

CITY OF ROCKWALL
205 West Rusk
Rockwall, Texas

APPLICATION FOR ZONING CHANGE

Case No. 90-6-2 Filing Fee 103.00 Date 3/13/90

Applicant Newman Associates Phone 214-278-8167

Mailing Address 2751 S Garland Ave
Garland, Texas 75041

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

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

Retail Commercial District Classification to
Planned Development District Classification for
for the following reasons: (attach separate sheet if necessary)

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

Status of Applicant:² Owner X Tenant _____
Prospective Purchaser _____

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

Signed J. E. Newman
J. E. Newman, General Partner

EXHIBIT "A"

DESCRIPTION

BEING, a tract of land situated in the Joseph Cadle Survey, Abstract NO. 65, City of Rockwall, Rockwall County, Texas, and being those two tracts as conveyed to D.R. Florence as recorded in Volume 71, Page 191 and Volume 64, Page 600, Deed Records Rockwall County, Texas, and being more particularly described as follows:

BEGINNING, at a point on the Northwesterly line of Interstate Highway No. 30, said point being the South corner of Rockwall Central Shopping center, and the East corner of said tract in Volume 64, Page 600, a $\frac{1}{2}$ " iron stake found for corner.

THENCE, S. 28° 45' 06" W., along the Northwest line of Interstate Highway No. 30, a distance of 205.55 feet to a $\frac{1}{2}$ " iron stake set for corner.

THENCE, S. 36° 38' 57" W., along the Northwest line of Interstate Highway No. 30, a distance of 90.67 feet to a $\frac{1}{2}$ " iron stake set for corner.

THENCE, N. 44° 39' 25" W., leaving said Highway, a distance of 351.41 feet to a $\frac{1}{2}$ " iron stake set for corner.

THENCE, S. 45° 20' 56" W., a distance of 105.08 feet to a $\frac{1}{2}$ " iron stake set for corner.

THENCE, N. 45° 34' 54" W., a distance of 132.45 feet to a $\frac{1}{2}$ " iron stake set for corner.

THENCE, N. 45° 20' 56" E., a distance of 394.52 feet to a $\frac{1}{2}$ " iron stake found for corner.

THENCE, S. 44° 33' 42" E., a distance of 411.45 feet to the PLACE OF BEGINNING and containing 3.300 acres of land.

Further described as 1030 W. I30 Rockwall, Texas Lot 1 Block A, Newman Center.

No 15652



CITY OF ROCKWALL
"THE NEW HORIZON"
Rockwall, Texas 75087-3628

(214) 771-1111

Cash Receipt

Name Newman Assoc. Date 3-19-90

Mailing Address

Job Address Permit No.

Check [X] Cash [] Other []

103

Table with 6 columns: DESCRIPTION, Acct. Code, Amount, DESCRIPTION, Acct. Code, Amount. Rows include various permits (Building, Fence, Electrical, Plumbing, Mechanical, Zoning, etc.) and their respective amounts. A yellow highlight is present on the 'Zoning, Planning, Board of Adj.' row with the amount 103.00.

TOTAL DUE 103.00

Received by Allen

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

ACTION RECORD

Case No: PZ 90-6-2

Location: Newman Center

Application Reviewed.....

File Created

Filing Fee Paid/Receipt in File.....

Issued Receipt for Application.....

Review form prepared/^{initial}partial review completed.....

Circulated Review through:

Staff Review:.....

Assistant City Manager.....

Scheduled for P&Z meeting.....

Notice Sent:

Newspaper..... ^{3/27/90}

Surrounding property owners..... ^{3/30/90}

Sign placed on property..... ^{3/30/90}

Tallied responses to notices

Prepared notes and supporting information for P&Z.....

Notified applicant of results ^{and of} Council date.....

After P+2 consideration:
~~If approved:~~

Scheduled for City Council.....

Notice sent to newspaper.....

Notice sent to property owners.....

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

If approved:

Notified applicant of results.....

Prepared ordinance.....

1st reading of ordinance.....

2nd reading of ordinance.....

