

CITY OF ROCKWALL  
205 West Rusk  
Rockwall, Texas

APPLICATION FOR CONDITIONAL USE PERMIT

Case No. 87-43- CUP Date Submitted 6/22/87  
Filing Fee \$ 101.00  
Applicant John Crow  
Address 210 Rainbow Phone Number 722-3469 Dallas 760-7622  
Rockwall  
Owner \_\_\_\_\_ Tenant  Prospective Purchaser \_\_\_\_\_

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

*see attached*

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

*a private club meeting all conditions of City of Rockwall ordinances*

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

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

Signed *John Crow*

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

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

CERTIFICATE

I hereby certify that I have checked the legal description of the property described in this Application and the same describes the tract of land shown on the Plat attached hereto as "Exhibit A" and said description is sufficient to allow qualified surveyor to locate and mark off said tract on the ground.

\_\_\_\_\_  
Surveyor or Attorney for Applicant

PROPERTY DESCRIPTION

Being Lots 2, 3, 4 and 5 of Carlisle Plaza Addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Slide B, Page 136 of the Map Records of Rockwall County, Texas,

Except the parts thereof dedicated for Street Widening by said Carlisle Plaza Addition plat,

And being described more particularly as follows:

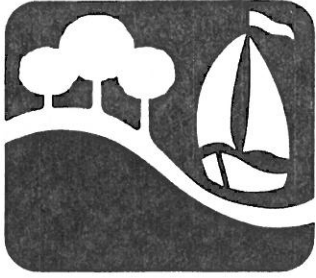
Beginning at a steel rod at the most northerly corner of said Lot 3 on the southeasterly Right of Way line of U. S. Highway 67, Interstate Highway 30;

Thence along northeasterly, southeasterly and northerly lines of said Lot 3 and of said Carlisle Plaza Addition,

S 27 degrees 18' 38" E, 165.36 feet to a steel nail for corner;  
S 62 degrees 43' 55" W, 100.0 feet to a cross cut in concrete for corner,  
S 27 degrees 18' 38" E, 98.50 feet to a cross cut in concrete for corner, and  
S 82 degrees 11' 31" E, 156.24 feet to a steel rod for corner on the widened westerly line of Ridge Road, F. M. 740, 50.0 feet westerly of its center line;

Thence along the widened westerly lines of Ridge Road,  
S 06 degrees 45' 50" W, 513.80 feet to a steel rod at an angle, and  
N 83 degrees 14' 10" W, 210.0 feet,  
S 06 degrees 45' 50" W, 73.23 feet,  
S 83 degrees 14' 10" E, 60.0 feet,  
S 06 degrees 45' 50" W, 4.0 feet,  
S 83 degrees 14' 10" E, 5.0 feet,  
N 06 degrees 45' 50" W, 7.23 feet,  
S 83 degrees 14' 10" E, 5.0 feet,  
N 06 degrees 45' 50" E, 70.0 feet  
N 83 degrees 14' 10" W, 70.0 feet

Containing 5,130 square feet of land.



**CITY OF ROCKWALL**  
**"THE NEW HORIZON"**

June 23, 1987

Mr. John Crow  
210 Rainbow  
Rockwall, TX 75087

Dear Mr. Crow,

Your application and filing fee have been received for your request for a Conditional Use Permit for a private club. The Planning and Zoning Commission will consider your request at a public hearing on July 9th at 7:30 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

SPECIFIC FILING REQUIREMENTS

<u>      </u>	<u>Zone Change</u>	<input checked="" type="checkbox"/>	<u>Conditional Use Permit</u>
<u>      </u>	<u>PD Preliminary Plan</u>	<u>      </u>	<u>Board of Adjustments</u>

Items to be Filed

1. Signed completed application and filing fee
2. Legal description of property
3. 1 copy of plat plan or boundary survey to scale
4. 9 copies of site plan, as outlined below, if required (check with Staff to determine if necessary)

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<u>      </u>	<u>Site Plan</u>	<u>      </u>	<u>PD Development Plan</u>
<u>      </u>	<u>Preliminary Plat</u>		

Items to be Filed

1. Signed completed application and filing fee (application form lists all required information needed on plan)
2. 9 copies of scaled plan with all required information on a sheet no larger than 18" x 24" folded to fit in an 8-1/2" x 14" file folder (Additional copies may be requested prior to the meeting before the City Council)
3. 1 copy each of plan reduced to 8-1/2" x 11" sheet and mylar



CITY OF ROCKWALL  
"THE NEW HORIZON"  
Rockwall, Texas 75087-3628

No. 6789

205 West Rusk

(214) 722-1111  
Metro 226-7885

Cash Receipt

Name John Crow Date 6-22-89

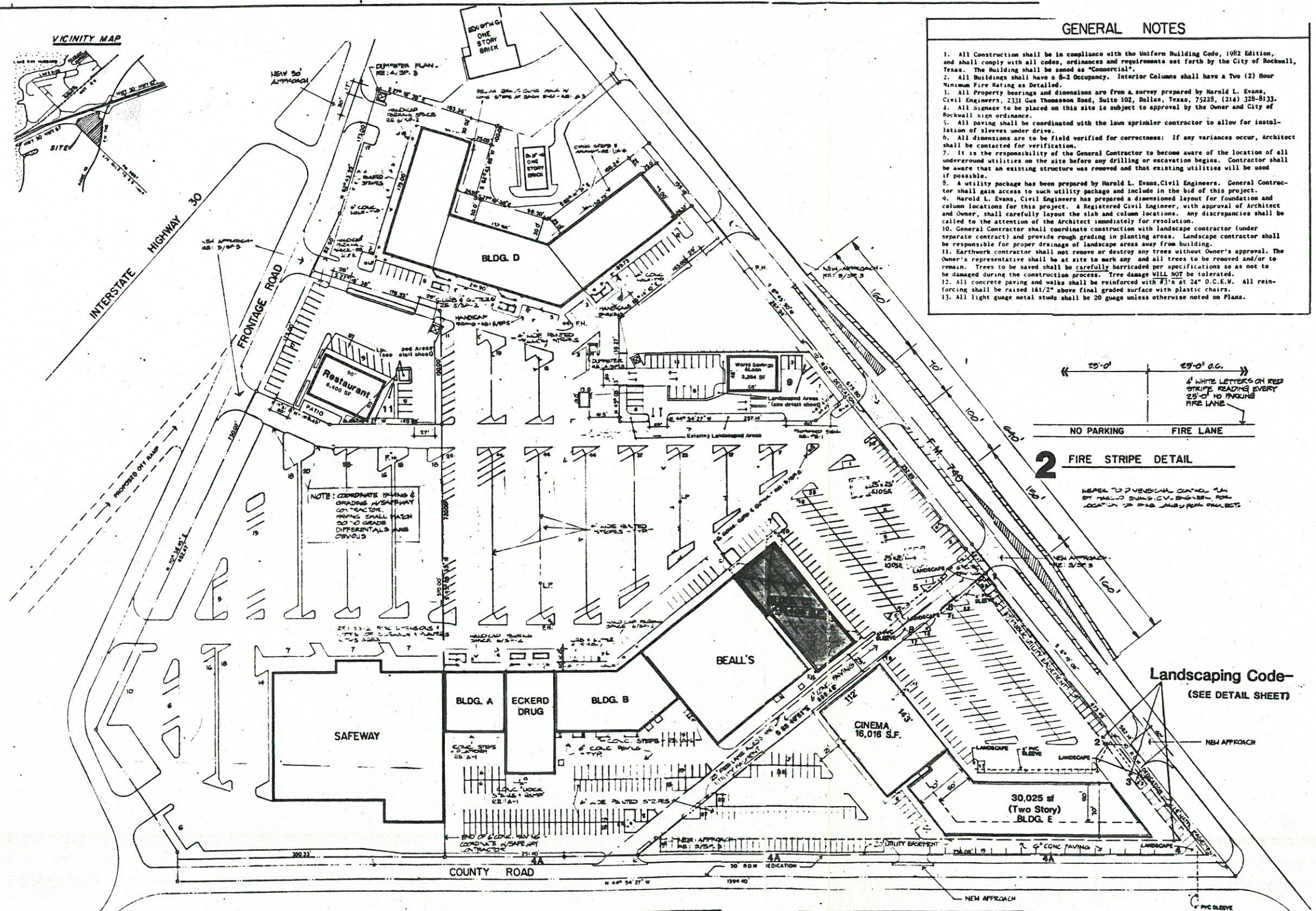
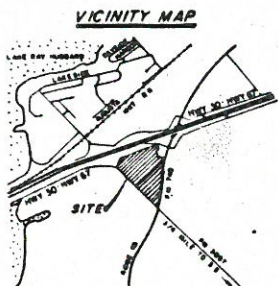
Mailing Address \_\_\_\_\_

Job Address \_\_\_\_\_ Permit No. \_\_\_\_\_

Check  Cash  Other

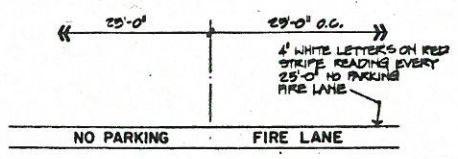
General Fund Revenue 01			W & S Fund Revenue 02		
DESCRIPTION	Acct. Code	Amount	DESCRIPTION	Acct. Code	Amount
General Sales Tax	00-00-3201		RCH	00-00-3211	
Beverage Tax	00-00-3204		Blackland	00-00-3214	
Building Permit	00-00-3601		Water Tap	00-00-3311	
Fence Permit	00-00-3602		10% Fee	00-00-3311	
Electrical 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	101.00	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				
<b>TOTAL GENERAL</b>			<b>TOTAL WATER</b>		

TOTAL DUE 101.00 Received by [Signature]



**GENERAL NOTES**

- All Construction shall be in compliance with the Uniform Building Code, 1982 Edition, and shall comply with all codes, ordinances and requirements set forth by the City of Rockwall, Texas. The Building shall be zoned as "Commercial".
- All Buildings shall have a B-2 Occupancy. Interior Columns shall have a Two (2) Hour Minimum Fire Rating as Detailed.
- All Property bearings and dimensions are from a survey prepared by Harold L. Evans, Civil Engineers, 2311 Gus Thomasson Road, Suite 102, Dallas, Texas, 75228, (214) 328-8133.
- All Signage to be placed on this site is subject to approval by the Owner and City of Rockwall sign ordinance.
- All paving shall be coordinated with the lawn sprinkler contractor to allow for installation of sleeves under drive.
- All dimensions are to be field verified for correctness: if any variances occur, Architect shall be contacted for verification.
- It is the responsibility of the General Contractor to become aware of the location of all underground utilities on the site before any drilling or excavation begins. Contractor shall be aware that an existing structure was removed and that existing utilities will be used if possible.
- A utility package has been prepared by Harold L. Evans, Civil Engineers. General Contractor shall gain access to such utility package and include in the bid of this project.
- Harold L. Evans, Civil Engineers has prepared a dimensioned layout for foundation and column locations for this project. A Registered Civil Engineer, with approval of Architect and Owner, shall carefully layout the slab and column locations. Any discrepancies shall be called to the attention of the Architect immediately for resolution.
- General Contractor shall coordinate construction with landscape contractor (under separate contract) and provide rough grading in planting areas. Landscape contractor shall be responsible for proper drainage of landscape areas away from building.
- Earthwork contractor shall not remove or destroy any trees without Owner's approval. The Owner's representative shall be at site to mark any and all trees to be removed and/or to remain. Trees to be saved shall be carefully barricaded per specifications so as not to be damaged during the construction process. Tree damage WILL NOT be tolerated.
- All concrete paving and walks shall be reinforced with #3's at 24" O.C.E.W. All reinforcing shall be raised 1 1/2" above final graded surface with plastic chairs.
- All light gauge metal studs shall be 20 gauge unless otherwise noted on Plans.



