a building permit.

Please call me if you have any questions.

Sincerely,

Mary Nichols

Mary Nichols
Administrative Assistant

CC: Chuck Hodges
MN/mmp

CITY OF ROCKWALL

"THE NEW HORIZON"

June 17, 1987

Mr. Scott Bowman
Rt. 1 Box 221
Rockwall, TX 75087

Dear Mr. Bowman,

On June 11, 1987, the Rockwall Planning and Zoning Commission recommended approval of a site plan and a change in zoning from "C" Commercial to "LI" Light Industrial on a tract of land located in the Lafon Addition subject to the following conditions:

1. Waiving a 200 ft. drive separation requirement
2. Waiving requirement for 10' separation of drive and side property line subject to the applicant obtaining an access easement for joint drive
3. Allowing a minimum 127 foot separation between drives

The Rockwall City Council, will hold a public hearing and consider your request on July 6, 1987, at 7:00 P.M. in City Hall, 205 West Rusk.

Please call me if you have any questions.

Sincerely,

Mary Nichols

Mary Nichols
Assistant City Secretary

MN/ss

cc:Chuck Hodges

Agenda Notes
P&Z - 6/11/87

III. B. P&Z 87-35-Z/SP - Hold Public Hearing and Consider Approval of a Request from Scott Bowman for a Change in Zoning from "C" Commercial to "LI" Light Industrial on a 5.7 Acre Tract of Land Located on I-30 West of FM-549 and Approval of a Site Plan

We have received a request from Scott Bowman for a change in zoning and site plan approval for an existing building located on I-30. There is an existing blue metal building on I-30 that was constructed in 1983 but has never been granted a Certificate of Occupancy. The property it is located on is currently zoned Commercial. Mr. Bowman is interested in buying the site for use as a metal fabrication and sales operation. The use is too intense for Commercial and the intended use would require Heavy Commercial or Light Industrial zoning. Understanding the policy statement in the Land Use Plan and the Council's previous decisions on requests for Heavy Commercial zoning along the Interstate, he has applied for Light Industrial. We have zoned several other sites along I-30 Light Industrial. The Land Use Plan indicates commercial usage in this area.

The site plan as submitted meets all of our requirements with the exception of a portion of the building exterior and the drive entrances. The building is a nonconforming building with a metal exterior. The building cannot be expanded without conforming to the current standards. However, it can be occupied as it is. Mr. Bowman is proposing to put up a brick veneer in the front and along the front 1/3 of the sides of the building. He also plans to build a brick entrance canopy to dress up the front. The drives as proposed do not meet our separation requirements of 200 feet. They are 127 feet apart. They are asking for a waiver to this requirement. They want to locate the center drive in the center of the property so that they can access the interior of their tract and still have some developable depth between the drive and the gas easement. The drive along the west property line would normally need to be 10 feet off of the property line. However, they are also proposing another future joint drive between this tract and the adjacent tract with the property line as the center. One joint drive in the future is more desirable than 2 drives that could be as little as 20 feet apart. I would like to see the access easement be made a requirement of the site plan.

The landscaping area meets the requirement for the portion of the tract that is being developed. The applicant will have a description of the landscaping at the meeting. They are proposing primarily grass with 4 trees, and shrubs located along the front of the building.

A copy of the site plan and a location map are attached.

MINUTES OF THE PLANNING AND ZONING COMMISSION
June 11, 1987

Chairman Don Smith called the meeting to order with the following members present: Leigh Plagens, Norm Seligman, Bill Sinclair and Hank Crumbley. The Commission frist considered approval of the minutes of May 14th and May 28th. Sinclair pointed out a correction in the May 28th minutes. Seligman made a motion to approve both minutes with the name correction in the minutes of May 28th. Plagens seconded the motion. The motion was voted on and passed unanimously.

