

CITY OF ROCKWALL
205 West Rusk
Rockwall, Texas

APPLICATION FOR ZONING CHANGE

Case No. 87-69-2 Filing Fee \$110.00 Date 11-16-87

Applicant Kip Estep Phone 722-1130

Mailing Address P.O. Box 2
Rockwall, Texas 75087

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

(See attached sheets Exhibit-A)

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

Agricultural District Classification to

Light Commercial District Classification for
for the following reasons: (attach separate sheet if necessary)

Proposed new building

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

Status of Applicant:² Owner X Tenant _____

Prospective Purchaser _____

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

Signed Kip Estep

NOTE:

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

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

EXHIBIT A.

STATE OF TEXAS
COUNTY OF ROCKWALL

BEING a tract of land situated in the William H. Barnes Survey, Abstract No. 26, Rockwall County, Texas, and being part of a 140.511 acre tract conveyed to Billy W. Peoples, Odie A. Lowe, and H. P. Mais from Corine A. Beard and Raymond U. Beard by deed recorded in Volume 85, Page 112, Deed Records, Rockwall County, Texas, and further being a part of that 2.00 acre tract conveyed to William L. Gentry and wife, Betsy Jo, by deed recorded in Volume 138, Page 135, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod for a corner on the Southwest right-of way line of State Highway No. 205, that bears South 29° 54' 19" East 643.07 feet from an iron rod in the South line of a County Road at the most Northerly corner of said 140.511 acre tract, said iron rod also bears South 29° 54' 19" East a distance of 104.35 feet from the North corner of said 2.00 acre tract;
THENCE: South 29° 54' 19" East with the Southwest right-of way line of State Highway No. 205 a distance of 104.36 feet to an iron rod for a corner at the East corner of said 2.00 acre tract;
THENCE: South 60° 05' 41" West a distance of 417.42 feet to an iron rod for a corner at the South corner of said 2.00 acre tract;
THENCE: North 29° 54' 19" West a distance of 104.36 feet to an iron rod for a corner, said iron rod bears South 29° 54' 19" East a distance of 104.35 feet from the West corner of said 2.00 acre tract.
THENCE North 60° 05' 41" East a distance of 417.42 feet to the Point of Beginning and Containing 1.00 Acre of Land.



OF

PD-10

-14

S-4

HC

GR

SF-10

SIDS RD

13

PD-10

BUFFALO

GR



APPLICATION AND
PRELIMINARY PLAT CHECKLIST

Date 11-16-87

NAME OF PROPOSED SUBDIVISION Estep Addition

NAME OF SUBDIVIDER Kip Estep

ADDRESS P.O. Box 2, Rockwall, Texas 75087 Phone 722-1130

OWNER OF RECORD Same as above

ADDRESS _____ PHONE _____

NAME OF LAND PLANNER/SURVEYOR/ENGINEER B.L.S. & Associates, Inc.

ADDRESS P.O. Box 65, Rockwall, Texas 75087 PHONE 722-3036

TOTAL ACREAGE 1.00 acre CURRENT ZONING agricultural

NO. OF LOTS/UNITS 1

SIGNED Kip Estep

The Following Preliminary Plat Checklist is a summary of the requirements listed under Section VII of the Rockwall Subdivision Ordinance. Section VII should be reviewed and followed when preparing a Preliminary Plat. The following checklist is intended only as a reminder and a guide for those requirements. Use the space at the left to verify the completeness of the information you are submitting. If an item is not applicable to your plan, indicate by placing a check mark.

Provided or Shown Not
On Plat Applicable

I. General Information

- | | | |
|----------|-------|------------------------------------------------------------------|
| <u>X</u> | _____ | A. Vicinity map |
| <u>X</u> | _____ | B. Subdivision Name |
| <u>X</u> | _____ | C. Name of record owner,
subdivider, land
planner/engineer |
| <u>X</u> | _____ | D. Date of plat preparation, scale
and north point |

II. Subject Property

<u> X </u>	_____	A. Subdivision boundary lines
<u> X </u>	_____	B. Identification of each lot and block by number or letter
<u> X </u>	_____	C. Dimensions, names and description of all public rights-of-ways, improvements, easements, parks and open spaces, both existing and proposed. Locate and identify existing and/or proposed median openings and left turn channelization.
<u> X </u>	_____	D. Proposed land uses, and existing and proposed zoning categories
<u> X </u>	_____	E. Approximate acreage
<u> X </u>	_____	F. Typical lot size; lot layout; smallest lot area; number of lots
_____	<u> X </u>	G. Building set-back lines adjacent to street
_____	<u> X </u>	H. Topographical information and physical features to include contours at 2' intervals, outlines of wooded areas, drainage areas and 50 and 100 year flood limit lines, if applicable
_____	<u> X </u>	I. Location of City Limit lines, contiguous or within plat area
<u> X </u>	_____	J. Location and sizes of existing utilities
<u> X </u>	_____	K. Intended water source and sewage disposal method whether inside City Limits or in extraterritorial jurisdiction

III. Surrounding Area

_____ X

A. The record owners of contiguous parcels of unsubdivided land; names and lot pattern of contiguous subdivisions; approved concept plans or preliminary plat

_____ X

B. The approximate location, dimension and description of all existing or proposed lots and blocks, public rights-of-way and easements, parks and open spaces. Specifically indicate how the proposed improvements would relate to those in the surrounding area.

Taken by _____

File No. _____

Date _____

Fee _____

Receipt No. _____

SITE PLAN APPLICATION

Date 11-16-87

NAME OF PROPOSED DEVELOPMENT Estep Addition

NAME OF PROPERTY OWNER/DEVELOPER Kip Estep

ADDRESS P.O. Box 2 Rockwall, Texas 75087 PHONE 722-1130

NAME OF LAND PLANNER/ENGINEER B.L.S. & Associates, Inc.

ADDRESS P.O. Box 65 Rockwall, Texas 75087 PHONE 722-3036

TOTAL ACREAGE 1.00 acre CURRENT ZONING Agricultural

NUMBER OF LOTS/UNITS 1

SIGNED *Kip Estep*

Following is a checklist of items that may be required as a part of the site plan. In addition, other information may be required if it is necessary for an adequate review of a specific development proposal. All information should be provided on a scaled drawing generally not exceeding 18" x 24".

<u>Provided or Shown</u> <u>On Site Plan</u>	<u>Not</u> <u>Applicable</u>	
<u>X</u>	<u> </u>	1. Total lot or site area - if the site is part of a larger tract include a key map showing entire tract and location of site being planned
<u>X</u>	<u> </u>	2. <u>Location, dimensions, and size</u> of all existing and planned structures on the subject property and approximate locations of structures on adjoining property within 100 ft.
<u>X</u>	<u> </u>	3. <u>Location</u> and <u>type</u> of landscaping, lighting, fencing and/or screening of yards and setback areas
<u>X</u>	<u> </u>	4. <u>Calculation</u> of landscaped area provided
<u>X</u>	<u> </u>	5. <u>Location</u> and <u>dimensions</u> of ingress and egress

_____	<u>X</u>
<u>X</u>	_____
<u>X</u>	_____
_____	<u>X</u>
_____	<u>X</u>
<u>X</u>	_____
<u>X</u>	_____
_____	<u>X</u>

6. Location, number and dimensions of off-street parking and loading facilities

7. Height of all structures

8. Proposed uses of all structures

9. Location and types of all signs, including lighting and heights

10. Elevation drawings citing proposed exterior finish materials and proposed structural materials

11. Location and screening of trash facilities

12. Location of nearest fire hydrant within 500 ft.

13. Street names on proposed streets

14. The following additional information:

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

Taken by _____

File No. _____

Date _____

Fee _____

SITE PLAN REVIEW

- * Date Submitted 11/20
- * Scheduled for P&Z 12/10/87
- * Scheduled for Council 1/4/88
- * Applicant/Owner Rip ESTEP
- * Name of Proposed Development ESTEP ADDITION
- * Location 54205 S of SIDS * Legal Description attached
- * Total Acreage 1 * No. Lots/Units 1
- * Current Zoning agricultural
- Special Restrictions _____
- * Surrounding Zoning C and HC to West and South

<u>Planning</u>	<u>Yes</u>	<u>No</u>	<u>N/A</u>
1. Is the site zoned properly? <i>app. changes made</i>	_____	<u>X</u>	_____
2. Does the use conform to the Land Use Plan? <i>as proposed for amendment</i>	<u>✓</u>	_____	_____
3. Is this project in compliance with the provisions of a Concept Plan?	_____	<u>X</u>	_____
* 4. Is the property platted?	_____	<u>X</u>	_____
* 5. Is plat filed of record at Courthouse? File No. _____	_____	_____	<u>X</u>
* 6. If not, is this site plan serving as a preliminary plat?	<u>X</u>	_____	_____
7. Does the plan conform to the Comprehensive Zoning Ordinance or PD Ordinance on the following:			
a. Are setbacks correct?			
front	<u>X</u>	_____	_____
side	<u>X</u>	_____	_____
rear	<u>X</u>	_____	_____
b. Are buildings on same lot adequately separated?	<u>X</u>	_____	_____

- | | | | |
|---------------------------------------------------------------------|----------|----------|----------|
| c. Is the lot the proper size? | <u>X</u> | _____ | _____ |
| d. Does the lot have proper dimensions? | <u>X</u> | _____ | _____ |
| e. Are exterior materials correct? <i>check Bldg.</i> | <u>X</u> | _____ | _____ |
| f. Are structural materials correct? | <u>X</u> | _____ | _____ |
| g. Is coverage correct? | <u>X</u> | _____ | _____ |
| h. Is adequate area in landscaping shown? | <u>X</u> | _____ | _____ |
| i. Is it irrigated? <i>will be</i> | <u>X</u> | _____ | _____ |
| j. Is landscaping in parking lot required? | _____ | <u>X</u> | _____ |
| k. Are types of landscaping indicated? <i>check</i> | _____ | _____ | _____ |
| l. Is floor area ratio correct? | <u>X</u> | _____ | _____ |
| m. Is building height correct? | <u>X</u> | _____ | _____ |
| n. Are correct number of parking spaces provided? | <u>X</u> | _____ | _____ |
| o. Are driving lanes adequate in width? <i>existing</i> | _____ | <u>X</u> | _____ |
| p. Are parking spaces dimensioned properly | _____ | <u>X</u> | _____ |
| q. Does the parking lot meet City specifications <i>10x19 check</i> | _____ | _____ | _____ |
| r. Is a fire lane provided? <i>designate</i> | _____ | _____ | _____ |
| s. Is it adequate in width? | _____ | _____ | _____ |
| t. Are drive entrances properly spaced? | <u>X</u> | _____ | _____ |
| u. Are drive entrances properly dimensioned? <i>20'</i> | _____ | <u>X</u> | _____ |
|Do drive entrances line up with planned median breaks? | _____ | _____ | <u>X</u> |
| v. Is lighting provided and correctly directed? | _____ | _____ | _____ |
| w. Are sidewalks required? <i>cannot ascertain state</i> | <u>X</u> | _____ | _____ |
| x. Are sidewalks provided? | _____ | <u>X</u> | _____ |
| y. Is a screen or buffer required? | _____ | <u>X</u> | _____ |
|Is it sized properly? | _____ | _____ | _____ |
|Is it designed properly? | _____ | _____ | _____ |
|Is it of correct materials? | _____ | _____ | _____ |

- | | | | |
|----------------------------------------------------------------------------------------------------|----------------|----------------|----------------|
| * 7. Does the site plan contain all required information from the application checklist? | _____ | _____ <i>X</i> | _____ |
| 8. Is there adequate access and circulation? | _____ <i>X</i> | _____ | _____ |
| 9. Is trash service located and screened? | _____ <i>X</i> | _____ | _____ |
| * 10. Are street names acceptable? | _____ | _____ | _____ <i>X</i> |
| 11. Was the plan reviewed by a consultant?
(If so, attach copy of review.) | _____ | _____ <i>X</i> | _____ |
| 12. Does the plan conform to the Master Park Plan? | _____ | _____ | _____ <i>X</i> |
| 13. Are there any existing land features to be maintained?
(ie, topography, trees, ponds, etc.) | _____ | _____ <i>X</i> | _____ |

Comments:

Building Codes

- | | | | |
|----------------------------------------|-------|-------|----------------|
| 1. Do buildings meet fire codes? | _____ | _____ | _____ <i>X</i> |
| 2. Do signs conform to Sign Ordinance? | _____ | _____ | _____ <i>X</i> |

Comments:

Engineering

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

- 11. Are existing roads adequate for additional traffic to be generated? X
- 12. Is the site part of a larger tract? Does the plan adversely impact development of remaining land? X
 X
- 13. Are access easements necessary? X
- 14. Are street and drive radii adequate? X
- 15. Have all required conditions been met? X
- 16. Is there a pro rata agreement on this site? X
- 17. Have all charges been paid? X

Time Spent on Review

<u>Name</u>	<u>Date</u>	<u>Time Spent (hours)</u>
<i>J. [unclear]</i>	<i>12/9/87</i>	<i>30 min</i>

questions:

- = Building material*
- = xisty parky not quite to*
- = need add. ROW.*
- = need to designate Fire Lane*
- = type of xisty lands. I supposed*
- does parking lot meet spec.*

COMMERCIAL ZONING REVIEW CHECKLIST

* Applicant Kip Estep
 * Current Zoning A Land Use Plan Indicates _____
 * Proposed Zoning C
 * Location 54205 Saf Sids, Nat Mms

There are only two reasons why zoning should be changed. Either the original zoning was applied in error or conditions have changed to warrant a change in land use in the area. Any changes must be in accordance with the Comprehensive Plan.

I. Planning and Engineering

	<u>Yes</u>	<u>No</u>
A. Is the proposed zoning (development) strip development?	_____	_____ <u>X</u>
1. Is the parcel(s) too shallow? (200 foot depth minimum)	_____	_____ <u>X</u>
2. Is the parcel(s) owned in small pieces by different owners?	_____	_____ <u>X</u>
3. Is there a potential for an excess of curb cuts?	_____ <u>X</u>	_____
C. Is the proposed commercial use incompatible with existing adjacent land uses, or existing commercial uses in the area?	_____	_____ <u>X</u>
D. Will the proposed activities disturb adjacent residential areas, or depreciate surrounding property with noise, pollution, traffic or other factors?	_____	_____ <u>X</u>
E. Does the proposed rezoning or development disrupt the orderly development of adjacent neighborhoods?	_____	_____ <u>X</u>
F. Is the buffering inadequate and/or is the parcel too small to allow for adequate open space, landscaping and buffering?	_____	_____ <u>X</u>

- G. Is the parcel too small for the proposed use with inadequate parking and/or truck loading areas? _____ X
- H. Does the proposed development force commercial traffic through residential neighborhoods or onto residential sized streets? _____ X
- I. Does the proposed development mix traffic generated from retail activity with wholesale trucking operations? _____ X
- J. Is the overall transportation system adequate to handle the additional traffic? X _____
- K. Are the public facilities and services inadequate to support such development i.e., sewer, water, drainage, electricity, fire protection? X _____
 - 1. If public facilities are not adequate, is the parcel outside an active growth area and not adjacent to existing facilities and services? _____ _____
- L. Are there any pollution or environmental hazards and other objectionable hazards affecting the proposed use? _____ X
- M. Does the proposed rezoning significantly alter the desired percentage of land uses? _____ X
- N. Is the proposed zoning change in conflict with the Master Plan? _____ X
- O. Has there been a lack of significant change since the Master Plan Update was adopted that would favor approval of the request though not in conformance with the existing Master Plan? (Substantial zoning changes dictate modification of the Master Plan.) X _____

purpose not a zoning change

P. Could the request be considered premature? (Are other things required to happen before the use recommended becomes viable?)

_____ X

II. Existing Zoning Pattern (Neighborhood)

A. What is the existing zoning adjacent to site? HC/IC

1. What is the predominant zoning in the area? HC/IC/Ag

2. Is the area developed the same as it is zoned?

_____ X

B. Is the requested zoning incompatible with the existing zoning pattern?

_____ X

C. Will the requested change alter a logical transition between zoning types?

_____ X

D. Will the proposed use change the stability of the zoning pattern?

_____ X

E. Could this property be effectively utilized without the zoning being changed?

_____ X

F. Is there another, less intense zoning classification that permits the proposed use?

_____ X

G. Are there any "peculiarities" of the proposed new use that are likely to affect neighboring properties? i.e., unusual or long hours, heavy "come and go" traffic, lights, trash?

_____ X

If "yes", what are they? _____

Comments: _____

ZONING CHANGE/CONDITIONAL USE PERMIT/PLANNED DEVELOPMENT/
PRELIMINARY PLAN/DEVELOPMENT PLAN

ACTION RECORD

Case No: 87-69-2/SP/PP
Location: ESTEP ADDITION

- Application Reviewed..... _____
- File Created ✓
- Filing Fee Paid/Receipt in File..... ✓
- Issued Receipt for Application..... ✓
- Review form prepared/^{initial}partial review completed..... _____
- Circulated Review through:
 - Staff Review:..... ✓
 - Assistant City Manager..... ✓
 - Scheduled for P&Z meeting..... 12/10
- Notice Sent:
 - Newspaper..... 11/24
 - Surrounding property owners..... (11/30) ✓
 - Sign placed on property..... (11/30) ✓
 - Tallied responses to notices ✓
 - Prepared notes and supporting information for P&Z..... ✓
 - Notified applicant of results and of Council date..... ✓

after Pt 2 consideration:

~~If approved:~~

Scheduled for City Council..... 1/4

Notice sent to newspaper..... 12/15

Notice sent to property owners..... 12/18

Prepared notes and supporting information for City Council..... ✓

If approved:

Notified applicant of results..... ✓

Prepared ordinance..... ✓

 1st reading of ordinance..... 12/14

 2nd reading of ordinance..... 1/18

 Caption to newspaper.....

Update office map.....

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

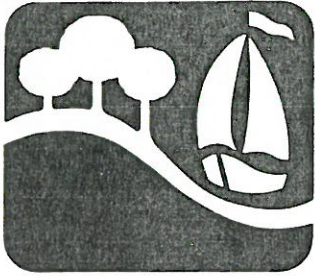
Included map in update file.....

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).....



CITY OF ROCKWALL

"THE NEW HORIZON"

14 December, 1987

Mr. Kip Estep
P. O. Box 2
Rockwall, Texas 75087

Dear Mr. Estep:

On December 10, 1987, the Planning and Zoning Commission recommended approval of your request for a change in zoning from "A" Agricultural to "C" Commercial and a site plan/preliminary plat on one acre located on SH-205 south of Sids Road.

On January 4, 1988, the City Council will hold a public hearing and consider approval of your requests. Please provide nine additional copies of the site plan folded to fit into an 8-1/2 x 14" file folder. These must be submitted not later than December 30, 1987, to allow adequate review time for Council.

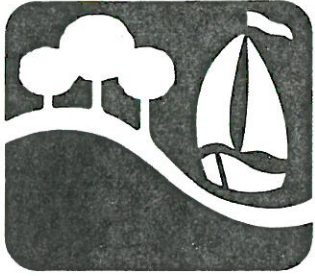
Feel free to contact me if you have any questions.

Sincerely,

Mary Nichols

Mary Nichols
Administrative Aide

CC: BLS Associates
MN/mmp



CITY OF ROCKWALL

"THE NEW HORIZON"

January 11, 1988

Mr. Kip Estep
P. O. Box 2
Rockwall, Texas 75087

Dear Mr. Estep:

On January 4, 1988, the Rockwall City Council approved a change in zoning from Agricultural to Commercial and a site plan/preliminary plat for a one acre lot located on SH-205 south of Sids Road.

Please note that an ordinance authorizing the change in zoning must be approved at two separate meetings of Council. The ordinance was approved on first reading at this meeting.

The following is a schedule of your items pending:

January 18th - ordinance considered on 2nd reading before
City Council

JAN 14 February 11th - final plat considered by the Planning and
Zoning Commission

FEB 1 March 7 - final plat considered by City Council

A building permit may be issued after the final plat is approved by the Council and an executed copy is filed of record with the County. Feel free to call me if you have any questions.

Sincerely,

Mary Nichols

Mary Nichols
Administrative Aide

CC: B.L.S. & Assoc.
MN/mmp

P&Z Agenda Notes
December 10, 1987

- III. A. P&Z 87-69-Z/SP/PP - Hold Public Hearing and Consider Approval of a Request from Kip Estep for a Change in Zoning from "A" Agricultural to "C" Commercial and a Site Plan/Preliminary Plat for a One Acre Lot on SH-205 South of Sids Road

We have received a request for rezoning, site planning and platting for a tract of land on SH-205 that was annexed in 1986. The property, which is currently used as a dental lab, is zoned Agricultural. They have made application for Commercial Zoning and have submitted a site plan showing the existing use and a proposed storage building they want to put on the property. You will also find a copy of the proposed final plat. All of this being generated because they wish to build the storage building at this time.

The property is directly adjacent to the large 86 acre tract on SH-205 that was just recently zoned "C" and "HC". This property abuts the "C" Zoning on the north and this would be a logical extension of this previous zoning.

The site plan and plat as submitted meet our current requirements. We will be prepared to review this proposal Thursday night.

CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION

AGENDA NOTES

AGENDA DATE January 14, 1988

AGENDA NO. III.D.

AGENDA ITEM P&Z 87-73-FP - Discuss and Consider Approval of a Final Plat
For a Mr. M Located on FM-740 and Horizon Road

ITEM GENERATED BY Whittle Development, Owner

ACTION NEEDED Approval or denial of Final Plat for Mr. M Addition with
any changes or conditions included in motion

BACKGROUND INFORMATION

At your last meeting the P&Z approved a Conditional Use Permit for this case as well as a site plan and preliminary plat. The Council has also approved these items. The next step is to consider approval of the final plat. The plat as submitted conforms to both our requirements and the preliminary plat. The plat reflects a 10 ft. dedication on FM-740 and a 7-1/2 foot dedication on FM-3097 in accordance with our review of the traffic projections in this area. Joint access easements are also provided along the south property line for future drives to the south.

The utility service for this site is currently available across the street on 3097. Two bores under 3097 will be required to tie the property in. Our long-range water distribution plan calls for the construction of a 12 inch water main along the length of 3097 to ultimately serve this area. While this line is not needed for this small site, we do recommend that approval be subject to the execution of a Developer's Contract that would require initiation of construction of the line with the next phase of development within PD-9.

ATTACHMENTS 1. copy of location map
2. copy of final plat

**CITY OF ROCKWALL
Council Agenda**

AGENDA DATE: January 4, 1988

AGENDA NO. IV. C.

AGENDA ITEM: P&Z 87-69-SP/PP - Hold Public Hearing and Consider Approval of an Ordinance Authorizing a Change in Zoning from "A" Agricultural to "C" Commercial and a Site Plan/Preliminary Plat for a One Acre Lot on SH-205 South of Sids Road (1st reading)

ITEM GENERATED BY:
Applicant

ACTION NEEDED: Approval of Ordinance and Site Plan/Preliminary Plat

BACKGROUND INFORMATION:

We have received a request for rezoning, site planning and platting for a tract of land on SH-205 that was annexed in 1986. The property, which is currently used as a dental lab, is zoned Agricultural. They have made application for Commercial zoning and have submitted a site plan showing the existing use and a proposed storage building they want to put on the property. You will also find a copy of the proposed final plat. All of this is being generated because they wish to build the storage building at this time.

The property is directly adjacent to the large 86 acre tract on SH-205 that was just recently zoned "C" and "HC". This property abuts the "C" zoning on the north and this would be a logical extension of this previous zoning.

The site plan and plat as submitted generally meet our current requirements. The existing parking layout is narrower than our current requirement; however, it is used only for personnel parking.

The Planning and Zoning Commission has recommended approval of the zone change, site plan and preliminary plat.

ATTACHMENTS:

1. copy of site plan
2. copy of location map

AGENDA ITEM: Estep Zone Change

ITEM NO: IV.C.

MINUTES OF THE ROCKWALL CITY COUNCIL
January 4, 1988

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

Council considered approval of the Consent Agenda which consisted of A) the minutes of December 21, 1987, and B) an ordinance amending the Comprehensive Zoning Ordinance to amend the minimum dwelling size requirement in "SF-7" zoning category on second reading. Assistant City Manager Julie Couch read the ordinance caption. Welborn made a motion to approve the Consent Agenda. Bullock 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 outlined the Commission's recommendations on 1) a zoning request and site plan submitted by Kip Estep, 2) a Conditional Use Permit request and site plan/preliminary plat for a Mr. M, and 3) a Conditional Use Permit request and site plan for a Mobil Station. At this time, 7:10 p.m. Ken Jones joined the meeting. Smith briefly explained the comments of the Architectural Board of Review on the two applications located within the Scenic Overlay District.

Randy Sanders of Tejanos Cantina addressed Council and requested an amendment to the private club ordinance to allow gaming devices in areas where alcoholic beverages are not served. Council discussed the State sales tax on gaming devices, a possible City permit fee and a possible maximum number of machines per restaurant. After lengthy discussion, Holt made a motion to amend Ordinance 85-2 to read that "no gaming devices shall be permitted inside a private club except in hotels and restaurants so long as the games are not located in areas where alcoholic beverages are sold". Jones seconded the motion. The motion was voted on and passed 4 to 3 with Welborn, Bullock, and Miller voting against the motion.

Council then held a public hearing and considered approval of an ordinance authorizing a change in zoning from Agricultural to Commercial and a site plan/preliminary plat on a one acre lot on SH-205 south of Sids Road. Couch outlined the applicant's request and explained that it generally conformed with current requirements except for the existing parking which was shorter than required. Kip Estep, the applicant, stated that that the parking was used for employees and deliveries. After Council discussion, Couch read the ordinance caption. Fox made a motion to approve the

change in zoning and the site plan/preliminary plat. Bullock seconded the motion. The motion was voted on and passed unanimously.

Miller opened a public hearing on a request for a Conditional Use Permit for gasoline sales as an accessory to a retail use and Council considered approval of a site plan and preliminary plat for a Mr. M located on FM-740 and Horizon Road. Couch outlined the applicant's request and the recommendations of the Planning and Zoning Commission and Architectural Board of Review. She explained that the site plan submitted before Council met almost all conditions recommended by the Commission. Rob Whittle, the current property owner, explained that although the plan originally submitted was a typical Mr. M store, the applicants had attempted to meet all suggestions made by the Commission and the intent of the Scenic Overlay District. Don Smith pointed out that the revised plan did not illustrate a four-sided roof which was a recommendation made by the Commission. Paul Kangus, the applicant, stated that this condition would be met. After Council discussion, Jones made a motion to approve the Conditional Use Permit and site plan/preliminary plat subject to the recommendations of the Planning and Zoning Commission. Bullock seconded the motion. The motion was voted on and passed unanimously.

Council then held a public hearing and considered approval of a request from Wayne Backus for a Conditional Use Permit for a full service station with auto repair within the Scenic Overlay District and a site plan for a Mobil Station located on Ridge Road at Yellowjacket Lane. Couch explained recommendations of the Planning and Zoning Commission and Architectural Board of Review. Tom Briscoe of Mobil Oil Wholesale Distributors stated that the three service stations in downtown Rockwall had non-conforming status and could not be enlarged or renovated and that the other two service stations in town were located on I-30. He stated the need for another station, the success of Backus' business history, and the need for competition among service stations. Cecil Unruh addressed Council and voiced opposition to the Conditional Use Permit, stating that it did not meet the intent of the Scenic Overlay District. He stated that the use was not appropriate, the site plan was not workable, and the site was too small for the number of items it was proposed to contain. Wayne Backus offered to make substantial changes to the site plan and to illustrate how the adjacent tract would affect traffic flow of the site. Chuck Hodges, the architect, answered Council's questions regarding additional square footage. He stated that if the applicant did utilize extra square footage he would need to re-design the site and its traffic flow. Jim Hendricks spoke on behalf of the Architectural Board of Review and pointed out the

tightness of the site and the high cost of necessary drainage improvements. After much Council discussion, Welborn made a motion to deny the request without prejudice to allow the applicant to resubmit a revised site plan to the Commission which may then be brought before the Council. Bullock seconded the motion. The motion was voted on and passed unanimously.

After a brief recess, Bill Eisen gave the City Manager's report in which he discussed the actuarial study on self-insurance and bids for commercial insurance, the verification process taking place regarding a petition from Heritage Heights property owners for a Public Improvements District, an upcoming request for an extension of an agreement with Cambridge Companies, and an update on progress of the Airport Advisory Committee and Charter Review Commission.

Council then discussed a 911 Emergency System. Miller asked Council to indicate whether they wished Staff to begin investigating costs and other factors involved in establishing this system. Bullock asked the Police Chief's opinion. Chief Bruce Beaty told Council that if the system were established, he would advise investigation of a countywide 911 system. Council directed Staff to research the system and keep Council informed of their findings.

Eisen then outlined an ordinance setting a date for a public hearing for street assessment proceedings on certain streets. He explained that the enhancement study would be complete on January 20th, recommended a hearing date of February 29th, and discussed the public notices and assessment role. Couch read the ordinance caption. After Council discussion, Welborn made a motion to approve the ordinance setting a hearing date for February 29, 1988. Holt seconded the motion. The motion was voted on and passed unanimously.

As there was no further business to come before Council, the meeting adjourned at 10:20 P.M.

APPROVED:

ATTEST:

By _____

BEFORE THE PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

The Planning and Zoning Commission will hold a public hearing at _____
7:30 o'clock P.M. on the 10th day of December, 1987
in the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at the
request of Kip Estep
for a change in zoning from "A" Agricultural to "C" Commercial

on the following described property:

1.0 acre tract of land located on SH-205 south of Sids Road and
north of Mims Road further described on the attached

As an interested property owner, it is important that you attend this
hearing or notify the Commission of your feeling in regard to the matter
by returning the form below. The decision of the Planning and Zoning
Commission will be a recommendation for approval or denial which will be
forwarded to the City Council for a final decision. In replying please
refer to Case No. P&Z 87-69-Z/SP/PP

Mary A Nichols
City of Rockwall, Texas

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

Case No. P&Z 87-67-Z/SP/PP

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 _____

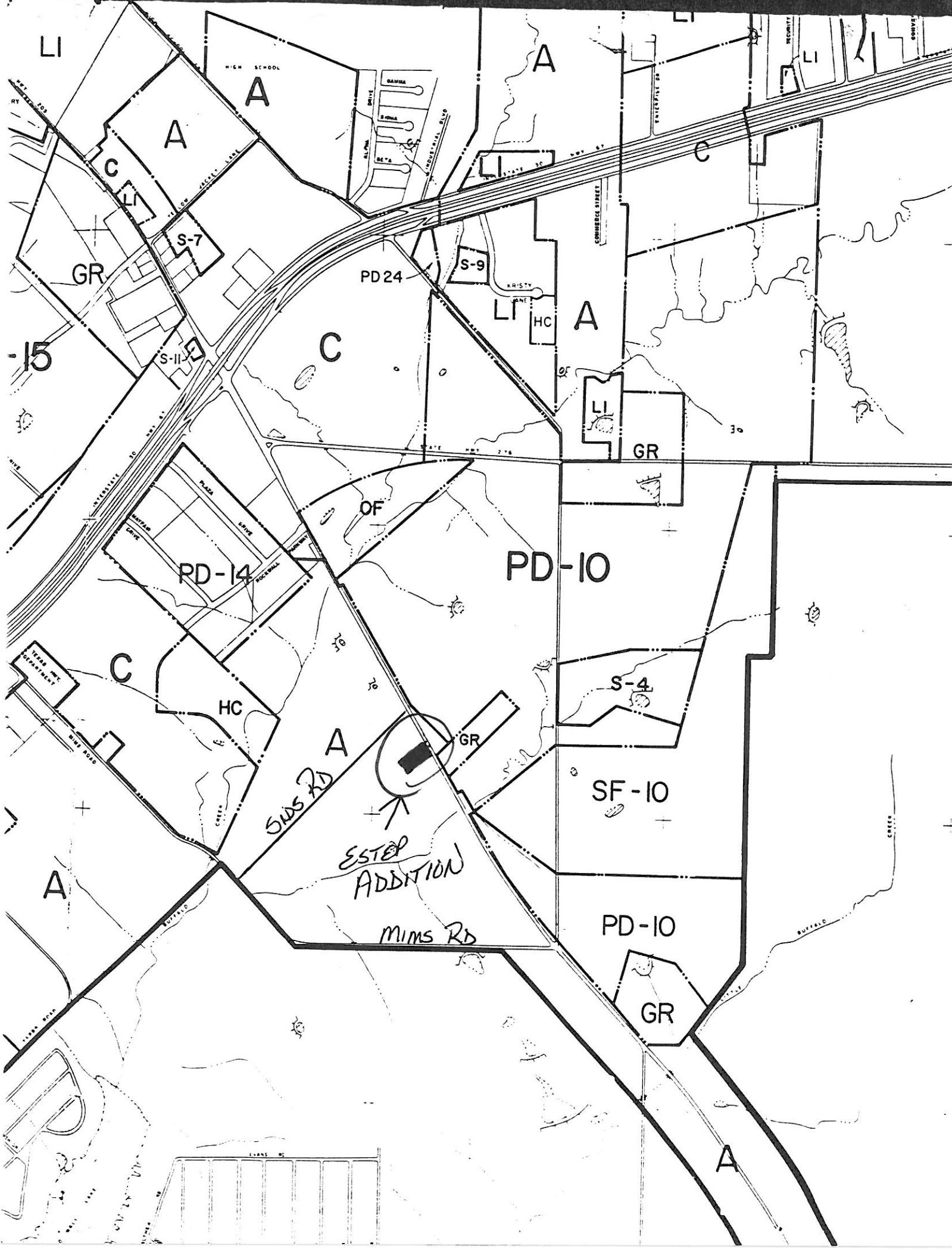
Address _____

EXHIBIT A.

STATE OF TEXAS
COUNTY OF ROCKWALL

BEING a tract of land situated in the William H. Barnes Survey, Abstract No. 26, Rockwall County, Texas, and being part of a 140.511 acre tract conveyed to Billy W. Peoples, Odis A. Lowe, and H. P. Mais from Corine A. Beard and Raymond U. Beard by deed recorded in Volume 85, Page 112, Deed Records, Rockwall County, Texas, and further being a part of that 2.00 acre tract conveyed to William L. Gentry and wife, Betsy Jo, by deed recorded in Volume 138, Page 135, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod for a corner on the Southwest right-of way line of State Highway No. 205, that bears South 29° 54' 19" East 643.07 feet from an iron rod in the South line of a County Road at the most Northerly corner of said 140.511 acre tract, said iron rod also bears South 29° 54' 19" East a distance of 104.35 feet from the North corner of said 2.00 acre tract;
THENCE: South 29° 54' 19" East with the Southwest right-of way line of State Highway No. 205 a distance of 104.36 feet to an iron rod for a corner at the East corner of said 2.00 acre tract;
THENCE: South 60° 05' 41" West a distance of 417.42 feet to an iron rod for a corner at the South corner of said 2.00 acre tract;
THENCE: North 29° 54' 19" West a distance of 104.36 feet to an iron rod for a corner, said iron rod bears South 29° 54' 19" East a distance of 104.35 feet from the West corner of said 2.00 acre tract.
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P#2
11/30/89

Estep Addition
Kip Estep

ENVELOPES

Ans 26 Barnes
Surrey

TR 1, TR 2

Cambridge Companies

Rockwall South Associates/Scheid Assoc.

16660 Dallas Parkway #2

Dallas, TX 75248

TR 3 (91.626 acres)

Edward B Tomlinson

5402 Broadway Garland 75043

TR 3-1 (4.0 acres)

Ladd Properties c/o Curtis Crawford

P.O. Box 367

Rockwall

TR 3-2 (2 acres)

1st United Pentecostal Church

P.O. Box 776 Rockwall

TR 3-4 (1.5 acres)

Ladd Properties

c/o Curtis Crawford

TR 3-3 (1 acre)

William Centry

Rt 1 Box 141, Rockwall

TR 3-5 (1 acre)

Kip Estep

P.O. Box 2

Rockwall

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 4th day of January, 1988
in the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at
the request of Kip Estep
for a change in zoning from "A" Agricultural to "C" Commercial

on the following described property:

1.0 acre tract of land located on SH-205 south of Sids Road
and north of Mims Road further described on the attached sheet.

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 87-69-Z/SP/PP

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 87-67-Z/SP/PP

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 _____

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STATE OF TEXAS
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p+²
11/30/89

Estep Addition
Kip Estep

ENVELOPES

AB 26 Barnes
Surrey

Council
12/18

TR 1, TR 2

Cambridge Companies

Rockwall South Associates/Scheid Assoc.

16660 Dallas Parkway #2

Dallas, TX 75248

TR 3 (91.626 acres)

Edward B Tomlinson

5402 Broadway Garland 75043

TR 3-1 (4.0 acres)

Ladd Properties c/o Curtis Crawford

P.O. Box 367

Rockwall

TR 3-2 (2 acres)

1st United Pentecostal Church

P.O. Box 776 Rockwall

TR 3-4 (1.5 acres)

Ladd Properties

c/o Curtis Crawford

TR 3-3 (1 acre)

William Centry

Rt 1 Box 141, Rockwall

TR 3-5 (1 acre)

Kip Estep

P.O. Box 2

Rockwall

BEFORE THE ROCKWALL CITY COUNCIL
CITY OF ROCKWALL, TEX

(07/01)

The Rockwall City Council will hold a public hearing at 7:00
o'clock P.M. on the 4th day of January, 1988
in the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at
the request of Kip Estep
for a change in zoning from "A" Agricultural to "C" Commercial

on the following described property:

1.0 acre tract of land located on SH-205 south of Sids Road
and north of Mims Road further described on the attached sheet.

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 87-69-Z/SP/PP

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 87-67-Z/SP/PP

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 [Handwritten Signature]
Address P.O. Box 579
Rockwall, TX 75087

ORDINANCE NO. 88-2

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL A HERETOFORE AMENDED SO AS TO CHANGE THE ZONING ON A TRACT OF LAND WHICH IS MORE FULLY DESCRIBED HEREIN FROM AGRICULTURAL CLASSIFICATION TO COMMERCIAL CLASSIFICATION; CORRECTING THE OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a change in the classification of a zoning district has been requested by Kip Estep for the property more specifically described in Exhibit "A" attached hereto; and

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

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

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

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

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

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

SECTION 4. Any person, firm or corporation violating any of the provisions of this ordinance shall be punished by a penalty of fine not to exceed the sum of 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 5. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, nor shall adjudication affect any other section or provision of the Comprehensive Zoning Ordinance of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

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

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

DULY PASSED AND APPROVED this 18th day of January, 1988.

APPROVED:



Mayor

ATTEST:

BY 

1st reading 1/4/88

2nd reading 1/18/88

EXHIBIT A.

STATE OF TEXAS
COUNTY OF ROCKWALL

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THENCE North $60^{\circ} 05' 41''$ East a distance of 417.42 feet to the Point of Beginning and Containing 1.00 Acre of Land.

PUBLIC NOTICE

The Planning and Zoning Commission will hold a public hearing on December 10, 1987, at 7:30 P.M. in City Hall, 205 West Rusk to consider a request from Kip Estep for a change in zoning from "A" Agricultural to "C" Commercial on a one acre lot located on SH-205 south of Sids Road.

PLANNING AND ZONING ACTION SHEET

Applicant Kip Estep Case No. 87-69-2/SP/PP
 Property Description 5H205 5 or Sids
 Case Subject Matter zone change A to C, site plan
and preliminary plat

CASE ACTION

	<u>Approved</u>	<u>Disapproved</u>	<u>Tabled</u>
Date to P&Z <u>12/10</u>	<u>✓</u>		
Conditions _____			

Date to City Council <u>1/4</u>	<u>✓</u>		
Conditions <u>1st reading 1/4</u>			
<u>2nd reading 1/18</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
- 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