**2 FIRE STRIPE DETAIL**

REFER TO PAVED AREA CONTROL PLAN BY HAROLD EVANS, CIVIL ENGINEER, FOR LOCATION OF FIRE STRIPES FROM PARCELS

**Landscaping Code-**  
(SEE DETAIL SHEET)

**TABULATIONS**

TOTAL LAND AREA	842,243.61 SF	19.34 ACRES
<b>PARKING REQUIRED @ 1:300</b>		
SAFeway	43,300 SF	145 SPACES
BLDG. A	6,400 SF	21 SPACES
BLDG. B	11,800 SF	39 SPACES
BLDG. C	8,440 SF	28 SPACES
BEALL'S	24,955 SF	83 SPACES
BLDG. D	36,452 SF	122 SPACES
BLDG. E (Second Floor)	14,000 SF	46 SPACES
World Savings & Loan	3,264 SF	11 SPACES
<b>PARKING REQUIRED @ 1:200</b>		
BLDG. C	11,400 SF	57 SPACES
BLDG. D	14,025 SF	70 SPACES
BLDG. E (1,250 seats-1 parking space per 3 seats)	16,016 SF	416 SPACES
Strook (4)	2,007 SF	8 SPACES
<b>PARKING REQUIRED @ 1:100</b>		
5,400 SF Restaurant	5,400 SF	54 SPACES
Fast Food Restaurant	2,580 SF	26 SPACES
<b>TOTAL</b>	<b>202,229 SF</b>	<b>1,777 REQUIRED SPACES</b>

**NOTES:**  
1. REFER TO HAROLD EVANS, CIVIL ENGINEER, DIMENSIONED CONTROL PLAN FOR LOCATION OF FIRE STRIPES FROM PARCELS, ETC.  
2. GENERAL CONTRACTOR TO REMOVE ALL PVC CONDUIT - "DRINK WATER" APPROVED & ALONG WITH ALL OTHER SYSTEMS CAN BE REUSED TO ALL UTILITIES AREAS COORDINATE WITH LANDSCAPE CONTRACTOR.

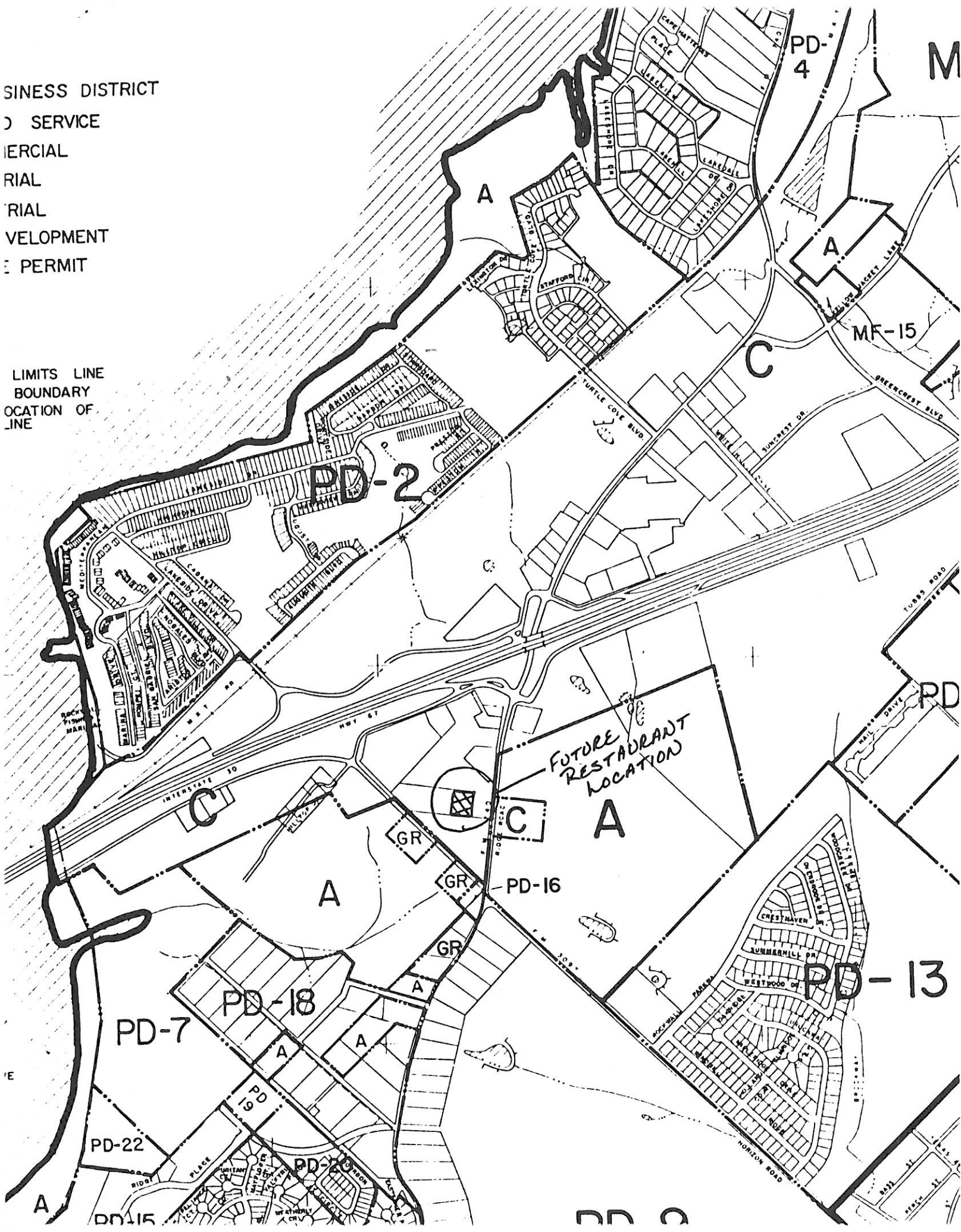
- LP - LIGHT POLE - REPE-1
- FH - FIRE HYDRANT - REPE-1
- ○ - CIVIL DRAWINGS



Date	No.	Description
<p>A PROJECT FOR:</p> <p>CARLISLE PROPERTY CO. RETAIL</p> <p>ROCKWALL VILLAGE SHOPPING CENTER</p> <p>PHASE II</p> <p>ROCKWALL, TEXAS</p>		
<p>SITE PLAN</p> <p>1" = 60'-0"</p>		
DATE	2-28-06	SP-1
SCALE	68202	

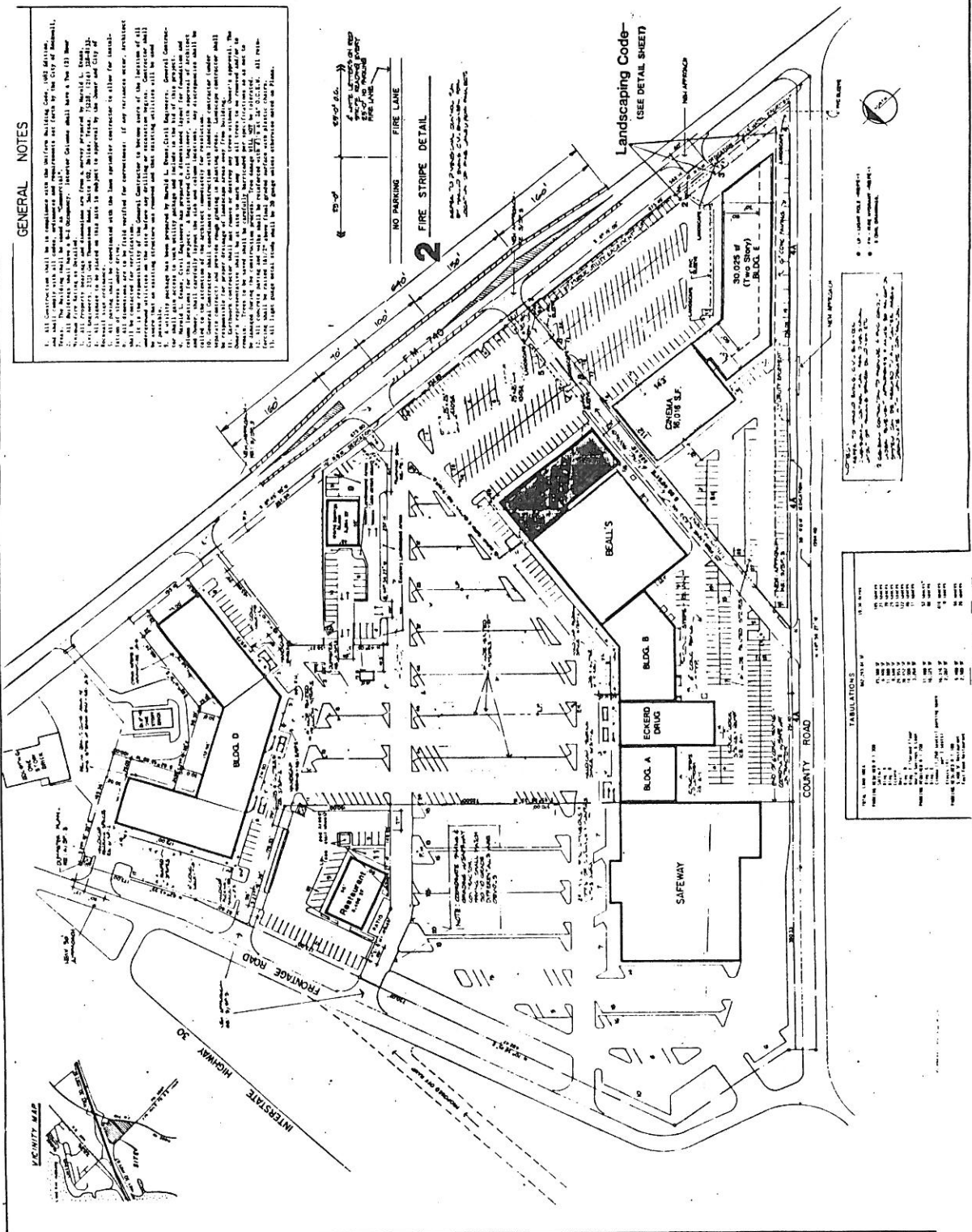
BUSINESS DISTRICT  
 SERVICE  
 COMMERCIAL  
 RESIDENTIAL  
 RESIDENTIAL  
 DEVELOPMENT  
 PERMIT