The Commission then held a public hearing and considered amending, modifying or removing SUP-7, a specific use permit issued for miniwarehouses at SH-205 and Yellowjacket Lane. Assistant City Manager, Julie Couch explained the location of the property, the original approved site plan, and the development since the permit was approved. Bob Harper addressed the Commission and explained that he owned one section of the property and that Lee Mitchell owned the other portion. He stated that the economy had prevented expansion of the miniwarehouses and that the only access was from SH-205. He added that he bought the property three years ago as a result of a foreclosure. Lee Mitchell addressed the Commission and explained that miniwarehouses were the only choice in a landlocked situation. He also stated that a concrete drain had been and was slowly being filled with dirt to allow settlement for eventual development. Smith pointed out that the property would revert to the underlying commercial zoning if the permit were removed and that under the current zoning ordinance there wasn't a mechanism for allowing miniwarehouses in commercial zoning. The Commission discussed the apparent landlock situation, the two sources of access controlled by two separate owners and the necessity for the property to be platted prior to expansion. Seligman made a motion to limit the permit to undeveloped areas, to limit the permit to three years at which time it will be reviewed again by P&Z, and requiring a site plan at the time of development. Crumbley seconded the motion. Seligman clarified that the motion was to review the permit in three years, not automatically remove it. The motion was voted on and passed unanimously.

The Commission then held a public hearing and considered approval of a request from Scott Bowman for a change in zoning from "C" Commercial to "LI" Light Industrial on a 5.7 acre tract of land located on I-30 west of FM-549 and approval of a site plan. Couch outlined the applicants request, proposed uses and planned improvements on the existing metal building. She added that the drives as proposed were only 127 feet apart and that the applicants were requesting a waiver to the 200 foot separation requirement. She also stated that the applicant proposed a future joint drive on the west side with the adjacent property. The drive as proposed would not, therefore meet the required 10 foot setback. Chuck Hodges, representing the applicant, explained additional

improvements including bricking the front, bricking 1/3 up on sides, adding a canopy and a security fence. Smith confirmed that parking met requirements and requested an earth tone baked enamel be painted over the blue. The Commission discussed permitted uses in light industrial, the joint drive and the non conforming status of the metal building. Seligman made a motion to approve the change in zoning and the site plan waiving the 200 ft. drive separation requirement and waiving the 10 ft. drive setback requirement on the west property line subject to this becoming a future joint drive and requiring an access easement. Sinclair seconded the motion. Seligman restated his motion to include a minimum 127 foot separation between drives. Sinclair seconded the motion. The motion was voted on and passed unanimously.

The Commission then considered approval of a site plan/preliminary plat for Hubbard Car Wash located on Washington at SH-66. Couch reviewed the background of the application and the permit under which the car wash was permitted. She outlined improvements made on the site plan at Council's request including a six foot masonry screen, photinias along the rear and additional landscaping. Mike Belt addressed the Commission and explained that the masonry wall would be at least 20 feet off the front property line to allow visibility for traffic exiting the cemetery. He added that insulated vacuums would reduce noise by 90 percent and that the equipment room would be on the opposite side from the cemetery. David Cook, co-applicant, added that the manufacturer of the vacuums had stated that the noise wouldn't carry more than 20 feet. Cook and Belt explained the bricked in trash and vacuum areas, the roof materials, the color of brick and the landscaping which was 10% more than required. The Commission discussed the height of stalls, florescent lighting and the berm in the rear. Seligman made a motion to approve the site plan/preliminary plat as presented with bricked in trash and vacuum areas, insulated vacuums, the masonry screen to begin 20 feet off the front property line and no waiver of escrow requirements. Plagens seconded the motion. The motion was voted on and passed unanimously.

Couch told the Commission that the next item, a site plan within the Bodin Industrial Addition had been withdrawn. The Commission then considered approval of a final plat for Harbor Landing Phase II. Couch stated that all necessary topographical information necessary had been received and that all changes had been made that were required on the preliminary plat. Smith explained that the additional document addressed heights as prescribed by an ordinance governing tract 1A in Chandlers Landing. Couch explained that staff had worked on the graph in conjunction with property owners to establish guidelines for future development. Van Hall, consulting engineer, stated that all requirements and recommendations by Council and P&Z had been met. Sinclair then made a motion to approve the final plat having reviewed the additional data supplied with regard to heights. Crumbley seconded the motion. The motion was voted on and passed unanimously.

The Commission then reviewed the proposed scenic overlay district, discussed changes in text and discussed the public hearing scheduled for the Planning and Zoning Commission on June 25th. Couch pointed out Council's recommended changes and Smith asked the staff to make copies of the district available at the hearing.