Caption to newspaper.....

Update office map.....

Notified Inspection Dept. of change.....

Included map in update file.....

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

↘
Permit activated within 6 months.....

↘
If not activated, applicant notified permit is void.....

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

JACK W. WOODARD and CO.

*Manufacturers Representatives
Machinery & Tooling Specialists*

March 8, 1990

Rockwall Planning & Zoning Committee
Rockwall, TX 75087

Attention: Julie Couch

Subject: Zoning of 1030 IH 30 in Rockwall

Dear Ms. Couch:

In accordance with your request, I am writing this letter to confirm the information given to you about our operation and our desire to lease subject property.

Jack W. Woodard & Co. is a Texas Corporation established in 1954 and has operated in Garland until August of 1989 when we moved our business to Rockwall. We presently have our offices at 1203 Beta, Suite #300 & 200 (Ellis Centre). We also have temporary warehouse space on Davy Crockett.

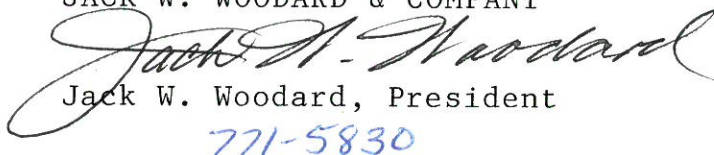
Our lease is up this month at Ellis Centre and we are prepared to sign a lease with Mr. Newman so we can consolidate our operation in his 7500 sq. ft. building on the service road of IH 30.

Our products are sold to the manufacturing and fabrication industries and our customers are companies such as Specialty Products and The Aluminum Company and others who manufacture or fabricate items in production quantities. We would function as most retail outlets and would have no need for outside storage and none of our equipment would be exposed on the outside.

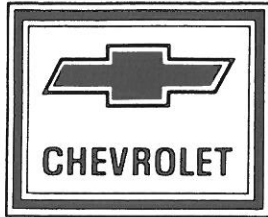
Our family has lived in Rockwall since 1973 and we would like to continue our business in Rockwall. However, we cannot continue to have our operation so scattered out. If we cannot find suitable space to lease or purchase we will be forced to move back to the Garland area.

Thank you for your consideration

JACK W. WOODARD & COMPANY


Jack W. Woodard, President

771-5830



NEWMAN CHEVROLET, INC.

2751 S. Garland Avenue

GARLAND, TEXAS 75047-3109

P.O. Box 473109

Phone 278-8167

March 16, 1990

Mrs. Julie Couch
Asst. City Manager
205 W Rusk
Rockwall, Texas 75087

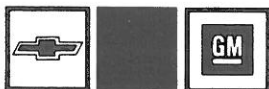
Dear Mrs. Couch:

Please find enclosed my application and filing fee for a change in zoning from Retail Commercial to "PD" Planned Development. The property covered in this request is 3.3 acres located at 1030 W. I-30.

The reason for this request is: the restrictions on retail commercial zoning have made it impossible for me or three other real estate agents to rent this property. We have been trying to rent this property since August, 1989. At that time the planning commission and city council were nice enough to grant me a waiver for two years with a one year extension on some paving. At that time I agreed to install certain landscape requirements and an irrigation system for the plants. This work was completed in August, 1989, but still the property has not qualified for a number of tenants which many have talked to you personally.

Kinds of businesses wanting to rent this property for which it would be well suited with very little change in the present ordinance:

1. Paint and body shops - with outside storage behind the fence [side & back].
2. Garage - Light auto & truck repair shop - with outside storage behind the fence [side & back].
3. Wood Working Cabinet Shop.
4. Wood Shop for building pallets - some outside storage space.

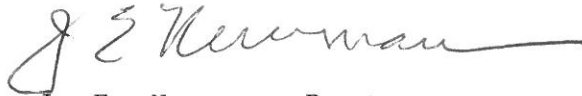


- * 5. *Sales of* Commercial or Industrial Machinery & supplies [no outside storage needed].
- * 6. Building Supplies & limited lumber yard sales - outside storage and display needed.
- 7. Warehouse storage - very little or limited outside storage.
- 8. Sales & service for new & used or truck; New & used RV trucks & trailers; New & used stock and tractor trailer. - Would need outside storage.
- 9. New truck and van conversions service & sales [pick up trucks, passenger vans, ambulances, wreckers, special bodies] Need some outside storage.