LIMITS LINE  
 BOUNDARY  
 LOCATION OF  
 LINE



**GENERAL NOTES**

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE DUTY-FREE BUILDING CODE, 1982 EDITION, AND ALL CITY ORDINANCES, ORDINANCES AND REGULATIONS AND LAWS BY THE CITY OF ROCKWALL, TEXAS.
2. ALL UTILITIES SHALL BE SHOWN AND DEPTH SHALL BE AS SHOWN ON THE CITY RECORDS.
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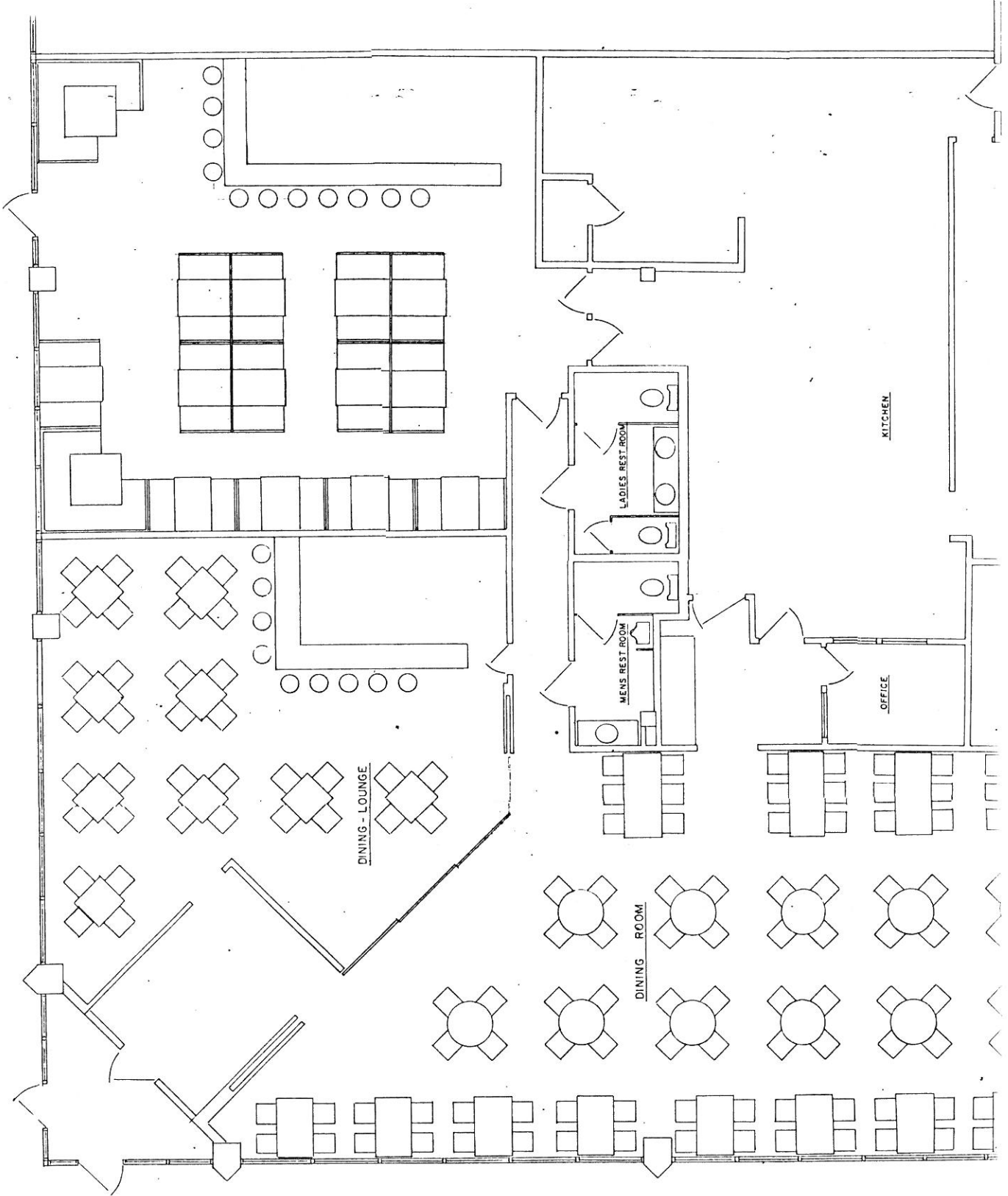
**TABLE**

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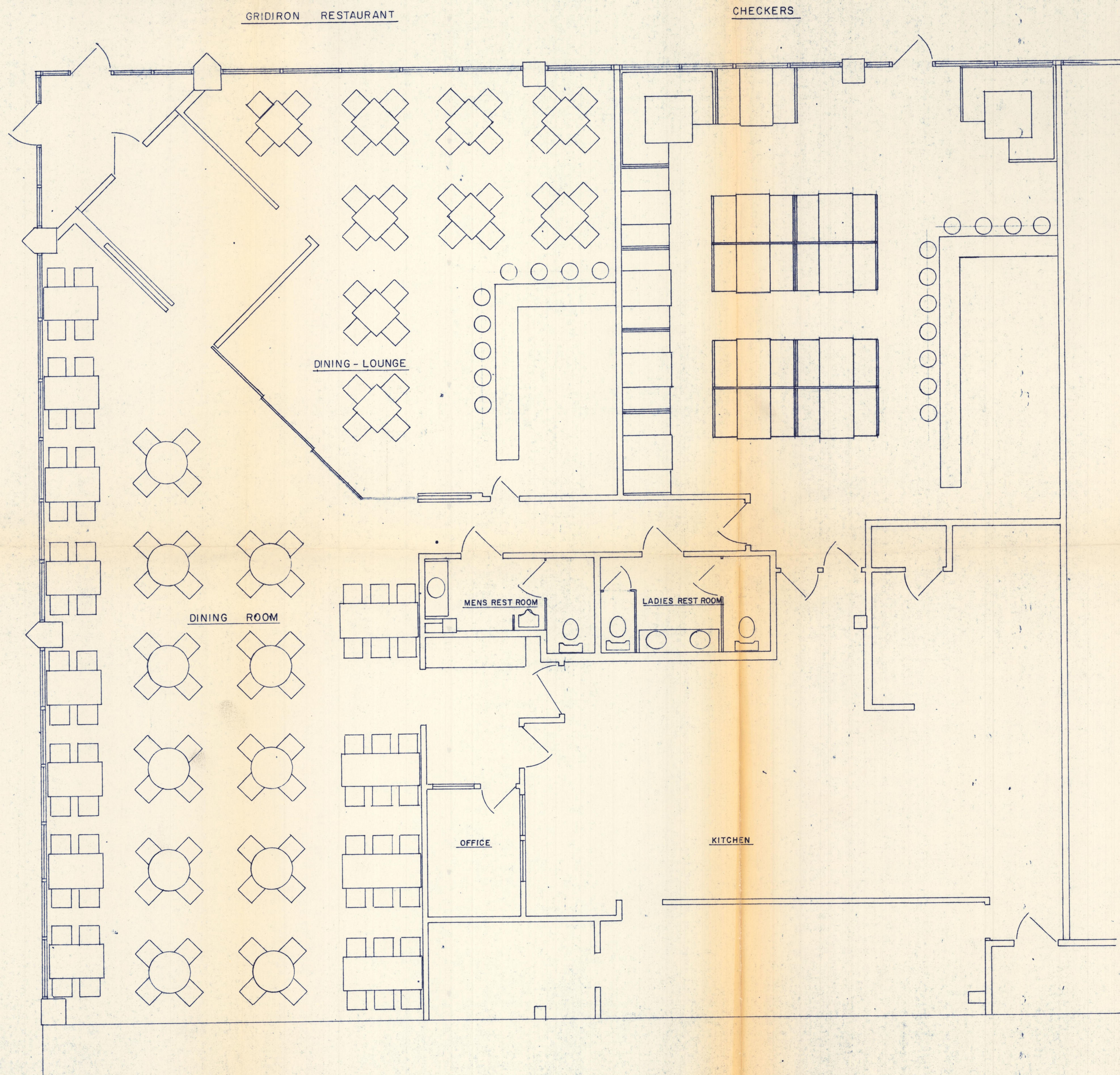


GRIDIRON RESTAURANT

CHECKERS

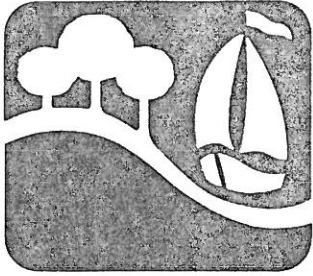


GRIDIRON  
DINING ROOM  
DINING - LOUNGE  
CHECKERS  
TOTAL SEATING



<u>GRIDIRON</u>	
DINING ROOM	100
DINING - LOUNGE	45
<u>CHECKERS</u>	
	75
<u>TOTAL SEATING</u>	
	220

GRIDIRON - CHECKERS RESTAURANT  
 ROCKWALL VILLAGE SHOPPING CENTER  
 SEATING SCHEDULE  
 SCALE 1/4" = 1'



**CITY OF ROCKWALL**  
**"THE NEW HORIZON"**

July 14, 1987

Mr. John Crow  
210 Rainbow  
Rockwall, Texas 75087

Dear Mr. Crow:

On July 9, 1987, the Rockwall Planning and Zoning Commission held a public hearing and recommended approval of your request for a Conditional Use Permit for a private club to be located within the Rockwall Village Shopping Centre.

On August 3rd at 7:00 P.M. in City Hall the Rockwall City Council will hold a public hearing and consider approval of the request.

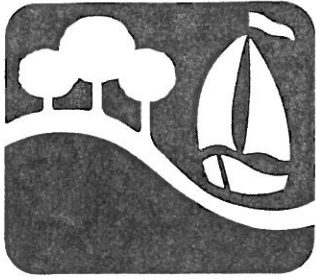
Please call me if you have any questions.

Sincerely,

*Mary Nichols*

Mary Nichols  
Administrative Aide

MN/mmp



# CITY OF ROCKWALL

## "THE NEW HORIZON"

August 5, 1987

Mr. John Crow  
210 Rainbow  
Rockwall, Texas 75087

Dear Mr. Crow:

On August 3, 1987, the Rockwall City Council voted to table consideration of your request for a Conditional Use Permit for a private club for your restaurant, the Gridiron, located within the Rockwall Village Shopping Centre. The public hearing will be continued on August 17, 1987, at 7:00 P.M. in City Hall, 205 West Rusk.

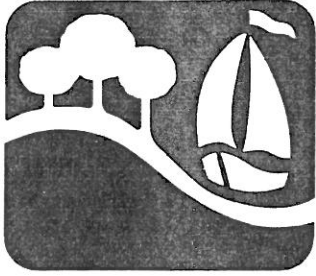
Please note the importance of your presence or a representative for your request. This request was tabled due to lack of applicant representation. Feel free to call me if you have any questions.

