

\$125.00 + 10.00/ac.

CITY OF ROCKWALL
205 West Rusk
Rockwall, Texas

APPLICATION FOR CONDITIONAL USE PERMIT *and zoning*

Case No. 92-15- CUP

Date Submitted 4/27/92

Filing Fee \$ 225.00

Applicant PATSY ANDERTON

Address ROUTE 2 BOX 121E
ROYCE CITY, TEXAS 75189

Phone No. 214-424-4023

Owner Tenant¹ Prospective Purchaser¹

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
FOR LEGAL DESCRIPTION PLEASE SEE ATTACHED PLANS

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

and the zoning use changed from Ag to highway commercial and commercial amusement

line The current zoning on this property is Ag.
There ^{space} ~~are~~ ^{space} ~~are not~~ 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.

SITE PLAN APPLICATION

Date APRIL 27, 1992

NAME OF PROPOSED DEVELOPMENT ANDERTON

NAME OF PROPERTY OWNER/DEVELOPER PATSY ANDERTON

ADDRESS Rt. 2 Box 121E ROYCE CITY, TEXAS PHONE 214-424-4023

NAME OF LAND PLANNER/ENGINEER PAUL RHEA

ADDRESS 2653 MARIPOSA CIRCLE PLANO, TEXAS PHONE 424-2626

TOTAL ACREAGE 28.3627 CURRENT ZONING AG

NUMBER OF LOTS/UNITS 2 LOTS

SIGNED *Patsy Anderton*

Following is a checklist of items that may be required as a part of the site plan. In addition, other information may be required if it is necessary for an adequate review of a specific development proposal. All information should be provided on a scaled drawing generally not exceeding 18" x 24".

<u>Provided or Shown</u> <u>On Site Plan</u>	<u>Not</u> <u>Applicable</u>
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_____	_____
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1. Total lot or site area - if the site is part of a larger tract include a key map showing entire tract and location of site being planned

<u>X</u>	_____
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2. Location, dimensions, and size of all existing and planned structures on the subject property and approximate locations of structures on adjoining property within 100 ft.

<u>X</u>	_____
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3. Location and type of landscaping, lighting, fencing and/or screening of yards and setback areas

<u>X</u>	_____
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4. Calculation of landscaped area provided

<u>X</u>	_____
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5. Location and dimensions of ingress and egress

Taken by _____

File No. _____

Date _____

Fee _____

LENGTH OF DRIVING RANGE - 1000'

FIRE HYDRANT

EXIST CONVEYORS STREET

LIGHT POLE TO BE APPROX 40' HEIGHT

CROSS

15 TEE BOXES

DIRECTIONAL LIGHTS

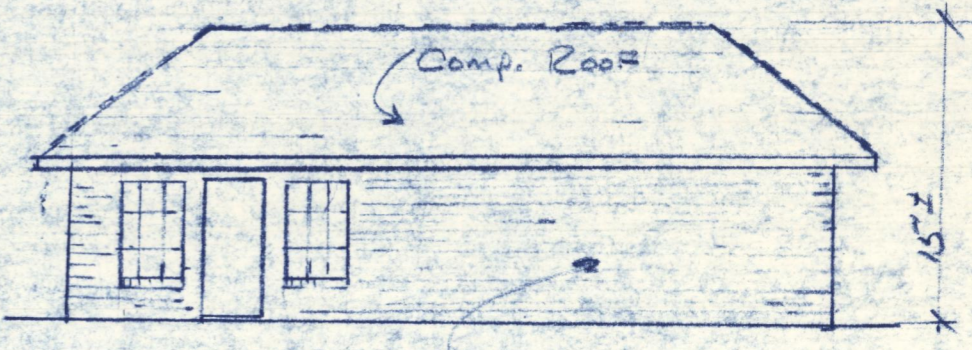
DOWNLIGHT

TIFF GRASS
PUTTING GREEN

OFFICE
STORAGE

FENCE
STORAGE
AREA

WALK
30 DW BUREAU
PARKING 18 SPACES
CONCRETE PAVEMENT
110'-0"



BRICK
FRONT ELEVATION
SCALE 1"=10'-0"

GRAVEL

PROPOSED
TEMPORARY GRAVEL DRIVE

6' WOODEN FENCE
- OAK TREES 3" CNL.

EARTH MOUNDS

GRASS

349,200 SF AREA TO BE LANDSCAPE

SCALE 1"=30'-0"

