

\$110.00

CITY OF ROCKWALL
205 West Rusk
Rockwall, Texas

APPLICATION FOR CONDITIONAL USE PERMIT

Case No. 88-1-SP- CUP Date Submitted 2/2/88
 Filing Fee \$ 110.00
 Applicant WAYNE BACKUS
 Address RT 1 BOX 70 B Phone No. 214 552 9649
FORNEY TX 75126 214 348 7280
 Owner Tenant¹ Prospective Purchaser ¹

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:)²

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

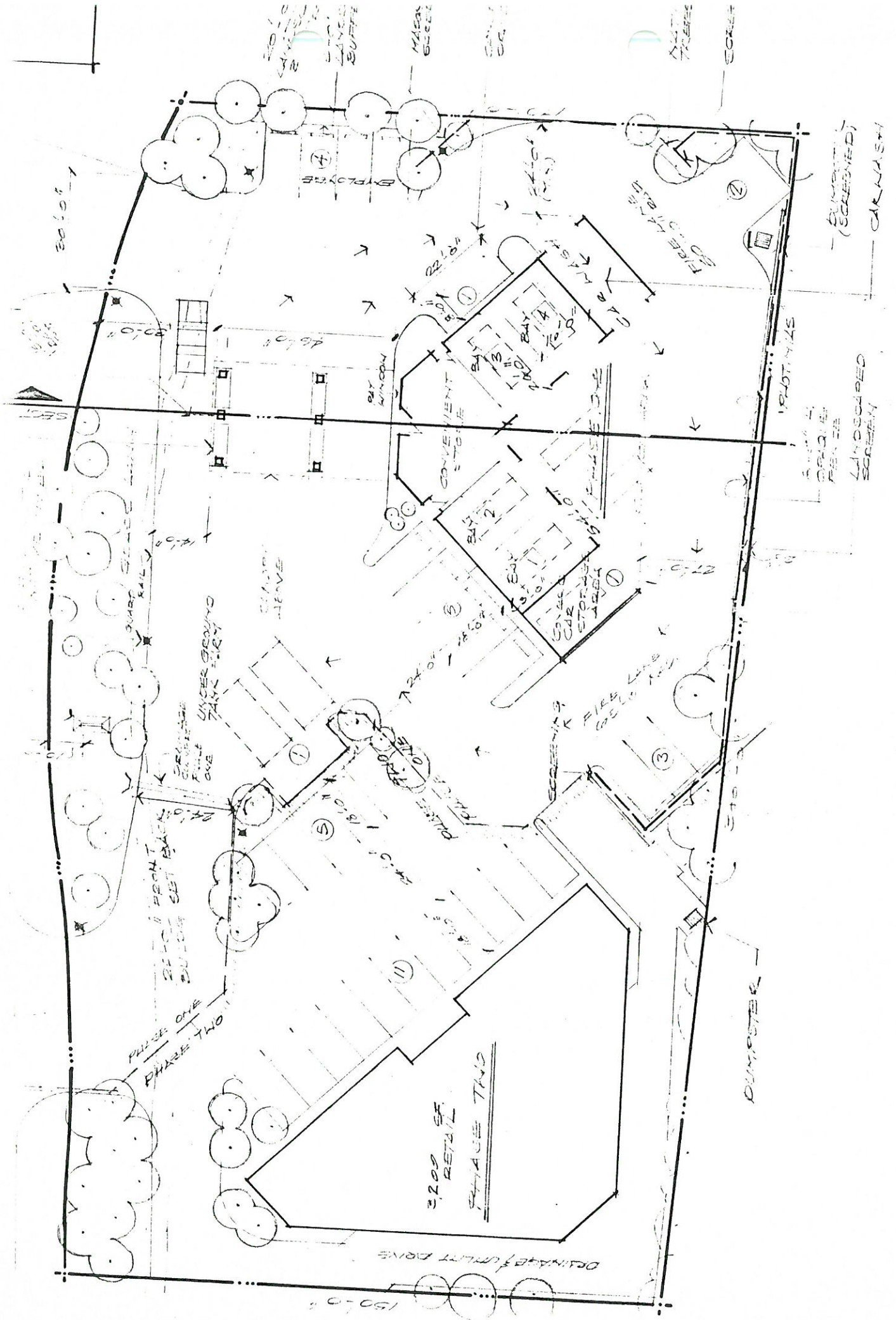
line The current zoning on this property is _____.
 There ^{space} are/are not ^{space} deed restrictions pertaining to the intended use of this property.

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.

Wayne Backus

¹If the applicant is someone other than the owner, written acknowledgement by the owner of the request must also be submitted.

²The 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.



AND
 AUTOMATIC SERVICE CENTER
 REMOVED

4-1-80

City of Rockwall Planning and Zoning Applicant Receipt

Date 1/26/88

Applicant Wayne Bucher Phone _____

Address _____

Development _____

The following items have been received on this date by the City of Rockwall Administrative Office:

