

AMENDED  
SWIM AND TENNIS PARK  
CHANDLER'S LANDING



after Pt 2 consideration.

~~If approved:~~

Scheduled for City Council..... 8/17

Notice sent to newspaper..... \_\_\_\_\_

Notice sent to property owners..... \_\_\_\_\_

Prepared notes and supporting information for City Council..... \_\_\_\_\_

If approved:

Notified applicant of results..... ✓

Prepared ordinance..... \_\_\_\_\_

1st reading of ordinance..... \_\_\_\_\_

2nd reading of ordinance..... \_\_\_\_\_

Caption to newspaper..... \_\_\_\_\_

Update office map..... \_\_\_\_\_

Notified Inspection Dept. of change..... ✓

Included map in update file..... \_\_\_\_\_

Included in CUP list (if applicable)..... \_\_\_\_\_

↪ Permit activated within 6 months..... \_\_\_\_\_

↪ If not activated, applicant notified permit is void..... \_\_\_\_\_

Included in PD file (if applicable)..... \_\_\_\_\_



PD  
S

PLANNED DEVELOPMENT  
SPECIAL USE PERMIT

LEGEND

ROCKWALL CITY LIMITS LINE  
ZONING DISTRICT BOUNDARY  
APPROXIMATE LOCATION OF DALLAS TAKE LINE

N452,000

N449,000

N446,000

N443,000

Prepared in Cooperation With the STATE OF TEXAS DEPARTMENT OF COMMUNITY AFFAIRS.  
The Preparation of this Map was Financed in Part Through COMPREHENSIVE PLANNING ASSISTANCE GRANT NO. TX - 06-16-1183-33