Sincerely,

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

Mary Nichols  
Administrative Aide

CC: Michael Crouch  
MN/mmp



**CITY OF ROCKWALL**  
**"THE NEW HORIZON"**

August 19, 1987

Mr. John Crow  
210 Rainbow  
Rockwall, Texas 75087

Dear Mr. Crow:

On August 17, 1987, the Rockwall City Council approved your request for a Conditional Use Permit for a private club for your future restaurant, the Gridiron, to be located within the Rockwall Village Shopping Center.

An ordinance authorizing the permit will be read for the second time at the Council meeting scheduled for September 8, 1987. Please note that if the permit is not activated within a period of six months from the date of the second reading, the permit will become void and the zoning will revert to the original zoning. Enclosed is a copy of Ordinances 85-2 and 87-36 governing private clubs. Your permit was issued provided your club complies with all other requirements outlined in Ordinance 85-2. Non-compliance could result in revocation of your permit.

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

Sincerely,

*Mary Nichols*

Mary Nichols  
Administrative Aide

MN/mmp

Agenda Notes  
P&Z - 7/9/87

III. D. P&Z 87-43-CUP - Hold Public Hearing and Consider Approval of a Request for a Conditional Use Permit for a Private Club to be Located in Rockwall Village Shopping Centre

We have received a request for a Conditional Use Permit for a private club to be located in Rockwall Village. The Council has amended the private club ordinance to include all of a shopping center with frontage and access on I-30 rather than sites only within 500 ft. of I-30, so this application is now eligible for consideration. Attached is a copy of the revision to the private club ordinance. The restaurant, as proposed, will meet all of the minimum requirements for a private club permit.

The applicant is proposing to have two restaurants in one, including a family style restaurant adjacent to a grill style restaurant. The two will have a joint kitchen and will be accessible by an interior connection. The private club would only be for the family style dining facility. Attached is a location map showing where the facility will be located in the center and a floor plan of the two restaurants.

MINUTES OF THE PLANNING AND ZONING COMMISSION  
July 9, 1987

Vice Chairman Norm Seligman called the meeting to order with the following members present: Bill Sinclair, Hank Crumbley, and Tom Quinn.

The Commission first considered approval of the minutes of June 11 and 25, 1987. Crumbley made a motion to approve the minutes. Sinclair seconded the motion. The motion was voted on and passed unanimously.

Seligman then opened a public hearing and the Commission considered approval of a revision in the preliminary plan for PD-8, Chandlers Landing to amend the zoning from "TH" Townhouse to "ZL" Zero Lot Line on four lots located in Phase 17. Assistant City Manger Julie Couch explained that the Frates Company proposed to change the current Townhouse designation on these four lots to Zero Lot Line designation generally meeting the same criteria as Phase 18 which is adjacent to this area with the exception that the lots would be 5,000 sq. ft. as opposed to 4,000 sq. ft. W. P. Whitmore addressed the Commission and explained that although he was not opposed to the request, he was concerned with about the maximum height allowed. Couch explained that the ordinance as written prescribed a 30 ft. maximum height. Larry Walker, representing the applicant, explained the request pointing out that the zero lot line would be located on the northern lot lines to provide at least ten feet between each building and the southern lot line. Marvin Patsy addressed the Commission and explained that he owned property on Lot 5 adjacent to these lots and that he was concerned about inadequate drainage that caused standing water at the end of his lot. Mrs. Patsy confirmed that the standing water existed for some time and caused mosquitoes, fleas and even snakes to swarm in this area. Harold Evans, Consulting Engineer, stated that although he had been unaware of the problem, he would have someone investigate it. As there was no one else wishing to address the Commission with regard to this matter, the public hearing was closed. Quinn then made a motion to recommend approving the revision in the preliminary plan for PD-8 to amend the zoning from Townhouse to Zero Lot Line on Lots 1 through 4 located in Phase 17. Crumbley seconded the motion. The motion was voted on and passed unanimously.

The Commission then held a public hearing and considered approval of a replat of four lots located in Phase 17, Chandlers Landing. After discussion with regard to lot size, Sinclair made a motion to approve the replat with the zero lot line being located on the opposite side from that which was indicated on the plat. Crumbley 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 L. Sanders Thompson for a change in zoning from "SF-10" Single Family to "PD" Planned Development

meeting "SF-7" area requirements and including a minimum 1,500 sq. ft. dwelling size. Couch explained the location of the property, the applicant's request, and pointed out several items that needed to be included in the PD ordinance if the Commission recommended approval of the request. She pointed out that 23 acres of flood plain were planned for parkland dedication and that as the property was bounded by two undeveloped tracts, it was not likely that the City would receive other requests for downgrading lot sizes within the area. Harold Evans explained that the two items considered when developing the concept plan were 1) the sewage treatment plant and 2) the amount of flood plain on this tract. He explained that by reducing the lot size to 7,000 sq. ft. he had reduced the number of lots from 347 lots at 10,000 sq. ft. to 275 lots at 7,000 sq. ft. Sanders Thompson pointed out that with "SF-7" lot sizes he had been able to provide more greenbelt around the sewage treatment plant and more flood plain. He explained that in an "SF-10" lot size he could build up lots within the flood plain, thus enabling him to create more lots. He stated that he was unable to do this with "SF-7" lots as smaller lots could not absorb the cost, and that "SF-7" lots would be more easily sold than "SF-10" lots due to the proximity of the sewer treatment plant. The Commission discussed the proximity of the treatment plant, whether or not adequate buffering would be provided, the need for some "SF-7" housing in Rockwall, and limiting the development to a maximum of 275 lots. The public hearing was closed. After further discussion, Quinn made a motion to recommend approval of the change in zoning and the preliminary plan subject to the following conditions:

- 1) The PD would meet "SF-7" area requirements and permitted uses.
- 2) It would retain a minimum 1,500 sq. ft. dwelling size.
- 3) It would contain a maximum of 275 units.
- 4) The dedication of park area including the flood plain shown on the preliminary plan should be finalized prior to approval of a plat in the PD.
- 5) Prior to plat approval the a detailed alignment study on the location of Lakeshore Drive would be completed.
- 6) Prior to plat approval a phasing plan would be submitted on the entire development if completion is planned in phases.
- 7) A traffic analysis to determine the level of access necessary to serve the development would be completed prior to plat approval.
- 8) Requiring the area north of the sewer treatment plant to be the last section developed.

Crumbly seconded the motion. Harold Evans pointed out that if adjacent property off Lakeshore Drive was the first property in the



area to begin developing, Thompson may wish to develop the north section of his property first. Seligman pointed out that while it may be better to start developing from the south at Alamo, the applicant should not necessarily be required to develop the north section by the treatment plant last. After further discussion, Quinn offered an amendment to his motion to delete the requirement prescribing the north section was to be developed last. Sinclair seconded the amendment. The amendment was voted on and passed unanimously. The motion as amended was voted on and passed unanimously.

The Commission then held a public hearing and considered approval of a request from John Crow for a Conditional Use Permit for a private club to be located at the Gridiron Restaurant in Rockwall Village Shopping Centre. Couch pointed out recent changes that had been made in the ordinance prescribing conditions for issuance of private clubs and further explained that under the revised ordinance Mr. Crow's restaurant would meet all requirements. Michael Crouch, of Carlisle Development, explained that the floor plan the Commission received was basically two separate restaurants, sharing the same restroom and kitchen facilities. He explained that the Gridiron was the restaurant they were requesting the permit for, while the other restaurant, Checkers, was geared more toward young people and quick meals for customers possibly coming from the movie theater. John Crow explained that in his many years in the restaurant business he had never received a complaint connected with alcohol, nor had he ever had to remove a customer as a result of too much alcohol consumption. As there was no one else wishing to address the Commission with regard to this matter, the public hearing was closed. Quinn then made a motion to recommend approval of the Conditional Use Permit as it met all requirements for a private club. Crumbley 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 TU Electric for a Conditional Use Permit for a structure exceeding 36 ft. in height to allow a radio antenna. Couch explained that the applicant's proposal was to return the antenna to its original location at 1101 Ridge Road adjacent to the Cameron Building located within the Ridge Road Shopping Center. She explained that the property was located within a PD with a designation of General Retail zoning and that the maximum height in General Retail was 60 ft., although anything over 36 ft. required a Conditional Use Permit. Gary Johnson, of TP&L, explained that prior to the opening of the new service area on Kristy Lane the antenna had been located adjacent to the Cameron Building. He explained that until recently Rockwall had been a sub-office of Terrell, but a merge with Garland was eliminating the need for a Rockwall Service Center as Rockwall would be utilizing the Garland facilities and merging with the Garland workforce as well. He explained that while this would improve service, the Rockwall radio antenna would need to be moved closer towards Garland, signals would be inadequate from Kristy Lane. He proposed

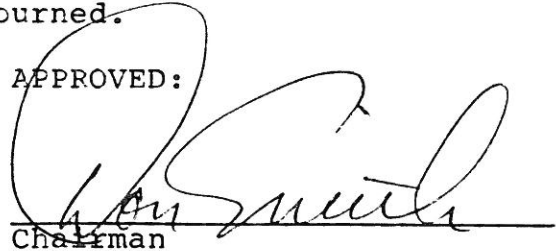
that if the 55 ft. high antenna were returned to its original location, it would be painted to match the Cameron Building. As there was no one else wishing to address this matter, the public hearing was closed. Sinclair made a motion to recommend approval of the Conditional Use Permit. Crumbley seconded the motion. The motion was voted on and passed unanimously.

The Commission then considered approval of a site plan for Aircraft Ducting located within the Bodin Industrial Park on I-30. Couch explained that the original site plan did not have adequate parking, but that the applicant had since revised the plan to provide additional parking and had widened the drive off I-30. The Commission discussed the location of easements, the location of existing power, and confirmed that the extension to the rear would still meet landscaping requirements. After further discussion, Crumbley made a motion to approve the site plan as submitted. Sinclair seconded the motion. The motion was voted on and passed unanimously.

The Commission then discussed requirements for accessory buildings in residential areas. Couch reviewed with the Commission the current requirements as outlined in the Zoning Ordinance and four possible alternatives for amending the Zoning Ordinance. The alternative most extensively discussed allowed one detached garage not exceeding 15 ft. in height or 900 sq. ft. as an accessory to a residential use and containing the same materials, not necessarily glass, as found on the main structure. It provided for not more than three accessory buildings not exceeding 15 ft. in height or 225 sq. ft. each as an accessory to a residential use on the same lot. It provided the exterior covering contains only the materials found on the main structure. It provided for greenhouses not exceeding 15 ft. in height nor exceeding 300 sq. ft. as an accessory to residential use and it retained the section of the Zoning Ordinance pertaining to total floor area of accessory structures. After extensive discussion, the Commission decided to present this alternative to the City Council however allowing only two accessory buildings instead of three as stated in the alternative, and exempting greenhouses from the materials requirements. Greenhouses would also be considered one of the two allowed accessory buildings and would meet the same requirements for accessory buildings.