SIGN APPROX 20'x6' 18' HEIGHT

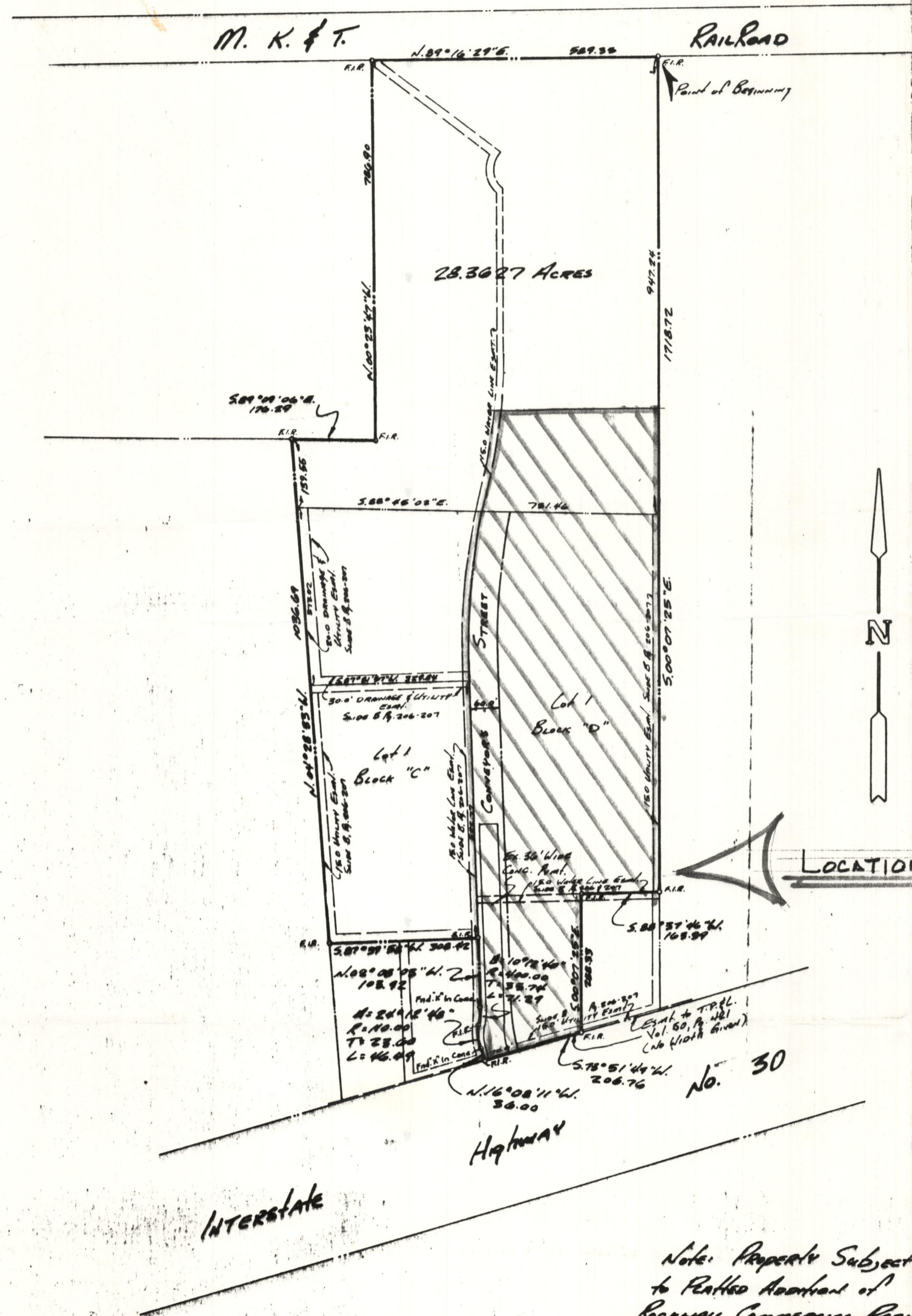
INTERSTATE I 30

STATE OF TEXAS
COUNTY OF ROCKWALL

BEING a tract of land situated in the E. M. Elliott Survey, Abstract No. 77, and the John Lockhart Survey, Abstract No. 134, and being part of a tract conveyed to William H. May, and described in Deed of Trust recorded in Volume 91, Page 893 of the Deed of Trust Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod found for a corner, at the Northeast corner of said Way tract and on the South line of M.K. & T. Railroad and at the Northwest corner of that tract of land conveyed to Ouida Ruth Springer by deed recorded in Volume 75, Page 59 of the Deed Records of Rockwall County, Texas;
 THENCE: South 00° 07' 25" East a distance of 1718.72 feet along the East line of said Way tract to an iron rod found for a corner at the Northeast corner of that 1.0000 acre tract of land described in deed recorded in Volume 210, Page 21, Deed Records, Rockwall County, Texas;
 THENCE: South 88° 37' 46" West a distance of 163.39 feet to an iron rod found for a corner at the Northwest corner of said 1.0000 acre tract;
 THENCE: South 00° 07' 25" East a distance of 289.33 feet to an iron rod found for a corner on the North line of Interstate Highway No. 30, and at the Southwest corner of said 1.0000 acre tract;
 THENCE: South 73° 51' 49" West a distance of 206.76 feet along the North line of said Interstate Highway No. 30; to an iron rod found for a corner;
 THENCE: North 16° 08' 11" West a distance of 36.00 feet to an ^{in concrete} "cut found" for a corner at the point of curvature of a circular curve to the right having a central angle of 24° 12' 48" and a radius of 110.00 feet; and a chord that bears North 04° 01' 47" West a distance of 46.14 feet;
 THENCE: Along said curve an arc distance of 46.49 feet to an iron rod ^{found} for a corner at the point of reverse curvature of a circular curve to the left having a central angle of 10° 12' 40", and a radius of 400.00 feet, and a chord that bears North 02° 58' 17" East a distance of 71.19 feet;
 THENCE: Along said curve an arc distance of 71.29 feet to an ^{in concrete} "cut found" for a corner;
 THENCE: North 02° 08' 03" West a distance of 103.92 feet to an iron rod ^{set} for a corner at the Northeast corner of that 1.025 acre tract of land described in deed recorded in Volume 194, Page 355, Deed Records, Rockwall County, Texas;
 THENCE: South 87° 39' 58" West a distance of 308.42 feet to an iron rod found for a corner;
 THENCE: North 04° 28' 33" West a distance of 1036.69 feet to an iron rod found for a corner;
 THENCE: South 89° 09' 06" East a distance of 176.29 feet to an iron rod found for a corner at the Southwest corner of said E. M. Elliott Survey;
 THENCE: North 00° 23' 47" West a distance of 786.90 feet along the West line of said Elliott Survey to an iron rod found for a corner on the South line of M.K. & T. Railroad;
 THENCE: North 89° 16' 29" East a distance of 589.35 feet along the North line of said Way tract and the South line of said M.K. & T. Railroad to the Point of Beginning and Containing 28.3627 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

