

CITY OF ROCKWALL
205 West Rusk
Rockwall, Texas

APPLICATION FOR CONDITIONAL USE PERMIT

Case No. 89-35- CUP Date Submitted 9-25-89

Filing Fee \$ 170.00

Applicant Our Lady of the Lake Parish % Bill E. Fenev

Address 306 E. Rusk
Rockwall TX 75087

Phone No. 771-6671 Parish #
Home # 771-5094

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:

New Church for our Lady of the Lake Parish

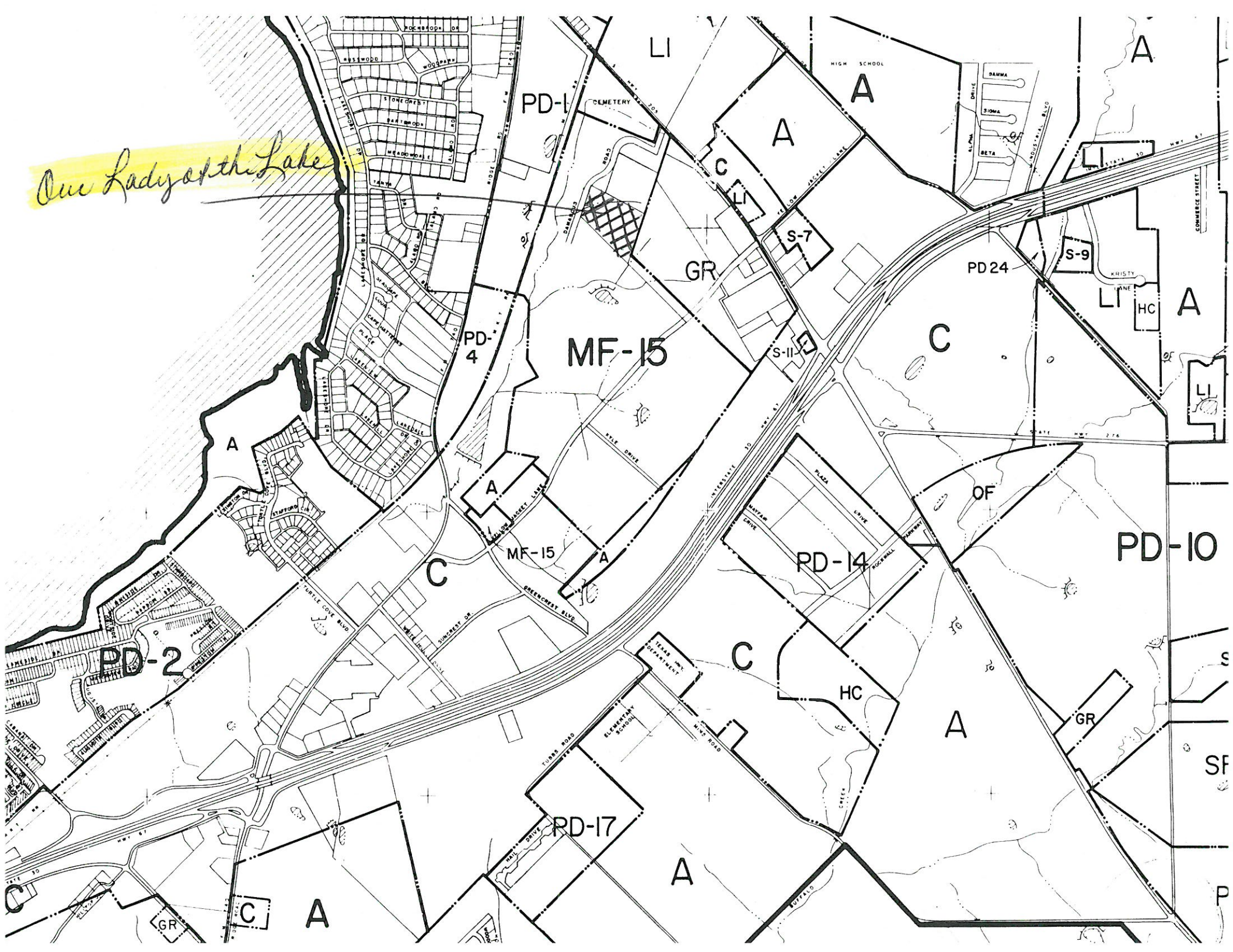
line The current zoning on this property is Multi Family. There ^{space} are/are not ^{space} deed restrictions pertaining to the intended use of this property.

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.

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.

Our Lady of the Lake



Nº 13784



CITY OF ROCKWALL
"THE NEW HORIZON"
Rockwall, Texas 75087-3628
(214) 771-1111

Cash Receipt

Name Jamell Glass Date 9-26-89

Mailing Address _____

Job Address _____ Permit No. _____

Check Cash Other

#4374

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	170.00	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	25-3828		Fuel Sales	20-3809	

TOTAL OF COLUMN

TOTAL OF COLUMN

TOTAL DUE

170.00

Received by

[Signature]