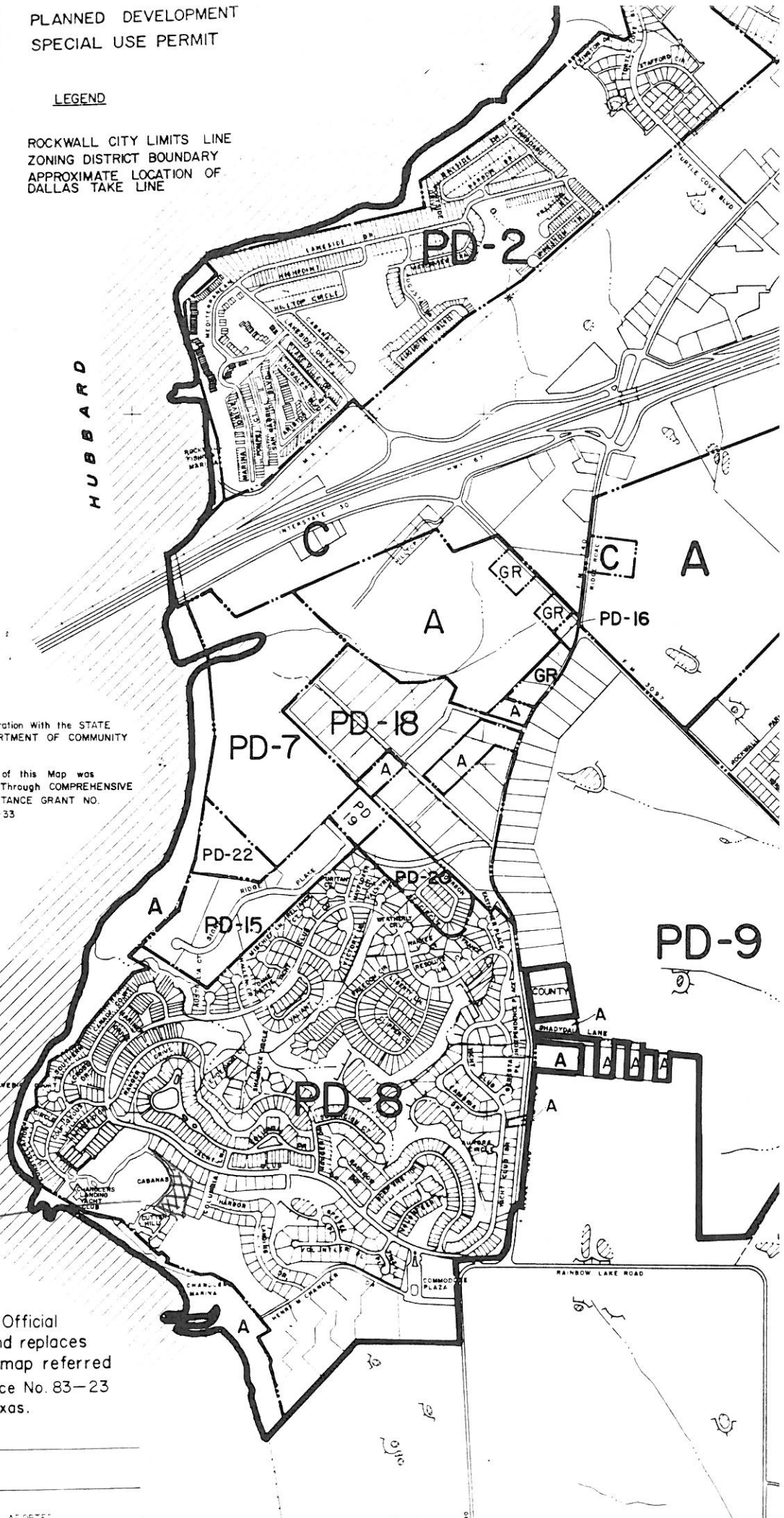
*Park Area*

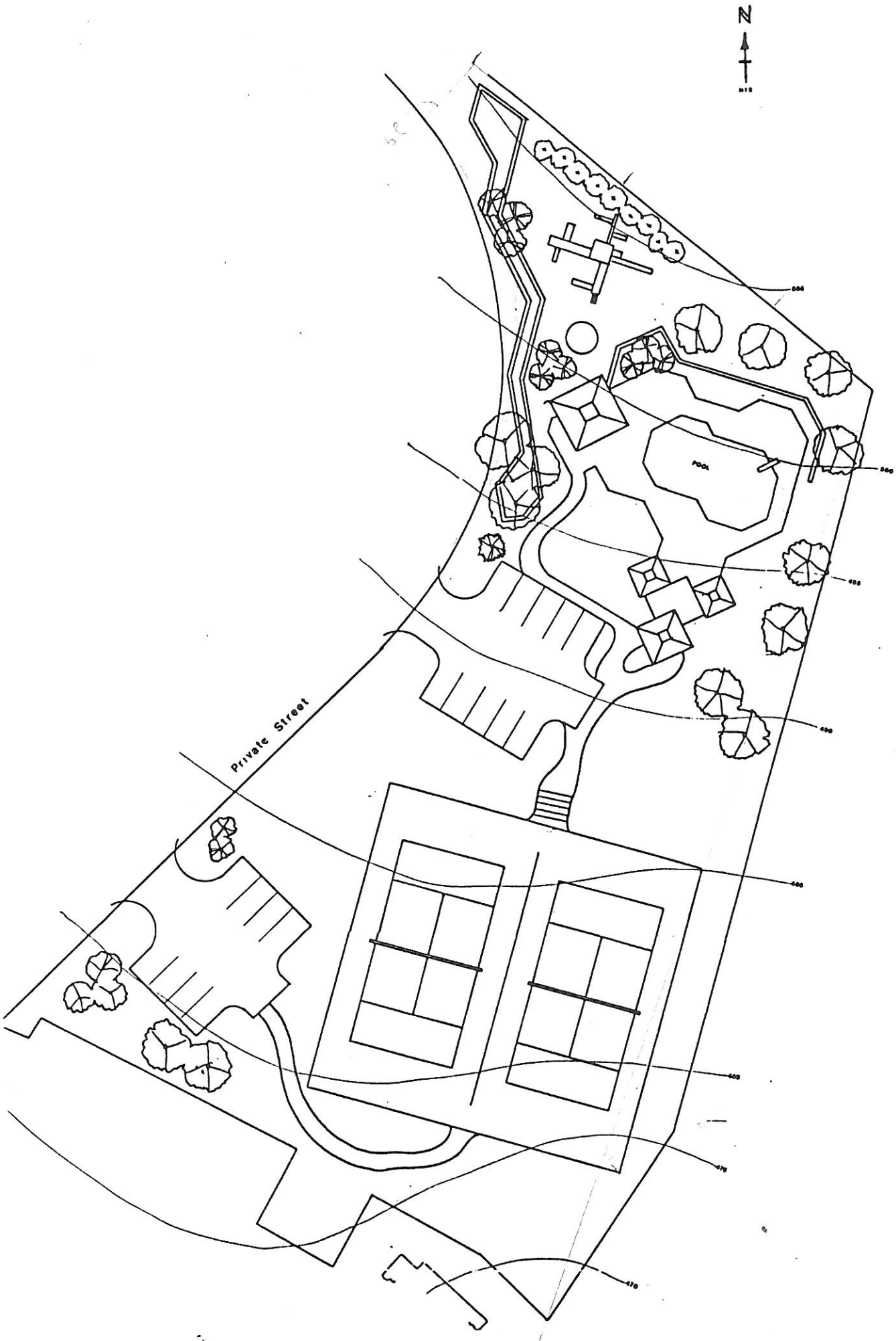
This is to certify that this Official Zoning Map supersedes and replaces the original official zoning map referred to in Section 1.3 of Ordinance No. 83-23 of the City of Rockwall, Texas.