LOCATION OF AREA TO BE DEVELOPED

Note: Property Subject to Planned Addition of Rockwall Commercial Park Side B, Pages 206 & 207

Revised 2-2-87
Revised 10-18-85
Revised 10-12-85

Revised 5-13-91
Revised 2-17-87
Revised 11-13-85
Revised 11-5-85

HAROLD L. EVANS
CONSULTING ENGINEER
2331 GUS THOMASSON RD. SUITE 102
DALLAS, TEXAS 75228
PHONE (214) 328-8133

SCALE	DATE	JOB NO.
1"=200'	8-20-85	86161

BOUNDARY SURVEY
E. M. ELLIOTT SURVEY Abstract No. 77
JOHN LOCKHART SURVEY Abstract No. 134
Rockwall County, Texas

Job No. 9146

PATSY ANDERTON
ROUTE 2 BOX 121E
ROYCE CITY, TEXAS 75189

APRIL 27, 1992

CITY COUNCIL

Dear Sirs:

Upon the City councils approval for our development plans, we would like 18 months in order to permanently asphalt our parking lot and driveway. This additional parking area will temporarily be rock as is shown on the plans.

Thank you,

PATSY ANDERTON



CITY OF ROCKWALL
"THE NEW HORIZON"

May 20, 1992

Mr. Doyle Anderton
Ms. Patsy Anderton
Route 2 Box 121E
Royse City, TX 75189

Dear Mr. and Ms. Anderton:

On Monday, May 18, 1992 the Rockwall City Council approved your request for a change in zoning from Agriculture to Highway Commercial and for a Conditional Use Permit for a commercial amusement and for a conditional use permit for a retail grass sales business utilizing outside storage with a temporary waiver to the parking lot requirements on a tract of land located on I-30 with the following conditions as recommended by the Planning and Zoning Commission:

1. That a temporary gravel drive be permitted for a period of 18 months.
2. That the drive be reduced to 30 feet and that 20 foot radiuses be used at the street intersections.
3. That the site plan be amended to reflect the entrance into the parking area.

Final approval of the ordinances will be heard at the next City Council meeting which will be June 1, 1992 at 7:00 in the City Council Chambers. Prior to starting construction you will need to submit your grading and development plan to the Inspection Department for permit issuance.

If you have any questions please don't hesitate to call.

Sincerely,

Julie Couch
Julie Couch
Assistant City Manager

hcc

CITY OF ROCKWALL
Planning and Zoning Agenda

Agenda Date: May 14, 1992 **Agenda No:**III. G.

Agenda Item: P&Z 92-15-CUP/Z - Hold Public Hearing and Consider Approval of a Request from Dolye Anderton for a Change in Zoning form "A" Agricultural to "Hwy C" Highway Commercial and a CUP for a Commercial Amusement and a CUP for Retail Grass Sales Business utilizing OUtside Storage on a Tract of land Located on I-30

Item Generated By: Applicant, Doyle Anderton

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

Background Information:

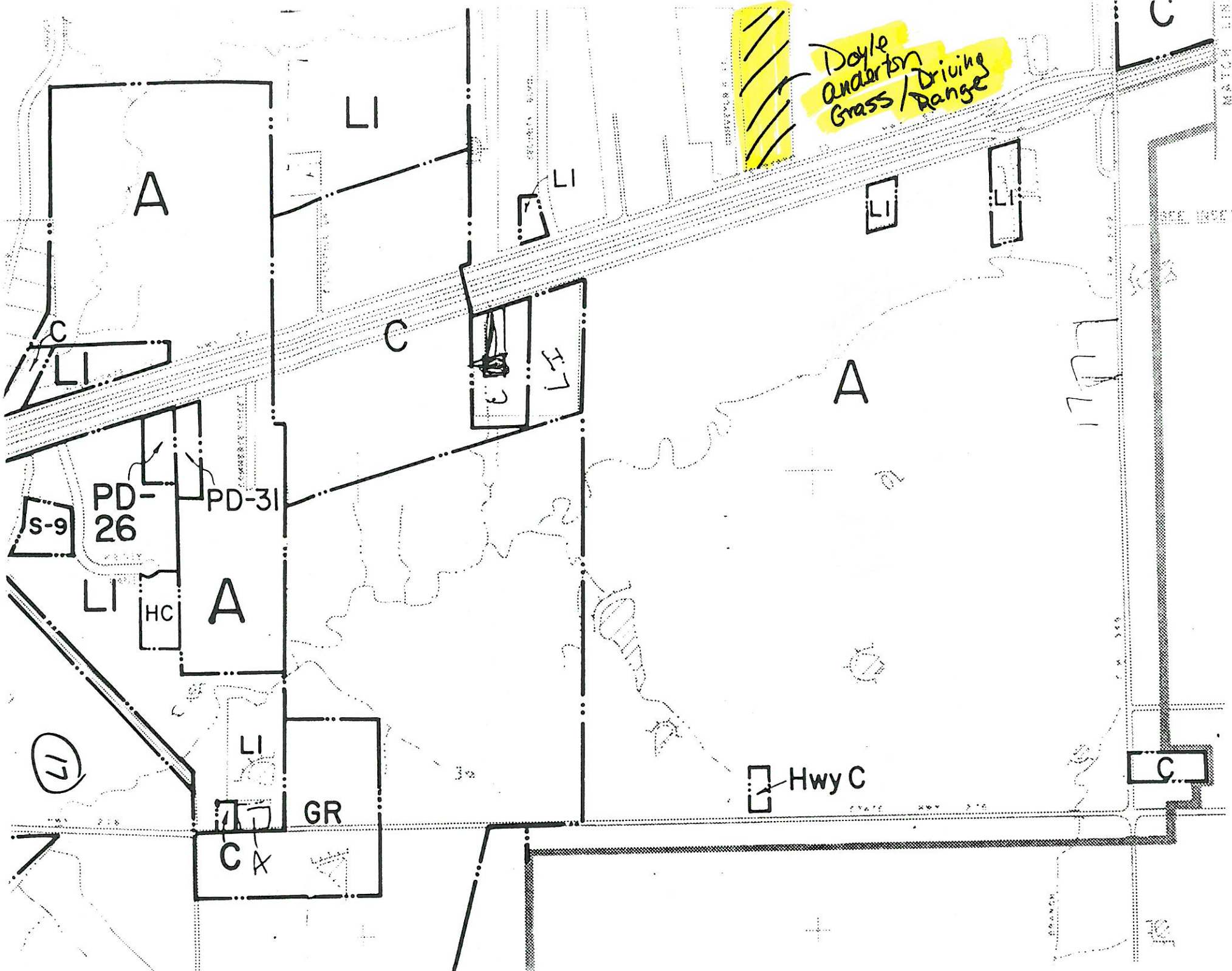
We have received a request for a change in zoning on this tract of land on I-30. The property was annexed by the City in 1986 and was brought in as Agricultural. The land is undeveloped and is across the street from the Cullins window plant. Mr. Anderton wants to build a permanent driving range and also use the site as a retail grass sales area. A copy of the site plan is attached. We will have recommended conditions for the Commission's consideration at the meeting. The proposed zoning is in conformance with the Highway Commercial district.

Attachments:

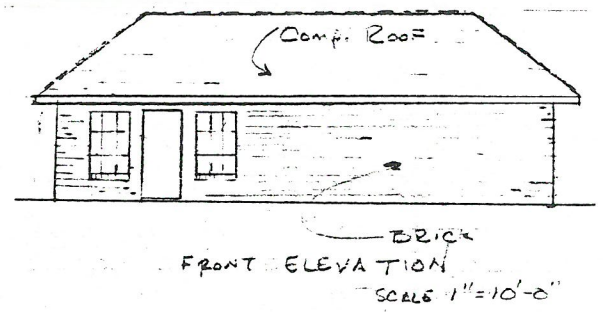
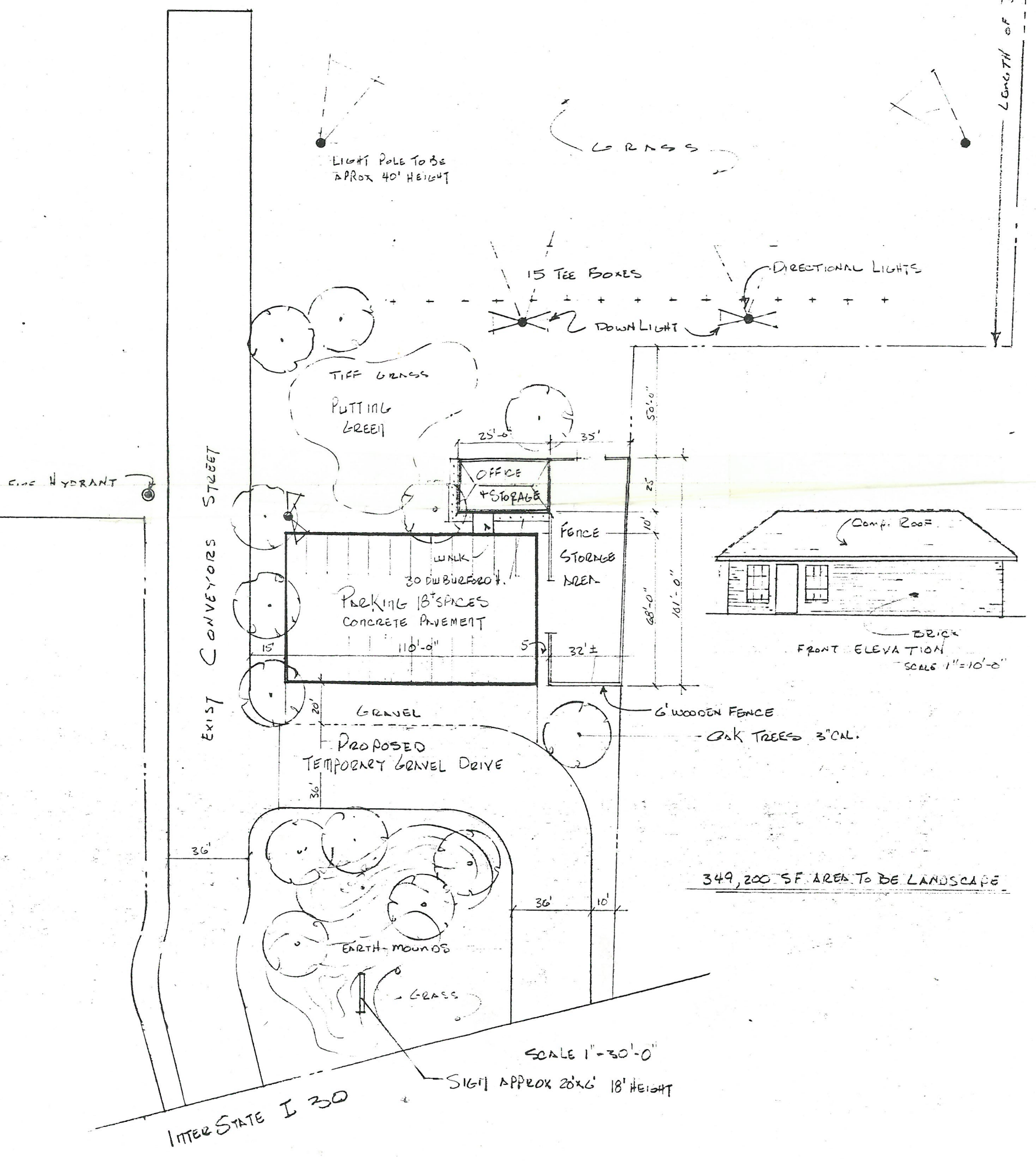
1. Location Map
2. Site Plan

Agenda Item: Rezoning and CUP for Driving Range

Item No: III. G.



LENGTH OF DRIVING RANGE - 1000'



SCALE 1" = 30'-0"
SIGN APPROX 20'x6' 18' HEIGHT

INTERSTATE I 30

349,200 SF AREA TO BE LANDSCAPE

75 **PZ 92-15-CUP/Z Hold Public Hearing and Consider Approval of a Request from Doyle Anderton for a Change in Zoning from "A" Agricultural to "HwyC" Highway Commercial and a CUP for a Commercial Amusement and a CUP for Retail Grass Sales Business utilizing Outside Storage on a Tract of Land located on I-30** *M.N. 5/14/92*

80 Couch outlined the applicant's request. Welborn opened the public hearing. Mr. Doyle Anderton addressed the Commission and was available to answer questions. Welborn closed the public hearing. Wilson made a motion to recommend approval of the request for a change in zoning from "A" Agriculture to "HwyC" Highway Commercial and to permit 18 months to permanent asphalt or concrete the driveway, and to reduce the drive from a 30 foot radius to that of 20 foot radiuses to be used at the street intersections, and a conditional use permit for a commercial amusement for a driving range and for retail grass sales utilizing outside storage. Greenwalt seconded the motion. Welborn recommended an amendment to the motion to permit 18 months for construction of the driveway and parking lot. Greenwalt seconded the amendment and

85

90 recommended that the entrance to the parking area be centered and better identified on the site plan. The amendment was voted on and carried unanimously. The motion as amended was voted on and passed unanimously.

CITY OF ROCKWALL
City Council Agenda

Agenda Date: May 18, 1992

Agenda No: VI. G.

Agenda Item: P&Z 92-15-CUP/Z - Hold Public Hearing and Consider Approval of an Ordinance Granting a Request from Dolye Anderton for a Change in Zoning from "A" Agricultural to "Hwy C" Highway Commercial and a CUP for a Commercial Amusement and a CUP for Retail Grass Sales Business Utilizing Outside Storage With a Temporary Waiver to the Parking Lot Requirements on a Tract of Land Located on I-30 (1st Reading)

Item Generated By: Applicant, Doyle Anderton

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

Background Information:

The Commission has recommended approval of the request with the following conditions:

1. That the request for a temporary gravel drive be permitted for a period of 18 months.
2. That the drive be reduced to 30 feet and that 20 foot radiuses be used at the street intersections.
3. That the entrance into the parking lot be better identified on the site plan.

Mr. Anderton will revise his plans as requested by the Commission and will have them available Monday for your review. A copy of the ordinances are attached.

Attachments:

1. Ordinances

Agenda Item: Rezoning and CUP for Driving Range and Grass Sales

Item No: VI. G.

CITY OF ROCKWALL
City Council Agenda

Agenda Date: May 18, 1992

Agenda No: VI. G.

Agenda Item: P&Z 92-15-CUP/Z - Hold Public Hearing and Consider Approval of an Ordinance Granting a Request from Dolye Anderton for a Change in Zoning from "A" Agricultural to "Hwy C" Highway Commercial and a CUP for a Commercial Amusement and a CUP for Retail Grass Sales Business Utilizing Outside Storage With a Temporary Waiver to the Parking Lot Requirements on a Tract of Land Located on I-30 (1st Reading)

Item Generated By: Applicant, Doyle Anderton

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

Background Information:

We have received a request for a change in zoning on this tract of land on I-30. The property was annexed by the City in 1986 and was brought in as Agricultural. The land is undeveloped and is across the street from the Cullins window plant. Mr. Anderton wants to build a permanent driving range and also use the site as a retail grass sales area. A copy of the site plan is attached. The proposed zoning is in conformance with the Highway Commercial district.

He has also requested a temporary waiver to the parking lot paving requirements. He would like 18 months to bring the parking lot up to standards. He proposes to use gravel during the 18 month interval.

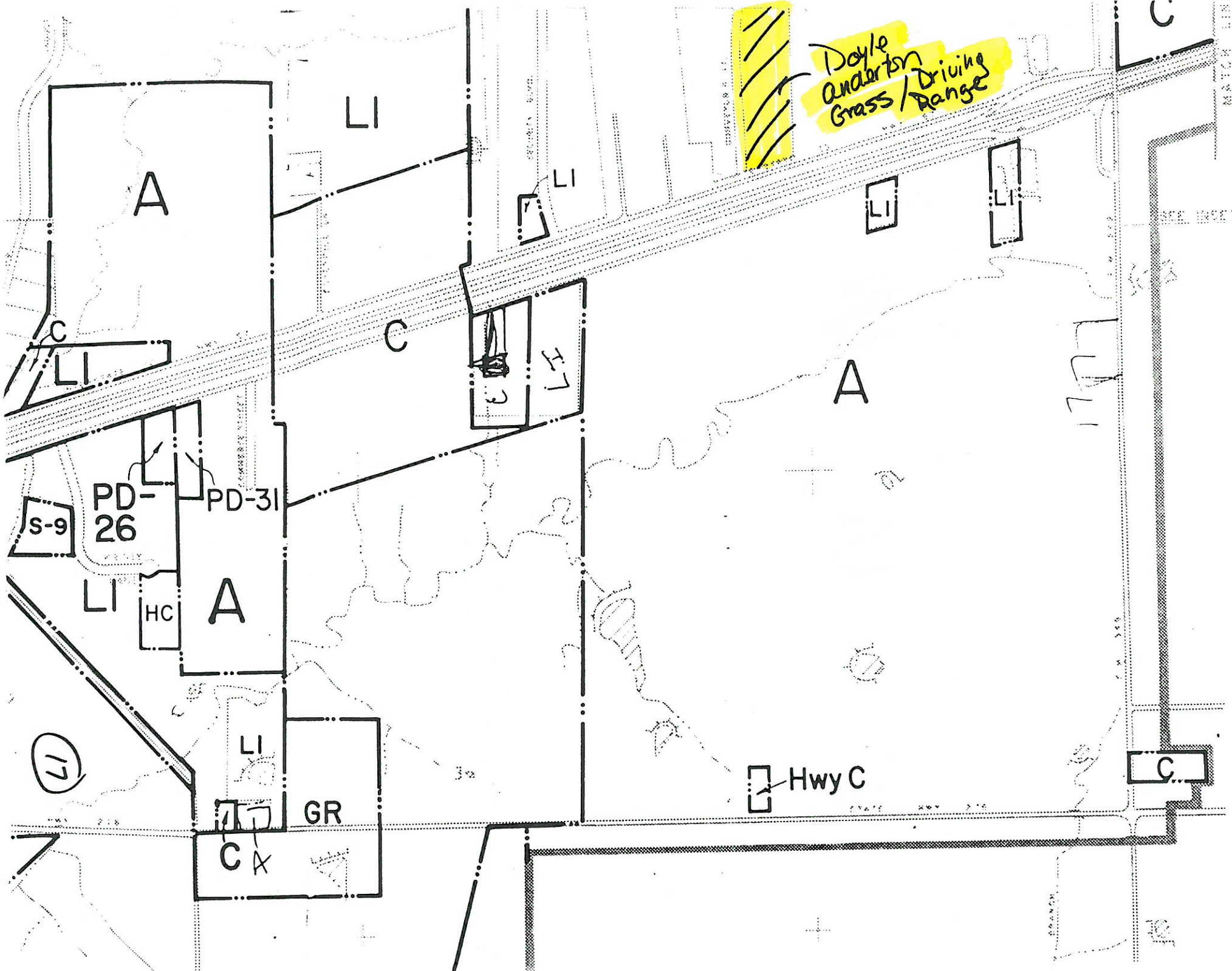
The Commission is considering this item at their meeting on Thursday night. We will forward their recommendation to you on Friday.

Attachments:

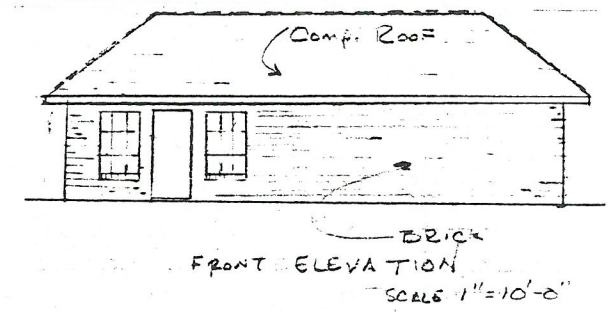
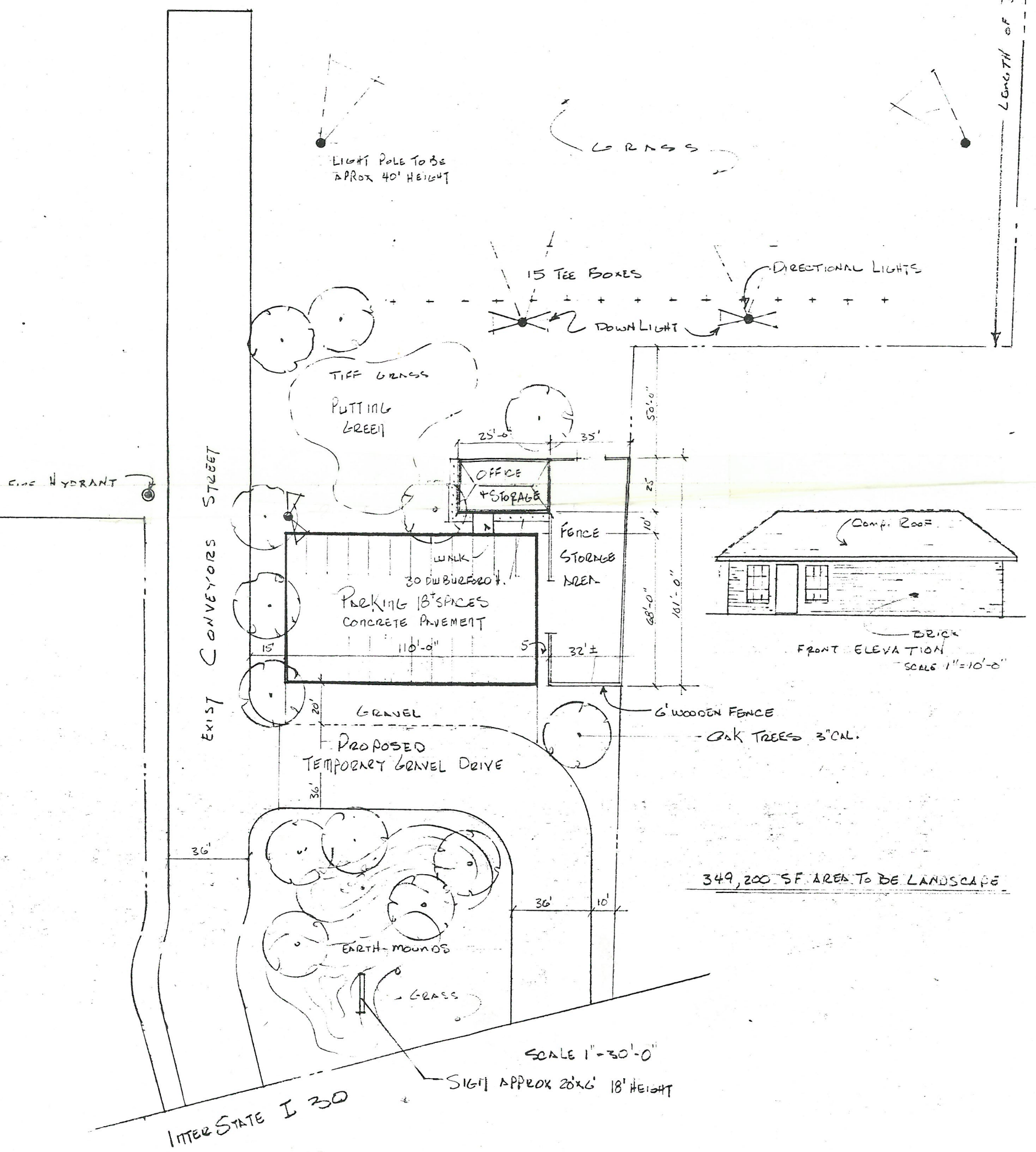
1. Location Map
2. Site Plan

Agenda Item: Rezoning and CUP for Driving Range and Grass Sales

Item No: VI. G.



LENGTH OF DRIVING RANGE - 1000'



349,200 SF AREA TO BE LANDSCAPE

SCALE 1"=30'-0"

SIGN APPROX 20x6 18' HEIGHT

INTERSTATE I 30

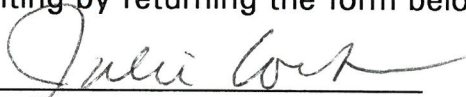


CITY OF ROCKWALL

"THE NEW HORIZON"

PUBLIC NOTICE

The Rockwall Planning and Zoning Commission will hold a public hearing on Thursday, May 14, 1992 at 7:00 P.M. in City Hall, 205 W. Rusk, and the Rockwall City Council will hold a public hearing on Monday, May 18, 1992 at 7:00 p.m. in City Hall, 205 W. Rusk, Rockwall, Texas to consider approval of a request from Doyle Anderton for a change in zoning from "A" Agriculture zoning classification to "Hwy C" Highway Commercial zoning classification, and a conditional use permit for a Commercial Amusement for a driving range and a conditional use permit for a retail grass sales business utilizing outside storage on a tract of land described on the reverse side of this notice. As an interested property owner, you are invited to attend this meeting or make your feelings known in writing by returning the form below:



City Secretary

Case No. PZ 92-15-Z

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 _____

BEING a tract of land situated in the E. M. Elliott Survey, Abstract No. 77, and the John Lockhart Survey, Abstract No. 134, and being part of a tract conveyed to William H. Way, and described in Deed of Trust recorded in Volume 91, Page 893 of the Deed of Trust Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod found for a corner, at the Northeast corner of said Way tract and on the South line of M.K. & T. Railroad and at the Northwest corner of that tract of land conveyed to Ouida Ruth Springer by deed recorded in Volume 75, Page 59 of the Deed Records of Rockwall County, Texas;

THENCE: South $00^{\circ} 07' 25''$ East a distance of 1718.72 feet along the East line of said Way tract to an iron rod found for a corner at the Northeast corner of that 1.0000 acre tract of land described in deed recorded in Volume 210, Page 21, Deed Records, Rockwall County, Texas;

THENCE: South $88^{\circ} 37' 46''$ West a distance of 163.39 feet to an iron rod found for a corner at the Northwest corner of said 1.0000 acre tract;

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THENCE: South $73^{\circ} 51' 49''$ West a distance of 206.76 feet along the North line of said Interstate Highway No. 30: to an iron rod^{found} for a corner;

THENCE: North $16^{\circ} 08' 11''$ West a distance of 36.00 feet to an "x" cut^{in concrete} found^{found} for a corner at the point of curvature of a circular curve to the right having a central angle of $24^{\circ} 12' 48''$ and a radius of 110.00 feet; and a chord that bears North $04^{\circ} 01' 47''$ West a distance of 46.14 feet;

THENCE: Along said curve an arc distance of 46.49 feet to an iron rod^{found} for a corner at the point of reverse curvature of a circular curve to the left having a central angle of $10^{\circ} 12' 40''$, and a radius of 400.00 feet, and a chord that bears North $02^{\circ} 58' 17''$ East a distance of 71.19 feet;

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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.

Notices for Doyle Anderton

Great Western Development Co.
c/o Joseph Hill
6363 Woodway, Suite 800
Houston, TX 77057

Richard Cullins
P. O. Box 967
Rockwall, Texas 75087

Herbert Liles
7054 Wakefield
Dallas, TX 75231

Ovida Springer
2180 Airport Rd.
Rockwall, Texas 75087

William Way
Rt. 4, Box 105A
Rockwall, Texas 75087



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Julie Cook
City Secretary

Case No. PZ 92-15-Z

I am in favor of the request for the reasons listed below *Yes*

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

- 1. Improve the area.*
- 2. Tax revenue*
- 3. More for our youth to do in Rockwall.*

Signature *W.H.W.*
Address *540 Buffalo Way*
Heath

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6. A request from Doyle Ander-
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THENCE: South 00 degrees 07'
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to an iron rod found for a corner
on the North line of Interstate
Highway No. 30, and at the
Southwest corner of said 1.0000
acre tract;

THENCE: South 73 degrees 51'
49" West a distance of 206.76
feet along the North line of said
Interstate Highway No. 30: to
iron rod found for a corner;

THENCE: North 16 degrees 08'
11" West a distance of 36.00 feet
to an "X" cut in concrete found
for a corner at the point of curva-
ture of a circular curve to the
g a central angle of 24

2113
true, correct
presentation of
terminated by
d dimensions
being as indi-
There are no
conflicts, or
as shown.