_____ Site Plan Application

_____ Prel. Plat Application

_____ Final Plat Application

_____ Zone Change Application

_____ Sign Board Application

_____ Board of Adj. Application

_____ Front Yard Fence Application

_____ CUP Application

(16) sets/site plans - Submission # _____

_____ () sets/prel. plats - Submission # _____

_____ () sets/final plats - Submission # _____

_____ () sets/executed final plats/mylars

_____ () sets/engineer drawings - Submission # _____

_____ Filing fee \$ _____

_____ Other _____

Lead from blueprint shop

With this application, you are scheduled to appear before the

2/11/88 P&Z Commission

on _____,

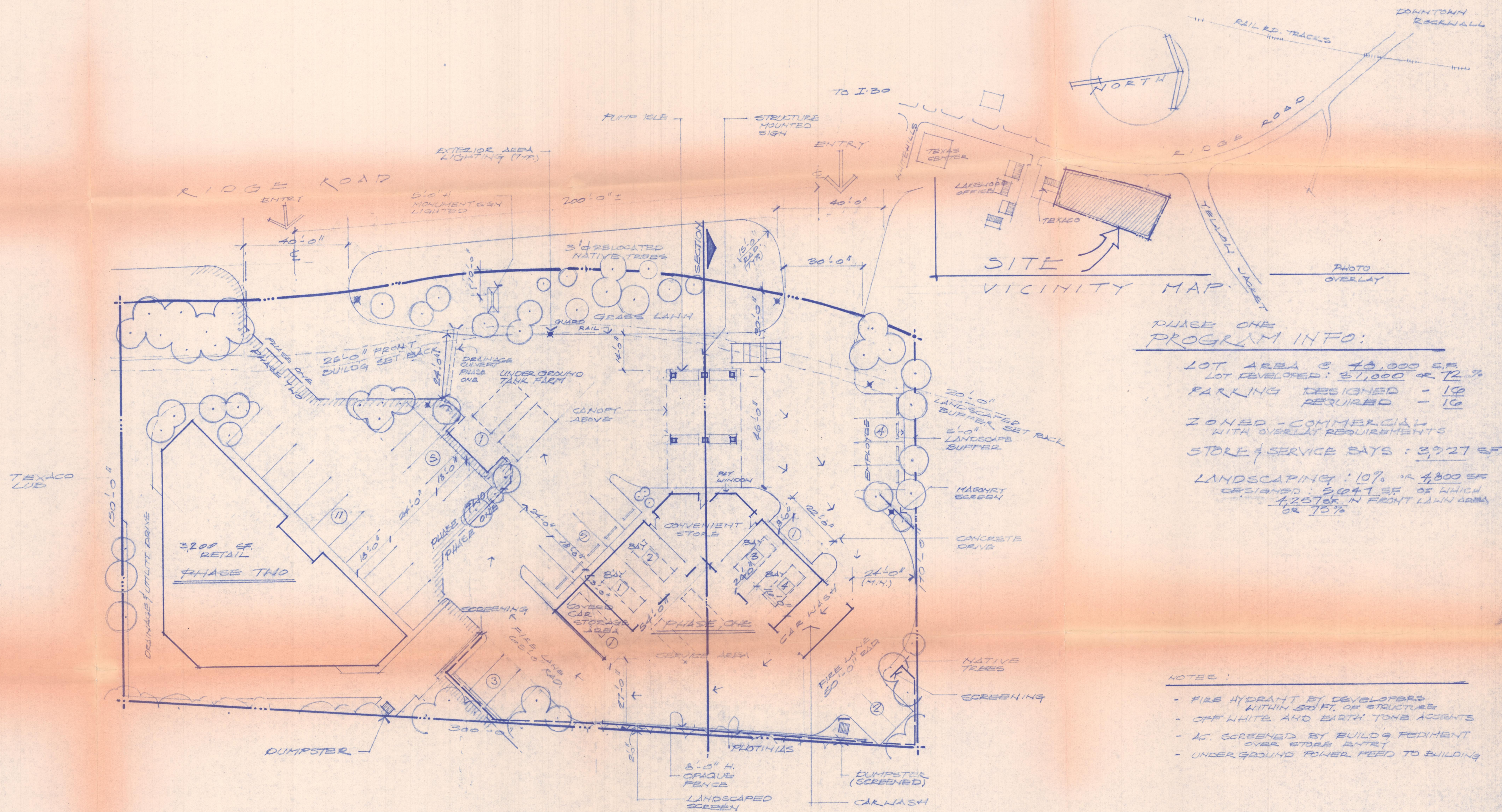
at 1:30 P.M. at City Hall, 205 W. Rusk, Rockwall,

Texas.

Received By: Mary Nichols

CHAS. E. HODGES A.I.A.

ARCHITECTS



PHASE ONE PROGRAM INFO:

LOT AREA @ 40,000 SF
 LOT DEVELOPED: 37,000 OR 72%
 PARKING DESIGNED - 19
 REQUIRED - 10

ZONED - COMMERCIAL WITH OVERLAY REQUIREMENTS

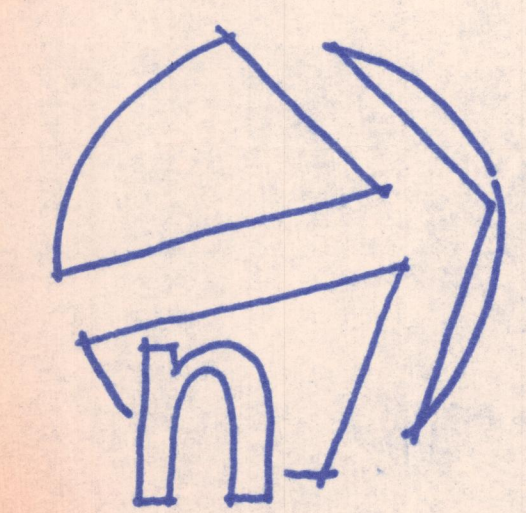
STORE & SERVICE BAYS: 39/27 SF

LANDSCAPING: 10% OR 4,000 SF
 DESIGNED: 3,047 SF OF WHICH
 4,257 SF IN FRONT LAWN AREA
 OR 75%

- NOTES:**
- FIRE HYDRANT BY DEVELOPERS WITHIN 500 FT. OF STRUCTURE
 - OFF WHITE AND EARTH TONE ACCENTS
 - AC. SCREENED BY BUILDING FODIMENT OVER STORE ENTRY
 - UNDERGROUND POWER FEED TO BUILDING

LEGEND

	OVERSIGHT VEHICLE STORAGE
	SCREENING FENCE
	PROPERTY LINE
	TREES
	DIRECTION OF VEHICAL TO & THRU CAR WASH



AUTOMOTIVE SERVICE CENTER
 REVISED SCHEMATIC

site plan

MASTER PLAN

4 NOV. 1987
 25 JAN. 1988
 3 FEB. 1988

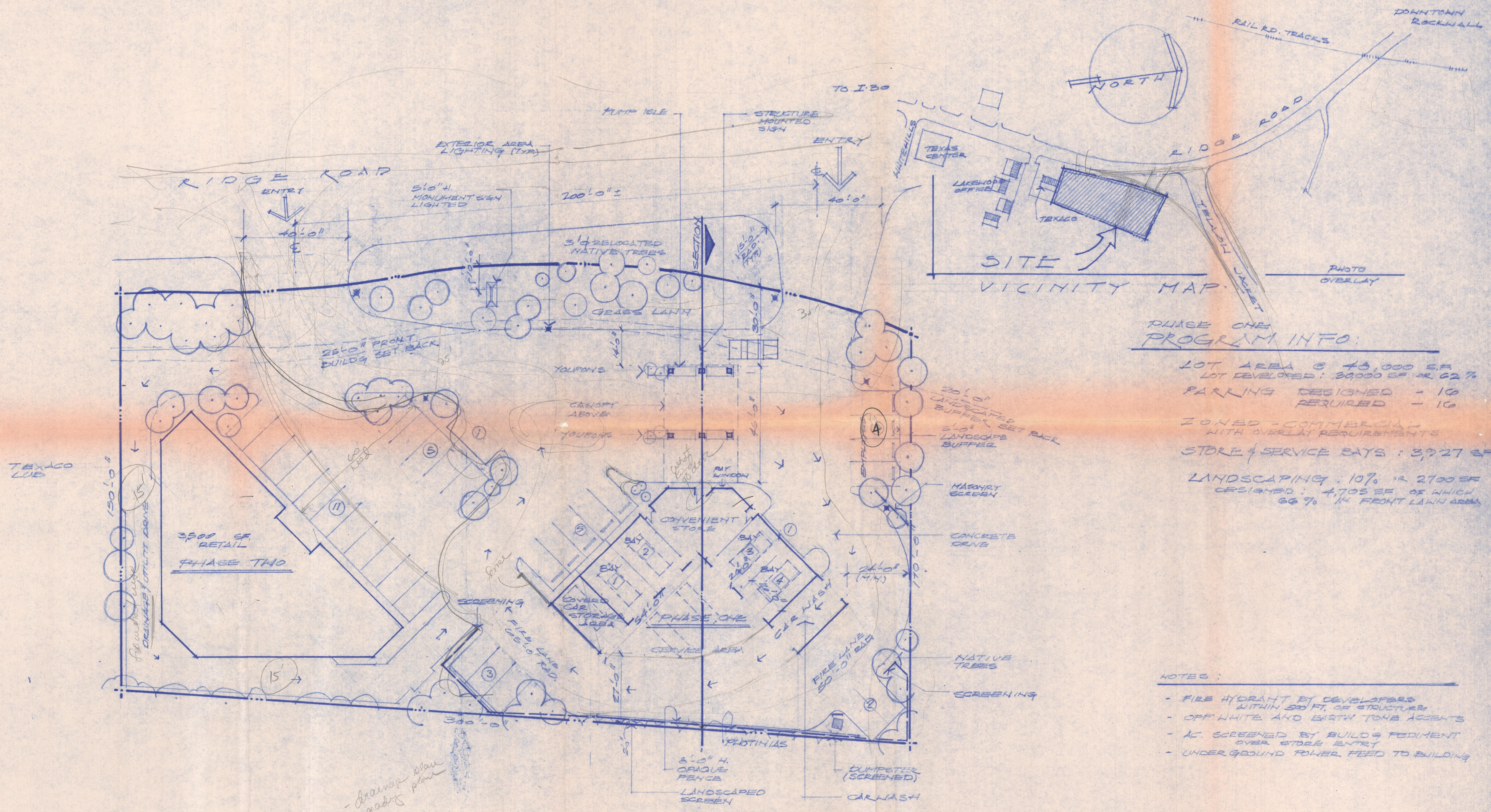
30' = 1" = 20'-0"

WATNE BACKUS OWNER

CHAS. E. HODGES A.I.A.