S/ Leon Tullie, Mayor

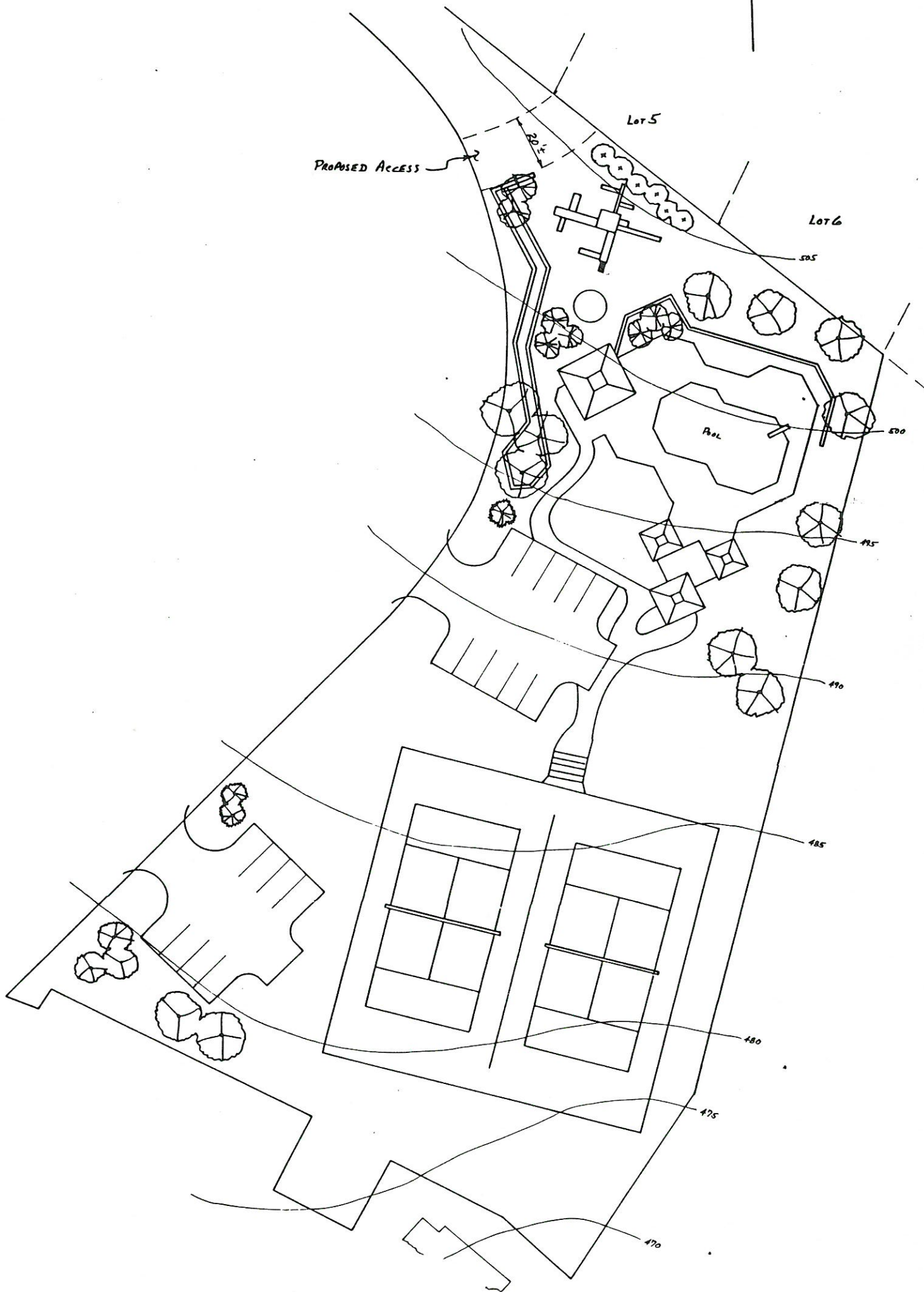
S/ Julie Couch, City Secretary

DATE APPROVED





**Swim And Tennis Park  
Chandlers Landing**



AMENDED  
SWIM AND TENNIS PARK  
CHANDLERS LANDING



*Chandler's  
amendment  
Request*

July 24, 1987

OVERNIGHT DELIVERY

City of Rockwall  
205 W. Rusk  
Rockwall, TX 75087  
Attn: Ms. Julie Couch

Re: Swim and Tennis Park

Dear Sirs:

We wish to request an amendment to the Chandlers Landing Development Plan for the Swim and Tennis Park as shown on the attached sketches. This request is made to benefit the owner of Lot 5, Block A, Phase 9, Chandlers Landing, Mr. Peter Oetking, with a rear access point to said Lot 5. This has been accomplished by removing a planter and shrubs in this area to accommodate a proposed driveway.

Please place this on the agenda for the August 13, 1987 Planning and Zoning Meeting and the August 17, 1987 City Council Meeting.

Respectfully,

William F. Martin  
Vice President

WFM:mlh  
Enclosures

cc: Peter G. Oetking  
Larry R. Walker

**CHANDLERS LANDING**

501 Yacht Club Drive South, Rockwall, Texas 75087, Telephone (214) 226-1901, 722-5543



CHANDLERS LANDING COMMUNITY ASSOCIATION  
501 Yacht Club Drive  
Rockwall, Texas 75087  
(214) 722-5543

August 16, 1982

Mr. Peter G. Oetking  
333 Yacht Club Drive  
Rockwall, Texas 75087

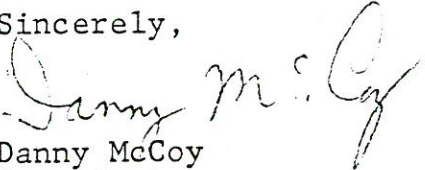
Dear Mr. Oetking:

Your request to provide rear access to a home constructed on Lot 5, Block A, Phase 9 in Chandlers Landing has been considered by the Environmental Committee. The access would cross the greenbelt at the rear of the subject and require a curb cut in the road connecting the Yacht Club entrance to Cutter Hill.

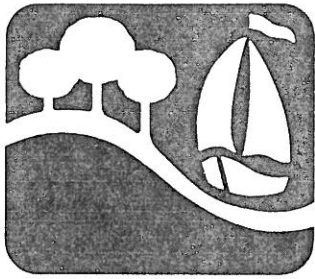
The Environmental Committee agrees that a rear entry home is a benefit to the appearance of Yacht Club Drive and conditionally approves your request pending final approval by the City of Rockwall.

The drive must be placed on the West side of the lot and the builder must restore the grass cover in the greenbelt area.

