

CITY OF ROCKWALL
205 WEST RUSK
ROCKWALL, TEXAS

APPLICATION FOR CONDITIONAL USE PERMIT

Case No. P-288-34-CUP CUP

Case Submitted June 24, 1988

Filing Fee\$ * 101.00

Applicant Gary Bodin dba Rockwall Truck Wash

Address 2020 Kristy Lane
Rockwall, Texas 75087

Phone No. 1-214-771-1485

Owner _____ Tenant XX Prospective Purchaser _____

LEGAL DESCRIPTION: See attached EXHIBIT "A"

The current zoning on this property is LIGHT INDUSTRIAL. There are no deed restrictions pertaining to the intended use of this property.

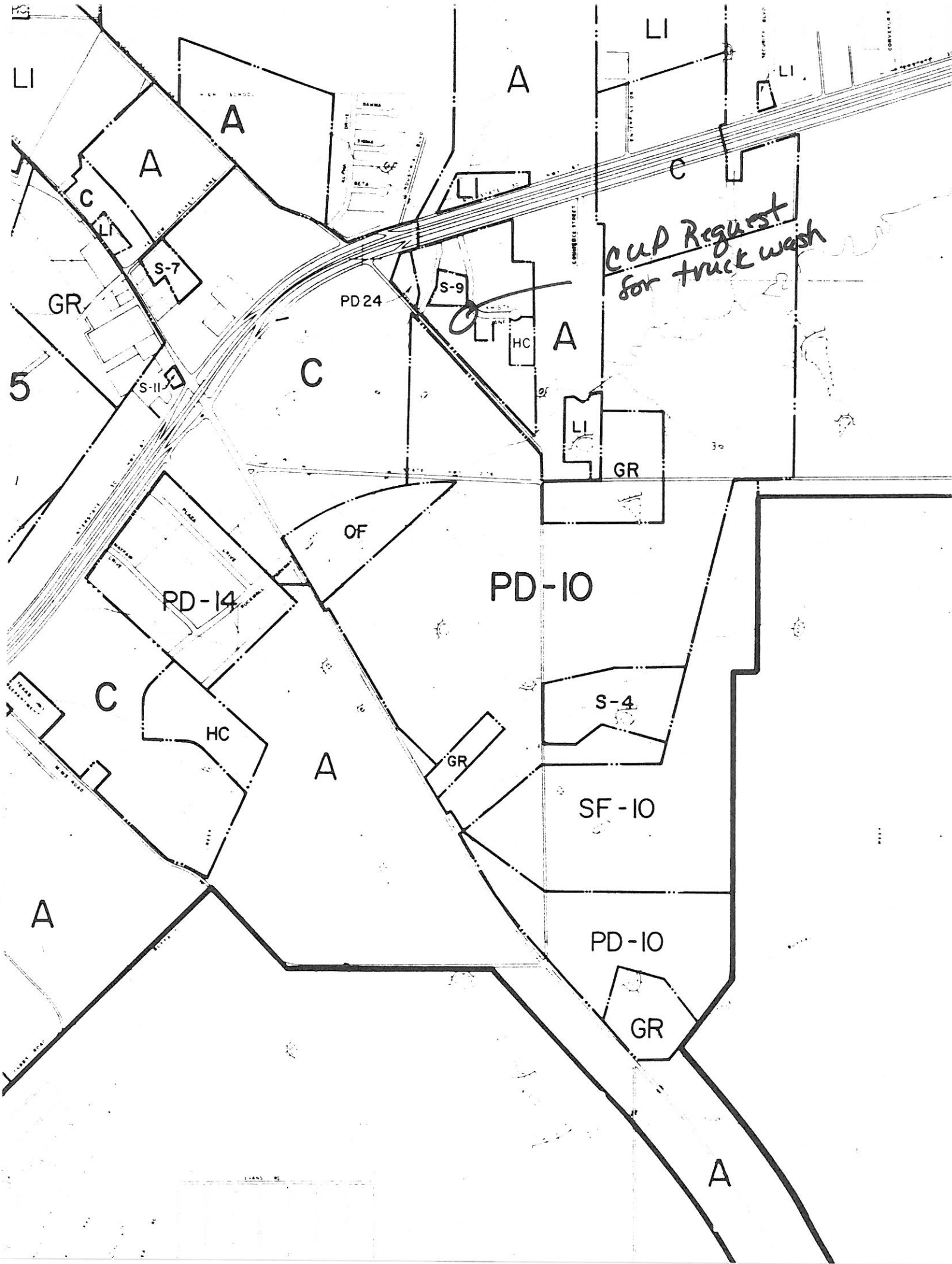
I have attached hereto as EXHIBIT "B" a plat showing the property which is the subject of this requested Conditional Use Permit and have read the following note concerning the importance of my submitting to the City a sufficient legal description.

I do hereby request that a Conditional Use Permit be issued for the above described property for the purpose of setting up a business to wash and detail large vehicles which would include trucks and trailers. This would be accomplished by appointment only. Arrangements have been made with the land owner next to the subject property for the designed use. This use would include a path for the trucks and additional parking. The marketing of this business would be done through the CB network and flyer sheets giving the address and telephone number for an appointment.

Respectfully submitted,
Gary Bodin
Gary Bodin
Owner

(Added attachments are self explanatory)

* Previously submitted



STATE OF TEXAS
COUNTY OF ROCKWALL

BEING a tract of land situated in the N.M. Ballard Survey, Abstract No. 24, Rockwall County, Texas, and being a part of Lots 1 & 2 of Bodin Industrial Tract, an addition to the City of Rockwall, and the County of Rockwall, recorded in Slide A, Page 347, Plat Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod for a corner on the Southwest line of Kristy Lane, said iron rod being South $43^{\circ} 02' 47''$ East a distance of 194.87 feet, North $48^{\circ} 03' 37''$ East a distance of 244.05 feet, and North $88^{\circ} 27' 17''$ East a distance of 199.07 feet from the Northeast line of High School Drive and at the South corner of Lot 4 and the Southwest corner of Lot 1;

THENCE: South $88^{\circ} 27' 17''$ West a distance of 199.07 feet to an iron rod for a corner;

THENCE: South $48^{\circ} 03' 37''$ West a distance of 16.16 feet to an iron rod for a corner;

THENCE: North $01^{\circ} 17' 41''$ West a distance of 94.57 feet to an iron rod for a corner;

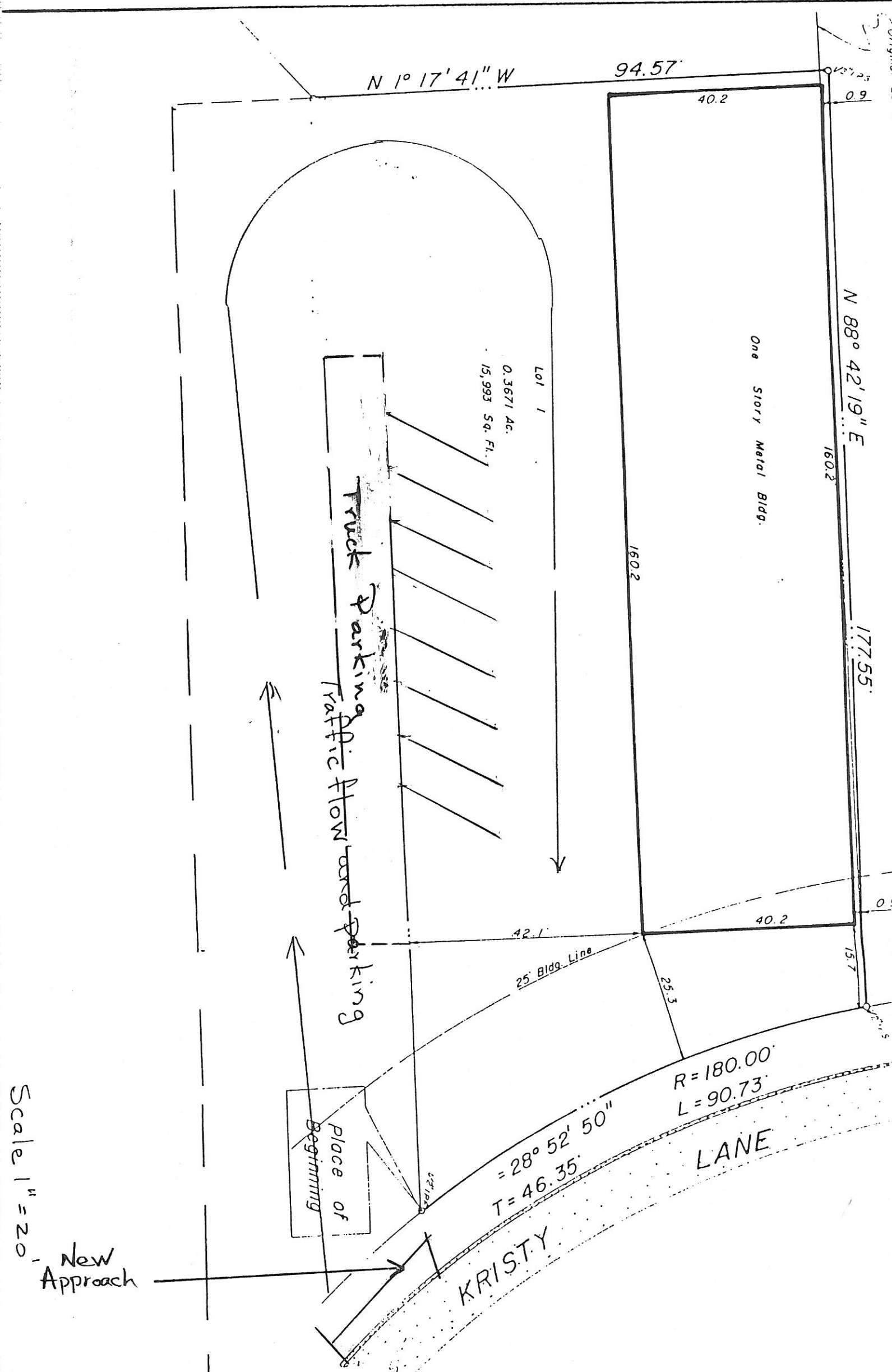
THENCE: North $88^{\circ} 42' 19''$ East a distance of 177.55 feet to an iron rod for a corner on the West line of said Kristy Lane, said iron rod being on a circular curve to the left having a central angle of $28^{\circ} 52' 50''$ and a radius of 180.00 feet, with a chord that bears South $23^{\circ} 23' 59''$ East a distance of 89.77 feet;