ARCHITECTS

(SUBMISSION)
1st (SUBMISSION)



PHASE ONE PROGRAM INFO:

LOT AREA @ 43,000 SF
 LOT DEVELOPED: 30,000 SF OR 62%
 PARKING DESIGNED - 10
 REQUIRED - 10

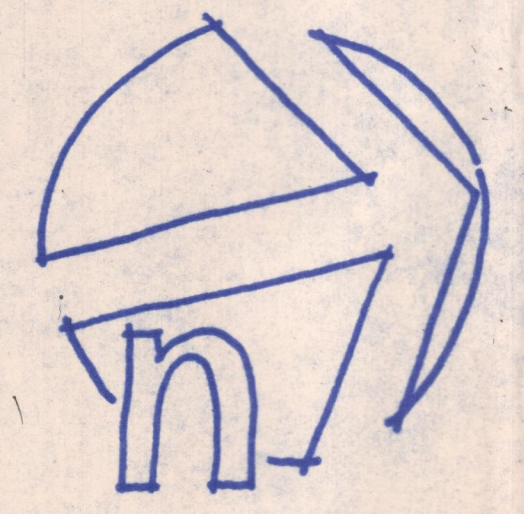
ZONED - COMMERCIAL
 WITH OVERLAY REQUIREMENTS

STORE & SERVICE BAYS: 3,927 SF

LANDSCAPING: 10% OR 2,700 SF
 DESIGNED: 4,705 SF OF WHICH
 66% IN FRONT LAWN AREA

- NOTES:**
- FIRE HYDRANT BY DEVELOPERS WITHIN 500 FT. OF STRUCTURE
 - OFF-WHITE AND BATH TONE ACCENTS
 - AC. SCREENED BY BUILDING FOOTING OVER STORE ENTRY
 - UNDERGROUND POWER FEED TO BUILDING

- LEGEND**
- [Symbol] OVERNIGHT VEHICLE STORAGE
 - [Symbol] SCREENING FENCE
 - [Symbol] PROPERTY LINE
 - [Symbol] TREES
 - [Symbol] DIRECTION OF VEHICAL TO & THRU CAR WASH



AUTOMOTIVE SERVICE CENTER
 REVISED SCHEMATIC

site plan

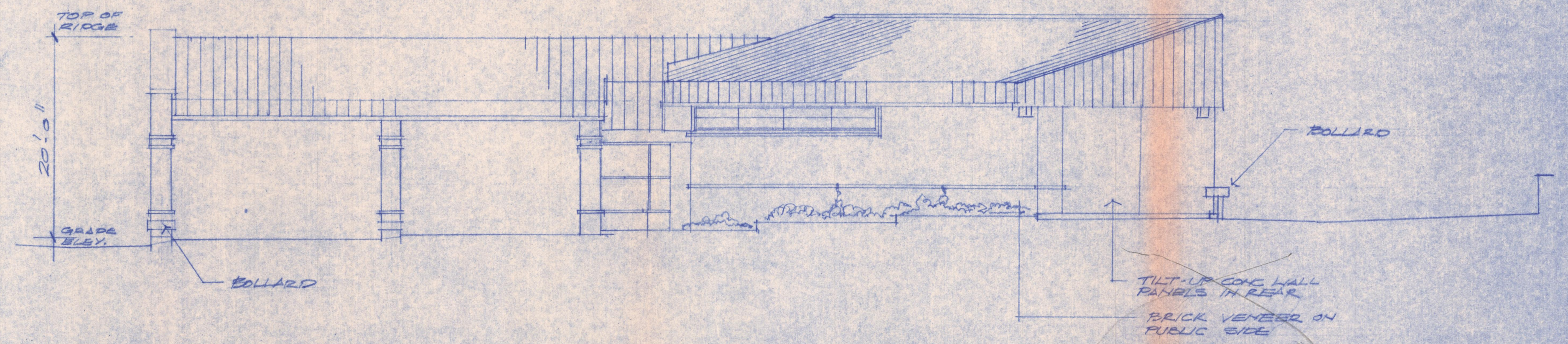
MASTERPLAN

4 NOV. 1987
 25 JAN. 1988

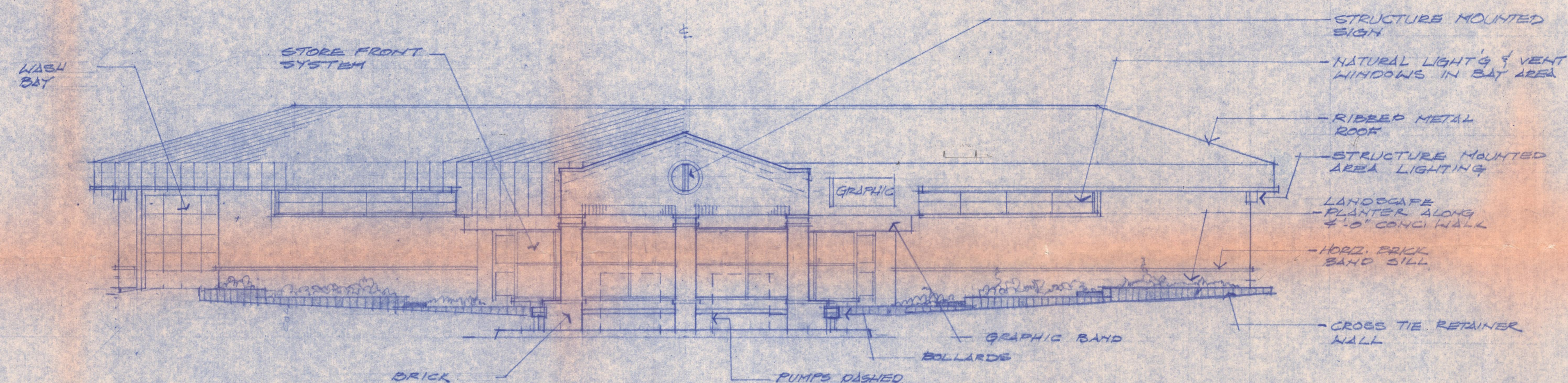
30:1" = 20' = 0"

