

CITY OF ROCKWALL
205 West Rusk
Rockwall, Texas

APPLICATION FOR ZONING CHANGE

Case No. 91-43-Z Filing Fee \$101.00 Date 10/15/91

Applicant R. Michael Sperling Phone 412-3963

Mailing Address Route 5 Box 91
Rockwall, TX 75087 214 771 1193

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

Lot 1, Bodin Industrial Track, City of Rockwall, Rockwall Co., TX.

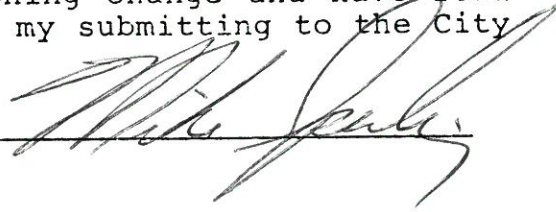
I hereby request that the above described property be changed from its present zoning which is

Light Industrial District Classification to
Heavy Commercial District Classification for
for the following reasons: (attach separate sheet if necessary)
Storage of heavy equipment, water, storm drain and sewer pipe.

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

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

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

Signed 

NOTE:

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

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

Michael Sperling

- Bodin 1 Just Bank of Rowlett
% FDIC
P.O. Box 802090
Dallas TX 75380
- Bodin 1A John Q Wright
P.O. Box 819
Rockwall TX 75087
- Bodin 1-A1 Layne Western Co. Inc
5800 Foxridge
Mission Woods, KS 66205
- Bodin 1B0 E + A Enterprises
5414 Leal
Rowlett TX 75088
- Bodin 1-C Majestic Real Estate Inc
P.O. Box 201450
San Antonio TX 78220-8450
- Bodin 1D Jonathan B Palmer
P.O. Box 454
- Bodin 1E0 Rockwall Retreading
P.O. Box 806
- Bodin 1F0 Forrest B & Sallie Davis
2015 Kristy Ln
- Bodin 1G0 Allen D. Anderson
1208 Lakeshore Dr

- Bodin 1-H0 Cecil Self
3612 Hilltop Cir
a24,4-4 Myer Companies
P.O. Box 721
- Bodin 1-I J. S. Humphrey
Rt 3, Box 25B
Wills Point, TX 75169
a24,4 American Federal Bank
14860 Landmark Blvd
Suite 200
Dallas 75248
- Bodin 1-J L.E. Pitts
P.O. Box 280776
Dallas TX 75228
a24,4-2 Catson & Catson
Auctioneers
703 Robin Rd
Rockwall
- Bodin 1-K Mike L & Billy Peoples
P.O. Box 41
Rockwall, TX
Lane Concrete Contractors
1510 East I-30
Rockwall TX
- Bodin 1-L
2A Bodin Concrete
P.O. Box 109
Rowlett 75088
- Bodin 3A Rockwall Storage Limited Partnership
5920 N. Central Expressway
Dallas 75208
- Bodin 3B0 James Coihar
1400 Interstate 30

ELLIS CENTRE PH. 2

ROCKWALL INDUSTRIAL FOUNDATION

ELLIS CENTRE PH. 1

Tr 13 3.652Ac

Tr 15-1 2.34Ac

Tr 12 2.202Ac

Tr 16 2.0Ac

Tr 3-2

891.5

Tr 18 153.32

Tr 5 105Ac

Tr E-1 2.4592Ac

TR 5-2 1538Ac

Tr 5-3 3282Ac

Tr 3-1 2.0Ac

Tr 4-4 2.16Ac

Tr 4-2 5.0Ac

Tr 4-5 5Ac

CULLIN SUBD. 3 4

N.M. BALLARD A-24

BODIN INDUSTRIAL TRACT ADDN

Tr 4-7 2.8939Ac

Tr 4-7 530.88

261.39

Tr 4 25.34Ac - 2.8939 22.4461Ac

N.M. BALLARD A-48

HOUSER ADDN

Tr 4-3 3.48Ac

Tr 2 69.18Ac

2-4

2499.56

2394.11

J. CADLE A-65

CITY OF ROCKWALL
Planning and Zoning Agenda

Agenda Date: November 14, 1991

Agenda No: III. B.