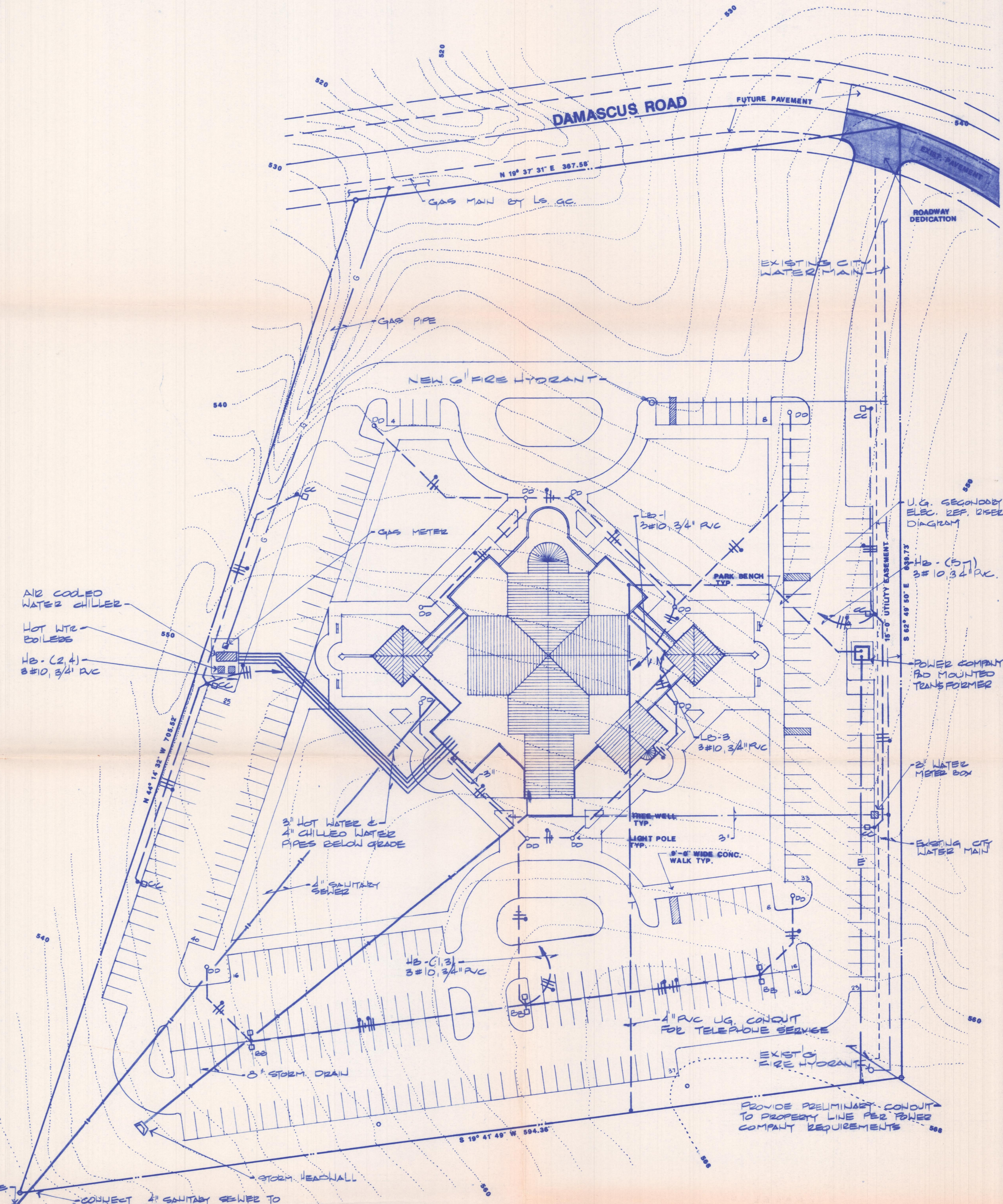
LIGHTING FIXTURE SCHEDULE		
MARK	DESCRIPTION	LAMPS
AA	2' X 4' LAY-IN FLOURESCENT WITH ACRYLIC PRISMATIC LENS. DAYBRITE #SG243-SRA120-277V.-ESB-LP10.	3-34 WATT RS/WH ES
BB	AREA LIGHT- ENCO #PAF-400PH-480-BL ON 30" ROUND STEEL POLE PAINTED TO MATCH FIXTURES.	2-400 WATT METAL-HALIDE
CC	AREA LIGHT-ENCO #PAD-400PH-480-BL ON 30" ROUND STEEL POLE PAINTED TO MATCH FIXTURE.	400 WATT METAL-HALIDE
DD	DECORATIVE POST FIXTURE-7'-0" CAST IRON POLE & BASE, JACKS METAL ARTS, NEW ORLEANS I.A.-PH.-6004-529-3149. PROVIDE WITH CLEAR ACRYLIC LENS. PAINT FIXTURE & POLE TO MATCH APPROVED SAMPLE.	100 WATT (INCL. W/ FIXTURE)

NOTE:
INCLUDE THE FOLLOWING ALLOWANCES FOR LIGHTING FIXTURES SHOWN ON THE ARCHITECTURAL PLANS.

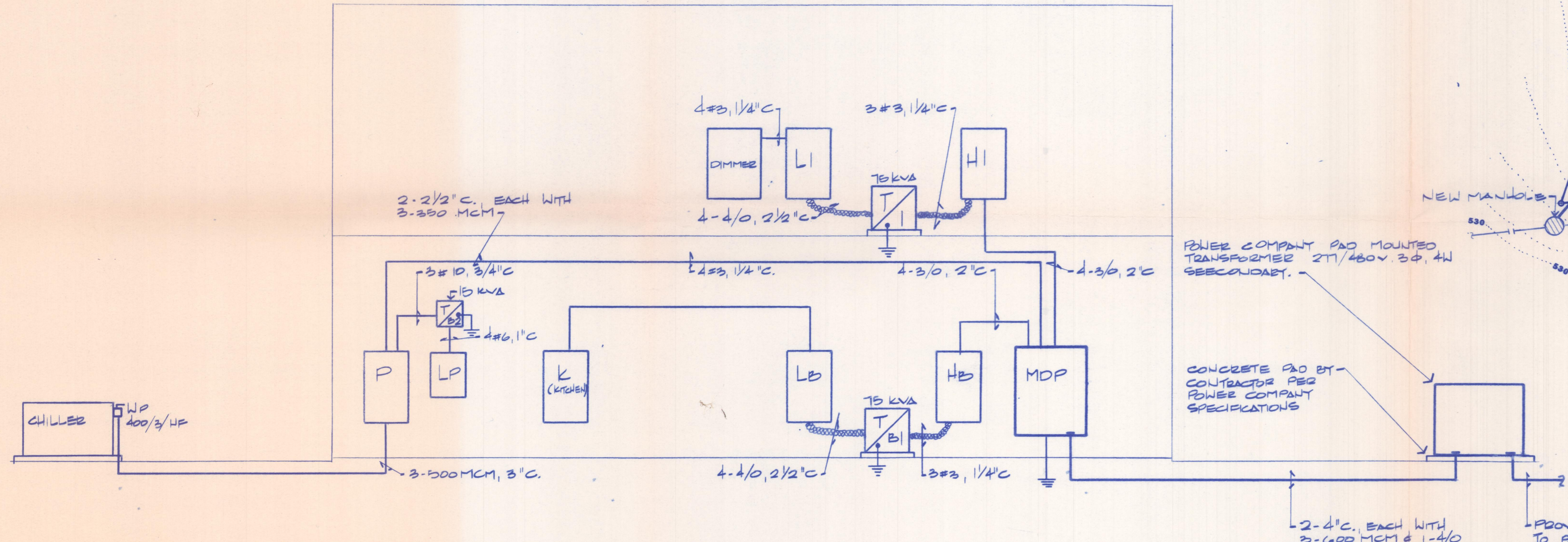
TYPE	ALLOWANCE (EACH)
A	\$2000.00
B QTY. 4	1000.00
C	1000.00
D QTY. 2	1000.00
E	200.00
F	300.00
G	150.00
H	300.00
I	150.00
J	100.00
K	300.00
L	200.00
M	200.00

THE ALLOWANCE INCLUDES COST OF FIXTURES ONLY. BRANCH CIRCUIT WIRING COSTS AND INSTALLATION COST MUST BE ADDED TO THESE AMOUNTS.