The Commission then discussed a revision to the Comprehensive Zoning Ordinance as it pertained to accessory buildings in residential areas. Couch explained some suggestions of Council which included tieing down the accessory structure to the size of the main structure, putting one maximum size on portable and/or storage buildings and another maximum size on detached garages, placing a maximum size on all accessory buildings with a Conditional Use Permit provision for applicants who propose a structure in excess of the maximum size. The Commission discussed these options and also the possibility of limiting materials in accessory structures to the same percentage of materials in the main structure. Couch pointed out that with such a requirement greenhouses and certain other buildings wouldn't be allowed at all.

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

Approved:

Chairman

Attest:

Secretary

Agenda Notes
City Council - 7/6/87

IV. F. P&Z 87-35-Z/SP - Hold Public Hearing and Consider Approval of a Request from Scott Bowman for a Change in Zoning from "C" Commercial to "LI" Light Industrial on a 5.7 Acre Tract of Land Located on I-30 West of FM-549 and Approval of a Site Plan

We have received a request from Scott Bowman for a change in zoning and site plan approval for an existing building located on I-30. There is an existing blue metal building on I-30 that was constructed in 1983 but has never been granted a Certificate of Occupancy. The property it is located on is currently zoned Commercial. Mr. Bowman is interested in buying the site for use as a metal fabrication and sales operation. The use is too intense for Commercial and the intended use would require Heavy Commercial or Light Industrial zoning. Understanding the policy statement in the Land Use Plan and the Council's previous decisions on requests for Heavy Commercial zoning along the Interstate, he has applied for Light Industrial. We have zoned several other sites along I-30 Light Industrial. The Land Use Plan indicates commercial usage in this area.

The site plan as submitted meets all of our requirements with the exception of a portion of the building exterior and the drive entrances. The building is a nonconforming building with a metal exterior. The building cannot be expanded without conforming to the current standards. However, it can be occupied as it is. Mr. Bowman is proposing to put up a brick veneer in the front and along the front 1/3 of the sides of the building. He also plans to build a brick entrance canopy to dress up the front. The drives as proposed do not meet our separation requirements of 200 feet. They are 127 feet apart. They are asking for a waiver to this requirement. They want to locate the center drive in the center of the property so that they can access the interior of their tract and still have some developable depth between the drive and the gas easement. The drive along the west property line would normally need to be 10 feet off of the property line. However, they are also proposing another future joint drive between this tract and the adjacent tract with the property line as the center. One joint drive in the future is more desirable than 2 drives that could be as little as 20 feet apart. I would like to see the access easement be made a requirement of the site plan.

The landscaping area meets the requirement for the portion of the tract that is being developed. They are proposing primarily grass with 4 trees, and shrubs located along the front of the building.

The Planning and Zoning Commission has recommended approval of the request with both the variance to the drive separations and the

drive setback from the side property line. They also required that an access easement be provided at the west entrance.

A copy of the site plan and a location map are attached.

CITY OF ROCKWALL
Council Agenda

AGENDA DATE: _ July 6, 1987 AGENDA ITEM IV-F

AGENDA ITEM: P&Z 87-35-Z/SP - Hold Public Hearing and Consider Approval of an Ordinance Approving a Request from Scott Bowman for a Change in Zoning from "C" Commercial to "LI" Light Industrial on a Portion of the Lafon Addition Located on I-30 and Approval of a Site Plan (1st reading)

ITEM GENERATED BY: _ Applicant - Scott Bowman

ACTION NEEDED: Hold public hearing with approval or denial of the zoning request from Commercial to Light Industrial and approval or denial of the site plan with any conditions included in the motion. Denial of the zoning would be with prejudice unless specifically stated it is without prejudice in the motion.