Sincerely,

  
Danny McCoy  
President

DM/ejc



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

August 19, 1987

Mr. Peter Oetking  
333 Yacht Club Drive  
Rockwall, Texas 75087

Dear Mr. Oetking:

On August 17, 1987, the Rockwall City Council approved a revision in the development plan for a proposed park area in Chandlers Landing, providing rear access to your lot adjacent to the future park. Approval is subject to the construction of a 2 foot high retaining wall along the length of the drive to protect the park area from approaching vehicles.

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

Sincerely,

*Mary Nichols*

Mary Nichols  
Administrative Aide

CC: Community Association  
MN/mmp

IV. C. P&Z 87-53-D - Discuss and Consider Approval of a Revised Development Plan for a Proposed Park Area Located within Chandlers Landing

We have received a request for a change in the development plan for the recreation area in Chandlers which is located between the Cabanas and Harbor Landing, north of Cutter Hill. When the amenities package for Chandlers was amended in 1986 a development plan for this recreation area was approved. This plan included a pool, playground area, parking and tennis courts. Peter Oetking is planning to construct a house located on Lot 4, Phase 9 of Chandlers which is located to the north of the planned park. The buyer of the house wants a rear access drive to his garage rather than placing his access on Yacht Club. This would require that the drive be placed across green belt owned by the Homeowners' Association. The drive would also have to be placed through part of the proposed improvements for the park area, as it was originally approved.

At Mr. Oetking's request, Frates Corp. has submitted a revised development plan which moves the park improvements twenty feet to the south to accommodate the drive. This change does not reduce the number or type of amenities, it simply shifts them. Attached you will find a copy of the original plan and the revised plan.

As a matter of information, you will probably be reviewing a request in the near future to further alter this plan. There is currently some discussion from the Homeowners' Association to eliminate the pool and substitute some other form of amenity. The applicant wished to go ahead and submit this request because the other changes could take several months.

MINUTES OF THE PLANNING AND ZONING COMMISSION  
August 13, 1987

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

The Commission first considered approval of the minutes of July 9, 1987. Seligman made a motion to approve the minutes as submitted. Quinn seconded the motion. The motion was voted on and passed with all in favor except Plagens who abstained.

Smith opened a public hearing and the Commission considered approval of an amendment to the Comprehensive Zoning Ordinance to amend the current requirements for accessory structures in residential areas. Couch outlined the requirements that the Commission had discussed recommending at the last meeting. The alternative would allow one detached garage not exceeding 15 feet in height and 900 square feet as an accessory to a residence on the same lot. The exterior covering would be required to contain the same materials, excluding glass, as found on the main structure and generally in the same proportion. Two accessory buildings would be allowed not exceeding 15 feet in height and 225 square feet. Accessory buildings, excluding greenhouses, would contain only materials found on the main structure. Couch added that the current requirements regarding the sum total floor area of accessory structures would remain. Seligman confirmed that portable buildings were not considered accessory buildings. Couch explained that cabanas, greenhouses and storage sheds were examples of accessory structures. At this time Bill Sinclair joined the meeting. Quinn confirmed that the Planning and Zoning Commission intended the revision to allow one detached garage and two accessory buildings. Couch pointed out that the Commission had originally discussed allowing three accessory buildings and had reduced this to two. Seligman made a motion to recommend amending the requirements for accessory structures as outlined by Couch and as written in Alternative Four presented in the packet. Plagens seconded the motion. The motion was voted on and passed unanimously.

The Commission then held a public hearing and considered approval of a replat of two lots located within Phase I of The Shores. Couch explained that the applicant proposed to replat two lots which met "SF-10" requirements into one large lot. Andy Speck told the Commission that by removing the center lot line, he could build towards the center of the lot and save a great many large trees while enlarging the lot. Seligman made a motion to recommend approval of the replat. Plagens seconded the motion. The motion was voted on and passed unanimously.

The Commission then considered approval of a request from Bill Lofland for a final plat on Park Place No. 1, a one lot subdivision located on Ridge Road. Couch explained that the surveyor representing the applicant had planned to attend but was taken ill.