- ELECTRICAL NOTES
- EXTERIOR LIGHTING ON CIRCUITS HB-(1,3), HB-(5,7), AND HB-(2,4) SHALL BE CONTROLLED BY A TIME CLOCK CONTROLLED CONTACTOR AND PHOTOCELL. CONTROL SHALL BE PHOTOCELL-ON, TIME CLOCK-OFF.
 - DECORATIVE POST LIGHTS SHALL BE CONTROLLED BY A 2-TIME CLOCK & PHOTOCELL FOR PHOTOCELL-ON, TIME CLOCK-OFF.
 - INCLUDE AN ALLOWANCE OF \$15,000.00 FOR GROUND AND ROOF MOUNTED BUILDING FLOODLIGHTING, CIRCUITS, AND CONTROLS.
 - INCLUDE AN ALLOWANCE OF \$11,000.00 FOR DIMMING SYSTEM, AND \$5000.00 FOR SOUND SYSTEM.
 - REFER TO MECHANICAL PLANS FOR SCOPE OF CONNECTIONS REQUIRED FOR MECHANICAL EQUIPMENT NOT SHOWN ON THE ELECTRICAL PLAN.
 - EIGHT 2'x4' AND FOUR 2'x2' FLOURESCENT FIXTURES IN THE BASEMENT SHALL HAVE EMERGENCY BATTERY PACKS FOR OPERATION OF ONE LAMP. THE EMERGENCY LAMPS SHALL BE CONNECTED TO THE EXIT LIGHT CIRCUITS.
 - ALL CONDUIT FOR PENDANT & SURFACE LIGHTING FIXTURES IN THE SANCTUARY WILL BE RUN IN THE INSULATION ON THE ROOF.
 - PROVIDE ONE 8"x3/4" COPPERWELD GROUND ROD AT EACH EXTERIOR POLE BASE, CONNECTED TO A GROUND LUG IN THE POLE WITH #6 COPPER WIRE.
 - MAIN PANELBOARD 'MP' SHALL BE SWITCH/FUSE TYPE, 800 AMP 277/480V, 3-PHASE, 4-WIRE, LUGS ONLY WITH THE FOLLOWING BRANCHES:
200A/3P/200AF SERVING PANEL 'HB'
200A/3P/200AF SERVING PANEL 'HI'
600A/3P/600AF SERVING PANEL 'P'
200A/3P SPACE ONLY
 - PANELS 'HB' AND 'HI' SHALL EACH BE 277/480V, 3-PHASE, 4-WIRE, 225 AMP LUGS ONLY SERVING TRANSFORMERS, LIGHTING, AND SMALL POWER LOADS IF APPLICABLE.
 - PANELS 'LB' AND 'LI' SHALL EACH BE 120/208V, 3-PHASE, 4-WIRE 225A/3P MAIN BREAKER PANELS. PANEL 'LB' WILL SERVE BASEMENT RECEPTACLES, INCANDESCENT LIGHTING AND KITCHEN PANEL 'K'. PANEL 'LI' SHOULD SERVE ALL FIRST FLOOR LIGHTING AND MISCELLANEOUS RECEPTACLES.
 - PANEL 'K' SHALL BE 100 AMP, 120/208 VOLT, 3-PHASE, 4-WIRE, LUGS ONLY SERVING KITCHEN EQUIPMENT.
 - PANEL 'P' SHALL BE 600 AMP, 480 VOLT, 3-PHASE, 3-WIRE SERVING CHILLER, PUMPS, AIR UNITS AND OTHER 3-PHASE, MECHANICAL EQUIPMENT. REFER TO MECHANICAL DRAWINGS FOR SCOPE OF WORK.
 - PANEL 'LP' SHALL BE 50A/3P MAIN BREAKER, 120/208 VOLT, 3-PHASE, 4-WIRE, SERVING MISCELLANEOUS 120V. POWER REQUIRED FOR MECHANICAL EQUIPMENT.
 - REFER TO ARCHITECTURAL REFLECTED CEILING PLANS FOR LOCATION AND QUANTITY OF LIGHTING FIXTURES.