Agenda Item: **P&Z 91-42-Z** - Hold Public Hearing and Consider Recommending Approval of a Request from Michael Spurling for a Change in Zoning from "LI" Light Industrial to "HC" Heavy Commercial on a Tract of Land Located on Kristy Lane

Item Generated By: Applicant, Michael Spurling

Action Needed: Hold public hearing and take any necessary action.

Background Information:

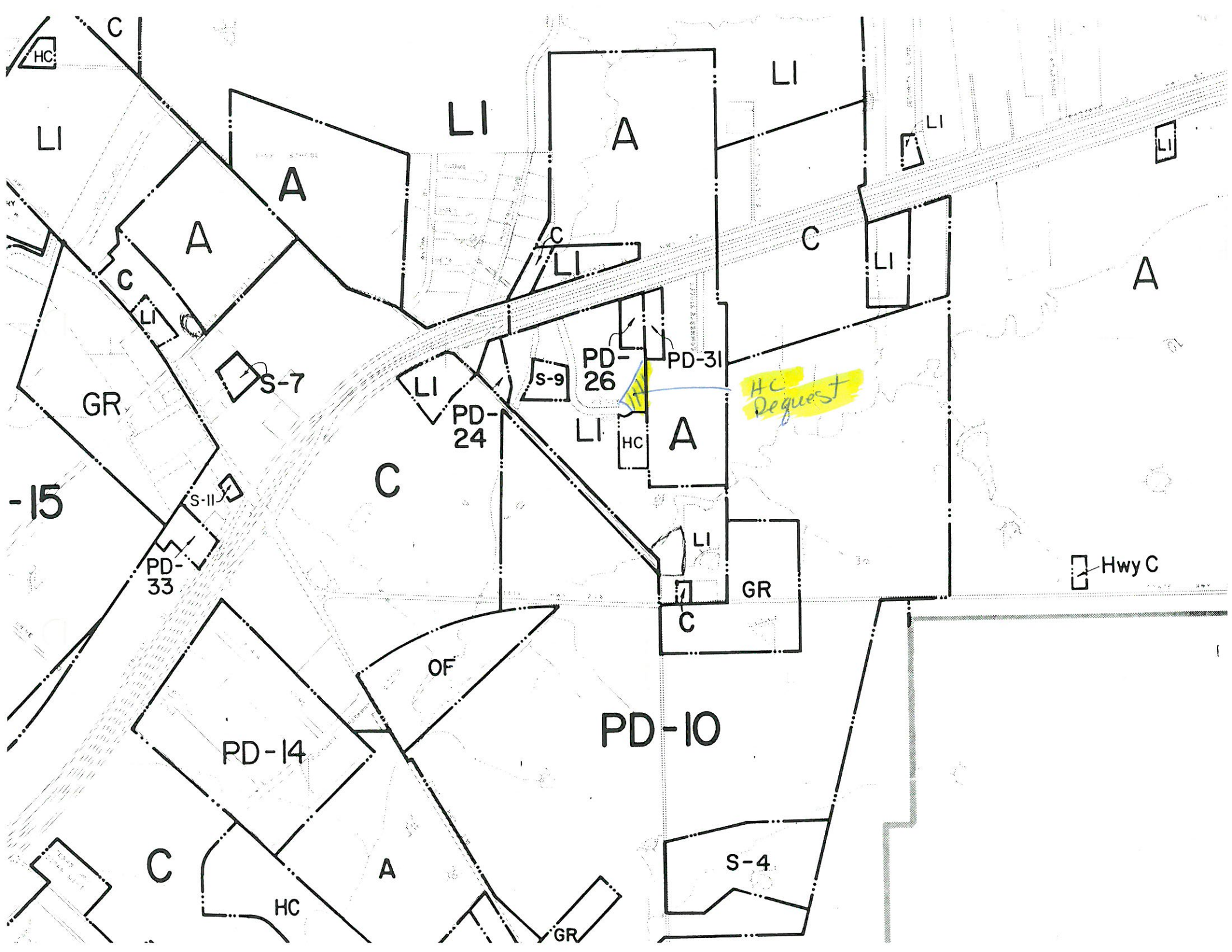
We have received a request for a change in zoning from LI to HC on a tract of land located at the north end of Kristy Lane off of I-30. This tract is located in Bodin Industrial Park at the end of Kristy lane, which is zoned primarily Light Industrial. However, the tract to the south is currently zoned HC. This tract has been used in the past for heavy commercial uses and many of the existing uses in Bodin Industrial park are heavy commercial in nature. The applicant intends to use the site for a contractor's yard. Given the location of the site and the surrounding uses we see no problem with the request.