BACKGROUND INFORMATION: See Attached Notes

ATTACHMENTS:
1. Location Map
2. Draft of Zoning Ordinance
3. Site Plan
4. Agenda Notes on Request

MINUTES OF THE ROCKWALL CITY COUNCIL
July 6, 1987

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

Council first considered approval of the Consent Agenda which consisted of A) the minutes of June 15, 1987; B) an ordinance declaring the necessity of street improvements and providing for assessment for the improvements on second reading; C) an ordinance amending Ordinance 85-2 prescribing conditions for the issuance of private club permits on second reading; D) an ordinance revising the preliminary plan for PD-19 to amend the area requirements and permitted uses on first reading; E) an ordinance revising the preliminary plan for PD-20 to amend the area requirements and permitted uses on first reading; and F) an ordinance requiring businesses operating in Lake Ray Hubbard out of areas leased by the City of Rockwall to obtain a permit for such operation on first reading. Assistant City Manager Julie Couch read the ordinance captions. Holt requested Item A be pulled from the Consent Agenda. Jones made a motion to approve the Consent Agenda with the exception of Item A. Bullock seconded the motion. The motion was voted on and passed unanimously.

Holt asked Staff to point out revisions that had been made in the corrected set of minutes that the Council had received. City Manager Bill Eisen pointed out these changes. Holt then made a motion to approve the Minutes of June 15, 1987. Luby seconded the motion. The motion was voted on and passed unanimously.

Kambiz Rafraf addressed the Council and presented the members with a copy of a Statement of Peace written by the Universal House of Justice. Mr. Rafraf explained that the Baha'i faith teaches the unity of mankind, encouraged the unity of religions, equality of races and harmony of religion and science. Mr. Rafraf gave a brief background of the Baha'i Faith and urged the Council to work toward world peace.

Don Smith then gave the Planning and Zoning Commission Chairman's report. Smith outlined three items on the Agenda on which the Commission had made recommendations: 1) the Scenic Overlay District, 2) the review of SUP-7, a Specific Use Permit issued for miniwarehouses, and 3) a zone change request from Scott Bowman for a change in zoning from "C" Commercial to "LI" Industrial. He explained the Commission's recommendations on each item and by what criteria these recommendations

had been reached. Miller asked if outside storage would be allowed with regard to the zone change request. Couch explained that as the applicant was requesting Light Industrial zoning, outside storage would not be allowed.

Council then held a public hearing and considered approval of an amendment to the Comprehensive Zoning Ordinance to add a Scenic Overlay District to the list of zoning categories to apply to development along FM-740 from Goliad to the south City Limits for a depth of 500 feet on each side and including all of Planned Development No. 4 and all of Planned Development No. 1. Couch explained that Council had received a summary of the major requirements of the District and a summary of the changes the proposed District would have on the property currently proposed for inclusion in the District.

Richard Harris addressed the Council and explained that his office located at 2604 Ridge Road did not have adequate lot area to meet the required setbacks and 10 ft. landscaping buffer required in the District. He explained that although he would have nonconforming status, any major renovations would force him to comply with the requirements of the District which included setback requirements which were impossible for him to meet without removing his parking. Wayne Baccus addressed the Council and explained that although he did not currently own property, he intended to site plan a car wash which was not allowed in the District without a Conditional Use Permit. He explained that the building he planned contained more than adequate landscaping, and as he proposed to locate it at FM-740 and Yellowjacket Lane, the building would fall within the Overlay District requirements. Haywood Eason urged Council to spend more time considering the potential effects of the District on the District's property owners. He stated opposition to a 500 ft. depth and stated that it was unfair to penalize a few existing and future property owners for a District that would benefit the entire City. He further stated that he could support a 200 ft. depth for the District, but reminded Council that the height and setback requirements would reduce the buildable area of a property owner's land. Tom Briscoe, a representative of Mobil Oil Distributors for Rockwall County, stated that Mr. Baccus proposed to build a gas station with an automatic car wash as an accessory. He told Council that without the car wash, which was not allowed in the District, Mr. Baccus would not be able to compete with the Gulf Station at FM-740 and I-30. Cecil Unruh, 1722 Ridge Road, stated opposition to the height limitations, setback requirements and landscaping requirements which, he said, would all reduce the buildable area of a lot, thus affecting property value. He asked Council to define the architectural review board procedures so as not to

lengthen or impede the overall review process. He suggested that the City participate in the overall cost of additional landscaping and suggested to Council that they remove the word "historical" from the District as it could cause future problems for property owners. Bill Lofland objected to the District in general, but more particularly to residential properties being included under the requirements of the District and being subject to architectural review. He pointed out various styles of homes in the City of Rockwall and stated that the City should not legislate the design of an individual's home. He told Council that if FM-740 was a scenic route, then SH-66, I-30, and Lakeshore Drive, which all have lake views, should fall under the same requirements. He added that he was ready to begin construction of a home on FM-740 and that the moratorium was preventing him from beginning. As there was no one else wishing to address the Council with regard to this matter, the public hearing was closed.