THENCE: Along said curve with Kristy Lane a distance of 90.73 feet to the Point of Beginning and Containing 15,993 Square Feet or 0.3671 Acres of Land.

The plat hereon is a true, correct and accurate representation of the property as determined by survey; the lines and dimensions of said property being as indicated by the plat. There are no encroachments, conflicts, or protrusions, except as shown.

Harold L. Evans, P.E., Registered Public Surveyor No. 2146





N 17° 41' W

94.57'

40.2

0.9

N 88° 42' 19" E

160.2

177.55'

One Story Metal Bldg.

Lot 1
0.3671 Ac.
15,993 Sq. Ft.

Truck Parking
Traffic flow toward parking

25' Bldg. Line

R = 180.00'
L = 90.73'

= 28° 52' 50"
T = 46.35'

LANE

KRISTY

Place of Beginning

New Approach

Scale 1" = 20'



CITY OF ROCKWALL

"THE NEW HORIZON"

Rockwall, Texas 75087-3628

(214) 771-1111

No 8955

Cash Receipt

Name Perry Boden

Date 6-27-88

Mailing Address

Job Address Permit No.

Check [x] 2492 Cash [] Other []

DESCRIPTION	Acct. Code	Amount	DESCRIPTION	Acct. Code	Amount
Building Permit	01-3601		Water Tap	02-3311	
Fence Permit	01-3602		10% Fee	02-3311	
Electrical Permit	01-3604		Sewer Tap	02-3314	
Plumbing Permit	01-3607		Water Availability	33-3835	
Mechanical Permit	01-3610		Sewer Availability	34-3836	
Zoning, Planning, Board of Adj.	01-3411	10100	Meter Deposit	02-2201	
Subdivision Plats	01-3412		Portable Meter Deposit	02-2202	
Sign Permits	01-3628		Misc. Income	02-3819	
Health Permits	01-3631		NSF Check	02-1128	
Misc. Permits	01-3625		Meter Rent	02-3406	
Misc. Income	01-3819		Penalties	20-3117	
Sale of Supplies	01-3807		Hanger Rent	20-3406	
Municipal Pool	01-3402		Tie Down Fees	20-3407	
Cemetery Receipts	10-3830		Land Lease	20-3804	
Hotel/Motel Tax	15-3206		Sale of Supplies	20-3807	
Marina Lease	08-3810		Exxon Payment	20-1132	
Street Assessment	25-3828		Fuel Sales	20-3809	
TOTAL OF COLUMN			TOTAL OF COLUMN		

TOTAL DUE

10100

Received by

[Signature]

Original Lot Line

0.25' PS

0.9

N 88° 42' 19" E

177.55'

160.2

15.7

0.9

22' 11.5

One Story Metal Bldg.

40.2

40.2

94.57'

160.2

25.3

R = 180.00'

L = 90.73'

LANE

KRISTY

Lot 1
0.3671 Ac.
15,993 Sq. Ft.

42.1

25' Bldg. Line

T = 46.35'

T = 28° 52' 50"

N 1° 17' 41" W

S 88° 27' 17" W

199.07'

Traffic flow and parking

place of Beginning

Scale 1" = 20'

Original Lot Lines

94.57'

N 10° 17' 41" W

N 88° 42' 19" E

177.55'

40.2

160.2

40.2

42.1

25.3

5' Bldg. Line

Property line

R = 180.00

L = 90.73

LANE

T = 28° 52' 15"

T = 46° 35'

KRISTY

Primary Wash Area

One Story Metal Bldg.

Lot 1

0.3671 Ac.
15,993 Sq. Ft.

160.2

24'

18'