Attachments:

1. Location Map
2. Plot Plan

Agenda Item: Zoning Request LI to HC

Item No: III. B.



HC Request

Hwy C

PD-10

PD-14

PD-24

PD-26

PD-31

PD-33

-15

HC

C

LI

LI

A

LI

LI

LI

A

A

C

LI

C

LI

A

GR

S-7

LI

S-9

LI

HC

A

S-11

C

LI

GR

C

OF

C

A

HC

GR

S-4

What I want
Because I want to go to the City to see if it meets with the [unclear] [unclear]

STATE OF TEXAS:
 COUNTY OF ROCKWALL:

SURVEY PLAT

BEING a tract or parcel of land out of Lot 1 Dodin Industrial Tract, a subdivision of the City of Rockwall, filed at Slide A, Page 347, Plat Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod set for corner on the East line of said subdivision, said point being located South 0 deg. 06 min. 26 sec. West, a distance of 182.98 feet from the most Easterly Northeast corner of said Lot 1;

THENCE continuing along said East line of said addition South 0 deg. 06 min. 26 sec. West, a distance of 337.90 feet to an iron rod found for corner;

THENCE North 89 deg. 53 min. 34 sec. West, a distance of 200.00 feet to an iron rod found for corner on the Right-of-Way line of Kristy Lane, said point being on a curve to the left, said curve having a radius of 50 feet and a central angle of 32 deg. 10 min. 39 sec.;