Miller pointed out that although the District had been worked on extensively, there were many areas still to be addressed. Bullock suggested that Council hold a workshop before taking any further action with regard to the District. Council discussed extending the moratorium on FM-740 and whether or not the moratorium should apply to residential properties. Jones made a motion to set a time and date for a workshop and to adopt the resolution extending the moratorium for 30 days. Luby seconded the motion. Holt and Bullock both stated opposition to inclusion of residential properties within the moratorium. Luby withdrew his second and Jones then withdrew his motion. Holt then made a motion to approve the resolution extending the moratorium for 30 days, excluding its application to residential properties. Bullock seconded the motion. Miller asked Council to consider the moratorium for 45 days as he would be absent at the next Council meeting and would like to be instrumental in the District. Holt amended her motion to extend the moratorium for 45 days. Bullock seconded the amendment. The amendment was voted on and passed unanimously. The motion as amended was voted on and passed unanimously.

Council then took a brief recess. Upon reconvening Miller stated with regard to the moratorium on FM-740 that it might be prudent to not exclude all residential development from the moratorium, but single family residential only. Holt then offered a motion to approve the resolution extending the moratorium for 45 days, excluding its application to single family residential property. Luby seconded the motion. The motion was voted on and passed unanimously. (Councilman Jones was not in the Council Chambers for this vote.) Council briefly

discussed an appropriate date on which to hold the workshop. It was decided that the workshop would be held July 27th at 7:00 P.M.. It would include Councilmembers, Planning and Zoning Commission, and Staff, and could be extended to the 28th if one evening proved to be inadequate time for review.

Council then held a public hearing and considered approval of a request from Cecil Unruh for a variance to the setback requirements of the Sign Ordinance to allow a sign on an existing stone column located on Lakeshore Drive. Councilman Jones was not present as he was abstaining due to a conflict of interest. Couch explained that the columns had previously been granted a variance by the Board of Adjustments as they did not meet the Zoning Ordinance's setback requirements for structures. She stated that the applicant now proposed to add lettering to one column, constituting a sign that also did not meet the setback requirements of the Sign Ordinance. Cecil Unruh explained that he proposed to add 4 inch letters to the column for subdivision identification. Holt pointed out that the two notices received in opposition to the variance were opposed to the existing column and were not valid objections to the addition of 4 inch letters. Luby pointed out that Lakeshore was a continuous drive, not a separate or private entry to an individual subdivision. Holt pointed out that that was the same situation with Lake Ridge Park and Stonebridge Meadows. After further discussion, Bullock made a motion to approve the variance. Holt seconded the motion. The motion was voted on and passed unanimously, with Jones abstaining.

At this time Jones rejoined the meeting.

Council held a public hearing to consider amending, modifying or removing SUP-7, a Specific Use Permit issued for miniwarehouses at Yellowjacket Lane and SH-205. Couch explained that this SUP had been issued in 1978 for the site where Mitchell's Hardware Building is located. She pointed out that nothing had been built in the area where the warehouses were planned to go, and that under our current ordinances miniwarehouses were not a permitted or a conditional use in Commercial zoning. Bob Harper, one of the two property owners on this tract, explained that the Planning and Zoning Commission had recommended a three year extension of the permit. He clarified the location of the tract and pointed out that the site plan as currently approved was not accurate. He stated that as he and Mr. Mitchell were both in a landlocked situation, miniwarehouses were the only appropriate use. Council discussed the general location of both ownerships, the depth of development from Yellowjacket Lane, and access available by both owners. The public hearing was closed. Bullock made a motion to continue the Specific Use

Permit. Jones seconded the motion. The motion was voted on and passed unanimously.