Most of these businesses that need outside storage except for new & used car & truck sales the front set back requirement could be as much as 100 feet others would need very little if any at the back of the present building line. Perhaps the ordinance could permit limited outside storage as authorized by the city administration while major requirements for outside storage would need planning commission approval.

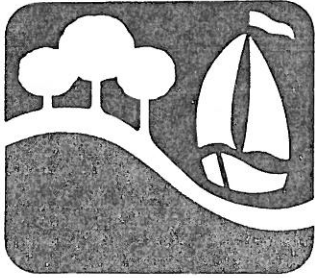
Your favorable consideration of this change in zoning is requested and would certainly be appreciated.

Very truly yours,
Newman Associates



J. E. Newman, Partner

*Businesses located in Rockwall that have considered moving out of city limits.



CITY OF ROCKWALL
"THE NEW HORIZON"

March 27, 1990

Mr. Jack Woodard
Jack W. Woodard and Co
1203 Beta Drive #300
Rockwall, TX 75087

Dear Mr. Woodard:

We have received your application for a change in zoning from Commercial to Planned Development on a tract of land located on I-30 described as Newman Center. The Planning and Zoning Commission will hold a public hearing on Thursday, April 12, 1990, to consider approval of your request. It is important that your interests be represented at this meeting.

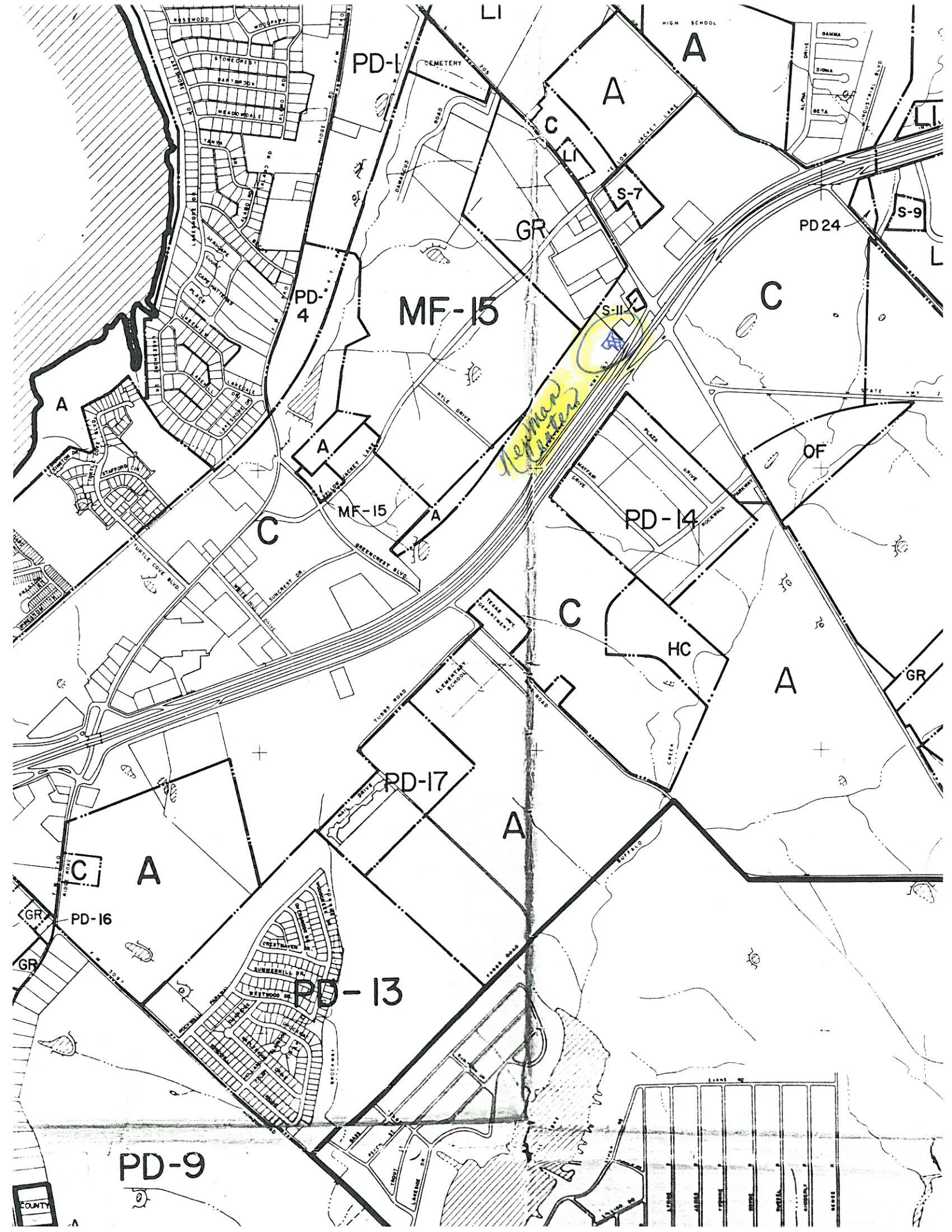
Please contact Julie Couch at 771-1111 should you have any questions.