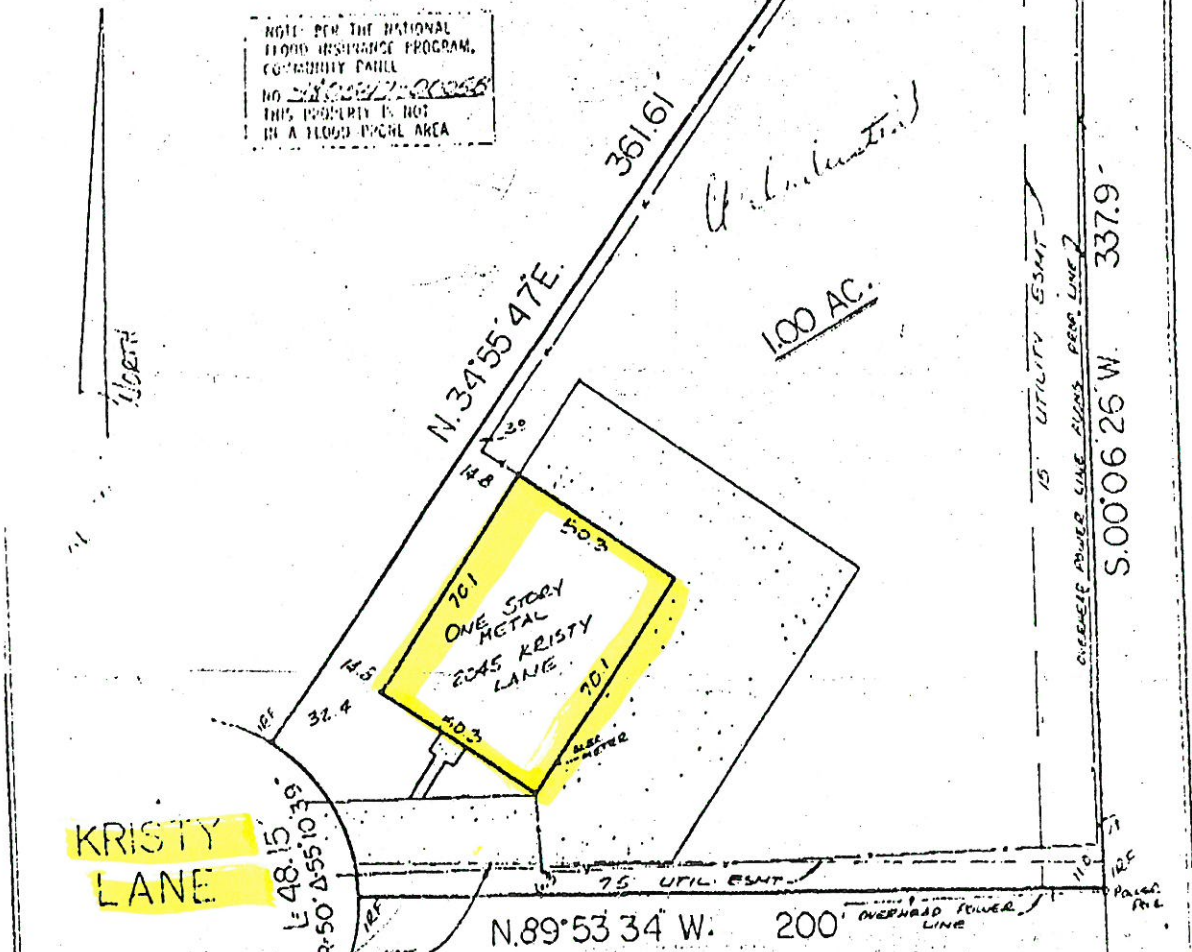
THENCE in a Northwesterly direction with said Right-of-Way line and along the arc of said curve, an arc distance of 48.15 feet to the end of said curve, an iron rod found for corner;

THENCE North 34 deg. 55 min. 47 sec. East, a distance of 361.61 feet to an iron rod found for corner;

THENCE South 89 deg. 53 min. 34 sec. East, a distance of 14.96 feet to the PLACE OF BEGINNING and containing 1.09 Acre of Land and also being known as 2045 Kristy Lane, Rockwall, Texas.

S. 89°53'34"
 14.96'
 32°10'39"
 50' RADIUS
 48.15'
 15' UTILITY EASEMENT
 337.9'
 15' UTILITY EASEMENT
 5.00' 06' 26" W.
 337.9'

NOTE: PER THE NATIONAL FLOOD INSURANCE PROGRAM, COMMUNITY PANEL NO. 5100021-0008 THIS PROPERTY IS NOT IN A FLOOD HAZARD AREA



KRISTY LANE

N. 89°53'34" W. 200' OVERHEAD POWER LINE

NOTE: APPROXIMATE LOCATION OF WELL - NO DIMENSIONS GIVEN TO BE SHOWN ON PLAT.

The plat hereon is a true and correct representation of the property as described herein, and the same is based on a survey of the land hereon made by the undersigned on the 11th day of June, 1967, and the same is subject to the provisions of the National Flood Insurance Program, Community Panel No. 5100021-0008. THERE ARE NO EASEMENTS OR PROTECTIONS, EXCEPT AS SHOWN.