Council then held a public hearing and considered an ordinance approving a request from Scott Bowman for a zone change from "C" Commercial to "LI" Light Industrial on a portion of the Lafon Addition located on I-30 and considered approval of a site plan. Couch stated that the existing blue metal building at this location had nonconforming status and could be occupied as is. She pointed out exterior improvements that Mr. Bowman proposed to make, including a brick veneer in the front and around the front one third of the sides of the building. She explained that he proposed a brick entrance canopy to dress up the front and that his proposed metal fabrication and sales and operations were too intensive uses for Commercial, which was the basis for his application for Light Industrial zoning. She pointed out that the drives were 127 ft. apart, not meeting the 200 ft. drive separation requirement, and that the applicants were requesting a waiver of this requirement. She added that the drive along the west property line would need to be 10 ft. off the property line unless granted a waiver.. The applicant had proposed the drive location to provide for a future joint drive between this tract and the adjacent tract. Miller questioned the adequacy of landscaping. Couch pointed out that as both Light Industrial and Commercial zoning required 5% landscaping, the applicant would meet this. Miller confirmed that there would be no outside storage. Scott Bowman addressed the Council and offered to answer any questions. Miller confirmed that a sprinkler system would be required. As there was no one else wishing to address the public hearing, the public hearing was closed. Couch read the ordinance caption. Jones then made a motion to approve the zone change and the ordinance authorizing the zone change on the 5.7 acre tract and to approve the site plan with all of Planning and Zoning Commission's recommended conditions and including the requirement for an access easement on the west property line. Luby seconded the motion. The motion was voted on and passed unanimously.

Bill Eisen then gave the City Manager's report, addressing the turn lane on FM-740 south of Goliad, the resignation of the Airport Manager, an upcoming Agenda item with regard to a request to amend the ordinance regulating antennas within the City, the budget report which would be provided to Council the second meeting of each month, and a newsletter published by First Southwest Company in which Rockwall was mentioned by the City's financial advisor.

Council then considered approval to an amendment to the Fence Ordinance authorizing Council to grant variances

to certain requirements regarding front yard fences on first reading. Eisen explained that Council had granted a permit for a front yard fence at 1608 Amesbury, but that the fence exceeded the 36 in. maximum height for a front yard fence. He stated that this ordinance would authorize Council to vary height requirements and other requirements regarding front yard fences. Couch read the ordinance caption. Bullock made a motion to approve the ordinance. Jones seconded the motion. The motion was voted on and passed unanimously.

Council then considered award of bid for painting the elevated storage tank. The bids were as follows:

Apex Tank & Bridge, Inc.
Bellevue, Texas
Bid: $28,950
Number Working Days: 45

Blue Ribbon Painting Co.
Houston, Texas
Bid: $34,000
Number Working Days: 60

Water Tank Service Co.
Red Oak, Texas
Bid: $36,745
Number Working Days: 45

Corrosion Eliminator, Inc.
Mineral Wells, Texas
Bid: $46,740
Number Working Days: 60

Don Owen Painting
Seagoville, Texas
Bid: $49,458
Number Working Days: 40

Eisen stated that Staff recommended the low bid be awarded to Apex Tank and Bridge, Inc. in the amount of $28,950 to be completed in 45 working days. City Engineer W. L. Douphrate stated that maintenance bond was provided for a two-year time period. Mayor Miller questioned the necessity of funding this project in light of the recent budget situation. Eisen explained that due to rusting and corrosion improvements were necessary at this time. Holt then made a motion to award the bid to Apex. Jones seconded the motion. The motion was voted on and passed unanimously.

Council then discussed and considered approval of an ordinance amending the Code of Ordinances regarding animal control on first reading. Eisen outlined some amendments

to the existing animal control requirements including registration requirements, impound fees, prohibition of wild or vicious animals, protection from the sale of novelty animals, limiting the number of pets at a certain location, prescribing waste disposal, and prescribing special requirements for pit bulls. He pointed out that the ordinance that Council had a copy of prescribed a 3 1/2 ft. fence for pit bulls, and he recommended that be changed to a 6 ft. fence. Council discussed various provisions of the revised ordinance - provisions for registration tags, holding animals for five days after notification prior to destruction, and a time frame for registration. Eisen confirmed that Council desired the following amendments: 1) a September 1st effective date for registration; 2) providing that all impounded animals not redeemed within 5 days shall be destroyed in a humane manner; 3) from the same section removing the phrase "or sold by the Animal Control Officer"; and 4) requiring a 6 ft. fence for confinement of pit bulls instead of a 3 1/2 ft. fence. Couch read the ordinance caption. Holt made a motion to approve the ordinance with the changes as outlined by the City Manager. Bullock seconded the motion. The motion was voted on and passed unanimously.