Truck parking

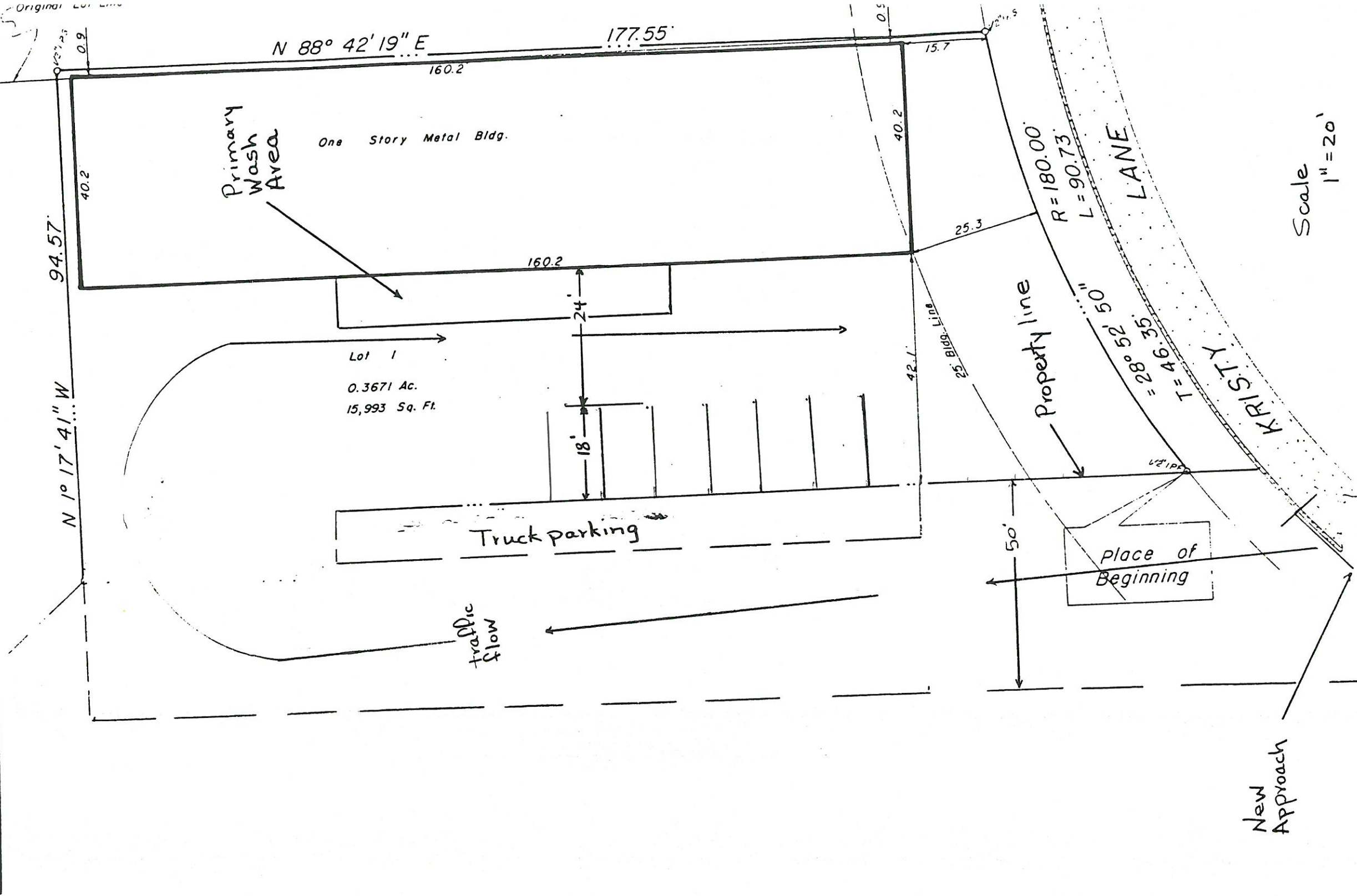
traffic flow

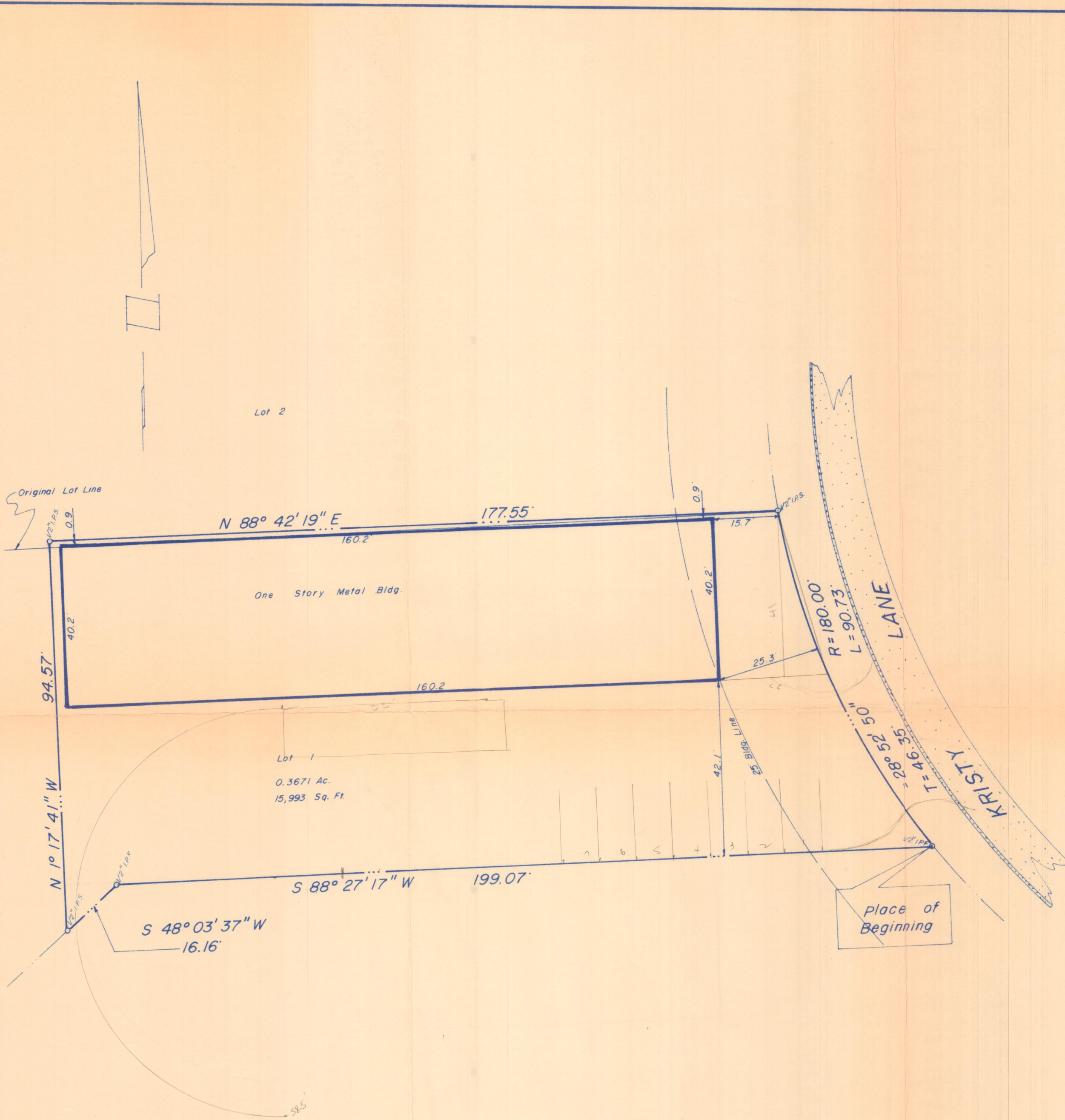
50'

Place of Beginning

New Approach

Scale 1" = 20'





DESCRIPTION

Being, a tract of land situated in the N.M. Ballard Survey, Abstract No. 24, and also being part of Lot 1 and Lot 2, Bodin Industrial Tract, an addition to the City of Rockwall, as recorded in Slide A, page 347, Plat Records, Rockwall County, Texas, and being more particularly described as follows:

Beginning, at a point on the Southwest line of Kristy Lane, said point being S.43°02'47"E., a distance of 194.87 feet, N.48°03'37"E., a distance of 244.05 feet, N.88°27'17"E., a distance of 199.07 feet, from the South corner of Lot 4, on the Northeast line of High School Drive, a 1/2" iron stake found for corner;

Thence, S.88°27'17"W., leaving the Southwest line of Kristy Lane, a distance of 199.07 feet to a 1/2" iron stake found for corner;

Thence, S.48°03'37"W., a distance of 16.16 feet to a 1/2" iron stake set for corner;

Thence, N.1°17'41"W., a distance of 94.57 feet to a 1/2" iron stake set for corner;

Thence, N.88°42'19"E., a distance of 177.55 feet to a point on the Southwest line of Kristy Lane, a 1/2" iron stake set for corner;

Thence, along the Southwest line of Kristy Lane and around a curve to the left having a central angle of 28°52'50", a radius of 180.00 feet, a distance of 90.73 feet to the PLACE OF BEGINNING and containing 0.3671 acres or 15,993 square feet of land. This description is based on the Land Title Survey and Plat made by Bob O. Brown, Registered Public Surveyor, on May 1, 1987.

CERTIFICATION

I, Bob O. Brown, Registered Public Surveyor, do hereby certify that a) this plat and property description shown hereon are true and correct and prepared from an on the ground survey of the property shown hereon; b) such survey was conducted under my supervision; c) all monuments shown actually exist and the location, size and type of material thereof, are shown; c) except as shown hereon, there are no encroachments onto the property or protrusions there from, there are no improvements on the property, there are no visible easements or rights-of-way on the property, and there are no visible discrepancies, conflicts, shortage in area or boundary line conflicts; e) the size, location and type of improvements, if any, are shown hereon and set back from the property lines the distances indicated; f) the property has access to and from a Public Roadway; g) all applicable easements furnished to or known to me have been labeled and shown hereon; h) the boundaries and dimensions shown hereon are true and correct and this service conforms to the current Texas Surveyors Association Standards and Specifications for a category 1-A condition 3 survey. This plat is for the exclusive use of Perry Bodin and the undersigned surveyor is not responsible to any others.

Bob O. Brown
 Bob O. Brown Registered Public Surveyor #1744



SHEET TITLE LAND TITLE SURVEY Part of Lot 1 and Lot 2 Bodin Industrial Tract N.M. Ballard Survey, Abstract No. 24 City of Rockwall Rockwall County, Texas 0.3671 Acres		PROJECT NO. Lot Survey SCALE 1"=20' DATE 5-1-87 DRAWN BY B. B. CHECKED BY Notes D. D. B. DRAWING NO.
B.L.S. & ASSOCIATES, INC. RT. 1 BOX 142 E. SIDS RD. PO. BOX 65 ROCKWALL, TEXAS 75087 (214) 722-3036 226-7522		OF SHTS

ACCESS EASEMENT AGREEMENT

THE STATE OF TEXAS)
)
COUNTY OF ROCKWALL)


KNOW ALL MEN BY THESE PRESENTS:

That T. E. Pitts, Inc., being represented by its sole shareholder and President, of the County of Rockwall and the State of Texas for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other valuable consideration which is hereby acknowledged, does grant to the undersigned the following access easement;

IT IS AGREED THAT THE UNDERSIGNED HAS ACCESS TO AN AREA WHICH IS APPROXIMATELY 50 FEET BY 160 FEET CONTIGUOUS WITH THE PROPERTY AT 2020 KRISTY LANE. THE PROPERTY WHERE THIS EASEMENT IS GRANTED IS FURTHER DESCRIBED IN EXHIBIT "A". IT IS FURTHER UNDERSTOOD THAT THIS AGREEMENT IS FOR THE PURPOSE OF ALLOWING FOR ADDITIONAL PARKING AND TURN AROUND SPACE SHOULD IT BE NECESSARY.

THIS ACCESS EASEMENT IS GRANTED TO THE UNDERSIGNED ONLY. IT IS NOT TRANSFERABLE. THIS AGREEMENT WILL BE IN EFFECT FOR AN INITIAL PERIOD OF ONE (1) YEAR WHICH IS THE SAME YEAR AS THE "CONDITIONAL USE PERMIT" WHICH WAS GRANTED BY THE CITY OF ROCKWALL.

In witness whereof, I have hereunto set my hand for the corporation this 21 day of 9, 1988.



T. E. Pitts, President
T. E. Pitts, Inc.

THE STATE OF TEXAS)
)
COUNTY OF ROCKWALL)

BEFORE ME, the undersigned authority, on this day personally appeared T. E. Pitts, President of T. E. Pitts, Inc., known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said T. E. Pitts, Inc., a Texas Corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 21st day of September A.D. 1988.



Loretta Myers
Notary Public State of Texas
Commission Expires 4-24-89



Notary Public, State of Texas

My Commission Expires: 4-24-89

I, Gary Bodin, have read, understood, and do hereby agree to the terms and conditions of the Access Easement Agreement.

Date: 9-22-88



Gary Bodin

THE STATE OF TEXAS)
)
COUNTY OF ROCKWALL)

BEFORE ME, undersigned authority, in and for said county, Texas, on this day personally appeared, Gary Bodin, known to me to be the person whose name subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 22nd day of September, A.D. 1988.



Loretta Myers
Notary Public State of Texas
Commission Expires 4-24-89

My Commission Expires: 4-24-89

Loretta Myers
Notary Public, State of Texas

EXHIBIT "A"

BEING a tract of land situated in the N.M. Ballard survey, Abstract No. 24, Rockwall County, Texas, and being a part of Lot 1, of Bodin Industrial Tract, an Addition to the City and County of Rockwall, recorded in Slide A, Page 347, Plat Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod on the Northeast line of High School Drive and the Southwest line of Lot 1, said iron rod bears South $43^{\circ} 02' 46''$ East a distance of 194.87 feet from the West corner of Lot 1 and the South corner of Lot 4 of said Addition;
THENCE: North $48^{\circ} 03' 37''$ East a distance of 244.05 feet to an iron rod for a corner;
THENCE: North $88^{\circ} 77' 17''$ East a distance of 199.07 feet to an iron rod for a corner on the Westerly line of Kristy Lane, a 60 foot road, said iron rod being on a circular curve to the left having a central angle of $24^{\circ} 58' 44''$, a radius of 180.00 feet, and a chord that bears South $50^{\circ} 19' 46''$ East, a distance of 77.85 feet;
THENCE: Along said West line an arc distance of 78.47 feet to an iron rod for a corner;
THENCE: South $27^{\circ} 10' 52''$ West a distance of 215.69 feet to an iron rod for a corner;
THENCE: South $71^{\circ} 54' 28''$ East a distance of 251.56 feet to an iron rod for a corner;
THENCE: South $69^{\circ} 53' 55''$ West a distance of 349.04 feet to an iron rod for a corner of the Northeast line of High School Drive;
THENCE: North $43^{\circ} 02' 46''$ West, a distance of 371.05 feet to the Point of Beginning and Containing 130,680 Square Feet or 3.0000 Acres of Land.

ACCESS EASEMENT AGREEMENT

THE STATE OF TEXAS)
)
COUNTY OF ROCKWALL)

KNOW ALL MEN BY THESE PRESENTS:

That T. E. Pitts, Inc., being represented by its sole shareholder and President, of the County of Rockwall and the State of Texas for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other valuable consideration which is hereby acknowledged, does grant to the undersigned the following access easement;

IT IS AGREED THAT THE UNDERSIGNED HAS ACCESS TO AN AREA WHICH IS APPROXIMATELY 50 FEET BY 160 FEET CONTIGUOUS WITH THE PROPERTY AT 2020 KRISTY LANE. THE PROPERTY WHERE THIS EASEMENT IS GRANTED IS FURTHER DESCRIBED IN EXHIBIT "A". IT IS FURTHER UNDERSTOOD THAT THIS AGREEMENT IS FOR THE PURPOSE OF ALLOWING FOR ADDITIONAL PARKING AND TURN AROUND SPACE SHOULD IT BE NECESSARY.

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In witness whereof, I have hereunto set my hand for the corporation this ____ day of _____, 1988.

T. E. Pitts, President
T. E. Pitts, Inc.

THE STATE OF TEXAS)
)
COUNTY OF ROCKWALL)

BEFORE ME, the undersigned authority, on this day personally appeared T. E. Pitts, President of T. E. Pitts, Inc., known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said T. E. Pitts, Inc., a Texas Corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____ A.D. 1988.

My Commission Expires: _____ Notary Public, State of Texas

I, Gary Bodin, have read, understood, and do hereby agree to the terms and conditions of the Access Easement Agreement.

Date: _____ Gary Bodin

EXHIBIT "A"

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THENCE: North $88^{\circ} 77' 17''$ East a distance of 199.07 feet to an iron rod for a corner on the Westerly line of Kristy Lane, a 60 foot road, said iron rod being on a circular curve to the left having a central angle of $24^{\circ} 58' 44''$, a radius of 180.00 feet, and a chord that bears South $50^{\circ} 19' 46''$ East, a distance of 77.85 feet;

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THENCE: South $69^{\circ} 53' 55''$ West a distance of 349.04 feet to an iron rod for a corner of the Northeast line of High School Drive;

THENCE: North $43^{\circ} 02' 46''$ West, a distance of 371.05 feet to the Point of Beginning and Containing 130,680 Square Feet or 3.0000 Acres of Land.

AGREEMENT BETWEEN T.E. PITTS AND GARY BODIN

JUNE 21, 1988

IT IS AGREED THAT GARY BODIN, ROCKWALL TRUCK WASH, HAS ACCESS TO AN AREA WHICH IS APPROXIMATELY 50 FEET BY 160 FEET CONTIGUOUS WITH THE PROPERTY AT 2020 KRISTY LN. THIS PROPERTY IS OWNED BY T.E. PITTS. IT IS UNDERSTOOD THAT THIS AGREEMENT IS FOR THE PURPOSE OF ALLOWING FOR ADDITIONAL PARKING AND TURN AROUND SPACE SHOULD IT BE NECESSARY.


MUTUAL CONSIDERATION IS GIVEN BY BOTH PARTIES.

AGREED TO BY:



T.E. PITTS

AGREED TO BY:

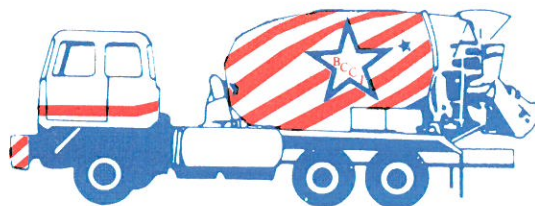


GARY BODIN, ROCKWALL TRUCK WASH

Bodin Concrete Co., Inc.

P.O. BOX 109
ROWLETT, TEXAS 75088

4810 BOYD BLVD.
ROWLETT, TEXAS 75088
475-8118



PERRY BODIN
PRESIDENT

June 23, 1988

City of Rockwall
205 West Rusk
Rockwall, Tx 75087

Attn: Julie Couch

Re: Conditional Use Permit

Dear Julie,

This is to acknowledge that I approve the application for a Conditional Use Permit for 2020 Kristy Lane. I am the legal owner of this property. Gary, my son, is making this application to start a truck wash business.

Thanks for your help.

Sincerely,

Perry Bodin
Perry Bodin

Gary Bodin
2020 Kristy Lane
Rockwall, Tx 75087

June 24, 1988

City of Rockwall
205 West Rusk
Rockwall, Tx 75087

Attn: Planning and Zoning

Re: Conditional Use Permit

Dear Committee members,

Attached you will find an agreement between T.E. Pitts and myself. This agreement has been made for the purpose of allowing me to use his land to park trucks and allow them to drive thru to the back end of the subject property. The trucks would then turn facing Kristy Lane.

I am sure that with this arrangement in place there would not be a traffic problem nor create any parking problems on Kristy Lane.

Thank you for your kind consideration in this matter.

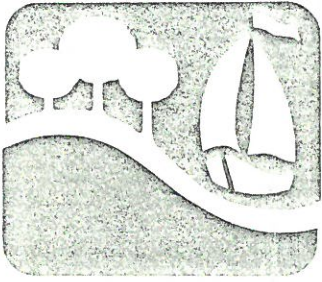
Sincerely,



Gary Bodin

P.S.

I will be happy to answer any questions that you might have.



CITY OF ROCKWALL

"THE NEW HORIZON"

July 26, 1988

Mr. Gary Bodin
2020 Kristy Lane
Rockwall, Texas 75087

Dear Mr. Bodin:

The Rockwall Planning & Zoning Commission held a public hearing on July 14, 1988, and recommended approval of a Conditional Use Permit for a truck wash as 2020 Kristy Lane subject to the following conditions:

1. execution of an access easement with the adjacent property owners easement to be filed of record;
2. review of permit by P&Z one year from approval date;
3. permit valid only for the applicant and not transferable;
4. parking to be moved closer to the street and striped.

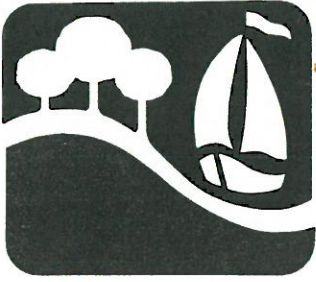
The City Council will hold a public hearing on August 1, 1988, at 7:00 P.M., in City Hall. As the applicant, it is important that you are represented at this meeting. Please call me if you have any questions.

Sincerely,

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

Mary Nichols
Asst. City Secretary

MN/gl



CITY OF ROCKWALL

"THE NEW HORIZON"

August 11, 1988

Mr. Gary Bodin
2020 Kristy Lane
Rockwall, Texas 75087

Dear Mr. Bodin:

On August 1, 1988, the Rockwall City Council held a public hearing and approved a Conditional Use Permit for a truck wash to be located at 2020 Kristy Lane subject to the following conditions:

1. Use of the Permit shall comply with the approved site plan with the condition that the parking spaces be moved closer to the street to remove them from the truck wash area, and that the parking spaces and truck wash area be identified on the site by striping of said areas.
2. The Permit shall be valid only for the applicant to which the Permit is granted and shall not be transferred without obtaining a new Conditional Use Permit in accordance with the provisions of the Zoning Ordinance.
4. The applicant may utilize a rock drive for access into the site as shown on the approved site plan, Exhibit "B", for a period of one year. At that time the drive area must be constructed to City standards if the Permit is renewed.
5. Prior to the issuance of a Certificate of Occupancy a joint use and access easement shall be filed with the County for use of the property adjacent to the site. The wording for this easement shall be approved by the City Attorney. Should the adjacent property, which is currently undeveloped, be developed, the Permit shall be reviewed by the Planning and Zoning Commission to determine if the use approved in the Permit can still operate as authorized. The Commission may determine that the Permit can no longer operate as authorized and that application for a new permit must be made in accordance with the Zoning Ordinance.
6. There shall be no on-street parking of vehicles utilizing the truck wash facility.
7. If the truck wash ceases operation the Permit shall be void.
8. The existing buildings shall not be utilized for rental or public storage for the duration of this Conditional Use Permit.