DATE: 6-12-67
 BY: J. W. Pogue, Inc.
 REGISTERED PUBLIC SURVEYOR # 1722
 3510 Marvin D. Loop
 Dallas, Texas 75224
 371.0146

JIMMY W. POGUE, INC.
 BY: *[Signature]*
 PRESIDENT
 REGISTERED PUBLIC SURVEYOR # 1722
 3510 Marvin D. Loop
 Dallas, Texas 75224
 371.0146

CITY OF ROCKWALL
City Council Agenda

Agenda Date: November 18, 1991

Agenda No: V. H.

Agenda Item: **P&Z 91-46-CUP** - Hold Public Hearing and Consider Approval of an Ordinance Authorizing a Request from Doug Patterson for a Conditional Use Permit for a Commercial Amusement to be Located in the Ridge Road Shopping Center (1st Reading)

Item Generated By: Applicant, Doug Patterson

Action Needed: Hold public hearing and take any necessary action.

Background Information:

This request was submitted for a commercial amusement for an entertainment facility. The applicant wants to offer live stage entertainment with a snack bar, accessory video and game tables as well as retail sales of tapes, records, and t-shirts to be located in the old Mitchell's lease space. The maximum occupancy of the facility as requested is 2,000. Our comments are as follows:

Parking

The applicant is proposing to use the existing parking for this establishment. There are 545 parking spaces in the development. Under our current requirements Brookshire's would require 165 spaces. This use with 2,000 seats would require 667 spaces. The applicant plans to operate the live shows from 7:00 P.M. to Midnight on Thursday, Friday, and Saturday, which is the slower time for use of the grocery facility. Most of the other tenants would be closed during this time period. It is recommended that the applicant only be allowed seating that will not utilize the parking required for Brookshire's. Under a ratio of 1 space for three seats, that would equate to a maximum of 1,140 seats. If they are permitted to utilize all of the parking available on the site for this use they would only be permitted to have 1,635 seats.

Uses

Attached you will find a letter outlining the uses to be included in the facility. The specific uses to be approved need to be included in the motion for any approval, including the number of video games permitted in the building and hours of operation. The plan to have a minimum of 5 people on staff at all times. During live shows they plan for a staff of 15 to 18 with a number of security officers. Admission will be taken at the door.

Building

The building will have to be significantly altered to meet codes for this type of occupancy. The applicant is aware that these changes will have to be made. They do plan to restrict smoking in the building and this should be a condition of approval.

The Commission will consider this item at their meeting on Thursday night. We will forward their recommendation to you on Friday.

Attachments:

1. Site Plan
2. Floor Plan
3. List of Uses

Agenda Item: CUP Request for Commercial Amusement

Item No: V. H.

**CITY OF ROCKWALL
City Council Agenda**

Agenda Date: November 18, 1991

Agenda No: V. I.

Agenda Item: **P&Z 91-43-Z** - Hold Public Hearing and Consider Approval of an Ordinance Authorizing a Request from Michael Sperling for a Change in Zoning from "LI" Light Industrial to "HC" Heavy Commercial on a Tract of Land Located on Kristy Lane (1st Reading)

Item Generated By: Applicant, Michael Sperling

Action Needed: Hold public hearing and take any necessary action.

Background Information:

The Planning and Zoning Commission has recommended approval of the request. A copy of the ordinance is attached.

Attachments:

1. Ordinance

Agenda Item: Zoning Request LI to HC

Item No: V. I.

CITY OF ROCKWALL
City Council Agenda

Agenda Date: November 18, 1991

Agenda No: V. I.

Agenda Item: **P&Z 91-43-Z** - Hold Public Hearing and Consider Approval of an Ordinance Authorizing a Request from Michael Sperling for a Change in Zoning from "LI" Light Industrial to "HC" Heavy Commercial on a Tract of Land Located on Kristy Lane (1st Reading)

Item Generated By: Applicant, Michael Spurling

Action Needed: Hold public hearing and take any necessary action.