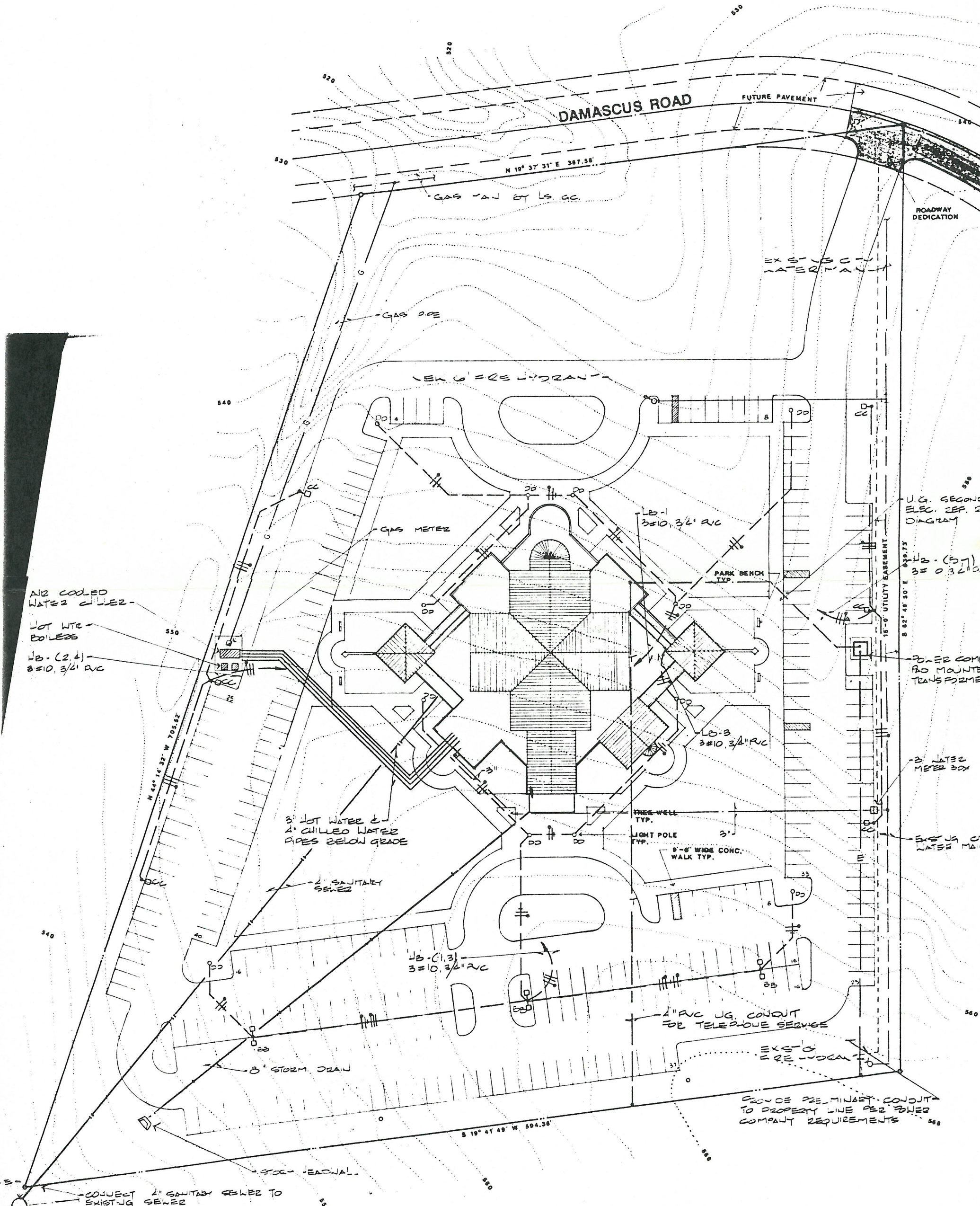


SITE PLAN
1" = 40'-0"



ELECTRICAL RISER DIAGRAM
NO SCALE

OUR LADY OF THE LAKE



SITE PLAN
1" : 40'-0"