Gary Bodin
August 11, 1988
Page 2

The Council also approved an ordinance on first reading authorizing the Conditional Use Permit. An ordinance of this nature requires approval at two separate meetings of the Council. The second reading is scheduled for August 15, 1988, at 7:00 P.M. in City Hall.

Please note that if the Conditional Use Permit is not activated within six months, it will become void and the zoning will revert to the original zoning.

Feel free to call me if you have any questions.

Sincerely,

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

Mary Nichols
Administrative Assistant

MN/mmp

CITY OF ROCKWALL

Planning and Zoning Agenda

AGENDA DATE: July 14, 1988

AGENDA NO. III.D.

AGENDA ITEM: P&Z 88-34-CUP Hold Public Hearing and Consider Approval of a Conditional Use Permit for a Truck Wash at 2020 Kristy Lane

ITEM GENERATED BY: Applicant - Gary Bodin

ACTION NEEDED: Hold Public Hearing and consider approval of CUP with any conditions included in the motion

BACKGROUND INFORMATION:

The request for a CUP for a truck wash to be located on Kristy Lane has been resubmitted. It was originally submitted several months ago but was withdrawn before it was considered. The request is for a truck wash to be operated by appointment only. The applicant proposes to operate on an existing site that is occupied with miniwarehouses. He does not propose to construct any additional physical structure, but proposes to do the washing on the existing drive. Our comments are as follows:

1. The original submission proposed that the trucks pull into the site and back out into the street when they were finished. This created too much congestion on the site and also forced trucks to maneuver on a public street. To address this problem the applicant has obtained permission from the adjacent property owner to use 50 feet of his property for an entrance and circulation into the truck wash area, as well as parking area for trucks waiting to be washed which was an additional concern. The additional width provides the minimum radius for a U turn into the property. The applicant has requested permission to use a rock surface on the additional area for a period of one year to determine if the use is going to succeed. At that time they would surface this area in accordance with our standards.

If the use is approved, I would recommend prior to issuance of a CO for this use that an access and use easement from the adjacent property owner be filed with the County and a condition be placed on the CUP that prior to development of the adjacent property the CUP will be reviewed by the Planning and Zoning Commission to determine if it should be continued.

2. The original submission had some conflicts with the required parking that must be available for the warehouses. They are now showing head in parking along the property line for the required parking. I would recommend that if the request is approved that the required 7 spaces be moved closer to the street to move them totally out of the truck wash area. I would also recommend that the truck wash area and the parking spaces be designated on the site by painting on the concrete to easily identify each area.
3. The site already has 2 sand traps to collect the water used for the washing which then go into the sanitary sewer system. This meets our requirements for drainage.
4. One of the biggest concerns is that the use will outgrow the site, which is quite tight. The permit could be restricted to this operator to limit the life of the permit. A restriction should also be considered that would prohibit any parking of trucks on the public street.

ATTACHMENTS:

1. Location Map
2. Site Plan
3. Letter from applicant regarding temporary use of rock and access easment

AGENDA ITEM: CUP for Truck Wash - Kristy Lane

ITEM NO: III.D.

MINUTES OF THE PLANNING AND ZONING COMMISSION

July 14, 1988

Chairman Tom Quinn called the meeting to order with the following members present; Bob McCall, Leigh Plagens, and Hank Crumbley. The Commission first considered approval of the minutes of June 9, 1988. Plagens made a motion to approve the minutes as submitted. Crumbley seconded the motion. The motion was voted on and passed unanimously.

Quinn opened a public hearing and the Commission considered approval of a replat of a portion of the Ridgell Addition. Assistant City Manager Julie Couch explained that the current owner of Lots 1 and 2 of the Ridgell Addition has a residence that is in the middle of these two lots. He wished to combine the two lots into one lot and eliminate the lot that went through the center of his house. At this time Mike Reid joined the meeting. Couch explained that an additional five feet of right of way had been requested along the Sherman Street side and that the plat reflected the dedication. She further stated that the applicant was requesting a waiver of the requirement that 1/2 of the estimated cost of the improvements to Boydston and Sherman Streets be escrowed as this would be a one lot owner occupied subdivision. Harold Evans addressed the Commission on behalf of the applicant. McCall made a motion to approve the replat including the recommendation that the waiver request be approved. 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 a portion of Phase 18, Section II, Chandlers Landing. At this time Bill Sinclair joined the meeting. Couch explained that the applicant proposed to make the unsold lots in the area larger and was therefore wanting to combine smaller lots. She explained that the average lot would increase in size from 4,000 feet to 7,500 square feet. She pointed out that the Commission would be receiving an application at their next meeting to redesignate the lots along the lake as Single Family as opposed to the present zero lot line. Harold Evans, engineer representing the applicant, explained the proposed changes in the lots. Bob McCloy, a property owner, question a greenbelt area near his lot. Evans explained that the greenbelt would not be affected by the changes. Rob Whittle stated for the record that FraCorp wouldn't contractually agree to allow expansion in Phase 17. As there was no one else wishing to address the commission on this issue, the public hearing was closed. Plagens made a motion to approve the replat. Crumbley seconded the motion. The motion was voted on and passed unanimously.

The Commission the held a public hearing and considered approval of a request from Rockwall harbor Corporation for a Conditional Use Permit for a building over 5000 square feet with less than 100% non-combustible materials for proposed restaurant to be located on Lot 4, the Harbor Phase I. Couch explained that the applicants wanted to use wood frame construction and also wanted some exposed beams in the interior of the building. She pointed out that in similar applications, a condition was added that the structure be sprinklered and that non-combustible materials be used in the kitchen area. Rob Whittle, Rockwall Harbor Corporation, stated that the underground plumbing had already been completed for a sprinkler system, that they proposed an open beam look on the interior, a wood structure, stucco and tile roof, and a concrete block wall common with the future adjacent building. As

there was no one else wishing to address the Commission on this issue, the public hearing was closed. McCall made a motion to approve the Conditional Use Permit with the condition that the structure be sprinklered and that non-combustible materials be used in the kitchen area. Reid seconded the motion. The motion was voted on and passed unanimously.

The Commission then held a public hearing and considered approval of a request from Elaine Tibbetts for a Conditional Use Permit for a guest house as an accessory to a residence at 703 Kernodle. Couch explained that the applicant proposed to build a guest house for a relative and that staff's only concern was to provide that this portion of the lot was never sold separately or rented separately from the main residence. This was a violation of the Zoning Ordinance in residential zoning. Mrs. Tibbetts addressed the commission and outlined her building and improvement plans. She stated agreement to filing a deed restriction that would address staff's concerns. Sinclair made a motion to recommend approval of the request for a CUP providing that 1) a deed restriction be filed stating that the guest house may not be sold separately or rented separately from the main house and 2) that an annual review be conducted by staff to verify the terms of the ordinance granting the variance are being met. Crumbley seconded the motion. The motion was voted on and passed unanimously.

The Commission then held a public hearing and considered approval of a request from Gary Bodin for a conditional Use Permit for a truck wash at 2020 Kristy Lane. Couch explained that the applicant met drainage requirements but that the site plan desired some parking adjustments. She told the Commission that access from the adjacent lot was proposed to provide adequate turn space for semi-trucks and that an access easement should be provided. Gary Bodin outlined his proposed plans for improvement of the site but stated that he had already been utilizing the property as a truck wash for the last three years. The Commission discussed the existing miniwarehouses and how this affected the applicant's overall parking requirements, the location of the proposed parking, the lack of striping, possibly prohibiting waiting customers from parking on the street and blocking access to other business on Kristy, and tying the permit to the applicant and not the land. Jim Whitworth, representing the applicant, stated that a verbal access agreement had been made with the adjacent property owner but that a written easement could be obtained. After much discussion, Crumbley made a motion to recommend approval of the permit subject to the following conditions; 1) that parking would be moved closer to the exit drive and striped 2) that the Commission would review the CUP for compliance in one year 3) that an access easement with the adjacent property owner would be filed of record and 4) that the permit would be valid only as long as the applicant was the business operator. McCall seconded the motion. The motion was voted on and passed 5 to 1 with the Chair voting against the motion.

Quinn then opened a public hearing regarding an amendment to the Comprehensive Zoning Ordinance as it pertains to sexually oriented business. As there was no one wishing to address the Commission on this issue the hearing was closed. Couch explained that the City Attorney was in the process of reviewing the proposed amendment and that staff would be prepared to present it to the Commission at the worksession. The Commission discussed the existing definition of a sexually oriented business and the recommendation that the City Attorney was reviewing. Sinclair made a motion to table action

on the item until the July 25th Worksession. Reid seconded the motion. The motion was voted on and passed unanimously.

Couch then outlined a site plan and preliminary plat application for a Roadrunner convenience store to be located on SH-205 at SH-276. Couch explained that due to the odd configuration of the lot the applicant feels the site will not work if they must meet the 20 foot rear setback, and have applied for a variance to the Board of Adjustments to be considered August 4, 1988. She explained that the applicant agreed to meet with the adjacent property owner to determine if joint access for both properties could be located further east of the intersection. In addition, the applicants had agreed to provide some additional trees although the new landscape ordinance was not in effect.