He had asked for the Commission to consider the item even though the applicant was out of town. She explained that the plat met all requirements as submitted and that although an appraisal was yet to be done on the lot, the applicant agreed to escrow for parkland dedication. Staff estimated the amount between \$200 and \$300. Smith confirmed that no right-of-way dedication was necessary on Ridge Road. Seligman made a motion to recommend approval of the plat subject to the applicant escrowing for parkland dedication estimated between \$200 and \$300. Plagens seconded the motion. The motion was voted on and passed unanimously.

The Commission then considered approval of a request from Randy Sanders for a site plan for building expansion at Tejanos located on Whitehills Drive. Couch pointed out the location of the expansion and explained that although the existing landscaping was not irrigated, Sanders did propose to irrigate the newly landscaped areas. She explained that he planned to concrete both new and old parking areas as well as screen the dumpster. She explained that the applicant had agreed to add two planter islands, two feet in width to help break up the parking. Walker Rowe, the builder, explained that the proposed drive off the I-30 service road was not possible at this time due to cost imposed by the State. The Commission discussed the amount of additional seating, the location of the dumpster and the practicality of the two foot wide islands. Plagens stated preference for the 20' x 30' corner to be landscaped with trees as opposed to the islands. Sinclair questioned the irrigation of existing landscaping. Sanders explained that he had a contract for landscaping and that the property was well maintained. Quinn made a motion to recommend approval of the site plan as submitted with irrigated landscaping containing trees in the northwest corner, removal of the islands, and retaining the proposed drive off the service road to be allowed but not required for future construction. Crumbley seconded the motion. The motion was voted on and passed unanimously.

The Commission then considered approval of a revised development plan for a proposed park area located within Chandlers Landing. Couch explained that the north corner of the park area had been shifted to allow rear entry access to a lot north of the park. Peter Oetking stated that he had asked for rear entry access when he bought the lot. He explained that rear entry was more attractive, reduced traffic and would provide a retaining wall protecting the playground area. After discussion, Seligman made a motion to recommend approval. McCall seconded the motion. The motion was voted on and passed unanimously.

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

APPROVED

  
Chairman

ATTEST:

By \_\_\_\_\_

CITY OF ROCKWALL  
Council Agenda

AGENDA DATE August 17, 1987

AGENDA NO. V. C

AGENDA ITEM P&Z 87-53-D - Discuss and Consider Approval of a Revised Development Plan for PD-8, Chandlers Landing for a Proposed Park Area

ITEM GENERATED BY Applicant - Frates Corp., Peter Oetking

ACTION NEEDED Approval of denial of revised development plan for park area with any conditions included in motion.

BACKGROUND INFORMATION

We have received a request for a change in the development plan for the recreation area in Chandlers which is located between the Cabanas and Harbor Landing, north of Cutter Hill. When the amenities package for Chandlers was amended in 1986, a development plan for this recreation area was approved. This plan included a pool, playground area, parking and tennis courts. Peter Oetking is planning to construct a house located on Lot 5, Phase 9 of Chandlers which is located to the north of the planned park. The buyer of the house wants a rear access drive to his garage rather than placing his access on Yacht Club. This would require that the drive be placed across green belt owned by the Homeowners' Association. The drive would also have to be placed through part of the proposed improvements for the park area, as it was originally approved.

At Mr. Oetking's request, Frates Corp. has submitted a revised development plan which moves the park improvements twenty feet to the south to accommodate the drive. This change does not reduce the number or type of amenities, it simply shifts them. Attached you will find a copy of the original plan and the revised plan.

The Planning and Zoning Commission has unanimously recommended approval subject to a 2 ft. wall being constructed by Mr. Oetking along the park side of the driveway to insure protection for anyone playing in the playground area.

ATTACHMENTS

1. Location map
2. Current plan
3. Revised plan

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 \_\_\_\_\_

PLANNING AND ZONING ACTION SHEET

Applicant Chandler's Landing Case No. 89-53-7

Property Description \_\_\_\_\_

Case Subject Matter revised development plan for  
park area

CASE ACTION

Date to P&Z Aug 13 ✓ \_\_\_\_\_ \_\_\_\_\_

Conditions 2' retaining wall along  
length of dune

Date to City Council Aug 17 ✓ \_\_\_\_\_ \_\_\_\_\_

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
- 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