WATNE BACKUS - OWNER

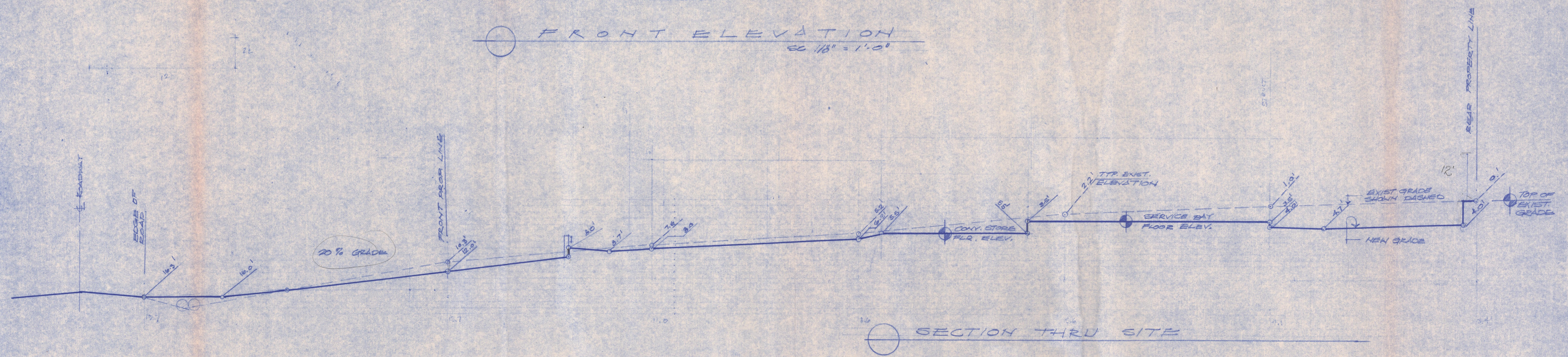
above - drainage plan



SOUTH ELEVATION
 SC 1/8" = 1'-0"



FRONT ELEVATION
 SC 1/8" = 1'-0"



SECTION THRU SITE

AUTO SERVICE CENTER
 OWNER: I. WAYNE BACKUS RIDGE ROAD ROCKWALL, TX.

CHAS. E. HODGES A.I.A.
 ARCHIMATRIX INC. 2288 RIDGE RD ROCKWALL, TX.
 214-771-0044

SITE PLAN REVIEW

* Date Submitted 1/25/88
 * Scheduled for P&Z 2/11/88
 * Scheduled for Council _____
 * Applicant/Owner Wayne Backus
 * Name of Proposed Development _____
 * Location Ridge Rd/Yellowjacket * Legal Description Part of Lot 1, Blk D, Coldencrest
 * Total Acreage _____ * No. Lots/Units 1
 * Current Zoning C under Scenic Overlay
 Special Restrictions _____
 * Surrounding Zoning _____

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

- c. Is the lot the proper size?
- d. Does the lot have proper dimensions?
- e. Are exterior materials correct?
- f. Are structural materials correct?
- g. Is coverage correct?
- h. Is adequate area in landscaping shown?
- i. Is it irrigated? *need calculation*
- j. Is landscaping in parking lot required?
- k. Are types of landscaping indicated?
- l. Is floor area ratio correct?
- m. Is building height correct?
- n. Are correct number of parking spaces provided? *need to reduce street spec.*
- o. Are driving lanes adequate in width?
- p. Are parking spaces dimensioned properly? *need to show dimension*
- q. Does the parking lot meet City specifications?
- r. Is a fire lane provided?
- s. Is it adequate in width? *what about one way*
- t. Are drive entrances properly spaced? *is asking for variance*
- u. Are drive entrances properly dimensioned?
-Do drive entrances line up with planned median breaks? *none in this area*
- v. Is lighting provided and correctly directed? *not show*
- w. Are sidewalks required? *can't be located here*
- x. Are sidewalks provided?
- y. Is a screen or buffer required?
-Is it sized properly?
-Is it designed properly? *must be checked*
-Is it of correct materials?

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

Building Codes

- 1. Do buildings meet fire codes?
 - 2. Do signs conform to Sign Ordinance?
- Comments:

Engineering

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

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

Time Spent on Review

<u>Name</u>	<u>Date</u>	<u>Time Spent (hours)</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

ACTION RECORD

Case No: 88-1-CUP

Location: Ridge Rd / Yellowjacket

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..... 2/11

Notice Sent:

Newspaper..... (1/26) 1/29/88

Surrounding property owners..... (1/29) ✓

Sign placed on property..... (1/29)

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.....

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).....

BACKGROUND INFORMATION ON BACKUS REQUEST

Mr. Backus has resubmitted his request for a Conditional Use Permit for a full service gasoline station including minor repair and car wash for a site located at FM-740 and Yellowjacket. He has revised his site plan in response to a number of comments he received at both the Planning and Zoning Commission and Council meetings.

The Architectural Board of Review has reviewed this request and a copy of their minutes are enclosed. Our comments regarding the request are as follows:

CUP Request

1. It is our opinion that the application, as submitted, meets the basic criteria provided in the ordinance for submission of such a request. There was some concern expressed by the Architectural Board that this use did not meet the basic criteria nor the intent of the District. It is, of course, ultimately the decision of the Commission and Council as to whether the proposed use meets the intent of the District.
2. There was considerable discussion at the Council hearing regarding the types of repair services that will occur on the site. We would recommend including a list of approved services with any approval of the CUP to define what can occur on the site.

Site Plan

1. They have now site planned the entire site including the retail area that will be Phase 2. They have indicated the phase line on the site plan. There was some discussion at P&Z that phase one should include the 5 parking spaces and drive lane proposed for phase 2 in order to allow a direct access to the southernmost entrance. Mr. Backus has indicated in his letter that he is willing to do this.
2. Mr. Backus has eliminated one of the service bays.
3. The side of the building along the covered car storage needs to be extended by a wall to screen the 3 spaces at the rear as required by the ordinance.
4. The overall site has not increased in area, but he has added some additional parking in the rear that can be used for waiting vehicles.
5. We would want any approval of the site plan conditioned with a requirement that a drainage and grading plan be submitted and approved by the City Engineer prior to issuance of a building permit.
6. The exterior of the convenience/service building has been modified to have a brick exterior with tilt wall panels along the sides of the service area. They propose the same brick on the retail building with tilt wall panels along the side and rear. The Council might want to consider requiring the brick along the side as well.
7. Utility one-way drive is proposed along and behind the retail building which needs to be a minimum of 12 feet in width and needs to be signed as one way.
8. The entrances are now further apart but they are still 40 feet less than the required 200 foot separation. We would not, however, want to see them any closer to either property line due to the intersection with Yellowjacket and FM-740 and the adjacent drive for the Lube center.

The P&Z has again recommended that the CUP be denied. It will require a three quarters affirmative vote of the Council to override this recommendation.

BACKGROUND INFORMATION ON BACKUS REQUEST

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2. There was considerable discussion at the Council hearing regarding the types of repair services that will occur on the site. We would recommend including a list of approved services with any approval of the CUP to define what can occur on the site.

Site Plan

1. They have now site planned the entire site including the retail area that will be Phase 2. A determination as to where the phase line of 1 and 2 will fall needs to be included in any motion regarding the site plan. It was discussed at the Worksession that a logical break would be the line behind the 11 proposed parking spaces in front of the retail. I believe the applicant may want to do less than that in an effort to reduce the cost of his first phase. He has been requested to address this Thursday night.

2. The retail building shows 3,500 sq. ft. with 16 parking spaces. Those spaces will only support 3,200 sq. ft. They propose to reduce the size of the building.

3. Parking areas need to be dimensioned.

4. The side of the building along the covered car storage needs to be extended by a wall to screen the 3 spaces at the rear as required by the ordinance.

5. The overall site has not increased in area, but he has added some additional parking in the rear that can be used for waiting vehicles.

6. We would want any approval of the site plan conditioned with a requirement that a drainage and grading plan be submitted and approved by the City Engineer prior to issuance of a building permit.

7. The exterior of the convenience/service building has been modified to have a brick exterior with tilt wall panels along the sides of the service area. They propose the same brick on the retail building with tilt wall panels along the side and rear. The Commission might want to consider requiring the brick along the side as well.

8. A drainage and utility one-way drive is proposed along and behind the retail building. To be used for garbage service it needs to have 40 ft. radius turns and a minimum of 15 feet in width. We would like that to be a condition if the drive is maintained. There should be a separation between this building and the adjacent lube center, which is only 3 feet from the property line.

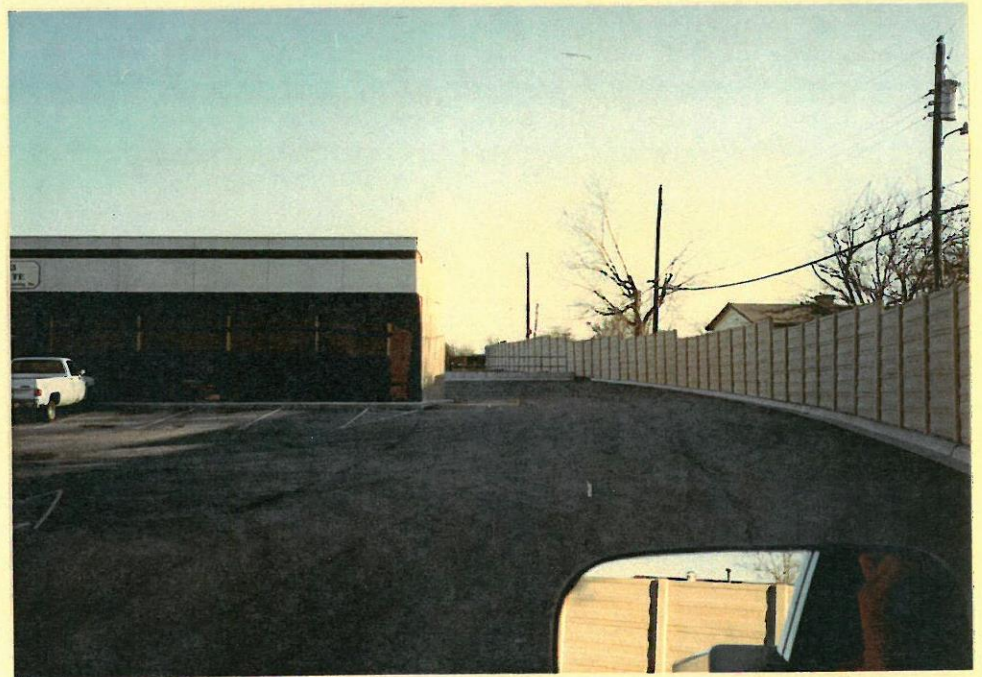
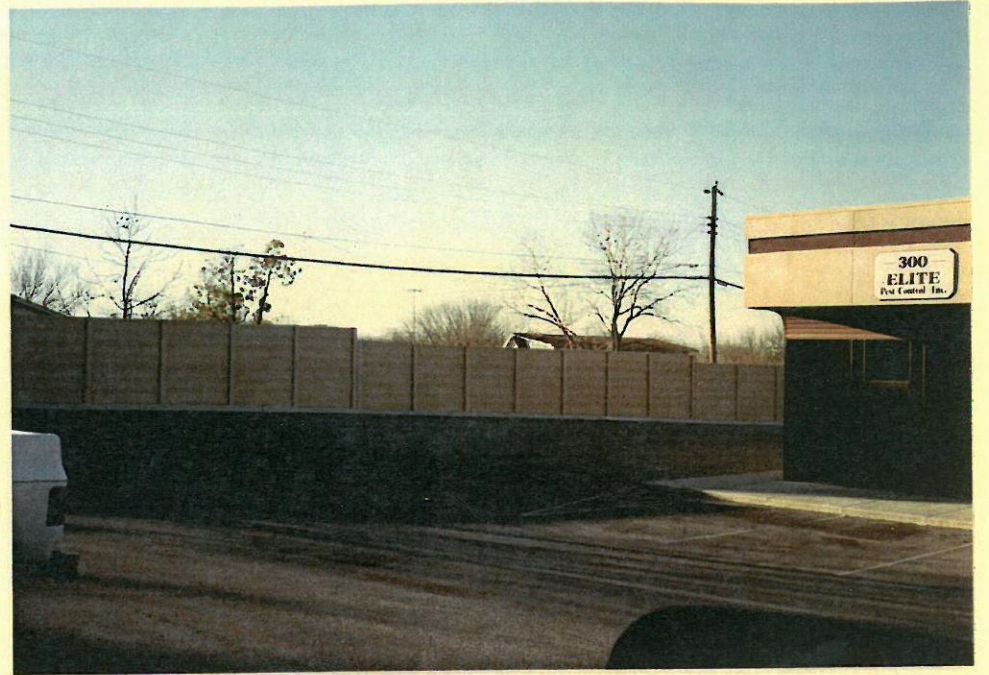
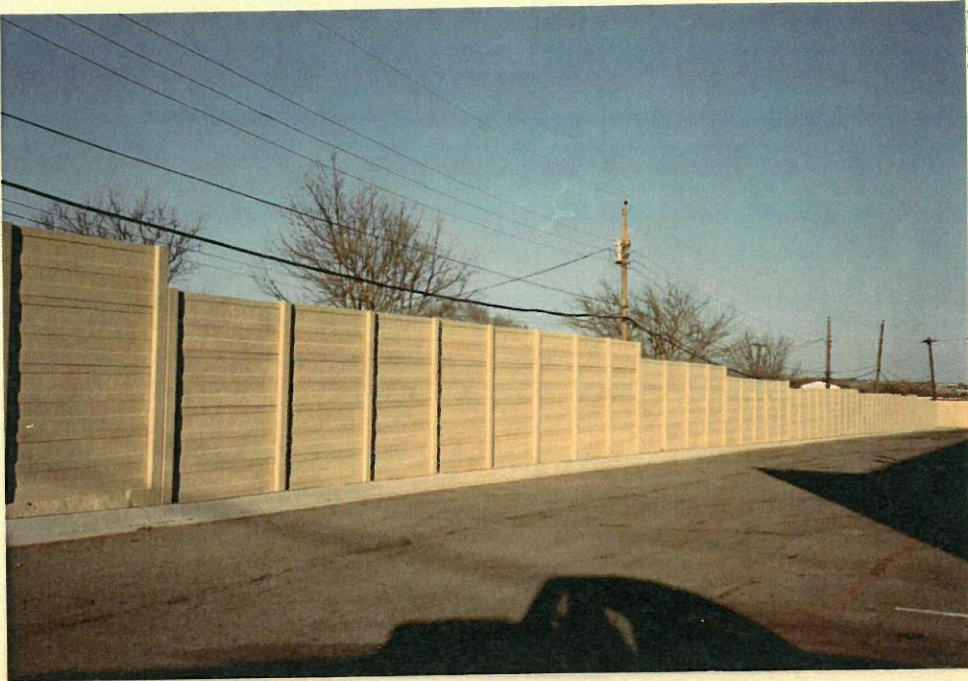
A trash receptacle also needs to be shown if this drive is to be used for trash service.

9. The landscape calculation needs to be revised to reflect the total site plan.

10. A correction needs to be made to the number of parking spaces along the north side. There are only 4 spaces.

11. The entrances are now further apart but they are still 40 feet less than the required 200 foot separation. We would not, however, want to see them any closer to either property line due to the intersection with Yellowjacket and FM-740 and the adjacent drive for the Lube center.

With the number of comments regarding this site plan, if the Commission recommends approval, you might want to require that a revised drawing be submitted for your review at the Worksession.



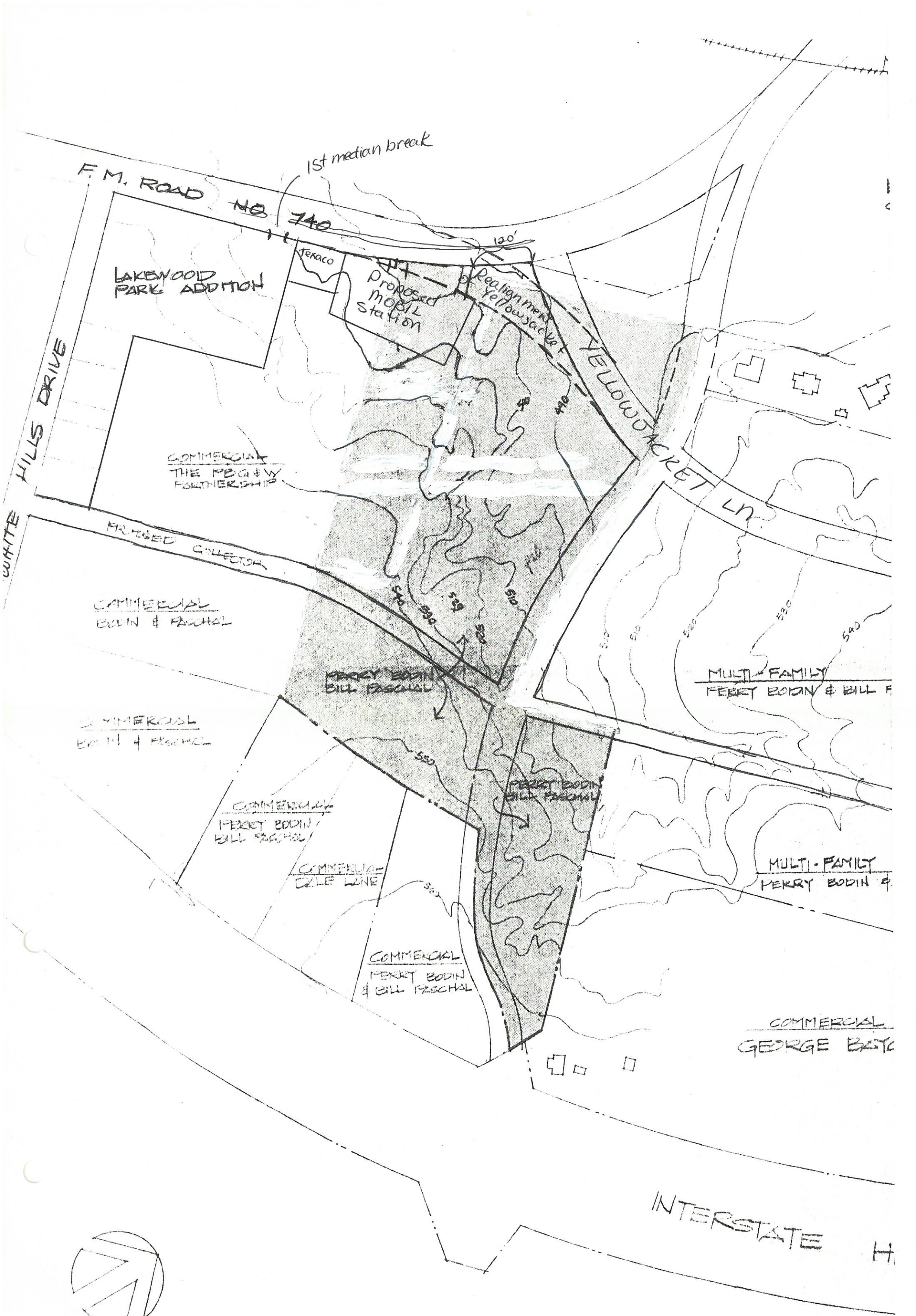
EXAMPLE OF MASONRY WALL

PEACHTREE CROSSING

MILITARY PKWY., 3 BLOCKS SOUTH OF I635, MESQUITE



PROPOSED MONUMENT SIGN



NOTES:
 PROPOSED DELETED R.O.W. WITH REVERSION

TRANSMITTAL LETTER

AIA DOCUMENT G810

PROJECT: AUTO SERVICE CENTER
(name, address)

ARCHITECT'S PROJECT NO: BACKUS

DATE: 25 Jun 1988

TO: CITY OF ROCKWALL TX

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

ATTN: ASSISTANT CITY MANAGER
JULIE COUCH

If checked below, please:

- Acknowledge receipt of enclosures.
 Return enclosures to us.

WE TRANSMIT:

herewith under separate cover via _____
 in accordance with your request _____

FOR YOUR:

- approval distribution to parties information
 review & comment record
 use _____

THE FOLLOWING:

- Drawings Shop Drawing Prints Samples
 Specifications Shop Drawing Reproducibles Product Literature
 Change Order _____

COPIES	DATE	REV. NO.	DESCRIPTION	ACTION CODE
			<u>REVISED SERVICE STATION SITES ELEVATIONS</u>	

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

REMARKS _____

COPIES TO: _____ (with enclosures)

BY: Charles [Signature]

February 9, 1988

To: Rockwall City Council Members

✓ Mayor Frank Miller
Councilmember Nell Welborn
Councilmember Ken Jones
Councilmember Jean Holt
Councilmember John Bullock
Councilmember Pat Luby
Councilmember Bill Fox

Re: Mobil Car Care Center, Ridge Road

In answer to the question of what services will be offered at my business which arose at the Council meeting when my project was under consideration; I felt a clarification of what services will be available would be beneficial.

My company will do only general auto maintenance and repairs, which would encompass oil changes, lubrication, filter changes, brake and starter repairs, alternator services, batteries, starters, and other services which would be considered normal maintenance of vehicles and repair of these systems. There will be no repairs performed which would require out-of-frame engine work nor will transmission overhauls be a part of our services.

It is my hope that the above information will further assure the Council of my intent to operate a facility which will be an attractive asset to the City of Rockwall and also fulfill a present and future need.

I believe my project will be in keeping with the desire to maintain Ridge Road as a scenic area of the City and that since Ridge Road is a major thoroughfare, it is a logical location for service businesses. My business will accomplish providing a needed service and maintain the standards set for the location.

Thank you for your consideration.

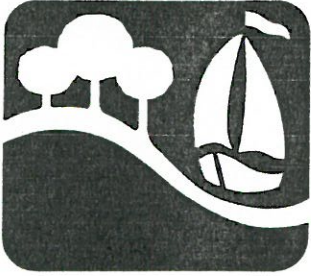
Yours truly,



Wayne Baccus

cc: Planning & Zoning Commission

Don Smith, Chairman
Leigh Plagens
Hank Crumbly
Tom Quinn
Norm Seligran
Bill Sinclair
Bob McCall



CITY OF ROCKWALL
"THE NEW HORIZON"

15 February, 1988

Mr. Wayne Backus
Rt. 1, Box 70B
Forney, Texas 75126

Dear Mr. Backus:

On February 11, 1988, the Rockwall Planning and Zoning Commission recommended denial of your request for a Conditional Use Permit for a full service gasoline station including automobile servicing proposed to be located within the Scenic Overlay District at FM-740 and Yellowjacket Lane.

The Rockwall City Council will hold a public hearing on March 7, 1988, and consider approval of the Conditional Use Permit and a site plan for the proposed station. Please note that a positive vote of three quarters of the members of the City Council is necessary to overturn a negative recommendation by the Commission.

Please provide nine additional copies of the site plan as you intend to submit it to Council folded to fit in an 8-1/2" x 14" file folder. These must be submitted not later than February 29, 1988, to allow adequate review time by Council. Please feel free to contact me if you have any questions.

Sincerely,

Mary Nichols

Mary Nichols
Administrative Aide

CC: Chuck Hodges
MN/mmp

February 26, 1988

TO: Mayor Frank Miller
Councilmember Nell Welborn
Councilmember Ken Jones
Councilmember Jean Holt
Councilmember John Bullock
Councilmember Bill Fox
Councilmember Pat Luby

RE: MOBIL CAR CARE CENTER - RIDGE ROAD

In my continuing endeavor to locate my business in Rockwall, I have had the architect revise the site plan to provide a straight-line entry and exit drive on the south side of the site. Concern had been expressed by some councilmembers in regard to the prior drawing and I feel the revision will resolve this matter. The attached drawings do not reflect this revision since these could not be redone in time for the March 7 meeting. The final plan will contain the desired alignment.

Enclosed also, are pictures illustrating the screening wall proposed for the site. The modular system is strong and durable. This type construction offers many advantages over a brick wall in that ground movement and settling will not create problems which are probable with brick, such as tilting and cracking. The wall is built with wide flange steel posts in which masonry panels are set. The posts will be anchored into the 4' concrete retaining wall and panels will be 6' long and 4" thick. These masonry panels can be any color and are simple to replace in event of damage. As a suggestion, which could incorporate additional landscaping, the wall could be set back 2' from the concrete retaining wall and this area planted with either Asian Jasmine or Carolina Jasmine, both of which would provide an esthetically attractive appearance.

The last enclosure illustrates the type sign I propose for the site. The one in the picture is slightly taller than what I will use. This will be altered by lowering the height of the base.

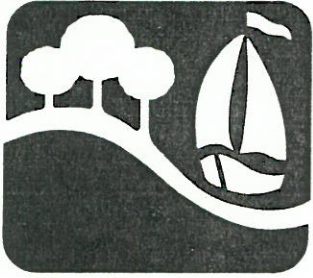
I hope the enclosed information will be helpful in reaching a favorable decision for my project.

Yours truly,

Wayne Baccus
Wayne Baccus

WB:eh

Enc.



CITY OF ROCKWALL
"THE NEW HORIZON"

2 March, 1988

Wayne Backus
Rt. 1, Box 70-B
Forney, Texas 75106

Dear Mr. Backus:

The meeting of the Rockwall City Council regularly scheduled for March 7th has been postponed due to lack of a quorum. Because your application pertains to zoning, the earliest date Council may consider your application is Monday, March 21, 1988, and it is scheduled for placement on that Council Agenda.

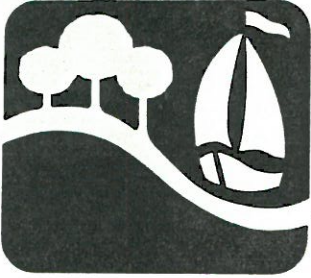
The meeting will begin at 7:00 P.M. in City Hall, 205 West Rusk. As an applicant, it is important that you are represented at this meeting. Please feel free to call me if you have any questions.

Sincerely,

Mary Nichols

Mary Nichols
Administrative Aide

CC: Chuck Hodges
MN/mmp



CITY OF ROCKWALL
"THE NEW HORIZON"

March 25, 1988

Mr. Wayne Backus
Rt. 1, Box 70B
Forney, Texas 75126

Dear Mr. Backus:

On March 21, 1988, the Rockwall City Council held a public hearing and denied your request for a Conditional Use Permit for a full service gas station within the Scenic Overlay District for a proposed station at FM-74~~0~~ and Yellowjacket Lane.

Please 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

MIN/mmp

MINUTES OF ARCHITECTURAL BOARD OF REVIEW
February 4, 1988

Members present: Chairman Chuck Hodges, Rick Burgy, Haywood Eason, Sherry Lofland, and Jim Hendricks. Lynn Broyles entered the meeting later.

The Board first considered approval of the minutes of November 30 and December 3, 1987. Rick Burgy moved approval and said minutes were approved unanimously.

The Board then considered recommendations regarding a site plan for a full service gasoline station on FM-740 and Yellowjacket Lane. Chairman Hodges left the meeting at this point due to a conflict of interest. Ms. Couch briefly reviewed the revised plan with the Board, explaining why the case was back before the Board and outlining some of the changes to the plan.

Mr. Hendricks voiced some concerns that the plan did not meet the basic criteria of the ordinance nor the intent of the Overlay District as it was adopted. He suggested going through the ordinance to itemize the areas of noncompliance or nonconformity. He expressed the opinion that the ordinance which listed gasoline service stations as a conditional use should not include auto repair as a part of that use, but only the sale of gasoline; that the proposed location did not meet the intent of the ordinance regarding the location at the intersection of two major arterials; and that it did not meet the one acre requirement. There was considerable discussion concerning the provisions of the Overlay District, the site plan in relation to the District requirement, and the type of recommendations the Committee should be formulating regarding site plans within the District.

The discussion regarding the site plan for Mr. Backus was tabled to later in the meeting in order to allow the Chairman to return to the meeting to further discuss policies and procedures of the Board. After considerable discussion, the Board agreed that they would like to have the Planning and Zoning Commission Chairman present at their next meeting to review the form and content of the recommendations prepared by the Board and further asked that the Planning and Zoning Commission discuss this at their next meeting. Further, Rick Burgy made a motion that the Board, as a policy when site plans for Conditional Use Permits are submitted for their review, offer two categories of recommendations: one, relating to the proposed use as it relates to the Overlay District ordinance, and two, also render an opinion regarding site and building development regardless of the first recommendation. The motion was seconded by Jim Hendricks and was approved unanimously.

The Board also considered the appointment of a vice chairman. Haywood Eason nominated Rick Burgy, who was appointed by acclamation.

The Board then returned to their review of the site plan submitted by Mr. Backus. The Chairman turned the chair over to Rick Burgy, the Vice Chairman, and again left the meeting. After considerable discussion Jim Hendricks made a motion recommending that the CUP be denied because it does not conform to the ordinance. Lynn Broyles seconded the motion, the same was voted on and carried unanimously.

Jim Hendricks then made a motion that if the CUP for a gas station is approved by the Planning and Zoning Commission and Council that the Board recommends denial of the service bays. Lynn Broyles seconded the motion. The motion failed with Sherry Lofland, Haywood Eason and Rick Burgy voting against and Jim Hendricks and Lynn Broyles voting for.

Mr. Hendricks then made a motion to amend the first motion recommending denial of the CUP to add the clarification that the site is not positioned at the intersection of two major arterials. Lynn Broyles seconded the motion, the same was voted on and passed unanimously.

Mr. Hendricks then made a motion that the CUP be denied because the service station is not located on an acre for that use. Lynn Broyles seconded the motion. The same was voted on and passed unanimously.


The Board then considered its recommendations regarding the site plan and elevations. Mr. Hendricks made a motion that the curb cuts should not exceed 30 feet in width. Lynn Broyles seconded. Same was voted on and passed unanimously.

Mr. JHendricks then made a motion that the screening wall be constructed of brick and that the retaining wall also be faced in the same brick. Lynn Broyles seconded the motion. Same was voted on and carried unanimously.

Haywood Eason then made a motion that the Staff's recommendation regarding submission and approval of a drainage and grading plan be included. Lynn Broyles seconded the motion. Same was voted on and carried unanimously.

Mr. Hendricks then made a motion that the metal roof be a standing seam metal roof with 24" sheets. Lynn Broyles seconded. Same was voted on and approved unanimously.

There being no further business the meeting was adjourned.

APPROVED"

Chairman

ATTEST:

By _____

CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION
AGENDA NOTESAGENDA DATE February 11, 1988AGENDA NO. III. A.

AGENDA ITEM P&Z 88-1-SP/CUP - Hold Public Hearing and Consider Approval of a Request from Wayne Backus for Conditional Use Permit for a Full Service Station with Auto Servicing, Repair and Car Wash within the Scenic Overlay District for a Site Located at Yellowjacket and FM-740 and Approval of a Site Plan

ITEM GENERATED BY Applicant Wayne Backus

ACTION NEEDED Hold public hearing and recommend approval or denial of CUP request and approval of site plan

BACKGROUND INFORMATION

SEE ATTACHED

ZONING NOTICES 3 sent, 1 returned

ATTACHMENTS

1. background information
2. location map
3. site plan
4. minutes of Architectural Review Board
5. letter from applicant

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 11th day of February, 1988

in the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at the
request of Wayne Baccus

for a Conditional Use Permit for a full service gas station to
include automobile servicing

on the following described property:

A lot on Ridge Road at Yellowjacket Lane further described as
being a portion of Lot 1, Block D, Goldencrest Addition

As an interested property owner, it is important that you attend this
hearing or notify the Commission of your feeling in regard to the matter
by returning the form below. The decision of the Planning and Zoning
Commission will be a recommendation for approval or denial which will be
forwarded to the City Council for a final decision. In replying please
refer to Case No. P&Z 88-1-SP/CUP

Mary 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 88-1-SP/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 _____

Council
12/18

Wayne Backus
Lot 1, Block D
Coldencrest

Lot 1, BKA
Knox Park

Burgoyne-Miller Inc
319 Yacht Club Dr

Coldencrest 20
4817 Rowlett Rd
Suite B
Rowlett 75088

Cecil Orsak
1722 Ridge Road

BEFORE THE PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

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Mary 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 88-1-SP/CUP

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

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

I am only opposed to the auto service and repair, I am not opposed to
gasoline sales, convenience store or car wash uses.

1. Auto repair is "not" a permitted use Para. C-3 Page 2 of ordinance 87-64.
2. Auto repair is not a conditional use Para. C-1 Page 3 of ordinance 87-64.
3. Auto repair and service is not compatible with the spirit of the "Scenic Overlay District" concept and ordinance. For example, if 15 cars are dropped off each morning for repair assume 5 require order of parts that will take several days to arrive, per Para. D-2, Page 3 and Para. E-3, Page 4 those cars must be stored inside which is not a practical concept, further work on other vehicles then would be conducted outside on the paved areas in front of the service bays which violates the ordinance.
4. Approval of auto repair and service will set a "precedent" to allow transmission shops, stero, window tint, mag wheel, brakes and muffler shops, etc. making Ridge Road a Lemmon Avenue or Samuel Blvd. type area instead of a Scenic District.

Signature Cecil Warrick

Address 1722 Ridge Road

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 88-1-SP/CUP

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

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

I am only opposed to the auto service and repair, I am not opposed to gasoline sales, convenience store or car wash uses.

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Signature Cecil Warrick

Address 1722 Ridge Road

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 21st day of March, 1988.
in the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at
the request of Wayne Baccus
for a Conditional Use Permit for a Full service gas station to
include automobile servicing.

on the following described property:

A lot on Ridge Road at Yellowjacket Lane further described as
being a portion of Lot 1, Block D, Goldencrest 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 88-1-SP/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 88-1-SP/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 _____

BEFORE THE ROCKWALL CITY COUNCIL
CITY OF ROCKWALL, TEXAS

10/011

The Rockwall City Council will hold a public hearing at 7:00
o'clock P.M. on the 21st day of March, 1988.
in the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at
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returning the form below.

In replying please refer to Case No. P&Z 88-1-SP/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 88-1-SP/CUP

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

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

I am opposed only to the auto service and repair, I am not opposed
to gasoline sales, convenience store or car wash uses.

1. Auto repair is specifically "not" a permitted use Para. C-3, Page
2 of ordinance 87-64.

2. Auto repair is specifically not a conditional use Para. C-1, Page
3 of ordinance 87-64.

3. Auto repair and service is just not compatible with the spirit of
the "Scenic Overlay District" concept and ordinance. For example, if
15 cars are dropped off each morning for repair assume 5 require order
of parts that will take several days to arrive, per Para. D-2, Page 3
and Para. E-3, Page 4 those cars must be stored inside which is not
a practical concept, further, work on other vehicles then would be conducted
outside on the paved areas in front of the service bays which violates
the ordinance. This is just one example of conflict with the general
spirit, not to mention the Legal Letter of the "Overlay Ordinance".

4. Approval of auto repair and service will set a "precedent" to allow
transmission shops, stereo, window tint, mag wheel, brakes and muffler
shops, etc. making Ridge Road a Lemmon Avenue or Samuel Blvd. type
area instead of a Scenic District.

Signature Cecil Marsh
Address 1722 Ridge Rd

PLANNING AND ZONING ACTION SHEET

Applicant Wayne Backus Case No. 88-1-SP/EVP
Property Description Ridge Road / Yellowjacket
Case Subject Matter site plan, EVP for full service station w/auto repair & service

CASE ACTION

Date to P&Z 2/11/88 Approved Disapproved Tabled

Conditions _____

Date to City Council 3/21 Approved Disapproved Tabled

Conditions _____

Ordinance no. _____ Date _____

ITEMS IN FILE

Zoning Cases

- Application
- Site Plan
- Filing Fee
- Notice to Paper
- Notice to Residents
- List of Residents Notified
- Residents' Responses
- Consultant's Review
- Agenda Notes
- Minutes
- Ordinance
- Correspondence
- Applicant Receipts

Plat/Site Plan Cases

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

PUBLIC NOTICE

The Rockwall Planning and Zoning Commission will hold a public hearing on February 11, 1988, at 7:30 p.m. in City Hall, 205 W. Rusk, to consider the following:

- 1.) a request from Wayne Backus for a Conditional Use Permit for a full service gasoline station with auto servicing and repair within the Scenic Overlay District to be located on Ridge Road at Yellowjacket Lane.
- 2.) a request from Lynelle Yingling for a change in zoning from "PD-5" Planned Development to "SF-10" single family on a 5 acre lot located on Quail Run Road east of SH-205.
- 3.) a request from Terry Guerin for a Conditional Use Permit for commercial amusement for a proposed indoor golf center to be located within Rockwall Industrial Park on Industrial Blvd. off I-30.
- 4.) a request from Billie Ladd for a change in zoning from "C" Commercial to "PD", Planned Development allowing commercial uses including a conditional use for a Bowling Center that would include retail, restaurant/private club, child care, and arcade uses to be located in Rockwall Business Park East at SH-205 and Rockwall Parkway.