Sincerely,

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

Mary Nichols
City Secretary

cc: Newman Associates
2751 S Garland Avenue
Garland, TX 75041



MF-15

PD-4

MF-15

PD-14

PD-17

PD-13

PD-9

PD-1

PD-24

PD-16

HIGH SCHOOL

CEMETERY

Herman
Herman

S-7

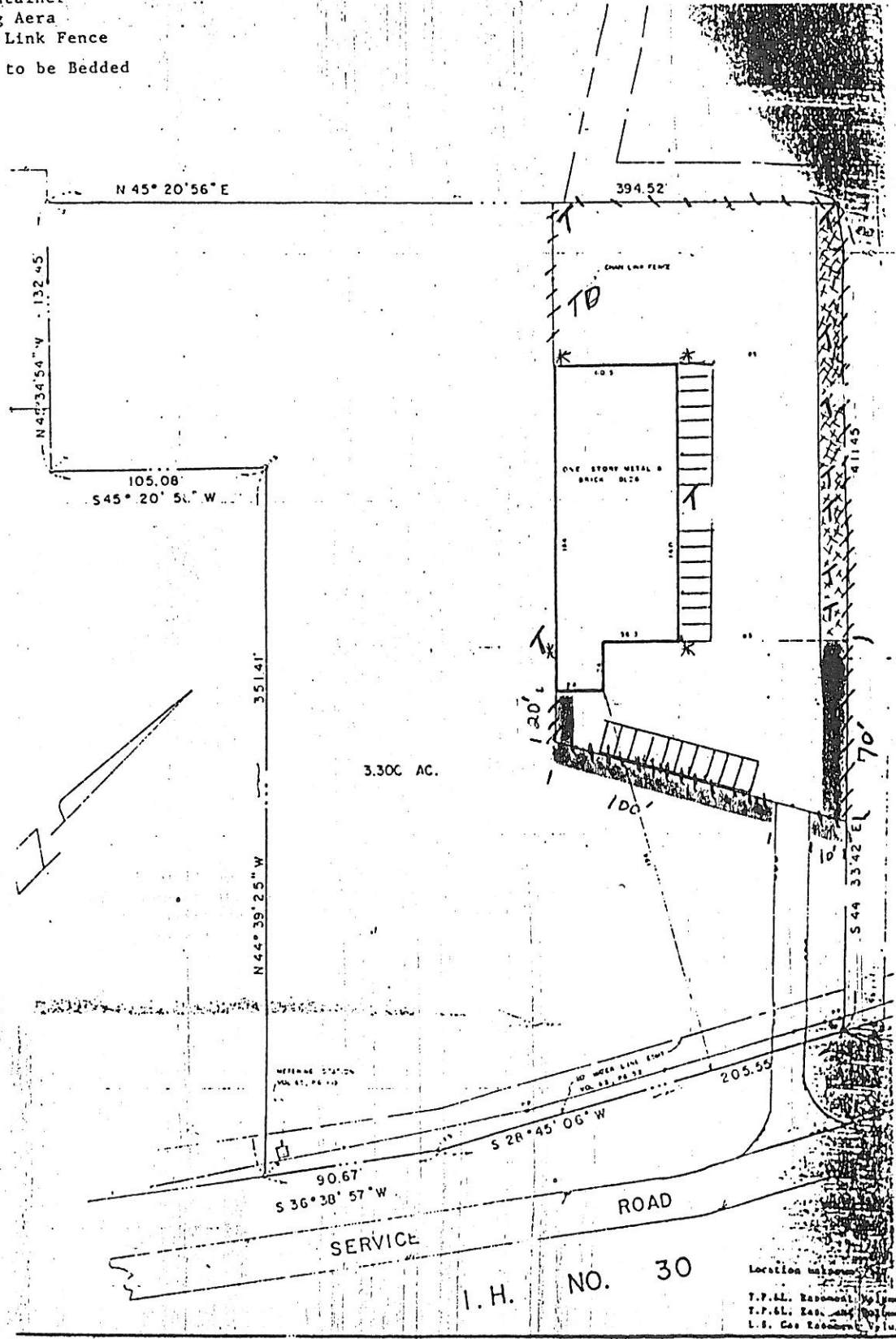
S-9

HC

COUNTY

All Shrubery Beds will be outlined with Cross-ties
 The Shaded area Represents 66--5 Cal. Wax Leaf Lagustrum Plants, Placed 3 Ft. apart.
 The area down the alley-way already has 7 existing trees -Which we will bed up
 as shown in the plan site.

- *--Existing Pole Lights
- T--Existing Trees
- TD--Trash Container
- ||||--Parking Area
- ||||--Chain Link Fence
- |||||--Area to be Bedded



CITY OF ROCKWALL
Planning and Zoning Agenda

Agenda Date: April 12, 1990

Agenda No: III.B.

Agenda Item: P&Z 90-6-Z - Hold Public Hearing and Consider Recommending Approval of a Request from Newman Assoc. for a Change in Zoning from Commercial to Planned Development on a Tract of Land Located on I-30 West of SH-205

Item Generated By: Applicant, Elmer Newman

Action Needed: Hold public hearing and consider approval of the request.

Background Information:

In August of 1989 the Commission and Council approved certain temporary waivers to the parking lot and landscaping standards for this tract of land that is occupied by an existing metal building, in order to allow it to be occupied. The owner wants to develop it with a car dealership in the future, but wants to be able to utilize the property until it is ready for redevelopment. Prior to August of 1989 the site had been occupied by Total Car Care under a Planned Development zoning that was granted for a 2 year time period for that specific use. When that use ceased the property was rezoned back to Commercial.

Since the approval was granted in August the owner has been attempting to lease the site. However, the building is not designed for most uses that are allowed in the Commercial zoning district. It is more suited for uses normally found in the Heavy Commercial District. The owner has a prospective tenant who would like to occupy this site that is not currently allowed in Commercial. It is an existing business in town owned by Jack Woodard that needs additional space. He operates a manufacturers representative business for commercial and industrial machinery. This business would require no outside storage and all operations would be located in the building. A letter is attached from Mr. Woodard describing what they do. The Commercial district allows wholesale trade businesses, but not those that deal in commercial or industrial machinery. In this particular location we do not see a problem with this specific use. The building is designed for such a use and it would not require outside storage. Because of the building location there would be no adverse impact on surrounding uses and there is direct access to the Interstate.