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

APPROVED:



Chairman

ATTEST:

By: \_\_\_\_\_

CITY OF ROCKWALL  
Council Agenda

AGENDA DATE August 3, 1987

AGENDA NO. IV-D

AGENDA ITEM P&Z 87-43-CUP - Hold Public Hearing and Consider Approval of an Ordinance Granting a Request for a Conditional Use Permit for a Private Club to be Located in Rockwall Village Shopping Center (1st reading)

ITEM GENERATED BY Applicant - John Crow

ACTION NEEDED Hold public hearing, approve or deny the ordinance approving the private club with any conditions

BACKGROUND INFORMATION

We have received the request for a Conditional Use Permit for a private club to be located in Rockwall Village. It is this request which brought about the amendment to our private club ordinance which allows the entire shopping center to be eligible for such an application. The restaurant, as proposed, meets all of our minimum requirements for a private club permit. The applicant is proposing to have two restaurants in one, including a family style restaurant adjacent to a grill style restaurant. The two will have a joint kitchen and will be accessible by an interior connection. The private club would only be for the family style dining facility. Attached is a location map and floor plan of the two restaurants. The Planning and Zoning Commission has recommended approval as submitted.

ATTACHMENTS

1. location map
2. floor plan
3. ordinance approving private club

MINUTES OF THE ROCKWALL CITY COUNCIL  
August 3, 1987

The meeting came to order at 7:25 P.M. with the following members present: John Bullock, Jean Holt, Pat Luby and Ken Jones. Council first considered the appointment of a temporary chairman in the absence of the Mayor and Mayor pro tem. Jones made a motion to appoint John Bullock. Holt seconded the motion. The motion was voted on and passed with all in favor except Bullock, who abstained.

Bullock announced that due to the number of people present for one item, Council would first discuss and consider approval of an ordinance amending Ordinance 86-51, the City's regulations regarding antennas and satellite dishes. Assistant City Manager Julie Couch explained the ordinance and read the caption. She outlined changes that had been made in the ordinance including 1) additional setback requirements, 2) removal of the words "from view" as they pertained to screening, 3) size of roof mounted and ground mounted antennas, 4) clarification of the appeal process, and 5) excluding existing antennas/dishes in place upon adoption of the ordinance.

Hope Hart, 113 Summit Ridge, outlined statements she had made at the previous meeting of Council pertaining to the great community services provided by ham radio operators and emergency situations where hams had been the only means of communication. She added that since the last meeting she had found the names of 11,900 ham operators in North Texas and 35 ham operators in Rockwall. Jim Haney, American Radio Relay League representative for Texas and Oklahoma, stated that although the amended ordinance was preferable to the original ordinance, he would like the additional setback requirements to begin at 36 foot antennas. After Council discussion, Holt made a motion to approve the ordinance minus Section 6 to be discussed at a later date. Jones seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of the Consent Agenda which consisted of A) an ordinance amending the Code of Ordinances regarding Animal Control on second reading and B) an ordinance amending SUP-7 located at SH-205 and Yellowjacket Lane on second reading. Couch read the ordinance captions. Holt made a motion to approve the Consent Agenda. Luby seconded the motion. The motion was voted on and passed unanimously.

Don Smith then gave the Planning and Zoning Commission Chairman's report in which he addressed recommendations made by the Commission on the amended preliminary plan for PD-8, a replat within Phase 17 of Chandlers Landing, the zone change request for "PD" planned development designation, a Conditional Use Permit request for a private club and a Conditional Use Permit request for a structure (antenna) over 36 feet in height.

Bullock then opened a public hearing on a request for a revision to the preliminary plan for PD-8, Chandlers Landing, to amend the zoning designation from "TH" Townhouse to "ZL" Sero Lot Line on four lots located in Phase 17. Couch explained that the applicant proposed to make four townhouse lots into three larger zero lot lines. Harold Evans was present to answer questions. Couch read the caption of an ordinance amending the preliminary plan. Luby made a motion to approve the zone change and first reading of the ordinance. Jones seconded the motion. The motion was voted on and passed unanimously.

Council then held a public hearing and considered approval of a request from Sanders Thompson for a change in zoning from "SF-10" Single Family to "PD" Planned Development meeting "SF-7" area requirements with a minimum 1,500 square foot dwelling size and a preliminary plan. Couch explained that the basic concept was shown in the preliminary plan and gave Harris Heights as an example of "SF-7" sized lots with larger dwellings. Luby asked why the density was being increased. Don Smith pointed out that although the size of lots would be reduced, so would the actual number of lots. He explained that this was possible partly due to the location of the sewage treatment plant and partly because "SF-7" lots couldn't absorb the cost of building up flood plain as well as an "SF-10" lot, thus resulting in fewer lots. Holt questioned the major access to the subdivision. Couch explained that ultimately Alamo would become a four lane divided and the extension of North Lakeshore Drive would serve the subdivision as well. She pointed out that a phasing plan, access study and alignment study had all been recommendations by the Planning and Zoning Commission.

Harold Evans pointed out several problems with the tract including the sewage treatment plant and the amount of flood plain. He reminded Council that while the plan now contained 275 lots, the original plan for "SF-10" lots contained a greater number. Smith pointed out that the Planning and Zoning Commission minutes contained a statement regarding a capacity for 347 "SF-10" lots.

Sanders Thompson addressed Council and explained that a large amount of park land would be dedicated providing

residential recreation areas. He stated that the lots would be designed with rear entry garages which would attract more desirable homes and prevent tract style homes. He added that although 1,500 square feet would be the minimum dwelling size, there would be some built much larger. Thompson pointed out that "SF-10" was not zoning he had requested but was zoning that had been assigned. Jones stated a preference for larger lots. Harold Evans pointed out that the Planning and Zoning Commission had recommended tying down the maximum number of lots. After further discussion, Jones made a motion to continue the public hearing at the next regular meeting allowing consideration by a greater number of Councilmembers. Luby seconded the motion. The motion was voted on and passed unanimously.

Council then held a public hearing on a request for a Conditional Use Permit for a private club to be located within the Rockwall Village Shopping Center. City Attorney Pete Eckert suggested that Council continue the public hearing due to lack of applicant representation. Holt made a motion to continue the public hearing at the next meeting. Luby seconded the motion. The motion was voted on and passed unanimously.

Council next held a public hearing and considered approval of a request from TU Electric for a Conditional Use Permit for a structure exceeding 36 feet in height for a radio antenna, approval for an antenna exceeding 15 feet in height, and approval of an ordinance on first reading authorizing the Conditional Use Permit. Couch explained that the antenna had been at the location in the past and that the applicants were basically asking to relocate the antenna in its original location at 1101 Ridge Road. Gary Johnson of TP&L explained that the service department would be moving to Garland resulting from a merger. He stated that while he anticipated much service improvement, the antenna had to be located closer to the Garland service center for effective communication. Couch read the ordinance caption. Jones made a motion to approve the ordinance and request as submitted. Holt seconded the motion. The motion was voted on and passed unanimously.

Bill Eisen then gave the City Manager's Report in which he addressed results of the second legislative Special Session, a change in the Airport's hours of operation, cable TV service expansion, and the budget meeting scheduled for Friday and Saturday, August 7th and 8th.

Council then considered approval of an ordinance authorizing the collection of a special expense for processing costs on first reading. Eisen explained that the ordinance would authorize a \$10.00 fee as permitted by

State law for processing of defensive driving applicants, and a \$25.00 warrant fee. Couch read the ordinance caption. Holt made a motion to approve the ordinance. Luby seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of a resolution authorizing the Mayor to execute a Consent Agreement with Lakeside National Bank authorizing a security interest in the Chandlers Landing Marina facilities. Eisen explained that the City's concession agreement required that the City approve any assignment of interest in the lease. The marina was planning to refinance the loan on the marina and had submitted a request for approval of the agreement. Luby confirmed that default would not affect the City's tax ability. Eisen explained that even if Chandlers Marina went bankrupt, Lakeside National Bank would pay the City. Jones made a motion to approve the resolution. Luby seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of a change order to the contract with Triple H Construction for utility construction. Eisen explained that installation of additional storm drainage boxes was needed under Hartman and Clark Streets to avoid flooding. He explained that bond funds were available for the additional work. Holt asked why the work had not been previously considered Eisen explained that some of the improvements had been planned out of the General Fund but it was no longer practical to proceed in that manner. Jones made a motion to approve the change order. Luby seconded the motion. The motion was voted on and passed unanimously.

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

APPROVED:

ATTEST:

By \_\_\_\_\_

CITY OF ROCKWALL  
Council Agenda

AGENDA DATE August 17, 1987

AGENDA NO. IV. D

AGENDA ITEM P&Z 87-43-CUP - Continue Public Hearing and Consider Approval of an Ordinance Authorizing a Conditional Use Permit for Private Club to be Located within the Rockwall Village Shopping Center (1st reading)

ITEM GENERATED BY - Applicant - John Crow

ACTION NEEDED Continue public hearing and approve or deny the ordinance approving a Conditional Use Permit for a Private Club. Any special conditions of approval should be included in the motion.

BACKGROUND INFORMATION

At your last meeting you continued the public hearing because the applicant was not present. We have contacted both the applicant and the shopping center so there should be someone present Monday night. The applicant is requesting a Conditional Use Permit for a private club in the Rockwall Village Shopping Center. The applicant plans two restaurants, one being a grill type restaurant and the other a family dining restaurant. The private club would only be applicable to the family dining restaurant. A copy of the floor plan is attached.

ATTACHMENTS

1. Ordinance approving CUP for private club
2. Location map
3. Floor Plan



*Ordinances*

MINUTES OF THE ROCKWALL CITY COUNCIL  
August 17, 1987

Mayor Frank Miller called the meeting to order at 7:00 P.M. with the following members present: Nell Welborn, Jean Holt, John Bullock, Bill Fox and Pat Luby.

Council first considered approval of the Consent Agenda which consisted of A) the minutes of July 20, July 27, July 28 and August 3, 1987, B) an ordinance authorizing a revision in the preliminary plan for PD-8, Chandlers Landing to amend the zoning designation on four lots located within Phase 17 on second reading, C) an ordinance authorizing a Conditional Use Permit for a structure over 36 feet in height to be located at 1101 Ridge Road on second reading, D) an ordinance amending ordinance 86-51 regarding antennas and satellite dishes on second reading, E) an ordinance authorizing the collection of a special expense for processing costs on second reading, F) an ordinance establishing a fee associated with driving records on first reading, and G) an ordinance amending the maximum penalty for violators of City ordinances on first reading. Assistant City Manager Julie Couch read the ordinance captions. Welborn asked Item D to be pulled. Fox pulled Item C. Holt made a motion to approve the Consent Agenda with the exception of Items C and D. Welborn seconded the motion. The motion was voted on and passed unanimously.