ROCKWALL COLORED BURIAL CLUB

HIGHWAY

$\Delta = 97^{\circ}39'24''$
 $R = 25.00$
 $T = 28.59$
 $L = 42.61$

$S 62^{\circ}45'05'' E$
 $N 62^{\circ}45'05'' W$

$\Delta = 30^{\circ}27'25''$
 $R = 25.00$
 $T = 6.81$
 $L = 13.29$

$\Delta = 30^{\circ}27'25''$
 $R = 55.00$
 $T = 14.99$
 $L = 29.24$

$N 62^{\circ}45'05'' W$
61.05

RAYMOND & ELIZABETH CAMERON

FIRST UNITED METHODIST
Church Addition

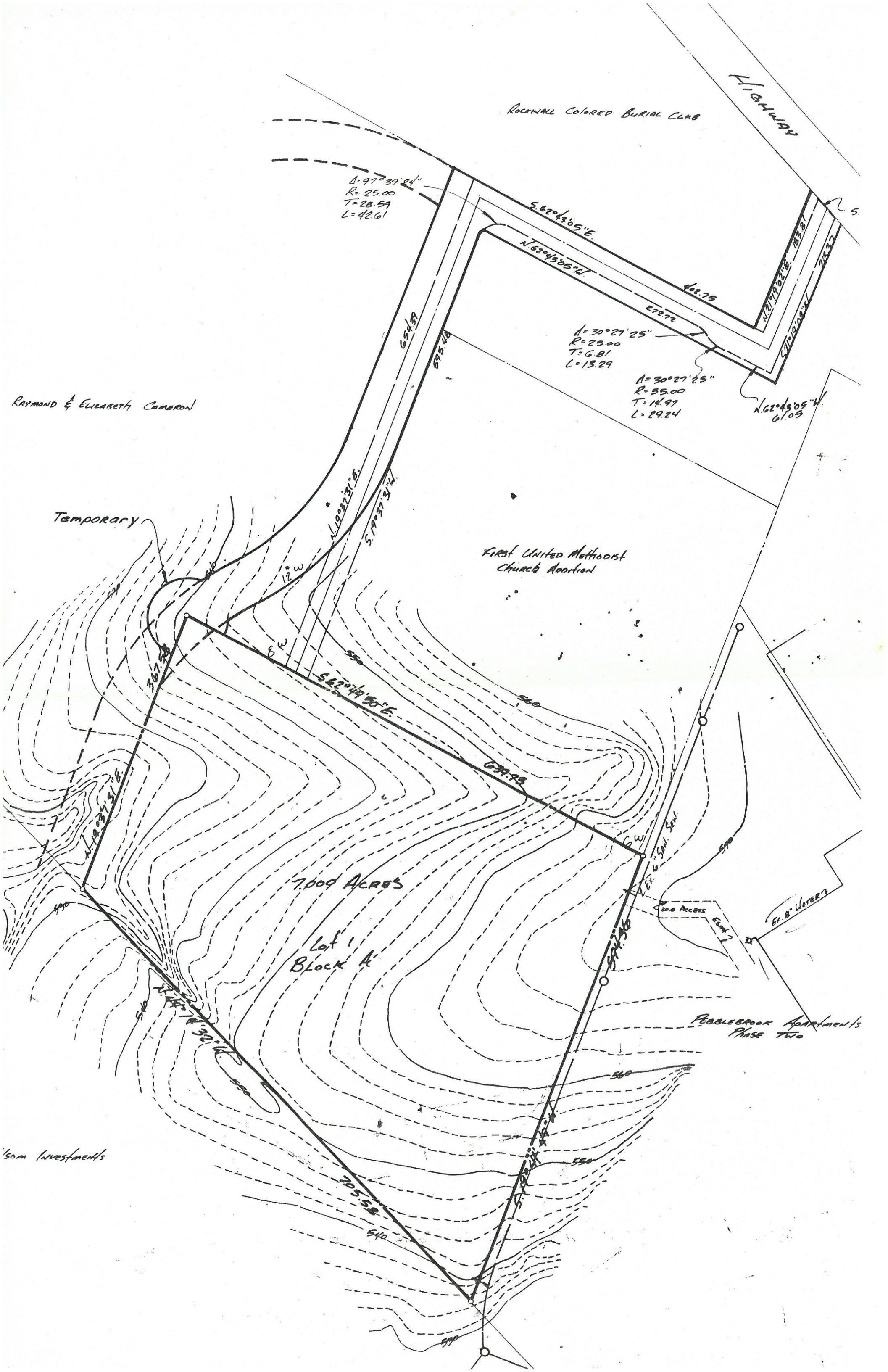
Temporary

7.009 ACRES

Lot
Block A

PEBBLEBROOK APARTMENTS
PHASE TWO

Some Investments



OWNERS CERTIFICATE

WHEREAS, Lady of the Lake Catholic Church, are the owners of a tract of land situated in the B.J.T. Lewis Survey, Abstract No. 225, Rockwall County, Texas and being a part of that 24.15 acre tract of land conveyed to G. C. Rochell, Jr. by E. W. Titus and wife Elizabeth Titus, by deed dated March 30, 1943, and recorded in the Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod at the South corner of the First United Methodist Church, an addition to the City of Rockwall, and on the Southeast line of the above mentioned Rochell tract and on the Northwest line of Pebblebrook Apartments Phase Two, a proposed addition to the City of Rockwall;
THENCE: South 19° 41' 49" West a distance of 594.36 feet along said Southeast and Northwest line to an iron rod at the West corner of said Pebblebrook Apartments Phase Two and the South corner of said Rochell tract;
THENCE: North 44° 14' 32" West a distance of 705.58 feet along the Southwest line of said Rochell tract to an iron rod for a corner;
THENCE: North 19° 37' 31" East a distance of 367.58 feet traversing said Rochell tract to an iron rod for a corner;
THENCE: South 62° 49' 50" East passing at 170.99 feet to an iron rod found for the West corner of said Methodist Church Addition and continuing along the Southwest line of said addition a total distance of _____ feet to the Point of Beginning and Containing 7.000 Acres of Land.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:
That, Thomas Tschoepe, being the owners, does hereby adopt this plat designating the hereinabove described property as Our Lady of the Lake Catholic Church, an addition to the City of Rockwall, Rockwall County, Texas, and does hereby dedicate to the public use forever the streets and alleys shown thereon, and does hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance, or efficiency of their respective system on any of these easements strips; and any public utility shall have the right of ingress or egress to, from and upon the said easement strips for purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective systems without the necessity of, at any time, procuring the permission of anyone. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grades of streets in this subdivision.

No house, dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until such time as the developer has complied with all requirements of the Platting Ordinance of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, drainage structures, and storm sewers, all according to the specifications of the City of Rockwall.

WITNESS MY HAND at _____, Texas, this _____ day of _____, 1984.

Thomas Tschoepe, Bishop of the Roman Catholic Diocese of Dallas and for His Successors

STATE OF TEXAS
COUNTY OF _____

This instrument was acknowledged before me on the _____ day of _____, 1984, by Thomas Tschoepe

Notary Public
Commission expires _____

SURVEYOR'S CERTIFICATE

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:
THAT I, Harold L. Evans, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

Harold L. Evans, P.E., Registered Public Surveyor 2146

STATE OF TEXAS
COUNTY OF DALLAS

This instrument was acknowledged before me on the _____ day of _____, 1984, by Harold L. Evans.

Notary Public
Commission expires _____

RECOMMENDED FOR FINAL APPROVAL

City Administrator
Date: _____

Chairman, Planning and Zoning Commission
Date: _____

I hereby certify that the above and foregoing plat of Our Lady of the Lake Catholic Church, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 1984.

Said addition shall be subject to all the requirements of the Platting Ordinances of the City of Rockwall.

WITNESS OUR HANDS this _____ day of _____, 1984.

Mayor, City of Rockwall

City Secretary, City of Rockwall

MEMORANDUM

TO: Julie Couch & Ed Heath
FROM: David Smith
DATE: October 25, 1989
SUBJECT: Waggoner Nursery - 950 Williams

The building at this location has been occupied and is currently being used as a church. To my knowledge the zoning change has been applied for but not approved by council.

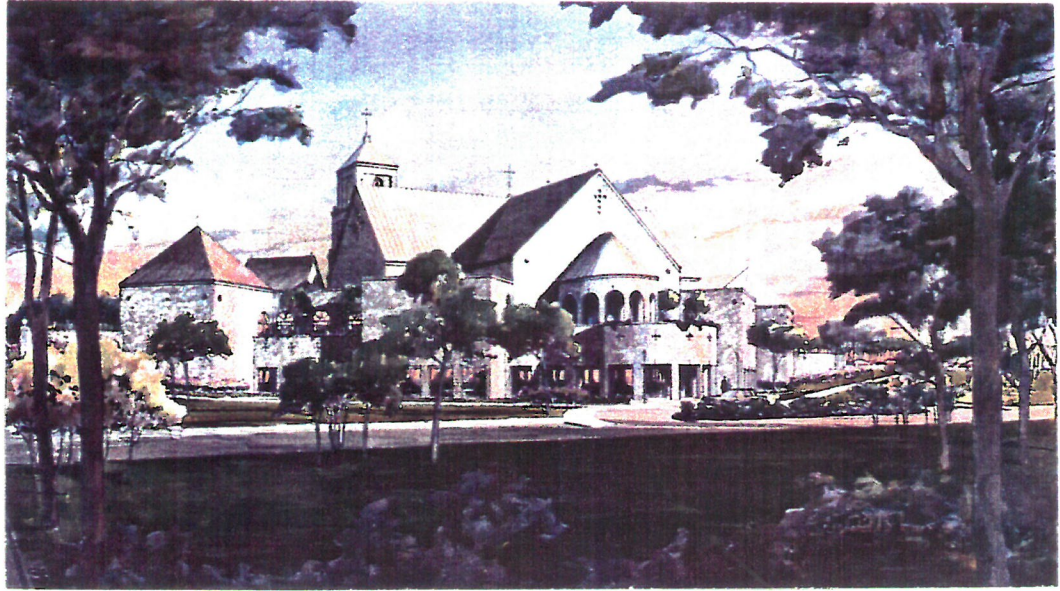
A variance has been applied for a zoning change for the use of a church and for less restrictive parking requirements. This change has been approved by the zoning board. These violations were found without this department being notified that the church was moving in. No inspections were called for or a Certificate of Occupancy for construction. After observation of the premise and notification was given to church members, they applied for moving permits and building permits as required by code and they also paid a double fee for these permits.