Background Information:

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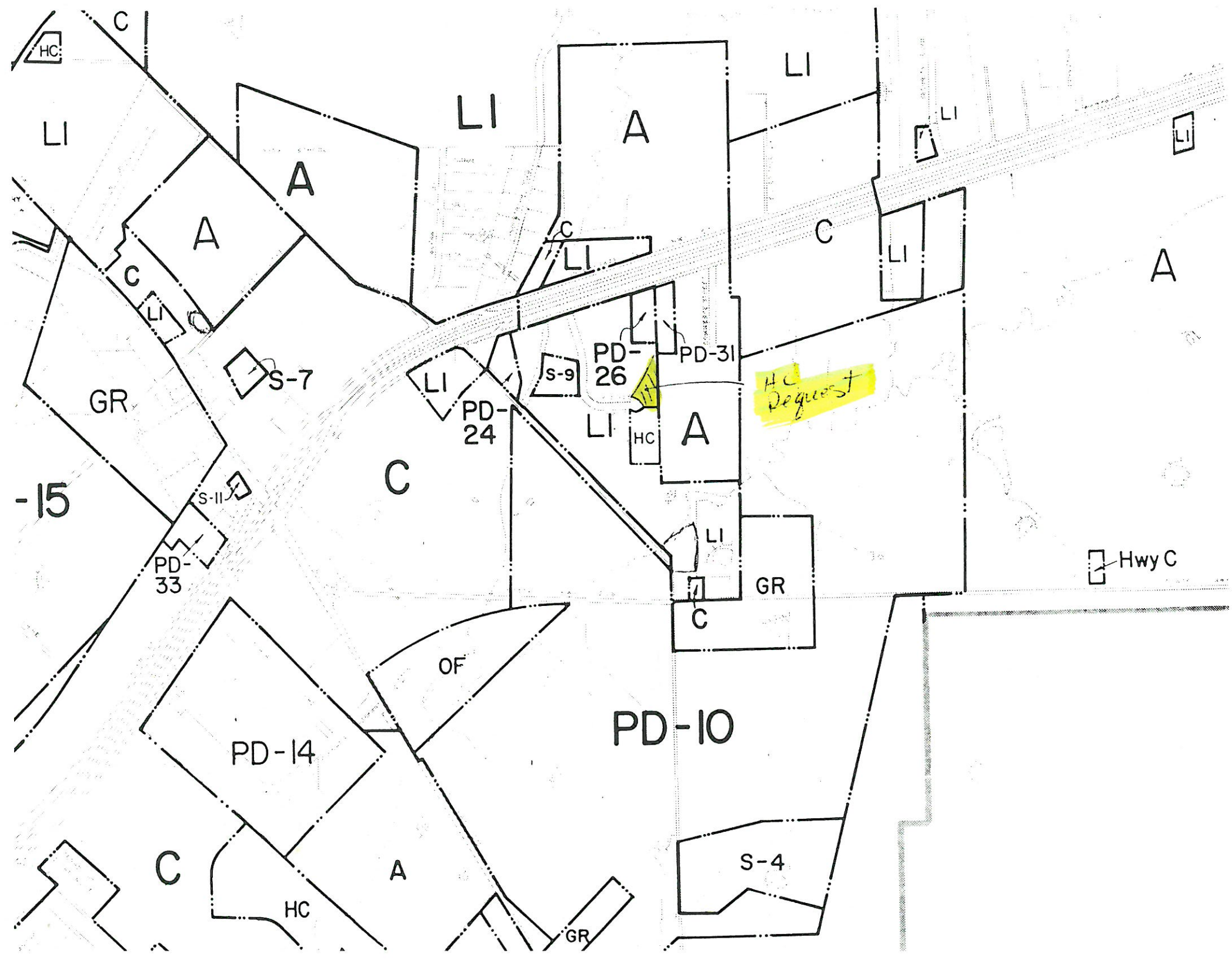
The Commission will be considering this request at their meeting on Thursday night. We will forward their recommendation to you on Friday.