Bill Eisen then briefed the Council on the current year's General Fund Budget, explaining that actual revenues would fall about $45,000 short of budgeted amounts, but that savings resulting from cutbacks in personnel by not filling vacant positions and cutbacks in certain operating expenses would result in expenditures being about $76,000 less than budgeted. He explained that this would produce a cushion of about $31,000, providing an additional measure of protection if revenues have been over estimated or expenditures under estimated. Council briefly discussed the budget status and a report received from the Chamber of Commerce with regard to the expenditure of funds received from Hotel/Motel tax.

Council then considered approval of a resolution establishing certain regulations for the investment of idle City funds. Eisen explained the resolution and pointed out that it would allow the Finance Director to invest in investments permitted by State law. Bullock made a motion to approve the resolution. Luby seconded the motion. The motion was voted on and passed unanimously.

The Council the adjourned into Executive Session under Article 6252-17 V.A.C.S. to discuss land acquisition. Upon reconvening, as there was no action to be taken resulting from the Executive Session, Jones made a motion to adjourn. Bullock seconded the motion. The motion was voted on, passed unanimously, and the meeting was adjourned.

APPROVED:

ATTEST:

_____
Mayor

By_____

By_____

BEFORE THE City Council
CITY OF ROCKWALL, TEXAS

The Rockwall City Council will hold a public hearing at 7:00 P.M. o'clock _____ on the 6th day of July, 1987 in the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at the request Scott Bowman for a change in zoning from "C" Commercial to "LI" Light Industrial on a tract of land located on Interstate 30 on the following described property:

10.570 acres located I-30 west of FM-549 better described as Lot 1, Block A, Lafon Addition

As an interested property owner, it is important that you attend this hearing or notify the Commission of your feeling in regard to the matter by returning the form below. The decision of the Planning and Zoning Commission will be a recommendation for approval or denial which will be forwarded to the City Council for a final decision. In replying please refer to Case No. P&Z 87-35-Z/SP

Mary Nichols
City of Rockwall, Texas

The following form may be filled out and returned as soon as possible to the Rockwall City Council, 105 West Rusk Street, Rockwall, Texas 75087.

Case No. P&Z 87-35-Z/SP

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

I am opposed to the request for the reasons listed below. _____

1.

2.

3.

Signature _____

Address _____

Lafon Subdivision

Jenny Clarke Cleghorn
Rt 1 Box 145-C
Rockwall

Cambridge Companies
C/o Webb Rhodes Assoc.
16660 Dallas Parkway #2000
Dallas 75248

B. D. Jeffrey
2809 Honeysuckle
Garland 75041

J. R. Enterprises
2012 W Buckingham
Garland 75042

ORDINANCE NO. 87-41

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO CHANGE THE ZONING ON A TRACT OF LAND WHICH IS MORE FULLY DESCRIBED HEREIN FROM "C" COMMERCIAL CLASSIFICATION TO "LI" LIGHT INDUSTRIAL CLASSIFICATION; CORRECTING THE OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF ONE THOUSAND DOLLARS ($1,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, be and the same is hereby amended by amending the zoning map of the City of Rockwall so as to give "LI" Light Industrial

District classification to the tract of land described in Exhibit "A".