In an effort to expand the uses that might be allowed to locate at this site the owner has requested Planned Development zoning. The request is, in effect, a twofold request. The owner is asking for specific approval for Mr. Woodard's business. He is also asking for consideration for some of the other uses that have been interested in this site in the past. He understands the Commission and Council's concerns regarding the expansion of heavier uses along the Interstate and he is willing to meet any approval process that might be considered by the Commission and Council. Some of these additional uses would require outside storage and activities and others would not.

There are several alternatives if the Commission and Council wish to consider approval of the request. They are as follows:

1. Approve the change to PD and only authorize the manufacturers rep business in addition to Commercial uses. Any other use would require a public hearing to amend the PD.
2. As stated in 1. and authorize all or selected additional requested uses only as approved by the Commission on a case by case basis and only upon approval of a site plan, but not require a public hearing.

Approval of any uses in addition to those in Commercial should be limited to the existing building. Any redevelopment or additional construction should require approval of a new preliminary and development plan, which would require a public hearing.

Attachments:

1. Location Map and Site Plan
2. Letter from Mr. Newman
3. Letter from Mr. Woodard

Agenda Item: PD Request - Newman Assoc.

Item No: III. B.

CITY OF ROCKWALL
City Council Agenda

Agenda Date: April 16, 1990

Agenda No: V. E.

Agenda Item: P&Z 90-6-Z - Hold Public Hearing and Consider Approval of an Ordinance Granting a Request from Newman Assoc. for a Change in Zoning from "C" Commercial to "PD" Planned Development on a Tract of Land Located on I-30 West of SH-205 (1st Reading)

Item Generated By: Applicant, Elmer Newman

Action Needed: Hold public hearing and consider approval of the request.

Background Information:

In August of 1989 the Commission and Council approved certain temporary waivers to the parking lot and landscaping standards for this tract of land that is occupied by an existing metal building, in order to allow it to be occupied. The owner wants to develop it with a car dealership in the future, but wants to be able to utilize the property until it is ready for redevelopment. Prior to August of 1989 the site had been occupied by Total Car Care under a Planned Development zoning that was granted for a 2 year time period for that specific use. When that use ceased the property was rezoned back to Commercial.

Since the approval was granted in August the owner has been attempting to lease the site. However, the building is not designed for most uses that are allowed in the Commercial zoning district. It is more suited for uses normally found in the Heavy Commercial District. The owner has a prospective tenant who would like to occupy this site that is not currently allowed in Commercial. It is an existing business in town owned by Jack Woodard that needs additional space. He operates a manufacturers representative business for commercial and industrial machinery. This business would require no outside storage and all operations would be located in the building. A letter is attached from Mr. Woodard describing what they do. The Commercial district allows wholesale trade businesses, but not those that deal in commercial or industrial machinery. In this particular location we do not see a problem with this specific use. The building is designed for such a use and it would not require outside storage. Because of the building location there would be no adverse impact on surrounding uses and there is direct access to the Interstate.

In an effort to expand the uses that might be allowed to locate at this site the owner has requested Planned Development zoning. The request is, in effect, a twofold request. The owner is asking for specific approval for Mr. Woodard's business. He is also asking for consideration for some of the other uses that have been interested in this site in the past. He understands the Commission and Council's concerns regarding the expansion of heavier uses along the Interstate and he is willing to meet any approval process that might be considered by the Commission and Council. Some of these additional uses would require outside storage and activities and others would not.

There are several alternatives if the Commission and Council wish to consider approval of the request. They are as follows:

1. Approve the change to PD and only authorize the manufacturers rep business in addition to Commercial uses. Any other use would require a public hearing to amend the PD.
2. As stated in 1. and authorize all or selected additional requested uses only as approved by the Commission on a case by case basis and only upon approval of a site plan, but not require a public hearing.

Approval of any uses in addition to those in Commercial should be limited to the existing building. Any redevelopment or additional construction should require approval of a new preliminary and development plan, which would require a public hearing.

The Planning and Zoning Commission will consider this item at their meeting on Thursday night and we will forward their recommendation and a proposed ordinance to you on Friday.