Greg Arnold with Truman Arnold and Associates addressed the Commission and agreed to meet the conditions suggested. Sinclair made a motion to recommend approval of the preliminary plat and to table consideration of the site plan pending revisions to the landscaping and the joint access drive. Reid 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 adjourned.

APPROVED:

Thomas E. Quinn
Chairman

ATTEST:

Jillie Couch

CITY OF ROCKWALL

Council Agenda

AGENDA DATE: August 1, 1988

AGENDA NO. VII.E.

AGENDA ITEM: P7Z 88-34-CUP - Hold Public Hearing and Consider Approval of an Ordinance Authorizing a Conditional Use Permit for a Truck Wash at 2020 Kristy Lane

ITEM GENERATED BY: Applicant - Gary Bodin

ACTION NEEDED: Hold Public Hearing and consider approval of CUP with any conditions included in the motion

BACKGROUND INFORMATION:

We have received a revised request from Gary Bodin for a CUP for a truck wash to be located in the Bodin Industrial Park. The request is for a truck wash to be operated by appointment only. The applicant proposes to operate on an existing site that is occupied with miniwarehouses. He does not propose to construct any additional physical structure, but proposes to do the washing on the existing drive. Our comments, with recommendations underlined for ease in finding, are as follows:

1. The original submission proposed that the trucks pull into the site and back out into the street when they were finished. This created too much congestion on the site and also forced trucks to maneuver on a public street. To address this problem the applicant has obtained permission from the adjacent property owner to use 50 feet of his property for an entrance and circulation into the truck wash area, as well as parking area for trucks waiting to be washed which was an additional concern. The additional width provides the minimum radius for a U turn into the property. The applicant has requested permission to use a rock surface on the additional area for a period of one year to determine if the use is going to succeed. At that time they would surface this area in accordance with our standards.

If the use is approved, I would recommend prior to issuance of a CO for this use that an access and use easement from the adjacent property owner be filed with the County and a condition be placed on the CUP that prior to development of the adjacent property the CUP will be reviewed by the Planning and Zoning Commission to determine if it should be continued.

2. The original submission had some conflicts with the required parking that must be available for the warehouses. They are now showing head in parking along the property line for the required parking. I would recommend that if the request is approved that the required 7 spaces be moved closer to the street to move them totally out of the truck wash area. I would also recommend that the truck wash area and the parking spaces be designated on the site by painting on the concrete to easily identify each area.
3. The site already has 2 sand traps to collect the water used for the washing which then go into the sanitary sewer system. This meets our requirements for drainage.
4. One of the biggest concerns is that the use will outgrow the site, which is quite tight. The permit could be restricted to this operator to limit the life of the permit. A restriction should also be considered that would prohibit any parking of trucks on the public street.

The Planning and Zoning Commission has recommended that the CUP be approved subject to the above stated conditions and with the condition that the permit is valid only for the applicant, and that the permit would be reviewed in one year by the Commission. We have drafted an ordinance containing these conditions.

ATTACHMENTS:

1. Location Map
2. Site Plan
3. Letter from applicant regarding temporary use of rock and access easement
4. Draft Ordinance

AGENDA ITEM: CUP for Truck Wash - Kristy Lane

ITEM NO: VII.E.

MINUTES OF THE ROCKWALL CITY COUNCIL

August 1, 1988

Mayor Frank Miller called the meeting to order with the following Councilmembers present: John Bullock, Nell Welborn, Pat Luby, Don Smith, Alma Williams, and Norm Seligman. Smith conducted the invocation and led the Pledge of Allegiance. City Secretary Julie Couch then read aloud resolutions expressing appreciation for service of former Councilmembers Bill Fox and Ken Jones. Seligman made a motion to approve the resolutions. Welborn seconded the motion. The motion was voted on and passed unanimously. Mayor Miller then explained although Mr. Fox was unable to attend the meeting, he would be presented with a copy of the resolution and a plaque expressing appreciation at a later date. The Mayor then presented a copy of the resolution and a plaque to former Councilmember Jones. Jones expressed great confidence in the current City Council and stated that it had been a pleasure to serve on the Council.

Council then considered approval of the Consent Agenda which consisted of:

- a) the minutes of July 18, 1988
- b) an ordinance authorizing a Conditional Use Permit for a building over 5,000 square feet and less than 100% non-combustible materials for a proposed restaurant to be located on Lot 4, the Harbor, on first reading
- c) an ordinance amending Ordinance 87-9 pertaining to the use of flexible metal bends on second reading
- d) an ordinance abandoning a portion of a utility easement at 317 Shepherds Hill on second reading.

Couch read the ordinance captions. Williams pulled Item B. Miller pulled the Minutes and Item C. Smith made a motion to approve Item D. Welborn seconded the motion. The motion was voted on and passed unanimously. Williams stated that one of the conditions in the ordinance authorizing the Conditional Use Permit for non-combustible materials needed to clarify that an interior sprinkler system would be installed with adequate water pressure to provide complete fire control throughout the building. Luby refrained from participating in this item and left the room due to a conflict of interest. After additional discussion, Smith made a motion to approve the ordinance on first reading with the changes as specified by Councilmember Williams. Williams seconded the motion. The motion was voted on and passed unanimously.

Miller stated with regard to Item A, the minutes, the staff had recommended these be postponed for consideration at the next regular meeting. He then stated there was a citizen present who wished to speak on Item C, the ordinance regulating the use of mechanical duct materials in residential construction. Tom Bolin addressed the City Council and stated that he was a five year resident of Rockwall and that he supported the

homebuilders freedom of choice to use any air system which was engineered according to Code. Council discussed the recommendations of the Mechanical Board. Seligman made a motion to approve the ordinance on second reading. Smith seconded the motion. The motion was voted on and passed unanimously.

Tom Quinn then addressed the Council and gave the Planning and Zoning Commission Chairman's report in which he addressed the items on the Council Agenda which the Commission had considered at their last regular meeting. He outlined the Commission's recommendations with regard to a proposed revision to the preliminary plan for PD-21, a replat of a portion of the Ridgell Addition, a Conditional Use Permit request for a guest house, a Conditional Use Permit Request for a truck wash, a replat of a portion of Phase 18, Chandlers Landing, and a preliminary plat for a convenience store at SH-205 and SH-276. He further outlined some proposed amendments to the Zoning Ordinance with regard to sexually oriented businesses and explained that this item would come before Council at a later date.

Council then held a public hearing and considered a request from Holley Development for a revision to the preliminary plan for PD-21 to amend the height requirements for certain lots within the Planned Development. Miller asked the Council if there were any further questions or clarifications regarding this case of staff prior to opening the public hearing. There being none, the public hearing was opened and Doris McKee, 108 St. Mary's Street, addressed the Council. She stated that she had built her home in 1949 and had lived in it since. She explained that upon approval of the original Planned Development Ordinance the adjacent homeowners left satisfied that a compromise had been reached and she left with the understanding that no two story homes would be built directly in front of her home. She stated that two story homes meant larger families and more children with no place to play. She advised Council not to change the existing ordinance. Richard Jordan, 109 St. Mary's, stated that he concurred with Mrs. McKee and was opposed to allowing more than the original four two story homes that were approved. Jesse McDaniel, 603 South Fannin, stated that the lots were too small for homes larger than the ones currently approved. Alta Sellers, 222 St. Mary's, stated that at present the children in the neighborhood played in the street and played in her yard. She stated that the lots were too small for two story homes and too small for the additional children that the additional story would attract. Joe Smartt, 603 South Goliad, gave a brief history of these properties and urged the Council to continue to enforce the existing ordinance. Danny Holley, the current builder for St. Mary's, stated that he had bought five lots with the intent to build on them. He explained that the current construction was generating value in the area and that he himself owned a home on St. Mary's. Holley explained that the copy of the Planned Development Ordinance he obtained did not contain the height restrictions in the body of the ordinance. He further explained that he had redrawn the proposed two story homes so that they were only one and one half feet higher than the single story homes already on the street. He explained that he had also redrawn the back of the homes so that it appeared to be a single story home from the rear, particularly the lot facing Mrs. McKee's house. Council discussed the changes that had been made in the elevations of the buildings and questioned the audience as to their opinion of the revised plan. Nan Smartt addressed the Council and explained that she was still opposed to the plan. Doris McKee stated that she disapproved of the revision even though the elevations had been changed. Smith pointed out that the redrawing did not address the

limitation to the number of rooms within the house. After a lengthy discussion, Smith made a motion to deny the request. Luby seconded the motion. The motion was voted on and passed unanimously.

Council then held a public hearing and considered approval of a replat of the Ridgell Addition. Couch explained that the applicant wished to combine two lots that he owns into one lot, thus eliminating a lot line that ran through the center of his residence. She stated the applicant was also requesting a waiver of the escrow requirements which would require him to escrow one half of the estimated cost of the improvements to Boydston and Sherman Streets because they are both considered substandard. She stated that this would be a one lot, owner occupied subdivision. She further explained that he was dedicating an additional five feet of right-of-way along the Sherman side in order to provide 50 ft. of right-of-way. Harold Evans, the engineer, was present to address Council's questions. Welborn made a motion to approve the replat and the waiver request. Seligman seconded the motion. Miller confirmed that Mr. Gamez, the applicant, had been assessed for improvements along Boydston street. The motion was voted on and passed unanimously.

Council then held a public hearing and considered approval of an ordinance authorizing a request form Elaine Tibbetts for a Conditional Use Permit for a guest house as an accessory to a residence at 703 Kernodle. Couch explained that the homeowner at 703 Kernodle proposed to construct a detached garage with guest quarters attached to the garage to house an elderly relative. The structure as proposed met all the material requirements and setback requirements and the Planning and Zoning Commission had recommended that the Council require that a deed restriction be filed that would run with the land stating that quarters could never be sold separately from the main lot and that it would never be rented separately from the main lot. Terry Tibbetts addressed the Council and explained that his original plan had been to divide his lot into two lots, but that he could not meet the necessary requirements in order to do that. Couch read the ordinance caption. Welborn made a motion to approve the request and the ordinance on first reading with the conditions as outlined by the Assistant City Manger. Williams seconded the motion. The motion was voted on and passed unanimously.

Council then held a public hearing and considered approval of an ordinance authorizing a Conditional Use Permit for a truck wash at 2020 Kristy Lane. Couch explained that the applicant proposed to operate on an existing site which is currently occupied with miniwarehouses. She stated he did not propose to construct any additional physical structures, but to do the washing on the existing drive. She outlined the conditions in the ordinance, including a condition that required filing of an access easement from the adjacent property owner with the County and a condition that the CUP be reviewed by the Planning and Zoning Commission in one year. Gary Bodin addressed the Council and explained his request. Jim Whitworth addressed the Council and stated that the applicant intended to abide by the Code, that the miniwarehouse would not be rented, and that as there is already much traffic on Kristy Lane, the additional truck traffic would not damage the road. Council discussed the landscaping, the adequacy of the sand traps, adequacy of turn-around space for the trucks, and the availability of additional property if the business expanded. Seligman made a motion to approve the request and

the ordinance on first reading with an addition of an eighth condition within the ordinance which would specify that the existing buildings would not be used for rental or public storage for the duration of the Conditional Use Permit. Williams seconded the motion. The motion was voted on and passed unanimously.

Council then held a public hearing and considered approval of a replat of a portion of Phase 18, Section 2 Chandlers Landing. Couch explained that the applicant proposed to make the unsold lots in this area larger and was therefore wanting to combine lots. She explained the original plat of the lots averaged 4,000 square feet, and the replat of these lots would average 7,500 square feet. She stated that the replatted lots still met the area requirements for Phase 18 which was designated for Zero Lot Line. She added, however, that they had submitted a request to redesignate the larger lots along the lake as single family. After a brief discussion, Smith made a motion to approve the replat. Welborn seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of a preliminary plat for a proposed convenience store to be located at SH-205 and SH-276. Couch explained that the plat as submitted met all requirements and that the right-of-way on both SH-205 and SH-276 had been found to be adequate in both locations. She explained that while Council was not considering approval of a site plan at this time, approval of the preliminary plat should be subject to approval by the Board of Adjustments of a variance to the rear setback requirements of the Zoning Ordinance which had been submitted in conjunction with the site plan. After a brief discussion, Smith made a motion to approve the preliminary plat subject to approval of the variance by the Board of Adjustments. Welborn seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of an ordinance levying assessment for paving and utility improvements within the Heritage Heights Public Improvements District on first reading. Welborn made a motion to approve the ordinance. Smith seconded the motion. The motion was voted on and passed unanimously. Eisen explained that as this area was formerly a part of the Mt. Zion Water Supply Corporation system, improvements could not begin until a release was obtained from the Farmer's Home Administration. He suggested Council consider tabling the award of bid of the contract for paving, drainage and utility improvements until FMHA approval was received. Smith made a motion to table consideration of the award of the contracts. Williams seconded the motion. The motion was voted on and passed unanimously.

Bill Eisen then gave the City Manager's report in which he discussed the upcoming budget workshop and the planning taking place for a future pump station to accommodate a waterline extension planned by the North Texas Municipal Water District.

Council then discussed the Enhancement Study for Phase II of the Capital Improvements Program and considered approval of an ordinance setting a date for public hearings pertaining to the assessments on second reading. Mark Hipes, of Marlin Blake and Associates, outlined the method of analysis used during the appraisal process of Phase II of the Capital Improvements Program. He explained that enhancement was found equal to or greater than the amount

ORDINANCE NO. 88-37

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO GRANT A CONDITIONAL USE PERMIT FOR A TRUCK WASH IN A LIGHT INDUSTRIAL ZONING CLASSIFICATION ON A TRACT OF LAND DESCRIBED HEREIN; PROVIDING FOR CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a Conditional Use Permit has been requested by Gary Bodin for a truck wash in a Light Industrial zoning classification on a tract of land described as a part of Lot 1 and 2, Bodin Industrial Park, and being further described in the attached Exhibit "A"; 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 so as to grant a Conditional Use Permit for a truck wash in a Light Industrial zoning classification, on the property described as a part of Lot 1 and 2, Bodin Industrial Park, and being further described in the attached Exhibit "A".

Section 2. That the Conditional Use Permit shall conform to all requirements as set forth in the Comprehensive Zoning Ordinance and shall be subject to the following special conditions:

1. Use of the Permit shall comply with the approved site plan attached hereto as Exhibit "A", with the condition that the parking spaces be moved closer to the street to remove them from the truck wash area, and that the parking spaces and truck wash area be identified on the site by striping of said areas.
2. The Permit shall be valid for a period of one year at which time the permit shall be reviewed and may be renewed by the Planning and Zoning Commission.
3. The Permit shall be valid only for the applicant to which the Permit is granted and shall not be transferred without obtaining a

new Conditional Use Permit in accordance with the provisions of the zoning ordinance.

4. The applicant may utilize a rock drive for access into the site as shown on the approved site plan , Exhibit "B", for a period of one year. At that time the drive area must constructed to City standards if the Permit is renewed.
5. Prior to the issuance of a Certificate of Occupancy a joint use and access easement shall be filed with the County for use of the property adjacent to the site. The wording for this easement shall be approved by the City Attorney. Should the adjacent property, which is currently undeveloped, be developed the Permit shall be reviewed by the Commission to determine if the use approved in the Permit can still operate as authorized. The Commission may determine that the permit can no longer operate as authorized and that application for a new permit must be made in accordance with the zoning ordinance.
6. There shall be no on street parking of vehicles utilizing the truck wash facility.
7. If the truck wash ceases operation the permit shall be void.
8. The existing buildings shall not be utilized for rental or public storage for the duration of this Conditional Use Permit.

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

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

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



Section 6. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Comprehensive Zoning Ordinance No. 83-23 of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and application of the ordinance without the invalid parts and to this end the provisions of this ordinance are declared to be severable.

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

DULY PASSED AND APPROVED this 15th day of August, 1988.

APPROVED:

ATTEST:

By  
Mayor

1st reading 8/1/88

2nd reading 8/15/88

DESCRIPTION

Being, a tract of land situated in the N.M. Ballard Survey, Abstract No. 24, and also being part of Lot 1 and Lot 2, Bodin Industrial Tract, an addition to the City of Rockwall, as recorded in Slide A, page 347, Plat Records, Rockwall County, Texas, and being more particularly described as follows:

Beginning, at a point on the Southwest line of Kristy Lane, said point being S.43°02'47"E., a distance of 194.87 feet, N.48°03'37"E., a distance of 244.05 feet, N.88°27'17"E., a distance of 199.07 feet, from the South corner of Lot 4, on the Northeast line of High School Drive, a ½" iron stake found for corner;

Thence, S.88°27'17"W., leaving the Southwest line of Kristy Lane, a distance of 199.07 feet to a ½" iron stake found for corner;

Thence, S.48°03'37"W., a distance of 16.16 feet to a ½" iron stake set for corner;

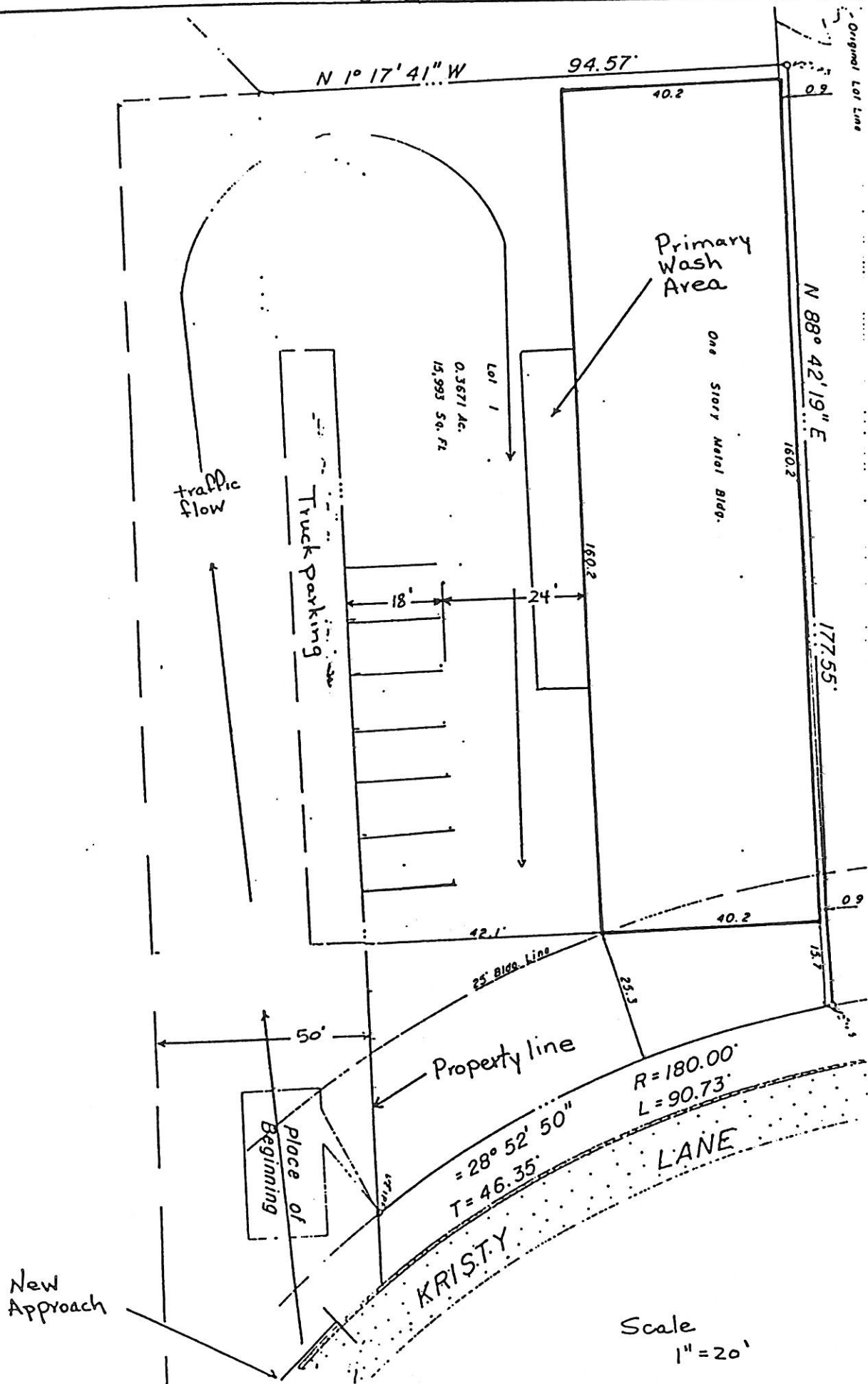
Thence, N.1°17'41"W., a distance of 94.57 feet to a ½" iron stake set for corner;

Thence, N.88°42'19"E., a distance of 177.55 feet to a point on the Southwest line of Kristy

Lane, a ½" iron stake set for corner;

Thence, along the Southwest line of Kristy Lane and around a curve to the left having a central angle of 28°52'50", a radius of 180.00 feet, a distance of 90.73 feet to the PLACE OF

BEGINNING and containing 0.3671 acres or 15,993 square feet of land. This description is based on the Land Title Survey and Plat made by Bob O. Brown, Registered Public Surveyor, on May 1, 1987.



Scale
1" = 20'

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 14th day of July, 1988
in the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at the
request Gary Bodin
for a a Conditional Use Permit for a truck wash

on the following described property:

2020 Kristy Lane also described as being a portion of
Lot 1, Block A, Bodin Industrial Park

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 88-34-CUP

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 88-34-CUP

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

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

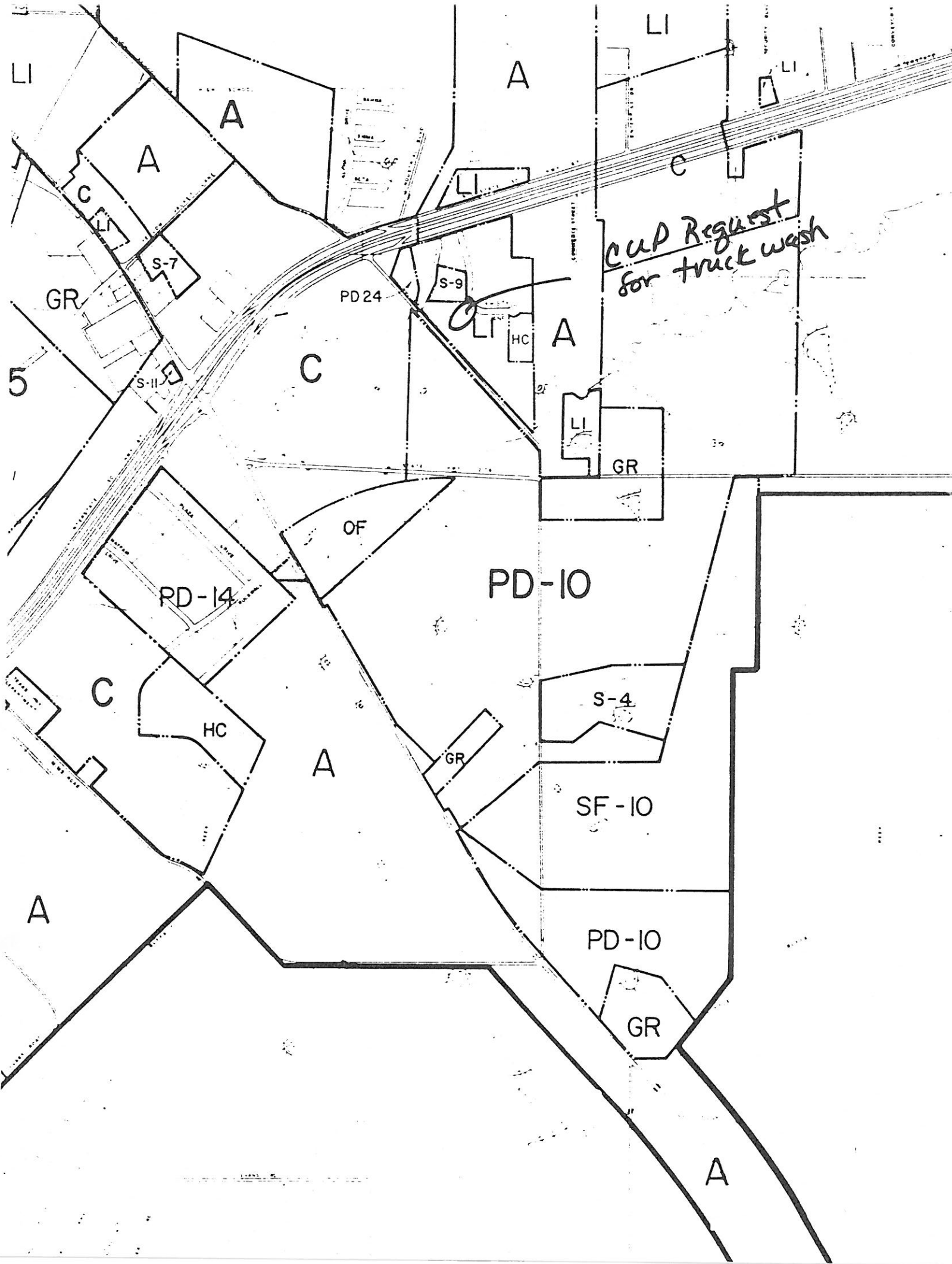
1.

2.

3.

Signature _____

Address _____



COP for Truck Wash
Bodin Industrial
2020 Kristy Ln

Perry Bodin
P.O. Box 109

Metro-pour Concrete
2640 Ridge Rd

Parnell Electric
555 1/2 High School Dr

Ed Rich Development Co
T.V. Electric
2001 Bryan Tower #2035
Dallas 75201

Forrest B. Davis Co
2015 Kristy Ln

Rockwall Retreading
P.O. Box 806

1st National Bank of Rowlett
Attn Anne Bennett
P.O. Box 1359
Rowlett 75088

John B Wright
P.O. Box 819

Layne Western Co Inc
5800 Foxridge Dr
Mission Woods, Kansas
66205

Majestic Real Estate
3946 Calenwick
Dallas 75205

Jonathan B. Palmer
1001 Cameo Court
Carland 75043

Cecil Self
3612 Hilltop Circle

William Way
Rt 2 Box 63

T.E. Pitts
P.O. Box 280776
Dallas 75228

~~Robt Parnett~~

JWB Enterprises
301 E I-30

James J Csikas
852 Zion Hill Circle

City of Rockwall

Cambridge Companies
Rockwall South Assoc
116660 Dls Pkwy #2000
Dallas 75248

BEFORE THE PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

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

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

1. Not enough area for trucks to get in and out of without pulling into my drive.
2. The area makes no sense as it is well off I-30.
3. The run off water will go into a local creek and not be treated.

Signature James R. Caber
Address 2065 Kristie Lane
Rockwall, TX 75087

PLANNING AND ZONING ACTION SHEET

Applicant Cary Bodin Case No. 88-34-040

Property Description _____

Case Subject Matter _____

CASE ACTION

	<u>Approved</u>	<u>Disapproved</u>	<u>Tabled</u>
Date to P&Z <u>7/14</u>	<u>✓</u>	_____	_____
Conditions _____			

Date to City Council <u>8/1</u>	<u>✓</u>	_____	_____
Conditions _____			

Ordinance no. 88-37 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