Before a Certificate of Occupancy can be issued these are the violations that must be corrected:

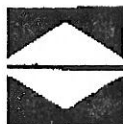
1. Section 3313 (Exit Illumination) Uniform Building Code. All exits used for assembly must have illumination in the event of emergency. At this time, there are four(4) exits without illumination.
2. Section 3314 (Exit Signs) Uniform Building Code. All exits used as egress must have signs with 6" letters, 3/4" wide minimum. At this time, there are not any signs that meet this requirement.
3. Required parking spaces needed is 50. For an assembly area there needs to be a parking space for 1 to 3 ratio. At this time they only have 18 parking spaces. We have no detailed drawing of the occupancy load. Before a ruling can be made, a number of parking spaces must be known.
4. Portable buildings need to be tied down to prevent possible damage from wind or storms. The buildings that have been brought in have not been tied down and are just sitting on blocks.
5. There are no fire lane marking as required for a public building. At this time there

are no areas marked to prevent cars from parking in area for fire protection.

6. There is no electrical permit for connection of portable buildings. These buildings will need electricity connected for lights and ventilation. This must be done in accordance with National Electric Code.
7. Restroom facilities are not at recommended capacity per Appendix C of the Uniform Plumbing code. The recommended number of water closets to be used in this type of building would be 2 for men and 3 for women. At this time they have only two restrooms.
8. Portable buildings should be 15 feet apart. The owner has requested a zoning change requesting a commercial zoning. Buildings must not be closer than 15 feet to comply with Comprehensive Zoning Ordinance. These buildings are set at less than 10 feet apart which is in violation of the Comprehensive Zoning Ordinance.
9. Portable buildings exterior materials do not comply with the masonry requirements of the Cities Zoning Ordinance, which states these buildings are to be 90% masonry. The current exterior of the buildings are masonite which is a wood product.



HENDRICKS
CALLAWAY
ARCHITECTURE



SHANNON MANAGEMENT SERVICES

22 September 1989

Mr. Van Hall
Lakeside Church of Christ
P. O. Box 1085
Rockwall, Texas 75087

Dear Van:

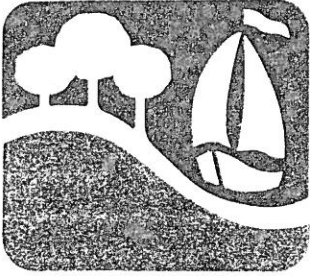
In accordance with the terms of the lease agreement on your space at the Rockwall Executive, we would hereby give the thirty day advance notice to vacate the premises.

We have enjoyed having you as our tenant and trust that you will not hesitate to call on us as we may be of service during the remainder of your stay in the building.

Sincerely,

Elizabeth J. Turnbull
Property Supervisor

cc: Tom Troll
Southwest Savings



CITY OF ROCKWALL
"THE NEW HORIZON"

October 18, 1989

Mr. Bill Efeney
Our Lady of the Lake Parish
306 E Rusk
Rockwall, TX 75087

Dear Mr. Efeney:

On October 12, 1989, the Planning and Zoning Commission held a public hearing and recommended approval of your request for a Conditional Use Permit for a church to be located in an "MF-15 Multifamily zoning classification. On Monday, November 6, 1989, the Rockwall City Council will hold a public hearing and consider your request at City Hall, 205 W. Rusk at 7:00 P.M. As the applicant, it is important that your interests are represented at this meeting. The Council will also consider approval of an ordinance authorizing the CUP on first reading. An ordinance of this nature requires approval at two separate meetings of Council. The second reading is scheduled for November 20th.

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

Sincerely,

Mary Nichols

Mary Nichols
Administrative Assistant

October 25, 1989

Julie Couch
Assistant Ciuty Manager
City of Rockwall
205 West Rusk Street
Rockwall, Texas 75087

Re: Requirements necessary for Lakeside Church of Christ property usage.

Mrs. Couch;

On September 22, 1989, the Lakeside Church was given notice to vacate the premises at 500 Turtle Cove Blvd., which had been serving as temporary meeting location for the church. Enclosed is a copy of the notice from the management company.

We located the Rock Creek Nursery property and finalized a purchase on October 17, 1989. Until that time we did not know what we were going to do in order to keep the church intact. We had made application previously for rezoning which was approved by P&Z on October 12, 1989. The previous Rock Creek owners had given permission for change in zoning.

We moved four portable buildings to the location to meet temporary classroom needs. Three of these came from the First Baptist Church in Rockwall. One was moved from Greenville. The buildings were set in place on October 20th to meet our emergency needs until we can construct permanent classroom facilities. The plans and funding for future development are presently in progress. The nursery structure will be used "as is" until we are financially able to renovate the inside to meet needs for about two years. At that time we hope to construct a new assembly area on the property.

Today the City Inspection Department made us aware of some code violations which must be corrected as quickly as possible. We began working on the punch list on date of receipt. Following are items called to our attention and we have indicated status of each:

1. Moving and installation permit for the four temporary classroom buildings. - Permit application completed on this date and fee paid in the amount of \$427.50. (Fee amount doubled due to not knowing that a permit was required.)
2. Detail drawings of each structure location. - Submitted on this date.

3. Tie downs on the temporary buildings. - Workers started on this date and will be complete by October 28th.
4. Exit lights over four doorways in the existing assembly area. Being installed this date and completed by October 28th.
5. Fire Lane marked - Will be completed by Novemeber 4th.
6. Non-conforming use permit relating to the four temporary classrooms on 90% masonry variance. - Application to be made on October 26th.
7. Church using classrooms and assembly area without final approval by city council. Appearance is scheduled November 6, 1989.
8. Temporary parking being used each Sunday with non-conforming usage. - A one year use of gravel parking at which time the church should have plans for expansion completed.

The church was under extreme pressure to locate a meeting place and we were not completly knowledgeable of city code. We want to meet those requirements in an expediant manner and we assure you that items will be completed by November 4th.

We appreciate the city staff being understanding and directing us as we meet all requirements. Should there be any comments or questions, please contact me anytime.

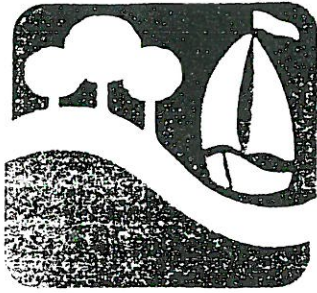
Sincerely,

LAKESIDE CHURCH OF CHRIST



Van R. Hall
Church representative
Phone 722-6351

enclosure



CITY OF ROCKWALL

"THE NEW HORIZON"

October 25, 1989

Van Hall
Lakeside Church of Christ
1204 Lakeshore Drive
Rockwall, Texas 75087

Dear Mr. Hall:

As you are aware, the Lakeside Church of Christ has occupied the site located on SH-66 for a church facility prior to obtaining all of the necessary approvals from the City. While I understand that this occupancy was considered necessary by the church due to losing the lease on your previous location, you need to be aware that by occupying the site and making certain improvements prior to receiving the necessary approvals, the church has technically violated several City ordinances.