Attachments:

1. Location Map and Site Plan
2. Letter from Mr. Newman
3. Letter from Mr. Woodard

Agenda Item: PD Request - Newman Assoc.

Item No: V.E.

CITY OF ROCKWALL
City Council Agenda

Agenda Date: April 16, 1990

Agenda No: V. E.

Agenda Item: P&Z 90-6-Z - Hold Public Hearing and Consider Approval of an Ordinance Granting a Request from Newman Assoc. for a Change in Zoning from "C" Commercial to "PD" Planned Development on a Tract of Land Located on I-30 West of SH-205 (1st Reading)

Item Generated By: Applicant, Elmer Newman

Action Needed: Hold public hearing and consider approval of the request.

Background Information:

The Planning and Zoning Commission held their public hearing on this item Thursday night and have recommended that a change in zoning to Planned Development be granted with the following uses and conditions:

USES

The following uses would be permitted under the PD -

1. All Commercial uses
2. Wholesale trades including commercial and industrial machinery and supplies
3. Wood working or cabinet shop
4. Warehousing and storage
5. Tool, dye, gauge, and machine shop
6. Laboratories, experimental or testing

CONDITIONS

The following conditions would apply to the PD:

1. No outside storage of inventory, materials, or equipment shall be permitted and all business operations must be conducted inside the building.
2. The attached site plan is approved as the development plan and all approved uses are limited to the existing building and parking area. Any redevelopment of the site, construction of additional buildings, or expansion of the existing building will require the submission of a new preliminary plan and list of requested uses which will require a public hearing for amendment of the ordinance.

A copy of the proposed ordinance is attached.

Attachments:

1. Proposed ordinance

Agenda Item: PD Request - Newman Assoc.

Item No: V.E.



CITY OF ROCKWALL

"THE NEW HORIZON"

PUBLIC NOTICE

The Rockwall Planning and Zoning Commission will hold a public hearing on Thursday, April 12, 1990, at 7:30 P.M. and the Rockwall City Council will hold a public hearing on Monday, April 16, 1990, at 7:00 P.M. in City Hall, 205 West Rusk, to consider approval of a request from Elmer Newman for a change in zoning from Commercial to Planned Development including Commercial uses and limited Heavy Commercial uses including auto truck and trailer repair, service, and sales; warehousing; building supply and commercial or industrial machinery sales; wood working or assembly uses on a tract of land located on I-30 west of SH-205 further described as Lot 1, Block A, Newman Center.

205 West Rusk

Rockwall, Texas 75087

(214) 771-1111

PUBLIC NOTICE

The Rockwall Planning and Zoning Commission will hold a public hearing on Thursday, April 12, 1990, at 7:30 P.M. in City Hall, 205 W. Rusk, to consider recommending approval of the following:

1. A request from Richard Slaughter for a change in zoning from Central Business District to General Retail on a tract of land located at Rusk and Alamo, currently known as Steve's Mobil.
2. A request from Robert Ryan for a Conditional Use Permit for a Commercial Amusement to allow a billiard and coin operated machine business on a tract of land located on South Goliad south of Emma Jane, currently known as the Sports Center
3. A request from Elmer Newman Woodard for a change in zoning from Commercial to Planned Development including Commercial uses and limited Heavy Commercial uses including auto truck and trailer repair, service, and sales; warehousing; building supply and commercial or industrial machinery sales; wood working or assembly uses on a tract of land located on I-30 west of SH-205 further described as Lot 1, Block A, Newman Center.

Newman Center
Lot 1, Block A

Newman Associates
2751 S Garland Ave
Garland 75041

Falson Investments Inc
1/6 Property Tax Analysts
P.O. Box 36425
Dallas, TX 75235

Peggy Gray
521 Kathy Dr
Mesquite 75149

Rockwall Central Shopping Center JV
16475 Dallas Parkway, Suite 8
Dallas 75248

Walmart Properties Inc
P.O. Box 116
Bentonville, AR 72712

John A Albuton P.O. 822
Rockwall, TX 75087

Andrews Ford Inc
P.O. Box 125

Robert W Andrews
P.O. Box 125