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

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

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

SECTION 5. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, nor shall adjudication affect any other section or provision of the Comprehensive Zoning Ordinance of the City of Rockwall,

ADDENDUM TO SCHEDULE "A"

BEING a tract of land situated in the John Lockhart Survey, Abstract No. 134, Rockwall County, Texas, and being a part of a tract of land conveyed to Jerry L. LaFon, and wife, Jackie LaFon and Norman R. LaFon, and wife, Cecilia LaFon, by deed recorded in Volume 164 at Page 794 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows;

BEGINNING at a point in the South line of Interstate Highway No.30, said point being the Northeast corner of said LaFon Tract, an iron stake found for corner;

THENCE, South 01 deg. 07 min. 40 sec. West, with the East line of said LaFon Tract, same being with a fence line a distance of 846.22 feet to an iron stake found for corner;

THENCE, North 89 deg. 12 min. 30 sec. West, with the South line of said LaFon Tract, same being with a fence line, a distance of 320.0 feet to an iron stake for corner;

THENCE, North 02 deg. 13 min. 35 sec. East, a distance of 753.19 feet to a point in the said South line of Interstate Highway No. 30, an iron stake found for corner;

THENCE, North 73 deg. 51 min. East, with the said South line of Interstate Highway No. 30, same being with the North line of said LaFon Tract, a distance of 320.0 feet to the PLACE OF BEGINNING and CONTAINING 5.7336 acres of land.

From Jeanne Davis
@ Texas Land Co.

Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

SECTION 6. That all ordinances of the City of Rockwall in conflict with the provisions of this be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such case provides.

DULY PASSED AND APPROVED this 20th day of July, 1987.

APPROVED:

_____

Mayor

ATTEST:

By_____

1st reading 7/6/87

2nd reading 7/20/87

PLANNING AND ZONING ACTION SHEET

Applicant Scott Bowman Case No. P+Z 87-35-Z/SP

Property Description Lafon Addition

Case Subject Matter zone change C to LI, site plan

CASE ACTION

	Approved	Disapproved	Tabled
Date to P&Z ~~May 14~~ June 11	✓		

Conditions Waive 200' drive separation, min 127' separation, access easement on West prop line, Waive 10' setback for west drive

Date to City Council July 6	✓		

Conditions same as P+Z

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
- 87-4 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 Planning and Zoning Commission will hold a public hearing on May 14, 1987, at 7:30 P.M. in City Hall, 205 West Rusk, to consider a request from Scott Bowman for a change in zoning from "C" Commercial to "LI" Light Industrial on a 10.570 acre tract of land located on I-30 west of FM-549, further described as Lot 1, Block A, Lafon Addition.

June 19 1987

Public Notice

The Rockwall City Council will hold a Public Hearing on July 6, 1987 at 7:00 P.M. in City Hall, 205 West Rusk to consider:

1. A request from Scott Bowman for a change in zoning from "C" commercial to "LI" light industrial on 10.570 acres located on I-30 west of FM-549 more fully described as Lot 1, Block A, Lafon Addition,

2. Amending, modifying or removing SUP-7, a specific Use Permit issued for miniwarehouses at Yellowjacket and SH-205 further described as:

Being a tract of land situated in the Joseph Cable Survey, Abstract No. 65, City and County of Rockwall, Texas, and being more particularly described as follows:

Beginning at the most easterly corner of the Rockwall Business Park Addition, an addition to the City of Rockwall, Texas, as recorded in Volume 5, Page 35 of the plat records of Rockwall County, Texas:

Thence S 45°43'02" W, a distance of 331.85 feet to a point for corner:

Thence N 30°38'59" W, a distance of 307.30 feet to a point for corner:

Thence N 45°25'32" E, a distance of 22.00 feet to a point for corner;

Thence N 44°42'40", a distance of 23.50 feet to a point for corner;

Thence 45°43'02" E, a distance of 235.19 feet to a point for corner:

Thence, S 44°42'40" E, a distance of 322.26 feet to the Point of Beginning, and containing 93,510 square feet or 2.1467 acres of land.

(1tc-CR)

PUBLIC NOTICE

The Rockwall City Council will hold a public hearing at 7:00 P.M. on the 6th day of July, 1987, in City Hall, 205 West Rusk to consider a request from Scott Bowman for a changein zoning from "C" Commercial to "LI" Light Industrial on a portion of a 10.570 acre tract of land located on I-30 west of FM-749, more fully described as Lot 1, Block A, Lafon Addition.

As an interested property owner you may wish to attend this hearing or notify the Council in writing of your feeling in regard to this matter.