Because the church does not have another location in which to meet we will allow you to temporarily hold services in this facility and will hold any enforcement actions in abeyance until after the City Council considers the zoning request under the following conditions:

1. That the building comply with all minimum safety requirements prior to conducting any additional services,
2. That, should the City Council not approve the requested zone change, the church will vacate the premises within 15 days,
3. That application for a Conditional Use Permit for structures that do not meet the 90% masonry requirement will be submitted to the City by October 30th,
4. That the required off-street parking for the church, as it may be finally approved by the City Council, will be constructed within two weeks after final approval of the zoning by the City Council.

Additionally, as you are aware, there are a number of building code requirements that have not been met and a number of permits that have not been obtained. Attached is a memorandum from the Chief Building Inspector outlining the work that will need to be done in order to bring the buildings into compliance with the codes and a list of the permits that must be obtained prior to the issuance of a Certificate of Occupancy by the

Van Hall
October 25, 1989
Page 2

City. All of those items, other than those identified as minimum safety requirements which must be completed prior to conducting any additional services, will need to be acted upon after final approval of the zoning by the City Council.

As we discussed, Mr. Hall, had we been aware that the church was under a serious time constraint and needed to occupy the facility earlier than anticipated, we would have been able to possibly avert some of these problems. Hopefully we can resolve the current problems with the actions and procedures outlined herein. If you have any questions please don't hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Julie Couch".

Julie Couch
Assistant City Manager

CC: Bill Eisen
Ed Heath
David Smith
JC/mmp



CITY OF ROCKWALL
"THE NEW HORIZON"

November 13, 1989

Mr. Bill Efeney
Our Lady of the Lake Parish
306 E Rusk
Rockwall, TX 75087

Dear Mr. Efeney:

On November 6th, the Rockwall City Council approved a Conditional Use Permit for a church in a residential zoning category. The CUP was approved by ordinance. As previously explained, an ordinance of this nature must be approved at two separate meetings of Council. The second reading is scheduled for November 20th. No building permit will be issued prior to approval on second reading.

A site plan was approved as a part of your Conditional Use Permit. Please note that no changes may be made in the site plan as approved without Council approval. Please contact Julie Couch at 771-1111 if you have any questions.

Sincerely,

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

Mary Nichols
Administrative Assistant

CITY OF ROCKWALL
Planning and Zoning Agenda

Agenda Date: October 12, 1989

Agenda No: IV.C.

Agenda Item: P&Z 89-35-CUP - Hold Public Hearing and Consider Recommending Approval of a Request from Our Lady of the Lake Catholic Church for a Conditional Use Permit for a Church in an "MF-15", Multifamily Classification on a Tract of Land Located on Damascus Road

Item Generated By: Applicant, Our Lady of the Lake Catholic Church

Action Needed: Hold public hearing and consider approval of the CUP with any conditions necessary

Background Information:

Several years ago Our Lady of the Lake Catholic Church was granted a CUP for their new facility to be located on Damascus Road. They were unable to obtain their final approvals from the dioceses until recently and their CUP has expired. They are now ready to move ahead with the church and they have reapplied for their CUP. The request has remained basically the same. They will not be finishing out the second, or main, floor initially. The basement/first floor will be used for all of their functions. Enclosed is a copy of the site plan. We will have copies of the elevations for you at the meeting.

Attachments:

1. Location Map
2. Site Plan

Agenda Item: Our lady of the Lake Church CUP Request

Item No: IV.C.

**CITY OF ROCKWALL
City Council Agenda**

Agenda Date: November 6, 1989

Agenda No: V.B.

Agenda Item: P&Z 89-35-CUP - Hold Public Hearing and Consider Approval of an Ordinance Granting a Request from Our Lady of the Lake Catholic Church for a Conditional Use Permit for a Church in an "MF-15", Multifamily Classification on a Tract of Land Located on Damascus Road

Item Generated By: Applicant, Our Lady of the Lake Catholic Church

Action Needed: Hold public hearing and consider approval of the CUP with any conditions necessary

Background Information:

Several years ago Our Lady of the Lake Catholic Church was granted a CUP for their new facility to be located on Damascus Road. They were unable to obtain their final approvals from the dioceses until recently and their CUP has expired. They are now ready to move ahead with the church and they have reapplied for their CUP. The request has remained basically the same. They plan to construct the entire shell of the building and only occupy the bottom floor initially. They will not be finishing out the second, or main, floor initially. The basement/first floor will be used for all of their functions. Enclosed is a copy of the site plan and elevations. As can be seen from the site plan and elevations they plan to construct a facility that will have two floors and will contain 34,315 square feet.

The Planning and Zoning Commission has recommended approval of the request as submitted with the condition that any major revision, expansion or change to the site plan must be submitted to the Planning and Zoning Commission for approval.

Attachments:

1. Location Map
2. Site Plan
3. Ordinance

Agenda Item: Our lady of the Lake Church CUP Request

Item No: V.B.

CITY OF ROCKWALL
City Council Agenda

Agenda Date:

November 6, 1989

Agenda No: V. C.

Agenda Item:

P&Z 89-34-Z - Hold a Public Hearing and Consider Approval of an Ordinance Granting a Request from the Lakeside Church of Christ for a Change in Zoning from "PD-23", Planned Development to "C" Commercial on a Tract of Land Located on SH-66 West of the J.W. Williams Middle School and Approval of a Temporary Waiver to the Parking Lot Standards

Item Generated By:

Applicant, Lakeside Church of Christ

Action Needed:

Hold public hearing and approve or deny the zone change and their request for a temporary parking lot that does not meet city standards

Background Information:

We have received a request for a change in zoning for the site developed as a garden center located west of the middle school. The Lakeside Church of Christ has purchased this site as a location for their church. The current PD zoning only authorizes a garden center and would not allow a church. The church has requested Commercial zoning so that if the site is ever sold it could be reoccupied as a garden center or other commercial use. The zoning on the property prior to the PD being granted was for Light Industrial and that is not the appropriate zoning for this property. The property is located between the school and a residential area. The land use plan generally reflects open space and public land use in this area because a large portion of this area is located along a creek and because the city and school own much of the property in this area. Commercial zoning would allow the application for a CUP for a garden center if the property were to sell in the future.