Regarding Item C, Fox stated approval of an ordinance authorizing an antenna in excess of 50 feet was in conflict with the purpose of the proposed Scenic Overlay District. Welborn asked if the antenna was larger than necessary for effective communication. Gary Johnson of TP&L explained that the antenna had originally been located at the Cameron Building but had been moved upon completion of the service center on Kristy Lane. He explained that the service center was merging with Garland and the antenna needed to be moved towards that City. He stated that although he didn't know if 55 feet was necessary, it was cost effective and would be painted to match the building. Miller asked Johnson if the item were tabled, would he return with another proposal. Johnson agreed to consider a roof mount antenna but stated that it may still exceed the height requirements. At this time, 7:15 P.M., Ken Jones joined the meeting. Fox made a motion to table consideration of the second reading pending another proposal to be submitted by Gary Johnson. Welborn seconded the motion. The motion was voted on and passed unanimously.

Regarding Item D, Welborn confirmed that permits were required and applicants were made aware of other

applicable requirements at the time of application. She made reference to a letter written by Mrs. Hart and asked for explanation of the wording in the ordinance in an effort to address Mrs. Hart's concerns. City Attorney Pete Eckert explained that the ordinance was worded to coincide with the requirements and procedures already established in the Comprehensive Zoning Ordinance. He stated that another option would be to redefine "structure" in the Zoning Ordinance to not include antennas or to raise the maximum height without a Conditional Use Permit in residential areas. Fox confirmed that screening requirements hadn't been removed. Miller explained that only the clause pertaining to the retroactivity of the screening requirements had been removed. Fox pointed out that the ordinance did not contain a maximum height with a permit. Eckert explained that Council could limit height individually upon each permit application. As there was no further discussion, Welborn made a motion to approve the ordinance on second reading. Jones seconded the motion. The motion was voted on and passed 6 to 1 with all in favor except for Bill Fox, who voted against it.

Couch explained that neither the Planning and Zoning Commission Chairman or Vice Chairman were able to be present to give the Chairman's report. Miller suggested that as Council had copies of the Planning and Zoning Commission minutes that they read the section of the minutes that pertained to each item as these items came up on the Council Agenda.

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 along FM-740 from SH-205 to the City Limits for a depth of 500 feet on each side and including all of PD Nos. 1 and 4. Couch briefly outlined the District as it was currently drafted, addressing permitted uses, setbacks, landscaping, certain screening requirements, height requirements with and without a Conditional Use Permit, provisions for cross access easements, and the architectural review committee. Miller told the audience present that the Planning and Zoning Commission and Council both had reviewed piece by piece the Overlay District and had reviewed detailed notes on each person's concerns who had spoken at either the Planning and Zoning Commission hearing or Council hearing. Fox added that in every case where there was a reasonable problem mentioned or a large number of people sharing the same complaint, Council had attempted to provide a mechanism for compromise which was, in some cases, a provision for a Conditional Use Permit.

Wayne Baccus addressed the Council and explained that he wanted to put in a Mobil Station at FM-740 and Yellowjacket Lane, but under the current provisions of the Overlay District a full service auto repair station would not be allowed. He stated that there was a need for a full service center in Rockwall and that in his 35 years of business he had received several awards with regard to service and appearance of his station. Fox suggested that a full service station be allowed as a conditional use in the District with a minimum square footage requirement. Welborn suggested adding wording that restricted repair areas from fronting Ridge Road. Miller told Council that if they did not wish to approve the entire District one option would be to table the ordinance completely or to approve the ordinance minus the items that were unresolved. Eckert suggested tabling the entire ordinance instead of portions of it and reminded Council that the moratorium on zoning requests and plats would expire, recommending that it be extended another 30 days if the ordinance was tabled. Walker Rowe, a builder in Rockwall, addressed Council and urged them not to restrict any uses that were allowed in a Commercial zoning classification. He stated that as the district was zoned Commercial, those uses should be allowed and that Council could regulate architectural design to protect the District as opposed to limiting types of businesses. James Johnson of Garland explained that he owned a small piece within the District and was concerned about additional setback requirements that could apply to narrow and deep lots, making some lots unuseable. Couch read the section of the District pertaining to setbacks and by which conditions setback requirements could be brought down to zero. Cecil Unruh addressed the Council, commending the ordinance and urging Council to leave the permitted uses as currently drafted. He supported the promotion of upscale usage, but asked Council to reconsider the maximum height of 36 feet allowed without a Conditional Use Permit. He pointed out that some of the nicest, most appropriate buildings on Ridge Road were the largest. Miller explained that with a Conditional Use Permit the height could go as high as 120 feet. Unruh requested that Council leave the ordinance as currently drafted, but change the maximum height allowed to 60 feet without a Conditional Use Permit. At this point Miller outlined items so far addressed. As there was no one else present wishing to speak, the public hearing was closed.

Luby stated he would support the removal of an exclusion of auto service and repair. Jones recommended prohibition of satellite dishes in front and side yards along FM-740, a date deadline for removal of Christmas trees after temporary sales along Ridge Road, and another 75 foot front setback in addition to the current 25 foot requirement which pertained only to car washes. Welborn

stated favor for an auto repair that was not visible from FM-740 and the allowance of tunnel car washes only. Council discussed the penalty for zoning violations and whether or not Council was prepared to make amendments to the ordinance and approve it on first reading at this meeting. After further discussion, Welborn made a motion to table consideration of the first reading, allowing Staff time to review the particular wording, to consider the ordinance on first reading at the next regularly scheduled Council meeting and to extend the moratorium for 30 days or until the final reading of the ordinance. Bullock seconded the motion. The motion was voted on and passed unanimously.

Council took a brief recess and then continued a public hearing on a request from Sanders Thompson for a change in zoning from "SF-10" Single Family to "PD" Planned Development meeting "SF-7" area requirements with a minimum 1,500 square foot dwelling size. Harold Evans, the consulting engineer, addressed the Council and requested Council table the item and consider a Work Session with the applicant to review the Council's concerns about the zone change request. Miller stated that Evans was basically asking for the opportunity to review and attempt to resolve specific objections. Fox stated opposition to meeting in a Work Session with the applicants, opposition to reducing the lot sizes, and a preference for considering the item in the regular meeting. Evans stated that although the request was to meet with Council in Work Session, he was prepared to make a presentation. Welborn pointed out that Work Sessions were public meetings and that a Work Session could be scheduled at a time when Council could review the unresolved items with regard to the Overlay District as well. Holt made a motion to continue the public hearing to September 8th and to discuss the item in a Work Session the following Monday night along with any other discussion items that might be added. Bullock seconded the motion. After further discussion regarding the motion, the motion was voted on and passed five to two, with Fox and Luby voting against the motion.

Council then continued the public hearing and considered approval of an ordinance authorizing a Conditional Use Permit for a private club to be located at the Gridiron, a proposed restaurant within the Rockwall Village Shopping Center. The applicant, John Crow, addressed the Council and explained that his restaurant would contain approximately 5,200 square feet with the capability of seating 200 people, and that he would like to operate a private club as an accessory to his restaurant. Couch read the ordinance caption. Fox made a motion to approve the ordinance and the granting of a

Conditional Use Permit. Luby seconded the motion. The motion was voted on and passed unanimously.

Couch explained that the next item, public hearing regarding the replat of two lots located within Phase I of The Shores had been withdrawn by the applicant and there was, therefore, no need for consideration of the item.

Council then considered approval of a request from Bill Lofland for a final plat for Park Place No. 1, a one lot subdivision located on Ridge Road. Couch outlined the applicant's request and the location of the property. Jones made a motion to approve final plat subject to the recommended conditions of the Planning and Zoning Commission which required escrowing for parkland dedication in an amount estimated between \$200 and \$300. Bullock seconded the motion. Welborn questioned if the subdivision requirements with regard to escrowing for curb and gutter were applicable to this plat. Couch explained that the State Legislature had passed a law which no longer allowed for escrow for street improvements on State roadways. Council briefly discussed the State's policy with regard to street improvements in residential areas. Miller pointed out that although it was Council's preference that right-of-way be obtained from the east side of Ridge Road as opposed to residential properties on the west side, he did want the applicant to be made aware that although the City chose not to require the right-of-way, the State could still at a future date require a provision for right-of-way. As there was no further discussion, the motion was voted on and passed unanimously.

Council then considered approval of a request from Randy Sanders for a site plan for a proposed expansion at Tejanos on White Hills Drive. Couch outlined the applicant's request and explained that existing and future parking that would be paved, only the additional landscaping would be irrigated, and that the Planning and Zoning Commission had recommended that the future proposed entrance to I-30 be included in the approval. Welborn questioned whether the 20' x 30' section of landscaping in the northwest corner qualified as interior landscaping. Couch pointed out that the applicant did originally propose two foot landscaping islands in the interior of the parking area, but that the Planning and Zoning Commission had preferred the northwest section to be landscaped instead. Miller stated that he did not wish to encourage other parking lots to ignore the 2% interior requirement. Walker Rowe, the builder for Tejanos expansion, explained that the Commission had been concerned that the islands would be unseen after cars were parked on either side. After further discussion, Bullock made a motion to approve the site plan with all of the

conditions suggested by the Planning and Zoning Commission, including trees to be placed in the newly landscaped area, irrigation of the area, and approving proposed future entrance to I-30. Jones seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of a revised development plan for PD-8, Chandlers Landing for a proposed park area. Couch explained that the applicant's request was to shift the park area about 20 feet to accommodate a rear entry drive that had been approved by the Homeowner's Association in 1982. She explained that the Planning and Zoning Commission had recommended a 2 foot retaining wall along the length of the drive to prevent vehicles from entering the park area. Peter Oetking, the applicant, explained that when the park's plan was drawn a provision for a rear entry drive to his lot had been overlooked and that the section he was proposing for rear entry access was too steep for park use. Council discussed the length of the drive and a proposal for landscaping along the 2 foot retaining wall. After further discussion, Jones made a motion to approve the revised development plan for the park area, requiring the 2 foot retaining wall to be landscaped and to run along the entire length of the drive. Bullock seconded the motion. The motion was voted on and passed unanimously.