Attachments:

1. Location Map
2. Plot Plan

Agenda Item: Zoning Request LI to HC

Item No: V. I.



What I want
Beverage brand to go to the City to see if it meets with the Health Dept.

STATE OF TEXAS:
 COUNTY OF ROCKWALL:

SURVEY PLAT

BEING a part of parcel of land out of Lot 1, Bodin Industrial Tract, a subdivision of the City of Rockwall, filed at Slide A, Page 347, Plat Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod set for corner on the East line of said subdivision, said point being located South 0 deg. 06 min. 26 sec. West, a distance of 182.98 feet from the most Easterly Northeast corner of said Lot 1;

THENCE continuing along said East line of said addition South 0 deg. 06 min. 26 sec. West, a distance of 337.90 feet to an iron rod found for corner:

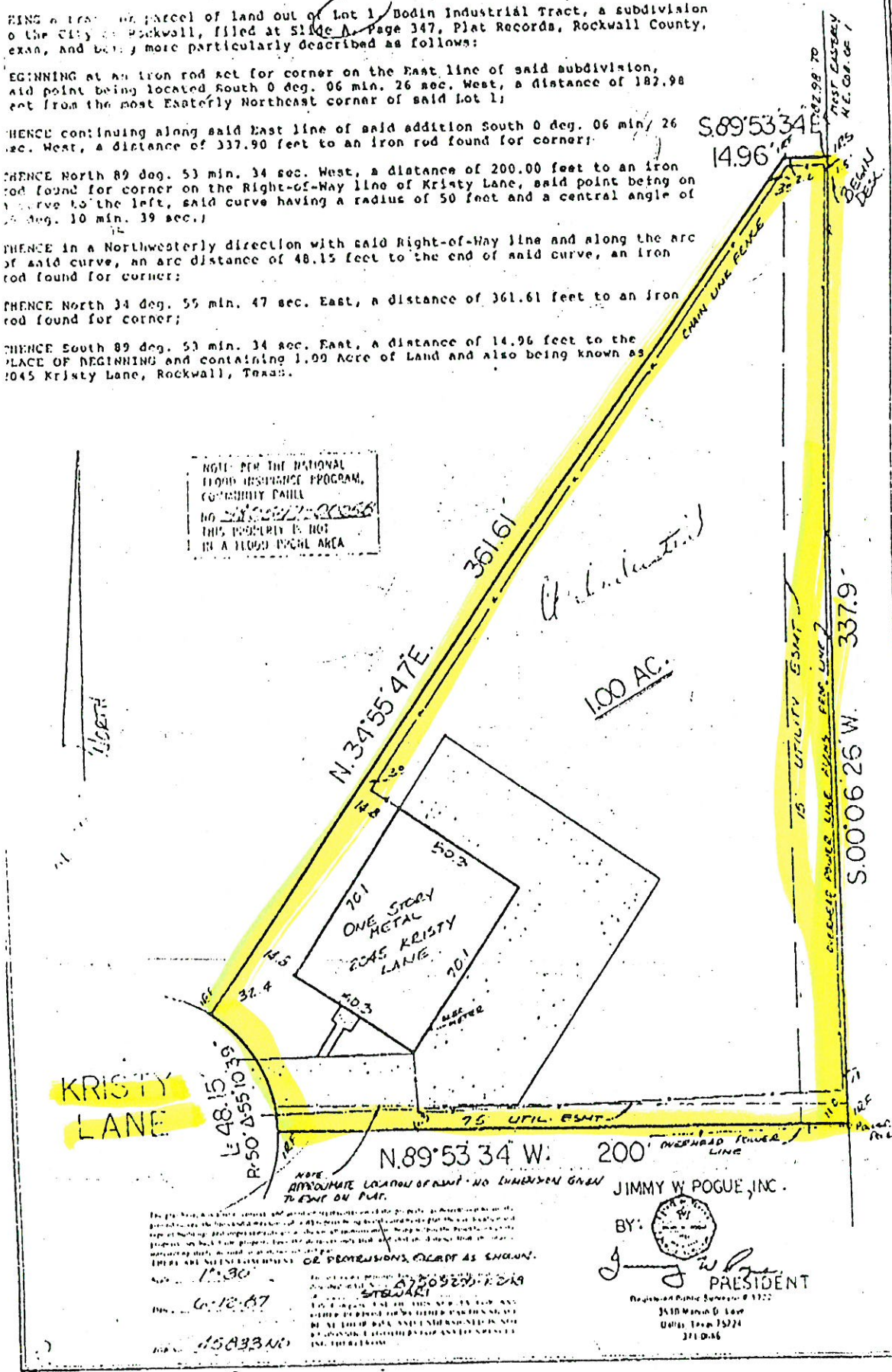
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THENCE in a Northwesterly direction with said Right-of-Way line and along the arc of said curve, an arc distance of 48.15 feet to the end of said curve, an iron rod found for corner;

THENCE North 34 deg. 55 min. 47 sec. East, a distance of 361.61 feet to an iron rod found for corner;

THENCE South 89 deg. 53 min. 34 sec. East, a distance of 14.96 feet to the PLACE OF BEGINNING and containing 1.00 Acre of Land and also being known as 2045 Kristy Lane, Rockwall, Texas.

NOTE FOR THE NATIONAL FLOOD INSURANCE PROGRAM, COMMUNITY PANEL
 NO. 2045 KRISTY LANE
 THIS PROPERTY IS NOT IN A FLOOD HAZARD AREA



KRISTY LANE

N. 34° 55' 47" E.

100 AC.

N. 89° 53' 34" W: 200'

JIMMY W. POGUE, INC.

BY: *[Signature]*
 PRESIDENT

Registered Public Surveyor # 1322
 3510 Marvin G. Lane
 Dallas, Texas 75224
 214-346-6166

The plat hereon is a true and correct copy of the original as shown to the undersigned by the person or persons who claim to be the owner of the land described hereon, and who are entitled to the same under the laws of this State. The undersigned has compared the same with the original and has found it to be a true and correct copy of the original. He has also compared the same with the original and has found it to be a true and correct copy of the original. He has also compared the same with the original and has found it to be a true and correct copy of the original. He has also compared the same with the original and has found it to be a true and correct copy of the original.



CITY OF ROCKWALL

"THE NEW HORIZON"

November 4, 1991
PUBLIC NOTICE

The Rockwall Planning and Zoning Commission will hold a public hearing on Thursday, **November 14, 1991, at 7:00 P.M.** in City Hall, 205 W. Rusk, and the Rockwall City Council will hold a public hearing on Monday, **November 18, 1991, at 7:00 P.M.** in City Hall to consider approval of a request from R. Michael Sperling for a change in zoning from "LI" Light Industrial to "HC" Heavy Commercial on a tract of land located within Bodin Industrial Park on Kristy Lane and further described as follows:

BEING a tract or parcel of land out of Lot 1, Bodin INDUSTRIAL Tract, a subdivision of the City of Rckwall filed at Slide A, Page 347, Plat Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod set for corner on the East line of said subdivision, said point being located South 0 deg. 06 min. 26 sec. West, a distance 182.98 feet from the most Easterly Northeast corner of said Lot 1;

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THENCE South 89 deg. 53 min. 34 sec. East, a distance of 14.96 feet to teh PLACE OF BEGINNING and containing 1.00 acre of land and also being known as 2045 Kristy Lane, Rockwall, Texas.

As an interested property owner you are invited to attend these hearings or notify the Commission and Council in writing of your feelings in regard to the matter.