The church has also requested permission to utilize gravel parking for some of their required parking. There are 18 existing parking spaces that meet our paving requirements. The church will be required to provide 40 parking spaces based on their fixed seating. They have ample room to provide the additional parking but they would like to only pave them in gravel until they have developed their long range building plans. They do plan to add additional classroom areas and they do not know exactly where those will be located. They indicated to the Commission that they would be able to comply with the parking standards within one year.

The Planning and Zoning Commission has recommended approval of the request for a change in zoning and has also recommended approval of a temporary gravel parking lot for a period of one year with the condition that the parking lot be designed and installed prior to the expiration of the year.

After the request was considered by the Commission the church moved into the building and moved several temporary buildings onto the property without notifying us. They lost their lease with the building they were located in and had to move quickly. Had we been aware of their time problem we could have possibly resolved some of their occupancy problems prior to their moving. However, because they did have to move we have allowed them to occupy the site on a temporary basis until they can complete all of the necessary procedures. Attached is a letter that was provided to the church after learning that they had occupied the facility. The church has now made all of the necessary applications for permits and is aware of what needs to be done to gain full compliance.

Attached is a copy of the original site plan that was approved for the garden center and the revised plan for the church indicating the location of the additional parking.

Attachments:

1. Location Map
2. Original Site Plan
3. Revised Site Plan
4. Letter to Church
5. Ordinance

Agenda Item:

Lakeside Church Rezoning PD-23 to C

Item No: V.C.

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 12th day of October, 1989

in the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at the


request of Our Lady of the Lake Church

for a Conduational Use Permit for a church in an "MF-15" classification

on the following described property:

Lot 1 Block A, First United Methodist Church 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. 89-35-CUP



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. _____

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

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

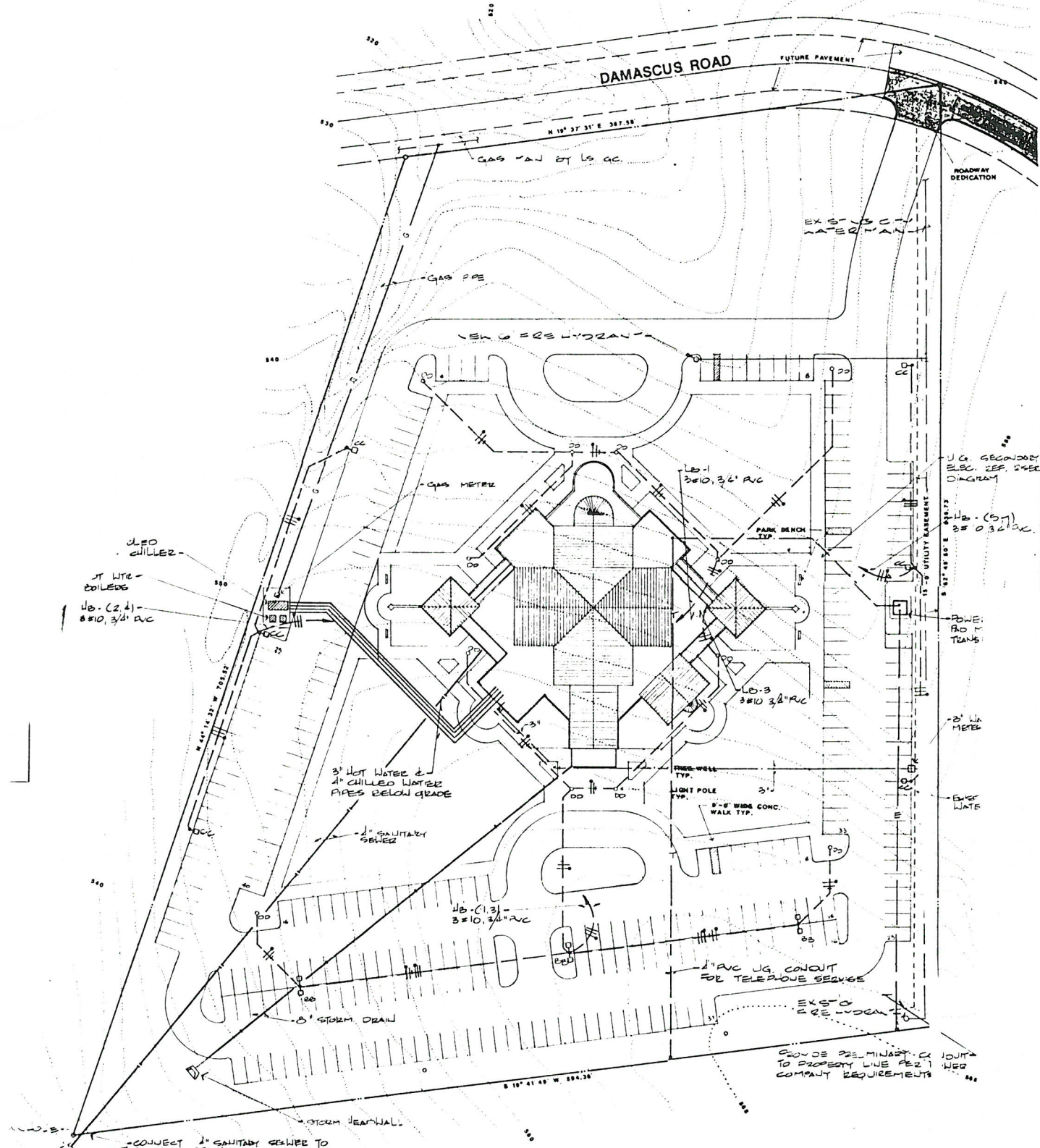
1.

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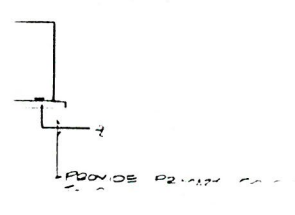
3.

Signature _____

Address _____



SITE PLAN
1" : 40'-0"



Our Lady of the Lake

First United Methodist

First United Methodist Church

Rebble Brook Apts, Phase II

Canyon Ridge Apt Venture
% D. Alan Bowlby + Assoc

B JT Lewis
Tract 31

Same

Raymond Conner
301 Lake Terrace
Rockwall TX

D. Atkins
Tract 8

Folsom Investments
% D. Alan Bowlby + Assoc
P.O. Box 1067
Addicks, TX 75001

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Julie Cobb
City of Rockwall, Texas

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Case No. _____

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

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

1. *Our Lady of the Lake Church acquired*
 2. *this property several years ago and made*
 3. *improvements to the property with the*
- approval of the city. There should be no*
question of not approving permit.

Signature *Julie Cobb*

Address 301 Lake View