Council then considered setting the date for a hearing on a request for a permit to operate a business between the shoreline and takeline of Lake Ray Hubbard. City Manager Bill Eisen explained that Council had recently adopted an ordinance which required that a permit be approved before a business could be operated within the takeline in an area leased by the City of Rockwall. He explained that while the ordinance did not set out a specific procedure for considering such requests, the City Attorney had recommended that Council hold a hearing on the request in order to give all parties interested an opportunity to provide any testimony. He suggested scheduling the hearing on the next regular meeting, which was September 8th. Welborn made a motion to set a hearing on September 8th to consider the request and to determine the notification requirements. Holt seconded the motion. Luby stated that the application didn't deserve a hearing as two years previously a petition had been submitted with 94 residents opposing the operation of the business and only two supporting it. He stated that the loading and unloading of passengers had resulted in damage to property and that residents had already made known their feelings with regard to this matter and shouldn't have to do so again. Fox stated that Council had in the past supported the majority opinion of the residents and should continue to do so. He presented a copy of a

petition signed by 144 property owners, as well as copies of police reports citing situations of loud music and situations where additional police were called to assist the guards in unruly situations. He stated that if Mr. Hughes furnished a petition signed by the majority of homeowners stating favor for his request, Council could at that time approve a permit, but that a hearing was not necessary on an item that had been previously addressed. Miller mentioned that Council may be obligated to consider the request since the ordinance was passed after previous action had been taken on the item. He questioned the prescribed procedures for processing such a permit. Eisen explained that as this was the first application since the adoption of the ordinance, no specific procedure had been outlined, but that he and the City Attorney had recommended a hearing as one option since it would provide the City the opportunity to request more details regarding his application. Welborn stated that Council should not deny someone the right to apply for a permit based on prior information. Fox stated that as public hearings were not required by law, the applicant should be required to make his presentation and provide documentation that the neighboring homeowners were unopposed to his business operation. He stated that when the winds were in excess of 25 miles per hour the boat was unable to launch and resulted in passengers having parties on the boat and creating disturbances on the shoreline. Bullock stated that although he was not advocating approval or denial, he agreed that the applicant deserved a hearing. Holt stated that although she had not heard the presentation nor had she formed an opinion on whether or not to issue the permit, she did know that many loud parties took place at the Yacht Club in Chandlers Landing, both indoors and out. Welborn pointed out that the issue was not whether or not to grant the permit, but by what process to hear the request. After further discussion, Welborn restated her motion to set September 8th as the date for the hearing on the request by Ernie Hughes and to determine notification requirements. Miller pointed out that notification requirements needed to be determined prior to the hearing. Eisen suggested that Staff follow the current guidelines for notifying zoning cases, and in the case of Chandlers Landing everyone within the Planned Development would be notified. Fox stated opposition to spending funds on notification when the item could be put on as an appointment. Welborn clarified her motion to state that property owners within the Planned Development would be notified of the public hearing pending. The motion was voted on and passed five to one, with Fox voting against the motion and Luby abstaining. Miller asked Staff to produce a written policy outlining notification procedures for processing of permit applications of this nature. Eisen stated that if it was Council's intention to treat these permit applications as

were zoning cases, Staff could provide an outline of notification procedures for zoning cases.

Council then discussed the proposed 1987-88 Annual Budget and a proposal to increase taxes and the date for a public hearing. Eisen outlined some adjustments that had been made in the General Fund resulting from the two day Budget Work Session. He outlined requested reductions which included a \$25,000 decrease in revenue resulting from sales and beverage taxes and a \$41,000 reduction in expenditures. Some added expenditures in the General Fund Budget included a study regarding self-insurance programs, the reinstatement of the Square project, the addition of a Police Officer, and a \$20,000 addition in street materials totaling \$82,000 in additional expenditures. He stated that the longevity pay that had been allocated in Water and Sewer Fund, Sanitation Fund, and the Airport Fund had been removed from those funds and the sum set aside in the Water and Sewer Fund for longevity pay had been used to increase the transfer to the General Fund. The sum total of the reductions in revenue and expenditures and the additional expenditures would result in taking from the General Fund Reserves a total of \$27,333.

Regarding the Fire Department, Eisen explained that the Budget for the Fire Department had not yet been reviewed by Staff at the time of the Work Session. Staff had since reviewed the Budget consisting of \$59,000 for the Fire Department, a slight increase over the previously estimated \$56,000. Eisen explained that the Equipment Fund as submitted consisted of 1) a new grass truck, 2) a burn house used to simulate house fires and utilized by the Fire Department as a training tool which would cost about \$25,000, and 3) miscellaneous equipment totaling approximately \$13,000. He explained that representatives of the Fire Department had expressed concern about funds received from the County for fire calls which had been increased two years ago. The Fire Department had asked that the City's portion of the funds be put in the Fire Equipment Fund as opposed to the General Operating Budget. Eisen explained that about \$1,500 had been budgeted for the next year. Additionally, the Fire Department had asked that the \$13,000 allocated for miscellaneous equipment be taken from the General Operating Fund. Eisen explained that if this was Council's desire, one of three options was possible: 1) increasing revenues, 2) reducing expenditures, or 3) taking these funds out of the General Operating Fund Reserves. He stated a preference for taking funds out of Reserves only for major one-of-a-kind projects such as the reinstatement of the Square Project. As this fund had not previously been reviewed by Council, Miller asked Council to review the Fire Equipment Fund as if they were in a Work Session. At this time Eisen summarized the proposed



Fire Equipment Fund, funds reserved for training that consisted of donations, and proposed expenditures.

Mark Poindexter, Assistant Chief of the Fire Department, addressed the Council to make the following requests: 1) that the \$30,000 budgeted to be transferred in from the General Operating Fund be left as is; 2) that the \$13,940 budgeted for miscellaneous fire equipment, including bunker gear and hoses, be expended from either the General Fund or another fund; 3) that the City's share of funds received from County fire calls be put into the Fire Equipment Fund instead of the General Fund. Miller questioned the amount of funds received for County fire calls. Poindexter explained that of every \$75 per call, \$50 went to the Fire Department and \$25 went into the General Fund. He added that this was a total of \$3,275. Holt questioned the use of the burn building for training. Poindexter explained that in the past Firemen had been going to A&M for training and would continue to do so once a year. A burn building was available for lease from the City of Garland, although this training was only available during week days at which time the firemen held primary jobs. Welborn stated that based on a tight budget it might be necessary to take the \$13,940 out of the Fire Equipment Fund in order to provide the other items such as the burn house. Poindexter stated that it was the Fire Department's goal to keep \$100,000 in the Fire Equipment Fund at all times to be available for large, more permanent purchases such as trucks and large equipment. Council discussed the proposed burn house, previous items budgeted from the Fire Equipment Fund which were never purchased, allocating to the Fire Equipment Fund the amount of funds received during the last two years for County fire calls, and whether to take these funds from the General Operating Reserves. Eisen explained that when the cost of fire calls was raised he had interpreted that the funds received by the City for County fire calls was to offset the cost of fire services which could include fuel and other items taken out of the General Fund. He explained that Poindexter had understood that these funds were to go directly into the Fire Equipment Fund. After further discussion, Welborn made a motion to transfer \$13,940 from the General Revenue Fund to the Fire Equipment Fund, to transfer \$3,275 from the General Fund to the Fire Equipment Fund, to direct the Staff put the City's share of County fire call funds into the Fire Equipment Fund. The motion failed for lack of a second. Fox then made a motion to transfer the \$13,940 from the General Fund Reserves into the Fire Equipment Fund; additionally, to transfer \$6,550 from the General Fund Reserves into the Fire Equipment Fund which would equal the amount of funds received by the City for County fire calls in the last two years; and to amend the 1987-88 Budget to direct the City's portion of County fire calls

into the Fire Equipment Fund. Bullock seconded the motion. The motion was voted on and passed unanimously.

Eisen suggested September 8th as the date for the public hearing to propose an increase in the effective tax rate. Welborn confirmed that an additional patrolman would not increase the cost of uniforms in the Police Department. After further discussion, Welborn made a motion to set the date for the public hearing on September 8th. Bullock seconded the motion. The motion was voted on and passed unanimously.

Council then discussed the screening requirements pertaining to satellite dishes. Eisen explained that Council had recently adopted an ordinance amending the height requirements for radio transmitters and satellite dishes and had at that time asked to have the retroactivity of screening requirements addressed separately. Eisen explained that only the screening requirements had not been grandfathered and that all other requirements with regard to location, etc., were grandfathered. Council discussed the permit process, notification process prior to issuance of a citation, and the amount of fine. Fox stated preference for leaving the ordinance as is, retaining the retroactive screening requirements. Jones made a motion to require all satellite dishes to be screened by at least a 6 ft. fence except those dishes installed prior to the adoption of the regulatory ordinance. Holt seconded the motion. The motion was voted on and passed four to three, with Bullock, Fox and Luby voting against the motion.

Council then discussed raising the minimum square footage requirements in "SF-7" and "SF-10" Single Family zoning classifications and discussed the establishment of minimum square footage requirements in Multifamily and Planned Development zoning classifications. Fox stated opposition to small dwelling sizes as they required the same amount of street improvements and Police protection as did larger homes while providing fewer tax dollars. Fox recommended Council consider amending the minimum dwelling size in an "SF-7" district to 1,500 square feet and amending the "SF-10" minimum dwelling size to 1,800 square feet. He further recommended that Council consider addressing every category, including Multifamily and Planned Development. Council discussed holding a Work Session with the Planning and Zoning Commission to review the minimum dwelling sizes in every zoning category. Welborn made a motion to schedule a joint Work Session with the Planning and Zoning Commission on either the second or fourth Monday for the purpose of reviewing the minimum dwelling sizes. Jones seconded the motion. The motion was voted on and passed unanimously.

The Council then considered approval of an ordinance adopting an amended fine schedule on first reading. Couch explained that the State Legislature had recently passed a law that required all speeding fines collected on State highways over \$2.00 per mile be remitted to the State. She explained that this would create more paper work than the current personnel could handle to continue to collect the current fines and keep track of what had to go to the State. She added that the amended ordinance would change the speeding fines to \$2.00 per mile over the speed limit plus the State court costs. Police Chief Bruce Beaty distributed copies of the current fine schedule for comparison with the new schedule. Miller stated concern about reducing fines to avoid additional paper work. He stated that a reduction in fines would not work well as a deterrent. Eisen explained that the penalty on one's insurance as a result of a ticket was stiffer than the cost of the fine. He explained that in some cases insurance could increase as much as \$100 per year for a period of three years. After further discussion, Couch read the ordinance caption. Jones made a motion to approve the ordinance on first reading. Bullock seconded the motion. The motion was voted on and passed unanimously.

Council then adjourned into Executive Session under Article 6252-17 V.A.C.S. to discuss personnel pertaining to the Airport Advisory Board. Upon reconvening into regular session, as there was no action necessary as a result of the Executive Session, Jones made a motion to adjourn. Holt seconded the motion. The motion was voted on and passed unanimously. As there was no further business to come before the Council, the meeting was adjourned at 11:55 P.M.

APPROVED:

ATTEST:

By \_\_\_\_\_

BEFORE THE ROCKWALL CITY COUNCIL  
CITY OF ROCKWALL, TEXAS

The Rockwall City Council will hold a public hearing at 7:00  
o'clock P.M. on the 3rd day of August, 1987,  
in the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at  
the request of John Crow  
for a Conditional Use Permit for a private club at the Gridiron,  
a future restaurant

on the following described property:  
located off Ridge Road, south of I-30 within the Rockwall Village  
Shopping Center further described as being a portion of Lot 3,  
Block A, Carlisle Plaza Addition.

As an interested property owner, it is important that you attend this  
hearing or notify the Council of your feeling in regard to the matter by  
returning the form below.

In replying please refer to Case No. P&Z 87-43-CUP

Mary Nichols  
City of Rockwall, Texas

The following form may be filled out and returned as soon as possible to  
the City Council, 205 West Rusk Street, Rockwall, Texas 75087

Case No. P&Z 87-43-CUP

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

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

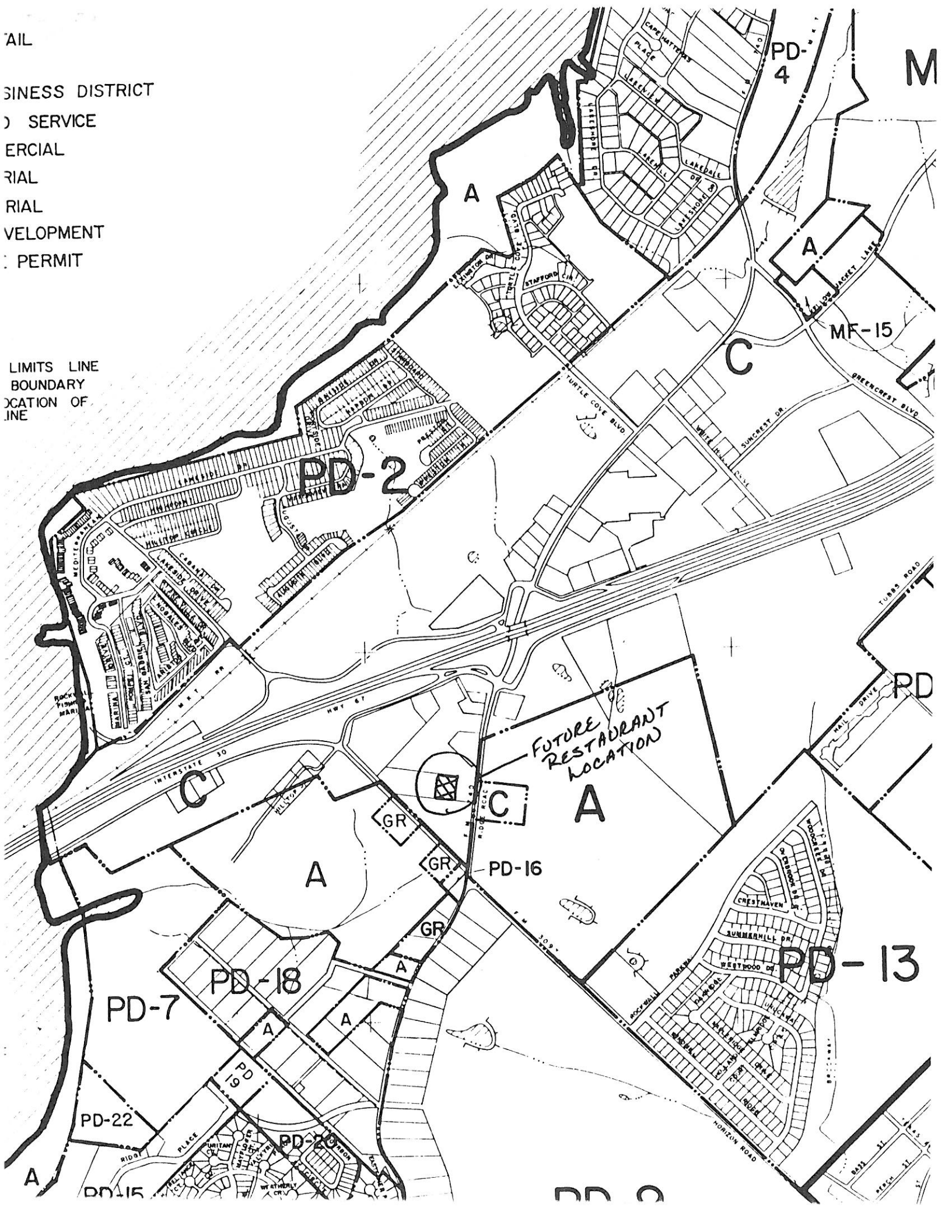
- 1.
- 2.
- 3.

Signature \_\_\_\_\_

Address \_\_\_\_\_

TAIL  
 BUSINESS DISTRICT  
 SERVICE  
 COMMERCIAL  
 RESIDENTIAL  
 DEVELOPMENT  
 PERMIT

LIMITS LINE  
 BOUNDARY  
 LOCATION OF  
 LINE



WPA for Caridison  
Lot 3, Block A, Carlisle Plaza Addition

Emily Sue Whitehead  
C/o O & Steger Jr  
304 Highland  
Rockwall

Carlisle Rockwall Village JV  
C/o Real Estate Tax Service  
P.O. Box 832310  
Richardson TX 75083-231

World Savings & Loan  
C/o Real Estate Tax Service  
P.O. Box 832310  
Richardson TX 75083

ORDINANCE NO. 87-48

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO GRANT A CONDITIONAL USE PERMIT FOR A PRIVATE CLUB AS AN ACCESSORY TO A GENERAL RESTAURANT ON A TRACT OF LAND MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY 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 the same is hereby amended by amending the zoning map of the City of Rockwall so as to grant a Conditional Use Permit for a private club as an accessory use to a general restaurant on the following described property:

1. 5,130 sq. ft. out of Lot 3, Carlisle Plaza Addition, more particularly described on Exhibit "A" attached hereto and made a part hereof.

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

1. There shall be no time limit on the Conditional Use Permit.

2. The private club shall meet all conditions for the issuance of private club permits set by the City Council in Ordinance No. 85-2 and any future Regulatory Ordinances.

Section 3. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 4. That the above described tract of land shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application that section or provision to any person, firm, corporation or situation 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 or situation, nor shall adjudication affect any other section or provision of the Comprehensive Zoning Ordinance No. 83-23 of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for the ordinance are declared to be severable.



Section 7. 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 8. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

DULY PASSED AND APPROVED this 8th day of September, 1987.

APPROVED:

  
\_\_\_\_\_  
Mayor

ATTEST:

By   
\_\_\_\_\_

1st reading 8/17/87  
2nd reading 9/8/87

EXHIBIT "A"

PROPERTY DESCRIPTION

Being Lots 2, 3, 4 and 5 of Carlisle Plaza Addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Slide B, Page 136 of the Map Records of Rockwall County, Texas,

Except the parts thereof dedicated for Street Widening by said Carlisle Plaza Addition plat,

And being described more particularly as follows:

Beginning at a steel rod at the most northerly corner of said Lot 3 on the southeasterly Right of Way line of U. S. Highway 67, Interstate Highway 30;

Thence along northeasterly, southeasterly and northerly lines of said Lot 3 and of said Carlisle Plaza Addition,

S 27 degrees 18' 38" E, 165.36 feet to a steel nail for corner;  
S 62 degrees 43' 55" W, 100.0 feet to a cross cut in concrete for corner,  
S 27 degrees 18' 38" E, 98.50 feet to a cross cut in concrete for corner, and  
S 82 degrees 11' 31" E, 156.24 feet to a steel rod for corner on the widened westerly line of Ridge Road, F. M. 740, 50.0 feet westerly of its center line;

Thence along the widened westerly lines of Ridge Road,  
S 06 degrees 45' 50" W, 513.80 feet to a steel rod at an angle, and  
N 83 degrees 14' 10" W, 210.0 feet,  
S 06 degrees 45' 50" W, 73.23 feet,  
S 83 degrees 14' 10" E, 60.0 feet,  
S 06 degrees 45' 50" W, 4.0 feet,  
S 83 degrees 14' 10" E, 5.0 feet,  
N 06 degrees 45' 50" W, 7.23 feet,  
S 83 degrees 14' 10" E, 5.0 feet,  
N 06 degrees 45' 50" E, 70.0 feet  
N 83 degrees 14' 10" W, 70.0 feet

Containing 5,130 square feet of land.

PLANNING AND ZONING ACTION SHEET

Applicant John Crow Case No. 87-43-COP  
 Property Description Caridion restaurant 740/I30  
 Case Subject Matter COP for private club

CASE ACTION

	<u>Approved</u>	<u>Disapproved</u>	<u>Tabled</u>
Date to P&Z <u>July 9</u>	<input checked="" type="checkbox"/>		
Conditions _____			

Date to City Council <u>Aug 3</u>			<input checked="" type="checkbox"/>
_____ <u>Aug 17</u>	<input checked="" type="checkbox"/>		
Conditions <u>1st reading - 8/17</u>			
_____ <u>2nd reading - 9/8</u>			

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
- 87-48  Ordinance
- Correspondence
- Applicant Receipts

Plat/Site Plan Cases

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

PUBLIC NOTICE

The Rockwall Planning and Zoning Commission will hold a public hearing on July 9, 1987, at 7:30 P.M. in City Hall, 205 West Rusk to consider:

1. Revising the preliminary plan for PD-8, Chandlers Landing to amend the zoning from "TH" Townhouse to "ZL" Zero Lot Line on four lots, lots 1 through 4, Block C, Phase 17, Chandlers Landing
2. A request from John Crow for a Conditional Use Permit to allow a private club at the Gridiron Restaurant to be located in the Rockwall Village Shopping Centre off FM-740 south of I-30.
3. A request from TP&L for a Conditional Use Permit to allow a radio antenna on the 1100 block of Ridge Road located in the Ridge Road Shopping Center south of Goliad.
4. A request for a change in zoning from "SF-10" to "PD" Planned Development with uses and area requirements to generally meet "SF-7" requirements as currently adopted in the Comprehensive Zoning Ordinance and a minimum lot size of 10,000 square feet on a 29.570 acre tract of land located north of Alamo, west of Goliad and south of Squabble Creek.

PUBLIC NOTICE

The Rockwall City Council will hold a public hearing on August 3, 1987, at 7:00 P.M. in City Hall, 205 West Rusk to consider approval of:

1. A replat of a portion of Phase 17, Chandlers Landing to replat lots 1-4, Block C of Phase 17 into three larger lots
2. A revision in the preliminary plan for PD-8, Chandlers Landing to amend the zoning from "TH" Townhouse to "ZL" Zero Lot Line on four lots, Lots 1 through 4, Block, Phase 17, Chandlers Landing
3. A request from John Crow for a Conditional Use Permit to allow a private club at the Gridiron Restaurant to be located within the Rockwall Village Shopping Centre on FM-740 south of I-30, further described as being a portion of Lot 3, Block A, Carlisle Plaza Addition
4. A request from TP&L for a Conditional Use Permit for a structure over 36 feet in height to allow a radio antenna at 1101 Ridge Road located within the Ridge Road Shopping Center south of Goliad, further described as being a portion of Lot 1, Block A, Eastridge Center Addition
5. A request from L. Sanders Thompson for a change in zoning from "SF-10" Single Family to "PD" Planned Development with uses and area requirements to generally meet "SF-7" requirements and containing a minimum 1,500 square foot dwelling size on a tract of land consisting of approximately 103 acres located north of North Alamo Road, west of Goliad, south of Squabble Creek and further described as follows: