

SITE PLAN APPLICATION

Date 10-22-93

Name of Proposed Development "Tom's Country Corner"

Name of Property Owner/Developer Tom SHIREY

Address 605 N. ALAMO ST.

Phone 771-1611(W) 771-4958(H)

Name of Land Planner/Engineer JOHN LINDSEY DESIGNS

Address 1008 RIDGE ROAD

Phone 771-1906

Total Acreage 1.99

Current Zoning GENERAL RETAIL

Number of Lots/Units N/A

Signed Tom Shirey

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>Not</u>
<u>On Site Plan</u>	<u>Applicable</u>

✓ _____

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.

✓ _____

2. Location, dimensions, and size of all existing and planned structures on the subject property and approximate locations of structures adjoining property within 100 ft.

✓ _____

3. Location and type of landscaping, lighting, fencing and/or screening of yards and setback areas.

✓ _____

4. Calculation of landscaped area provided.

✓ _____

5. Location and dimensions of ingress and egress.

6. Location, number and dimensions of off-street parking and loading facilities.

7. Height of all structures.

8. Proposed uses of all structures.

9. Location and types of all signs, including lighting and heights.

10. Elevation drawings citing proposed exterior finish materials and proposed structural materials.

11. Location and screening of trash facilities.

12. Location of nearest fire hydrant within 500 ft.

13. Street names on proposed streets.

14. The following additional information:

If the site plan is required as a preliminary or development plan under a Planned Development Zoning Classification, the attached applicable items specified for preliminary plans or development plans must be included.

Taken by _____

File No. _____

Date _____

Fee _____

CITY OF ROCKWALL
205 West Rusk
Rockwall, Texas

APPLICATION FOR CONDITIONAL USE PERMIT

Case No. 93-39- CUP Date Submitted 10/22/93
 Filing Fee \$ 125.00
 Applicant Tom Stirey
 Address NE CORNER OF 205 N. AND Phone No. 771-1611 WORK
Em 552 771-4958 HOME
 Owner Tenant ¹ 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:
4, MPD'S TO SERVICE NO MORE THAN 8 CARS AT ONE TIME
PUMPS

The current zoning on this property is GENERAL RETAIL.
There are/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.

Thomas E. Stirey

1
If the applicant is someone other than the owner, written acknowledgement by the owner of the request must also be submitted.

CITY OF ROCKWALL
PLANNING AND ZONING COMMISSION
APPLICATION RECEIPT

Date: 10-22-93

Applicant: Tom Shirey Phone: 771-1611

Address: 605 W Alamo - Rockwall

Development Name: Tom's Country Corner

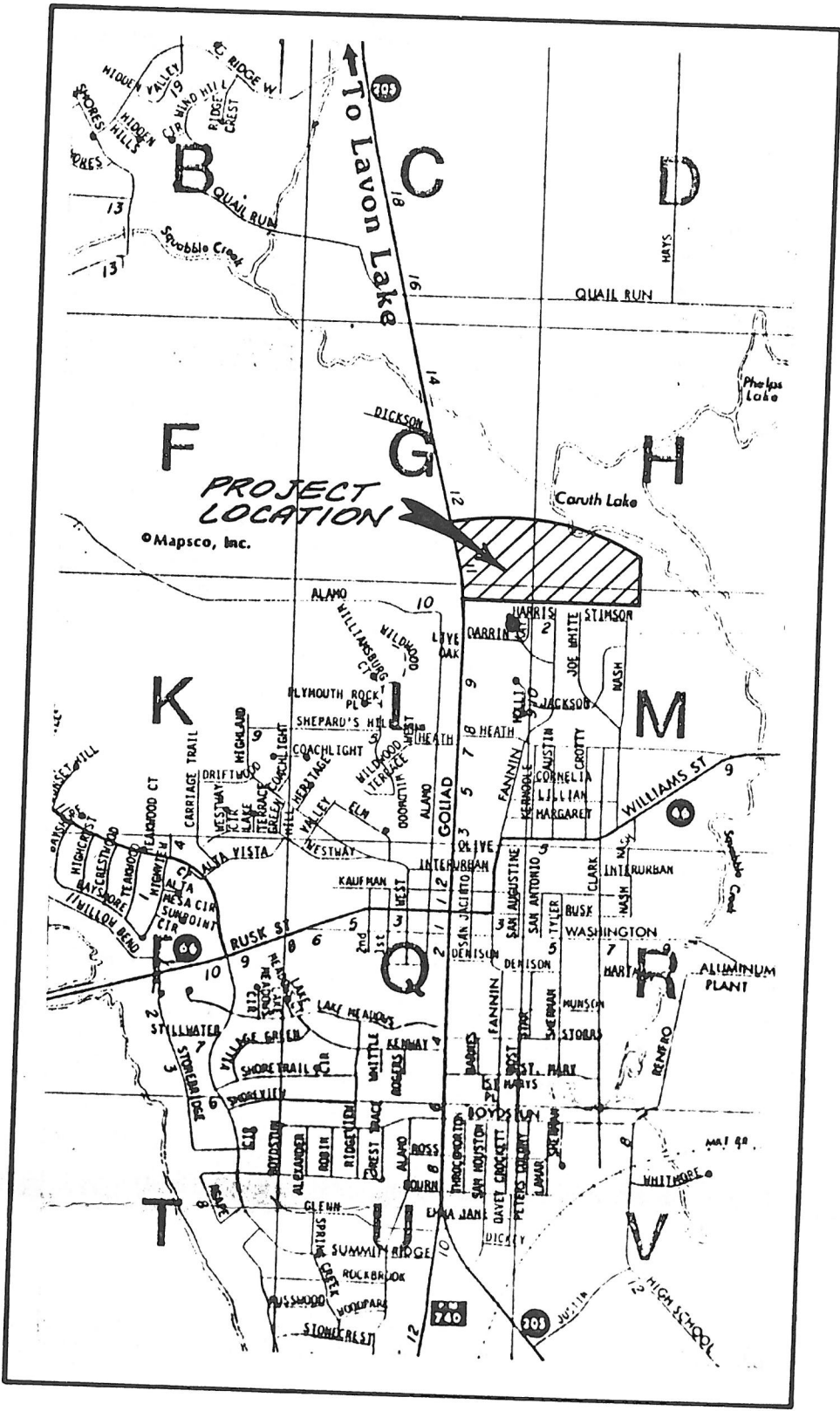
The Following items have been received on this date by the City of Rockwall:

<input type="checkbox"/>	Zoning Change	<input type="checkbox"/>	Preliminary Plat
<input type="checkbox"/>	Conditional Use Permit	<input type="checkbox"/>	Final Plat
<input type="checkbox"/>	PD Amendment	<input type="checkbox"/>	Replat
<input type="checkbox"/>	Landscape Plan	<input checked="" type="checkbox"/>	Site Plan
<input checked="" type="checkbox"/>	Filing Fee \$ <u>130-</u>		
<input checked="" type="checkbox"/>	Other <u>Zoning Amendment</u>		

With this application, you are scheduled to appear before the Planning and Zoning Commission on Dec 6, 1993 and the City Council on _____

at 7:00 p.m. at City Hall, 205 W.Rusk, Rockwall, Texas. 771-7700.

Received By: D. Parker



LOCATION MAP



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

NO 029561

(214) 771-7700

Cash Receipt

Name Tom Shirey Date 10-22-93

Mailing Address _____

Job Address P42 CWC Permit No. _____

Check 3470 Cash Other

DESCRIPTION	Acct. Code	Amount	DESCRIPTION	Acct. Code	Amount
Building Permit	01-3601		Water Tap	02-3311	
Fence Permit	01-3602		10% Fee	02-3311	
Electrical Permit	01-3604		Sewer Tap	02-3314	
Plumbing Permit	01-3607		Water Availability	06-3835	
Mechanical Permit	01-3610		Sewer Availability	07-3836	
Municipal Pool	01-3402		Meter Deposit	02-2201	
Zoning, Planning, B.O.A.	01-3411	<u>130-</u>	Portable Meter Deposit	02-2311	
Subdivision Plats	01-3412		Misc. Income	02-3819	
Sign Permits	01-3628		NSF Check	02-1128	
Health Permits	01-3631		Meter Rent	02-3406	
Misc. Permits	01-3625		Marina Lease	08-3810	
Misc. Income	01-3819		Cemetery Receipts	10-3830	
Sale of Supplies	01-3807		PID	13-3828	
Recreation Fees	01-3401		Street	14-3828	
			Assessment-Ph#2	14-3830	
			Hotel/Motel Tax	15-3206	
TOTAL OF COLUMN		<u>130-</u>	TOTAL OF COLUMN		

TOTAL DUE 130- Received by [Signature]



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

No 030404

(214) 771-7700

Cash Receipt

Name Tom Shurey Date 1-25-94

Mailing Address _____

Job Address CUP Permit No. _____

Check

Cash

Other

DESCRIPTION	Acct. Code	Amount	DESCRIPTION	Acct. Code	Amount
Building Permit	01-3601		Water Tap	02-3311	
Fence Permit	01-3602		10% Fee	02-3311	
Electrical Permit	01-3604		Sewer Tap	02-3314	
Plumbing Permit	01-3607		Water Availability	06-3835	
Mechanical Permit	01-3610		Sewer Availability	07-3836	
Municipal Pool	01-3402		Meter Deposit	02-2201	
Zoning, Planning, B.O.A.	01-3411	<u>125-</u>	Portable Meter Deposit	02-2311	
Subdivision Plats	01-3412		Misc. Income	02-3819	
Sign Permits	01-3628		NSF Check	02-1128	
Health Permits	01-3631		Meter Rent	02-3406	
Misc. Permits	01-3625		Marina Lease	08-3810	
Misc. Income	01-3819		Cemetery Receipts	10-3830	
Sale of Supplies	01-3807		PID	13-3828	
Recreation Fees	01-3401		Street	14-3828	
			Assessment-Ph#2	14-3830	
			Hotel/Motel Tax	15-3206	
TOTAL OF COLUMN		<u>125-</u>	TOTAL OF COLUMN		

TOTAL DUE 125-

Received by [Signature]

MEMORANDUM
January 13, 1994

TO: Mayor and Councilmembers

FROM: Julie Couch, City Manager

RE: Recommendations of the Planning and Zoning Commission Regarding Planning and Zoning Items

Following is a discussion of the recommendations of the Commission on the items that are to be considered on Monday night.

V. G.

The Commission has unanimously recommended approval of the request to amend the General Retail Zoning to allow a CUP for up to 4 gas dispensers that can serve a maximum of 8 vehicles, as an accessory to a permitted retail use, with the stipulation that such a CUP may only apply to property located at the intersection of two major roadways, being a collector roadway or greater. A copy of the ordinance is attached.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING ORDINANCE NO. 83-23, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, BY AMENDING SECTION 2.11; PROVIDING FOR A CONDITIONAL USE PERMIT FOR GASOLINE SALES AS AN ACCESSORY USE TO A PERMITTED RETAIL USE IN THE GENERAL RETAIL DISTRICT; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with the guidelines established in the City of Rockwall's Comprehensive Zoning Ordinance the City Council has considered amending the Comprehensive Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission of the city of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the state of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Comprehensive Zoning Ordinance of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas:

SECTION 1. That Ordinance No. 83-23, the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, is hereby amended by adding the following sections to hereafter read as follows:

A. That section 2.11 C. is hereby amended by adding a new subsection 14. as follows:

"14. Retail outlets where gasoline products are sold as an accessory use limited to 4 dispensers which can service no more than 8 vehicles at one time, where such property is located at the intersection of two major roadways, being a collector roadway or greater."

SECTION 2. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. Any person, firm or corporation violating any of the provisions of this

ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 4. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation, or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Comprehensive Zoning Ordinance No. 83-23 of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance are declared to be severable.

SECTION 5. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

DULY PASSED AND APPROVED this ____ day of _____.

APPROVED:

Mayor

ATTEST:

City Secretary

1st Reading: _____

2nd Reading: _____

HIDDEN VALLEY ESTATES NO 2
12.775 Ac. Commercial

Heavy Wooded Area

S. 3° 08' 31" E. 416.26'

Heavy Wooded Area
S. 89° 57' 57" E. 203.84'

1.93 ACRES

NOTE:
BUILDING
WILL BE
SMALLER THAN
INDICATED.
IT WILL BE 3300±
CONVENIENCE STORE
5000 S.F. BLDG.
3800 S.F. NET USE
1200 S.F. STOR. REST RM.
and PREP AREA.

"TOM'S COUNTRY CORNER"
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

TOM SHIREY — OWNER
605 N. ALAMO (TTI-4958) ROCKWALL, TX.

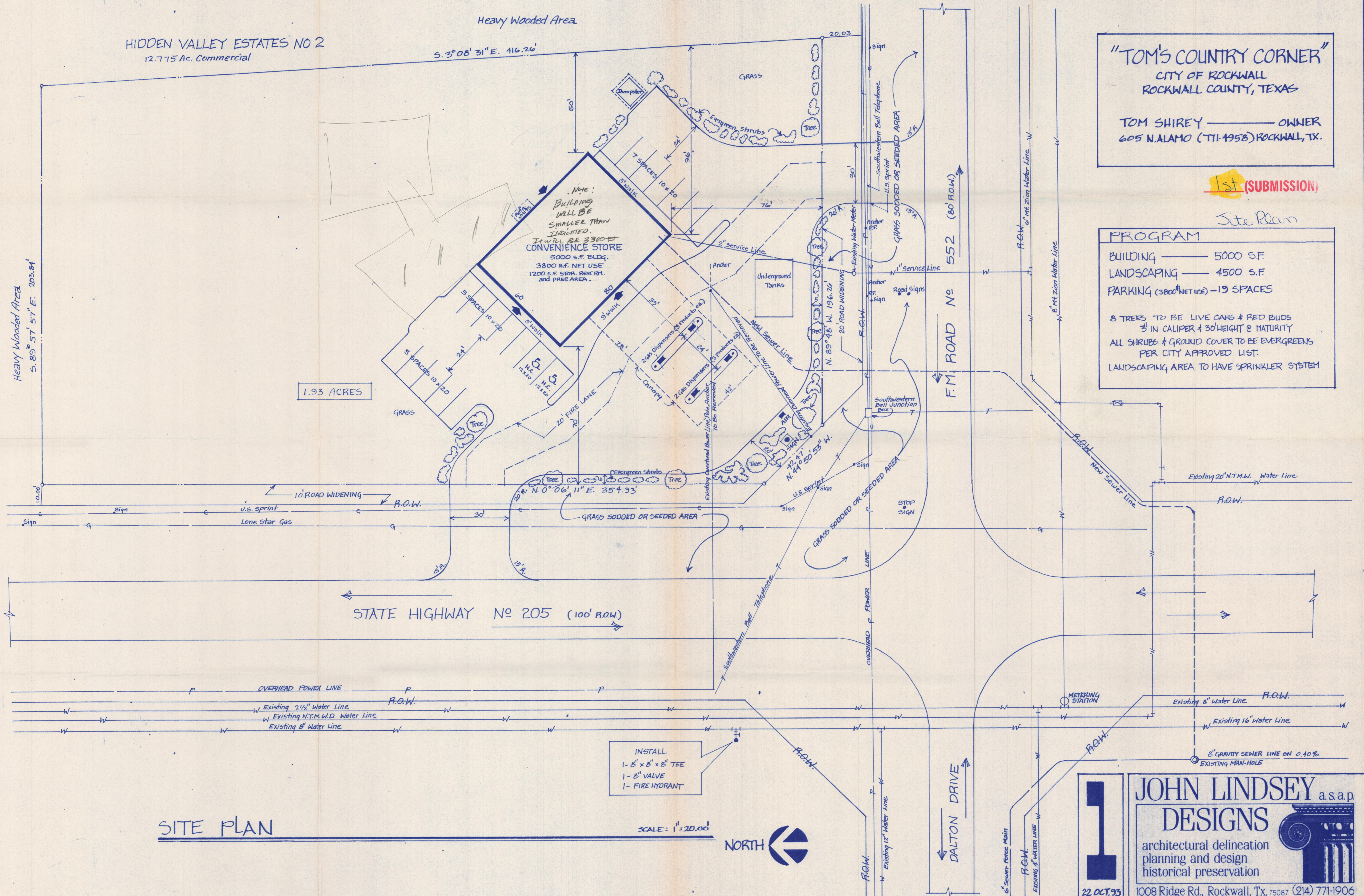
1st (SUBMISSION)

Site Plan

PROGRAM

BUILDING — 5000 S.F.
LANDSCAPING — 4500 S.F.
PARKING (3800± NET USE) — 19 SPACES

8 TREES TO BE LIVE OAKS & RED BUDS
3" IN CALIPER & 30' HEIGHT @ MATURITY
ALL SHRUBS & GROUND COVER TO BE EVERGREENS
PER CITY APPROVED LIST.
LANDSCAPING AREA TO HAVE SPRINKLER SYSTEM



SITE PLAN

SCALE: 1" = 20.00'

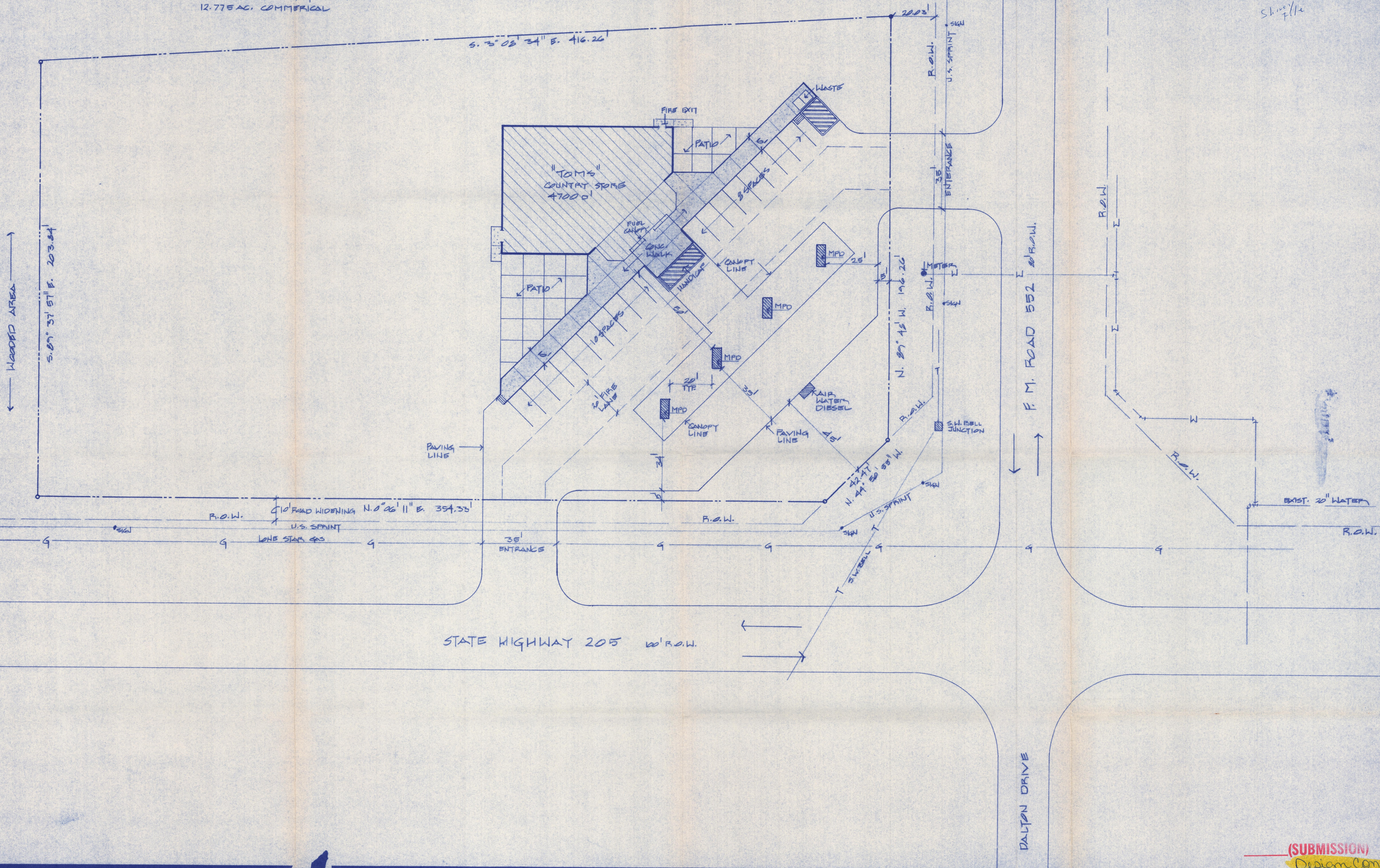


JOHN LINDSEY a.s.a.p.
DESIGNS
architectural delineation
planning and design
historical preservation

22 OCT. 93

1008 Ridge Rd., Rockwall, Tx. 75087 (214) 771-1906

Shirey P/12



(SUBMISSION)
Design Concept

These design concept drawings do not comprise a complete set of bid documents. They include necessary specifications of surface construction, interior finishes, lighting, equipment and millwork. They are not intended to replace the client's architect or engineer drawings.



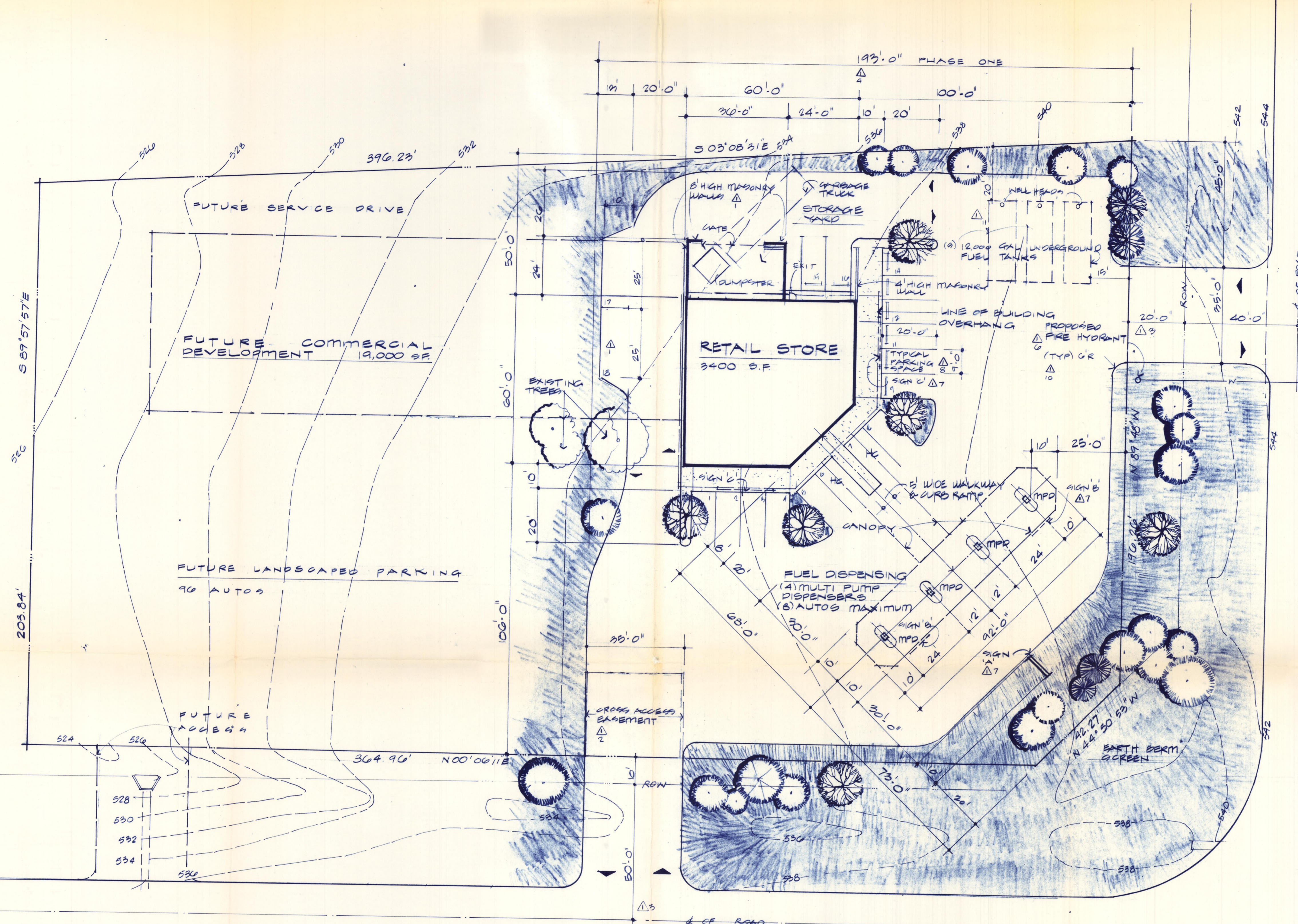
JIM MITCHELL & ASSOCIATES
1200 Walnut Hill Lane / Suite 2000 / Irving, Texas 75038 / (214) 986-8355 (800) 247-5635

Customer:
TOM SHIREY

Plan:
SITE

Scale 1" = 20' 0"
Date 10.27.93
Job No.

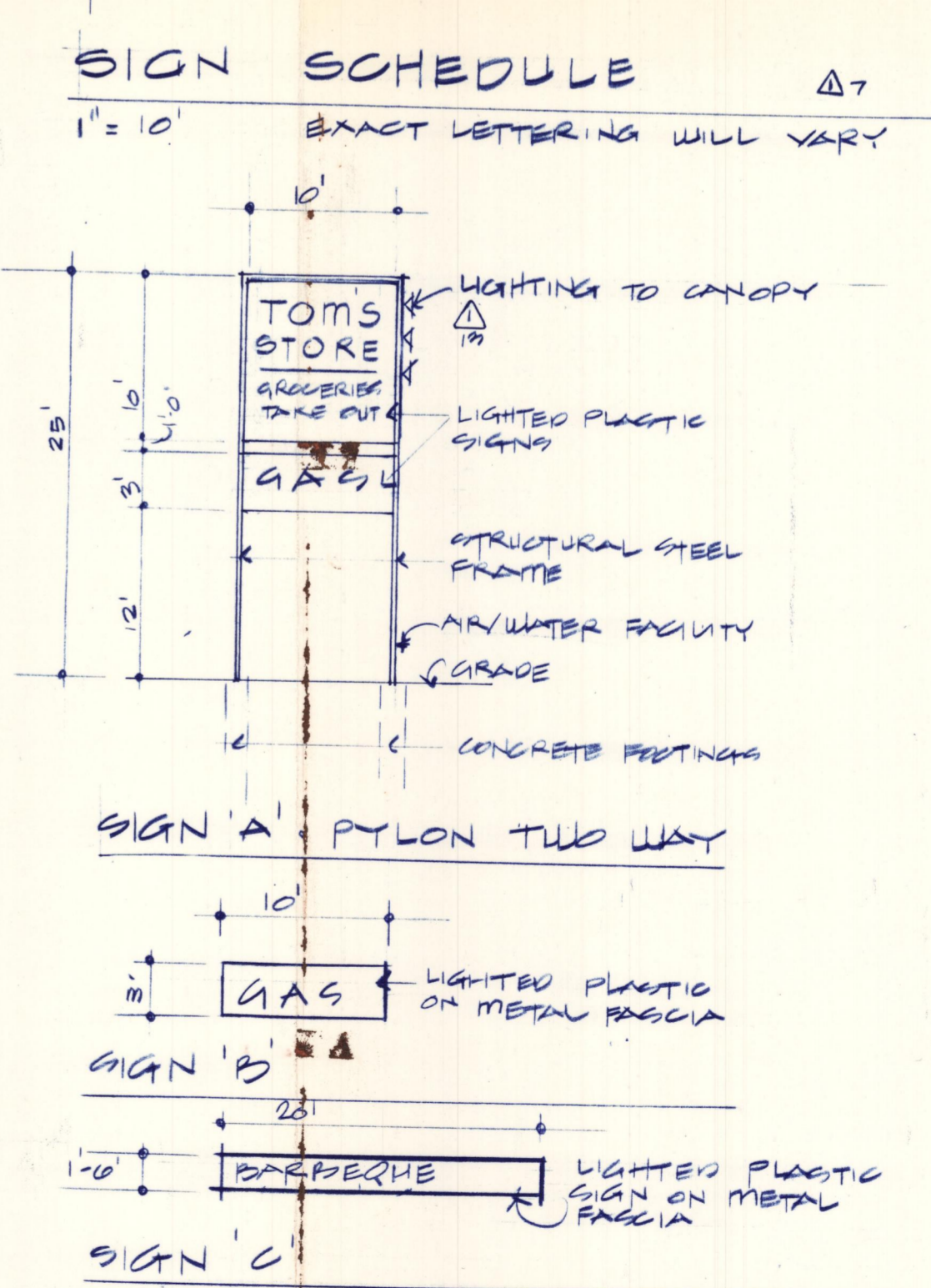
Sheet No.:



LANDSCAPING SCHEDULE $\Delta 5$

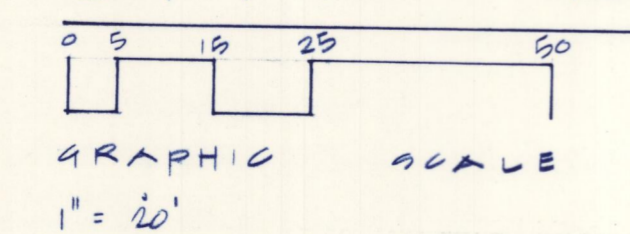
EXACT SPECIFICATION, QUANTITY & LOCATION WILL BE PROVIDED IN LANDSCAPE PLAN AS PART OF BUILDING PERMIT SUBMITTAL

SYMBOL	DESCRIPTION
	DECIDUOUS FLOWERING TREE 8'-10' HEIGHT SUCH AS: CREPE MYRTLE
	EVERGREEN MULTI TRUNK 8'-10' HEIGHT SUCH AS: YAUPON
	EVERGREEN CONIFER 8'-10' HEIGHT SUCH AS: JAPANESE BLACK PINE
GROUND COVER & SHRUBS	
PERIMETER OF PROJECT TO BE GRASS	
GROUND COVER & SHRUBS AT PLANTING AREAS AROUND BUILDING & PARKING TO BE TEXAS HONEYSUCKLE MUGO PINE COTONEASTER	



STATE HIGHWAY 205

SITE DEVELOPMENT PLAN

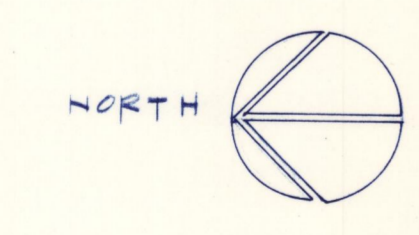


PHASE ONE DATA

FLOOR AREA	2900 S.F.
PARKING (INCLUDE 2) HANDICAP SPACES	18 AUTOS
LAND AREA	29,800 S.F. $\Delta 4$
LANDSCAPED AREA	6,200 S.F. $\Delta 5$

EXTERIOR LIGHTING

ALL SITE LIGHTING TO BE BUILDING AND CANOPY MOUNTED ILLUMINATING BUILDING FACES, LANDSCAPING & PAVING EXCEPT AS SHOWN ON SIGN 'A'



A COMMERCIAL DEVELOPMENT

ROCKWALL, TEXAS

TOM SHIREY



MEMORANDUM

TO: Dub Douphrate, P.E.
FROM: Dan C. Boutwell, AICP
SUBJECT: Potential Site of Convenience/Gasoline Service at Dalton Dr. & S.H. 205
DATE: October 13, 1993

In response to your request, we have reviewed the above referenced subject and offer the following comments. It is our understanding that the applicant wishes to add two (2) additional gasoline dispensers on the site.

1. The GR zoning district is very clear that only two (2) dispensers providing for a maximum of four (4) vehicles is permitted in this district. The conditional use permit for the GR District does not provide an opportunity to expand this use. Therefore it is my opinion that this use with more than two (2) dispensers may not be allowed under any condition in the GR zoning district.
2. The applicant need not pursue seeding relief from the Zoning Board of Adjustment. This is a "self-imposed" condition and does not fit the definition of a "hardship" as recognized by state law. In addition, the number of dispensers located on site are a matter of zoning, not area regulations. The Zoning Board of Adjustment is not the proper body to hear this issue.
3. Under the structure of the current zoning ordinances, the only recourse left to the applicant is to pursue rezoning of the property. "C" Commercial district permits service stations, without placing a limit on the number of dispensers permitted. However, in our opinion, it would not be consistent with the intent of the neighborhood nor the comprehensive plan to introduce "C" Commercial into this area.
4. The only option left to the applicant is to pursue changing the GR district to allow gasoline sales from more than two dispensers. If the applicant desires to pursue this option, then he should make a formal request to do so with the Planning and Zoning Commission.
5. As a matter of information. It is our opinion that any revisions to the GR district should occur in the Conditional Use section. It is our preliminary opinion that a maximum of four (4) dispensers and a maximum of eight (8) vehicles should be permitted. And prior approval of any such use a conditional use permit be obtained.

October 26, 1993

Planning and Zoning Commission
City of Rockwall

Dear Commissioners:

I would like to submit a request to the commission to consider amending the city ordinance of the General Retail District to provide a conditional use permit allowing four fuel dispensers which can service no more than eight vehicles at one time. The present ordinance for the General Retail District allows only two fuel dispensers which can service no more than four vehicles at one time. This is not sufficient to provide our expected needs. The updated site plan for the convenience store at State Highway 205 and FM 552 will indicate four fuel dispensers with ample room to service eight vehicles at one time. The plan will be submitted at a later date.

The 1992 traffic counts supplied by the State Department of Transportation (currently 6300 on SH 205 and in excess of 1400 of FM 552 within a 24 hour period) are projected to be 13,000 on SH 205 by the year 2000. This should quickly add credence to this request for change or exception.

An affirmative decision on this matter will be appreciated.

Sincerely,



Tom Shirey
605 N. Alamo Street
Rockwall, Texas 75087

cc: Julie Couch, City Manager



MEMORANDUM

TO: Dub Douphrate, P.E.
FROM: Dan C. Boutwell, AICP
SUBJECT: P&Z 93-39-Z (Amendment to GR district)
DATE: January 7, 1994

Recently, the City analyzed the "GR" district as it relates to fuel pumping facilities. A request had been made to allow more fuel dispensers than what was currently permitted in the district. As a result of our analysis the following comments have been provided:

1. The GR zoning district is very clear that only two (2) fuel dispensers, providing for a maximum of four (4) vehicles, is permitted in this district. The conditional use permit for the GR District does not provide an opportunity to expand this use. Therefore it is our opinion that this use with more than two (2) dispensers may not be allowed under any condition in the GR zoning district.
2. An applicant may not pursue seeking relief from the Zoning Board of Adjustment in order to add more dispensers than what is allowed. That would constitute a "self-imposed" condition and does not fit the definition of a "hardship" as recognized by state law. In addition, the number of dispensers located on site are a matter of zoning, not area regulations. The Zoning Board of Adjustment is not the proper body to hear this issue.
3. Under the structure of the current zoning ordinances, the only recourse left to an applicant is to pursue rezoning of the property. "C" Commercial district permits service stations, without placing a limit on the number of dispensers permitted. However, in our opinion, it would not be consistent with the intent of the neighborhood nor the comprehensive plan to introduce "C" Commercial into many of the areas containing "GR" zoning.
4. The only option left to an applicant is to pursue changing the "GR" district to allow gasoline sales from more than two dispensers. It is our recommendation that any revisions to the GR district should occur in the Conditional Use section. It is also recommended that a maximum of four (4) dispensers and a maximum of eight (8) vehicles should be permitted. And prior approval of any such use as a conditional use permit should be obtained.

AGENDA
PLANNING AND ZONING COMMISSION
WORK SESSION
CITY HALL
205 W. RUSK
January 6, 1994
7:00 P.M.

I. Call To Order

II. Work Session Items

- A. P&Z 93-51-Z/PP Zoning change from Agricultural to Planned Development for single family uses and a Preliminary Plan for a 23 acre tract of land for Albright Construction Co.
- B. P&Z 93-46-Z Zoning change from Planned Development 11 and Single family 10 to Planned Development and Preliminary Plan and area requirements for MAHR Development.
- C. P&Z 93-50-CUP/PP Conditional Use Permit for an elementary school located on Dalton Road from Rockwall Independent School District
- D. P&Z 93-49-Z Zoning Change from Agricultural to Light Industrial from Aline McElroy Word
- E. P&Z 93-47-CUP Conditional Use Permit for a guest/servants quarters from Walker Rowe
- F. P&Z 93-52-Z Amendment to "PD-7" and "PD-18" from Lenmar Development.
- G. P&Z 93-39-Z Amendment to the General Retail Zoning District Classification regarding fuel pumps.
- H. P&Z 93-53-F Front Yard Fence
- I. P&Z 93-38/PP Preliminary Plat and Amendment to the PD for Shepherd Place Homes
- J. P&Z 93-54-PP Preliminary Plat for Harlan Park Phase II
- K. P&Z 93-56-PP Preliminary Plat for Texas Star Express

III. Adjournment

Posted this the 29th day of December, 1993 at 4:00 p.m. by Denise LaRue.

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (214) 771-7700 or FAX (214) 771-7727 for further information.

**City of Rockwall
Planning and Zoning Agenda**

Agenda Date: November 11,1993

Agenda Item: P&Z 93-39-SP - Hold Public Hearing and Consider Recommending Approval of a Request from Tom Shirey for amendment to the General Retail Zoning for a tract of located at SH 205 and FM 552.

Item Generated By: Applicant, Tom Shirey

Action Needed: Hold Public Hearing and Take Necessary Action.

Background Information:

Tom Shirey has submitted a request to the Commission to consider amending the General Retail Zoning Ordinance increasing the number of fuel dispensers from two (2) to four (4) providing service to a maximum of eight (8) vehicles at one time.

It is staff's recommendations the General Retail Ordinance be amended providing a maximum of four (4) dispensers and a maximum eight (8) vehicles serviced at one time.

Attachments:

1. Tom Shirey - Request Letter
2. PRG Memorandum

Agenda Item: P&Z 93-39-SP - Shirey's Country Corner

October 26, 1993

Planning and Zoning Commission
City of Rockwall

Dear Commissioners:

I would like to submit a request to the commission to consider amending the city ordinance of the General Retail District to provide a conditional use permit allowing four fuel dispensers which can service no more than eight vehicles at one time. The present ordinance for the General Retail District allows only two fuel dispensers which can service no more than four vehicles at one time. This is not sufficient to provide our expected needs. The updated site plan for the convenience store at State Highway 205 and FM 552 will indicate four fuel dispensers with ample room to service eight vehicles at one time. The plan will be submitted at a later date.

The 1992 traffic counts supplied by the State Department of Transportation (currently 6300 on SH 205 and in excess of 1400 of FM 552 within a 24 hour period) are projected to be 13,000 on SH 205 by the year 2000. This should quickly add credence to this request for change or exception.

An affirmative decision on this matter will be appreciated.

Sincerely,



Tom Shirey
605 N. Alamo Street
Rockwall, Texas 75087

cc: Julie Couch, City Manager



MEMORANDUM

TO: Dub Douphrate, P.E.
FROM: Dan C. Boutwell, AICP
SUBJECT: Potential Site of Convenience/Gasoline Service at Dalton Dr. & S.H. 205
DATE: October 13, 1993

In response to your request, we have reviewed the above referenced subject and offer the following comments. It is our understanding that the applicant wishes to add two (2) additional gasoline dispensers on the site.

1. The GR zoning district is very clear that only two (2) dispensers providing for a maximum of four (4) vehicles is permitted in this district. The conditional use permit for the GR District does not provide an opportunity to expand this use. Therefore it is my opinion that this use with more than two (2) dispensers may not be allowed under any condition in the GR zoning district.
2. The applicant need not pursue seeding relief from the Zoning Board of Adjustment. This is a "self-imposed" condition and does not fit the definition of a "hardship" as recognized by state law. In addition, the number of dispensers located on site are a mater of zoning, not area regulations. The Zoning Board of Adjustment is not the proper body to hear this issue.
3. Under the structure of the current zoning ordinances, the only recourse left to the applicant is to pursue rezoning of the property. "C" Commercial district permits service stations, without placing a limit on the number of dispensers permitted. However, in our opinion, it would not be consistent with the intent of the neighborhood nor the comprehensive plan to introduce "C" Commercial into this area.
4. The only option left to the applicant is to pursue changing the GR district to allow gasoline sales from more than two dispensers. If the applicant desires to pursue this option, then he should make a formal request to do so with the Planning and Zoning Commission.
5. As a matter of information. It is our opinion that any revisions to the GR district should occur in the Conditional Use section. It is our preliminary opinion that a maximum of four (4) dispensers and a maximum of eight (8) vehicles should be permitted. And prior approval of any such use a conditional use permit be obtained.

**City of Rockwall
Planning and Zoning Agenda**

Agenda Date: January 13, 1994

Agenda Item: P&Z 93-39-Z - Hold Public Hearing and consider recommending approval of a amendment to the General Retail Zoning District classification to allow a Conditional Use to permit a maximum of 4 fuel pumps as an accessory to a permitted retail use.

Item Presented By: Applicant, Tom Shirey

Action Needed: Hold Public Hearing and consider recommending approval of an amendment to the GR Zoning District to allow a conditional use to permit a maximum of 4 fuel pumps as an accessory to a permitted retail use.

Background Information: The applicant requests an amendment to the GR Zoning in order to permit a maximum of 4 fuel pumps as an accessory to a permitted retail use. This will allow the applicant to serve up to a maximum of 8 customers.

Recommendation: Staff recommends approval of the zoning amendment provided the following conditions are met:

1. That the revision to the GR District should occur in the Conditional Use section of the GR Zoning requirements.
2. That the conditional use allow a maximum of (four) 4 dispensers and a maximum of eight (8) vehicles being served at one time.
3. That this conditional use only apply at the intersection of two major roadways being a collector roadway width or greater.

Attachments: 1. PRG memorandum from Dan Boutwell.

Agenda Item: P&Z 93-39-Z

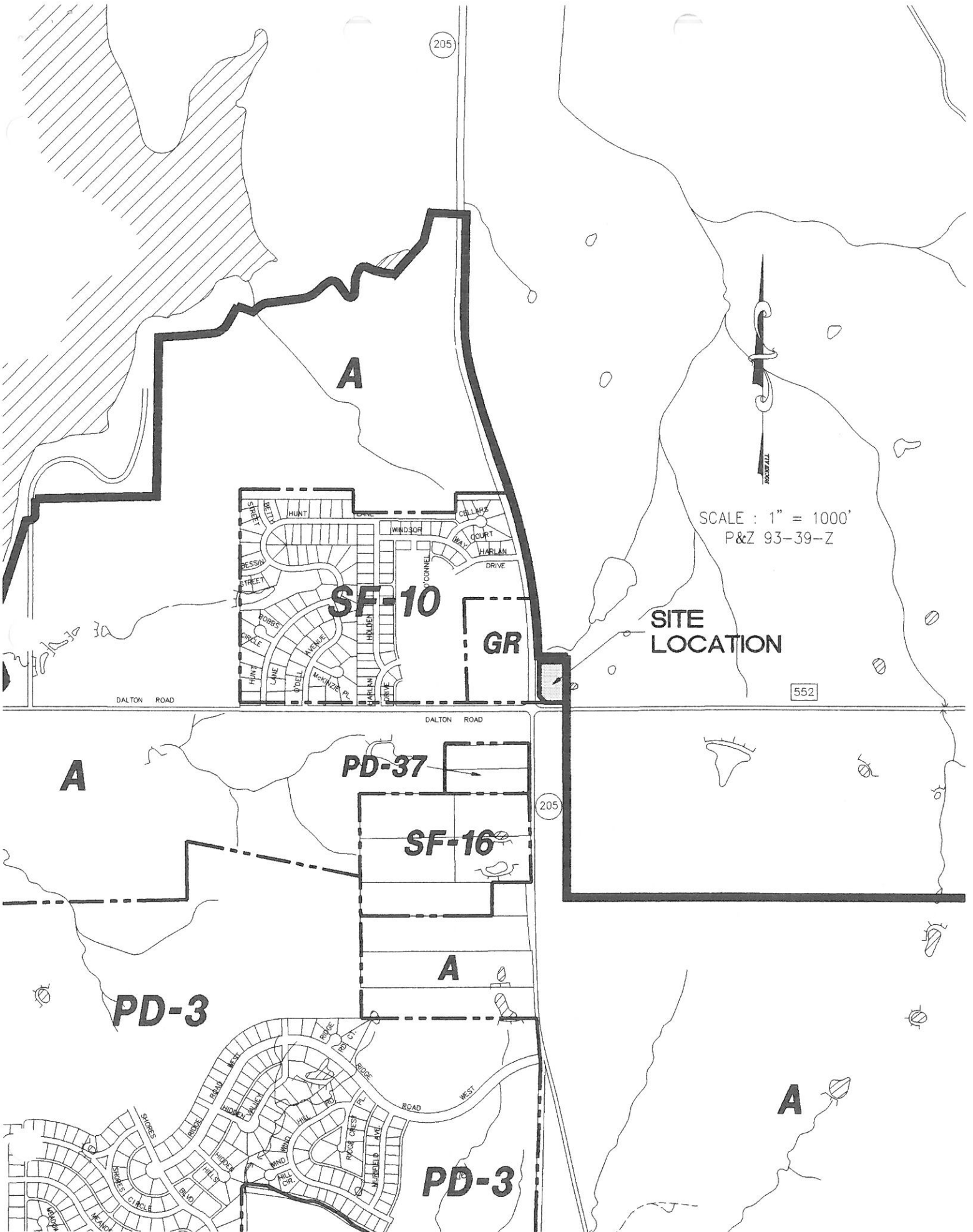


MEMORANDUM

TO: Dub Douphrate, P.E.
FROM: Dan C. Boutwell, AICP
SUBJECT: P&Z 93-39-Z (Amendment to GR district)
DATE: January 7, 1994

Recently, the City analyzed the "GR" district as it relates to fuel pumping facilities. A request had been made to allow more fuel dispensers than what was currently permitted in the district. As a result of our analysis the following comments have been provided:

1. The GR zoning district is very clear that only two (2) fuel dispensers, providing for a maximum of four (4) vehicles, is permitted in this district. The conditional use permit for the GR District does not provide an opportunity to expand this use. Therefore it is our opinion that this use with more than two (2) dispensers may not be allowed under any condition in the GR zoning district.
2. An applicant may not pursue seeking relief from the Zoning Board of Adjustment in order to add more dispensers than what is allowed. That would constitute a "self-imposed" condition and does not fit the definition of a "hardship" as recognized by state law. In addition, the number of dispensers located on site are a matter of zoning, not area regulations. The Zoning Board of Adjustment is not the proper body to hear this issue.
3. Under the structure of the current zoning ordinances, the only recourse left to an applicant is to pursue rezoning of the property. "C" Commercial district permits service stations, without placing a limit on the number of dispensers permitted. However, in our opinion, it would not be consistent with the intent of the neighborhood nor the comprehensive plan to introduce "C" Commercial into many of the areas containing "GR" zoning.
4. The only option left to an applicant is to pursue changing the "GR" district to allow gasoline sales from more than two dispensers. It is our recommendation that any revisions to the GR district should occur in the Conditional Use section. It is also recommended that a maximum of four (4) dispensers and a maximum of eight (8) vehicles should be permitted. And prior approval of any such use as a conditional use permit should be obtained.



SCALE : 1" = 1000'
P&Z 93-39-Z

**SITE
LOCATION**

552

205

A

PD-3

SF-10

GR

SF-16

PD-37

PD-3

A

205

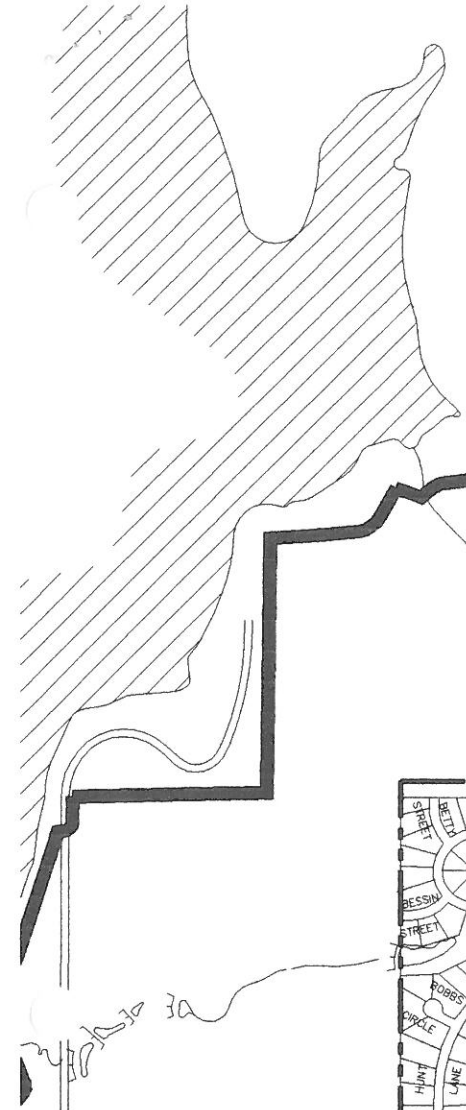
DALTON ROAD

DALTON ROAD

A

A

A



Planning And Zoning Commission Minutes
January 13, 1994

5 The meeting was called to order at 7:00 p.m by James Greenwalt with the following members present; Art Ruff, Dennis Mitchell, Pat Friend, and Ginger Baugh, Van Ewing and Terry Raulston were absent.

10 Pat Friend made a motion to approve the minutes. Dennis Mitchell seconded the motion. The motion was voted and passed unanimously.

15 PZ 93-51-Z/PP Hold Public Hearing and Consider Approval of a Request from Kirby Albright for a change in zoning from Agricultural to Planned Development for single family uses and approval of a preliminary plan and area requirements for a 23 acre tract of land located on the east side of FM-740 south of Shadeydale Lane.

Dub Douphrate reviewed the case with the commission.

20 Jim Grennwalt open the public hearing.

Kirby Albright, property owner addressed the Commission and answered questions.

25 Mr. and Mrs. O'Brain, 5 Shadeydale Lane addressed the Commission in opposition of the request stating that deed restriction on the property were not being complied with.

Julie Couch explained to the commission that the City does not enforce deed restriction.

30 Kirby Albright indicated that deed restrictions being discussed do not apply to this tract of land.

James Greenwalt closed the public hearing.

35 After much discussion Pat Friend made a motion to approve the request from Kirby Albright for an ordinance granting a change in zoning from Agricultural to Planned Development for single family uses, and recommending approval of a preliminary plat and area requirements for a 23 acre tract of land located on the east side of FM-740 south of Shadeydale Lane provided the following conditions are met;

40 * That the applicant should indicate to the Council whether or not the proposed streets are to be dedicated with a 50 foot right-of-way or are to be privately maintained by the homeowner's association.

* That the security gates be located and described on the preliminary plat if the streets are to remain private.

- 45 * That the screening, landscaping, and/or decorative walks are to be described on the site plan.
- * That the applicant include the area requirements i.e., building set back, side set back, rear set back, structure height on the site plan.
- 50 * That the building lines be not less than 50 feet in width.
- * That Shadeydale Lane be shown on the plat.
- 55 * That the front building lines and proposed utility easements be indicated on the plat, especially if the streets are not to be dedicated to the City.
- * That the fire lane between lots 16 and 17 be shown as an emergency access easement and shall be subject to approval by the Fire Marshal.

60 Dennis Mitchell seconded the motion. The motion was voted on and passed unanimously.

65 PZ-93-46-Z Hold Public Hearing and Consider Recommending Approval for a Request from MAHR Development for a change in zoning from "PD-11" and "SF-10" district classification to "PD" district classification for single family uses and preliminary plan and area requirements on a tract of land containing approximately 145 acres located east of North Lakeshore Drive and south of Alamo Road.

70 Julie Couch reviewed the case with the Commission.

A.W Newman, 325 Shepherd Hill addressed the Commission expressing opposition to the request.

75 Robert Pope, Developer addressed the Commission and answered questions.

Jim Kelly, 329 Shepherd Hill asked about the Lone Star Gas line that runs through the property.

David Hairston, 1501 Sunset Hill questioned the lot yields and buffers.

80 Alfred H. Gonzalez, 1598 North Hills expressed opposition to the lot size.

After much discussion Jim Greenwalt made a motion to recommend denial of the request from MAHR Development. Art Ruff seconded the motion. The motion was voted on and passed unanimously.

85 93-50-CUP/PP Hold Public Hearing and Consider Recommending Approval of a request from Rockwall Independent School District for a Conditional Use Permit and Preliminary Plat for an elementary school located on a tract of land on Dalton Road west of SH-205.

9 Dub Douphrate reviewed the case and recommended approval of the CUP and Preliminary Plat provided that the R.I.S.D submit a complete Site Plan when the Final Plat is submitted for approval and that escrow requirements be reduced to 25% of the cost to improve Dalton Road fronting the tract being platted.

95 James Greenwalt opened the public hearings.

Joe Holt, HOLMC Inc. addressed the Commission and answered questions.

100 John Carimanic, President of the Harlan Park Home Owners Association asked the commission to approve the request.

Charles Johnson, R.I.S.D Board of Trustee member asked that the commission to approve the request.

105 James Greenwalt closed the public hearing.

Dennis Mitchell made a motion to recommend approval to the City Council for a request from R.I.S.D for a CUP and Preliminary Plat for an elementary school on an 11 acre tract of land located on Dalton Road west of SH-205 provided the following provisions be met;

110 * The applicant submit a completed Site plan when the final plat is submitted.

* That escrow requirements be reduced to 25% of the cost to improve Dalton Road fronting the tract of land being platted.

115 Pat Friend seconded the motion. The motion was voted on and passed unanimously.

120 93-49-Z Hold Public Hearing and Consider Recommending Approval of a Request from Aline Mc Elroy Word for a change in zoning from Agricultural to Light Industrial on a tract of land located on the north side of I-30 east on Industrial Drive.

Dub Douphrate reviewed the case and recommended approval of the request.

125 Greenwalt open the public hearing.

Aline McElroy Word, applicant, addressed the Commission and answered questions.

Petar Termunozic, 1600 Maria Bay Circle addressed the commission to ask for approval the request.

130 James Greenwalt closed the public hearing.

Pat Friend made a motion to recommend approval to the City Council a request from Aline

15 McElroy Word for a change in zoning from Agricultural to Light Industrial for a tract of land located on the north side of I-30 east of Industrial Drive. Dennis Mitchell seconded the motion. The motion was voted on and passed unanimously.

140 93-47-CUP Hold Public Hearing and Consider Recommending Approval of a request from Walker Rowe for a Conditional Use Permit for a guest/servants quarters in a single family zoning district located at 1110 Vail Court also described as Lot 26, Block F of the Pinnacle Addition.

145 Dub Douphrate reviewed the request for the commission and recommended approval of the CUP provided the following conditions are met; That wording be included in the ordinance stating that the guest/servants quarters must not be used as an income source, i.e., the facility may not be rented or leased.

Jame Greenwalt opened the public hearing.

150 Walker Rowe, Contractor addressed the commission and answered questions.

James Greenwalt closed the public hearing.

155 Dennis Mitchell made a motion to recommend approval of the request from Walker Rowe for a CUP for a guest/servants quarters in a single family zoning district located at 1110 Vail Court provided that the guest/servants quarters must not be used as an income source. The facility may not be rented or leased.

Ginger Baugh seconded the motion. The motion was voted on and passed unanimously.

160 93-39-Z Hold Public Hearing and Consider Recommending Approval of an Amendment to the General Retail Zoning District classification to allow a Conditional Use Permit to permit a maximum of 4 fuel pumps as an accessory to a permitted retail use.

165 Dub Douphrate reviewed the request for the commission and recommended approval of the amendment provided the following conditions are met; That the revision to the GR District should occur in the Conditional Use section of the GR Zoning requirements, The conditional use allow a maximum of 4 fuel dispensers and a maximum of 8 vehicles being served at one time, and that this conditional use only apply at the intersection of two major roadways being collector roadway width or greater.

170 James Greenwalt opened the public hearing.

Tom Shirey spoke in favor of the amendment.

175 James Greenwalt closed the public hearing.

Art Ruff made a motion to approve the request with the following conditions;

180

* That the revision to the General Retail District should occur in the Conditional Use section of the General Retail zoning requirements.

185

* The conditional use allow a maximum of 4 fuel dispensers and a maximum of 8 vehicles being served at one time and this conditional use only apply at the intersection of two major roadways being a collector roadway width or greater.

Dennis Mitchell seconded the motion. The motion was voted on and passed unanimously.

190

93-38-PP Consider Recommending Approval of a Preliminary Plat for a 22.14 acre tract of land described as Windmill Ridge number 3B located north of FM 3097 and east of FM 740.

Dub Douphrate reviewed the request for the Commission and recommended approval of the preliminary plat.

195

Harold Evans, Engineer for development addressed the commission and answered questions.

After much discussion Pat Friend made a motion to approve the request from Shepherd Place Homes for a preliminary plat for Windmill Ridge phase 3B, located north of FM 3097 and east of FM 740. Art Ruff seconded the motion. The motion was voted on and passed unanimously.

93-54-PP Consider Recommending approval of a preliminary plat for a 10.75 acre tract of land located north of Dalton Road west of SH-205, also described as Harlan Park Phase II.

205

Dub Douphrate reviewed the case for the Commission and recommended approval of the preliminary plat with the following conditions; That the general retail zoning be corrected by revising the 40 foot strip of land zoned General Retail to Single Family 10, and that this zoning correction be revised prior to approval of the final plat.

210

Dennis Mitchell made a motion to approve the request from Joe Holt for a preliminary plat for Harlan Park Phase II with the following conditions;

* That the general retail zoning be corrected by revising the 40 foot strip of land zoned general retail to single family-10.

215

* That this zoning correction be revised prior to submittal of the final plat.

Pat Friend seconded the motion. The motion was voted on and passed unanimously.

220

93-56-FP Consider Recommending Approval of a request from Texas Star Express for a final plat for a tract of land located at 2890.

225 Dub Douphrate reviewed the request for the commission and recommended approval with the following conditions; that the applicant will indicate on the plat the location of the city limits and that facilities agreement be prepared which outlines the conditions of the street escrow requirements.

230 The conditions which were previously approved by the Council are to reduce the amount of escrow required to 25% of the cost of the street improvement and to defer collecting the escrow until the street is built.

235 Gary Amerson, President of Texas Star Express addressed the Commission and answered questions.

Pat Friend made a motion to approve the request from Texas Star Express for a final plat for a tract of land located at 2890 South Goliad provided the following conditions are met;

- 240 * That the applicant will indicate on the plat the location of the City limits.
- * That a facilities agreement be prepared which outlines the conditions of the street escrow requirements. The conditions which were previously approved by Council are to reduce the amount of escrow required to 25% of the cost of the street improvement and to defer collecting the escrow until the street is built.

245 Art Ruff seconded the motion. The motion was voted on and passed unanimously.

ADJOURNMENT

250 As there was no further business to come before the Commission, the meeting adjourned at 10:05 p.m.

255

**AGENDA
PLANNING AND ZONING COMMISSION
REGULAR MEETING
CITY OF ROCKWALL
CITY HALL
205 WEST RUSK
FEBRUARY 28, 1994
7:00 P.M.**

I. CALL TO ORDER

II. APPROVAL OF MINUTES

III. PUBLIC HEARINGS

- A. 93-46-Z Hold Public Hearing and Consider Recommending Approval for a request from MAHR Development for a change in zoning from PD-11, Planned Development and SF-10, Single Family District Classification to Planned Development Classification for single family uses and approval of a preliminary plan and area requirements on a tract of land containing approximately 145 acres located east of north Lakeshore and south of Alamo Road.
- B. 93-53-F Hold Public Hearing and Consider Recommending Approval for a request from Duane Lites for a front yard fence for property located at 601 Parks Ave.
- C. 94-1-Z Hold Public Hearing and Consider Recommending Approval of a Request from Thomas Haack for a change in Zoning from Agricultural to Light Industrial for property located at south side of I-30 service road west of Hwy 549 and approval of a Site Plan and Preliminary Plat.
- D. 94-1-Z Hold Public Hearing and Consider Recommending Approval of a Request from Los Prados Development Company for a Zoning Change from Multi-Family 15 to Single Family 7 for property located on the south side of Yellowjacket Lane, north west of SH-205 and approval of a Concept Plan.
- E. 94-3-CUP Hold Public Hearing and Consider Recommending Approval of a Request from Kerry Mason for a Conditional Use Permit for an accessory building in excess of 225 square feet for a tract of land located west of SH-205 and south of Dalton Road.

IV. ACTION ITEMS

- A. Discuss and Consider Amendment to the Thoroughfare Plan regarding Alamo Road.
- B. 93-43-FP Discuss and Consider Recommending Approval of a Request from Caruth Lake Development for a Final Plat for Village of Caruth Lake located north of Harris Heights Addition and east of SH-205.

V. WORK SESSION

- A. 93-52-Z Amendment to PD-7 and PD-18 from LENMAR Development Corp.
- B. 94-4-Z Zoning change from "A" to "LI" from Van Walker
- C. 94-5-Z Amendment to "PD-14" from Monty Oakley
- D. 93-39-CUP/SP CUP and Site Plan for Tom Shirey

- E. 93-54-PP/Z/FP Zoning change from "C" to "SF-10" and Final Plat for Harlan Park
- F. 94-6-RP Replat in Chandlers Landing for Joetta Welch

VI. **ADJOURNMENT**

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (214) 771-7700 or FAX (214) 771-7727 for further information.

Posted this 25th day of February, 1994 at 5:00 p.m. by Denise LaRue

PLANNING AND ZONING COMMISSION
Regular Meeting Minutes
March 10, 1994

5 I. CALL TO ORDER

The meeting was called to order at 7:00 p.m by James Greenwalt with the following members present; Art Ruff, Ross Ramsey, Van Ewing, Pat Friend, Terry Raulston, and Ginger Baugh.

10 II. PUBLIC HEARINGS

15 93-52-Z HOLD PUBLIC HEARING AND CONSIDER RECOMMENDING APPROVAL FOR A REQUEST FROM LENMAR DEVELOPMENT CORP. FOR AN AMENDMENT TO PD-7 AND PD-18 TO PROVIDE FOR A CHANGE IN APPROVED LAND USES TO INCLUDE SINGLE FAMILY, ZERO LOT LINE, MULTI-FAMILY CONDOMINIUMS, AND COMMERCIAL USES AND APPROVAL OF A PRELIMINARY PLAN, AREA REQUIREMENTS, AND SPECIAL CONDITIONS ON APPROXIMATELY 80 ACRES OF LAND LOCATED SOUTH OF I-30 AND WEST OF FM-740

20 The Chairman opened the public hearing.

Robert Pope, Richard Ferrara, and Mary Diamond representing Lenmar Development had originally requested approval to amend Pd-7 and PD-18 to combine those into one PD along with a commercial tract located along I-30 Service Road. Mr. Pope requested to withdraw the request for tracts 2,3, and 3A at this time and continue only with tract 1 for the single family development for 10,000 square foot lots.

Don Brown, 3135 Bourbon Street Circle asked question about the multi-family zoning.

30 Lee Wilson, owner of a tract of land asked about the existing road to this property.

Kirby Albright, 2125 Ridge Road explained a memorandum he wrote to Mahr Development Corp. on February 25, 1994 regarding entrance onto PD-22.

35 The public meeting was closed.

After much discussion, Mr. Friend made a motion to approve the request from LENMAR Development Corp. for an amendment of PD-7 and PD-18 only for Tract 1, to be changed to single family as requested by the developer, with no changes to be made to the portion of PD-7 west of Summer Lee listed as tract 2,3, and 3A.

40 Mr Ruff seconded the motion to approve the request. The motion was voted on and passed unanimously.

5
94-5-Z HOLD PUBLIC HEARING AND CONSIDER RECOMMENDING APPROVAL OF A REQUEST FROM MONTY OAKLEY FOR AN AMENDMENT TO THE PD-14 PLANNED DEVELOPMENT DISTRICT TO ALLOW A PART TIME RESIDENCY AS AN ACCESSORY TO A PERMITTED USE LOCATED AT 1300 ROCKWALL PARKWAY.

50 The Chairman opened the public hearing.

Mr. Douphrate recommended denial of the request due to the fact that PD-14 does not allow part time residential as an accessory use.

55 The applicant was not present. Mr. Ewing made a motion to table to continue the public hearing until the next regularly scheduled meeting. Mr. Ruff seconded the motion. The motion was voted on and passed unanimously.

60 93-39-CUP/SP HOLD PUBLIC HEARING AND CONSIDER RECOMMENDING APPROVAL OF A REQUEST FROM TOM SHIREY FOR CONDITIONAL USE PERMIT TO ALLOW A MAXIMUM OF OUR DISPENSERS AS AN ACCESSORY TO A PERMITTED RETAIL USE ON A TRACT OF LAND LOCATED AT SH-205 AND FM-552, AND APPROVAL OF A SITE PLAN.

65 The Chairman opened the public hearing.

Mr. Douphrate outlined the request and recommended approval of the Conditional Use Permit and Site Plan.

70 There being no one else to speak, the public hearing was closed.

After much discussion Mr. Ruff made a motion to approve the request from Tom Shirey for a Conditional Use Permit to allow a maximum of four dispensers as an accessory for a permitted retail use and a site plan for property located at SH-205 and FM-552. Mr. Raulston seconded the motion. The motion was voted on passed unanimously.

75
93-54-PP/Z/FP HOLD PUBLIC HEARING AND CONSIDER RECOMMENDING APPROVAL OF A REQUEST FROM JOE HOLT FOR A CHANGE IN ZONING FROM "GR" GENERAL RETAIL TO "SF-10" RESIDENTIAL DISTRICT CLASSIFICATION ON A TRACT OF LAND LOCATED NORTH OF DALTON ROAD AND WEST OF SH-205, AND CONSIDER APPROVAL OF A FINAL PLAT FOR HARLAN PARK, PHASE II.

The Chairman opened the public hearing.

85 Mr. Douphrate outlined the request and recommended approval of the request for zoning change and approval of the final plat provided the engineering plans are revised in accordance with Staff's review comments.

The Chairman closed the public hearing.

Mr. Friend made a motion to table action until the next scheduled meeting.

Mr. Ewing seconded the motion. The motion was voted on and passed unanimously.

95 94-6-RP HOLD PUBLIC HEARING AND CONSIDER RECOMMENDING APPROVAL OF A REQUEST FROM JOETTA WELCH AND DUNCAN CURRIE FOR A REPLAT OF LOTS 1-R AND 2-R, BLOCK A OF 18-1 OF CHANDLERS LANDING TO COMBINE TWO LOTS INTO ONE.

The Chairman opened the public hearing.

100 Mr. Douphrate outlined the request and recommended approval.

Jim Stewart, builder addressed the Commission and explained that the applicants which to combine the lots to build a home.

105 There being no one else to speak the public hearing was closed.

Mr. Friend made a motion to approve the request from Joetta Welch and Duncan Currie for a replat of lots 1-R and 2-R, block A of 18-1 Chandlers Landing to combine two lots into one.

110 Mr. Ramsey seconded the motion. The motion was voted on and passed unanimously.

III. ACTION ITEMS

115 94-1-Z/PP/SP DISCUSS AND CONSIDER RECOMMENDING APPROVAL OF A SITE PLAN/PRELIMINARY PLAT FOR THOMAS HAACK ON A TRACT OF LAND LOCATED SOUTHSIDE OF I-30 SERVICE ROAD AND WEST OF HWY 549.

Mr. Douphrate outlined the request and recommended approval with the conditions.

120 Mark Smith, Attorney for the applicant addressed the Commission to answer questions and explain the applicants intention for this request. He indicated plans at this time are to plat only tract I with a right-of-way dedication along the east boundary line and enter into a facilities agreement to defer construction of the concrete street improvements until such time as the street may be constructed. He indicated that they wanted to use the right of way as a driveway, paving it with gravel for a period of 2 years and then upgrading to City driveway standards. The existing tract would be replatted and combined as one lot with the rear parcel.

130 After much discussion Mr. Greenwalt made a motion to recommend approval of the request from Thomas Haack for a site plan and preliminary plat for a tract of land located on the southside I-30 service road and west of Hwy 549 with a variance to allow a gravel drive as temporary access to the rear building which will be removed when the concrete/asphalt drive is constructed not to exceed 2 years form the date the property is replatted. The property owner will escrow

135 25% of the cost to improve one-half of the collector when the city deems the construction of the commercial collector is warranted. Mr.Friend seconded the motion. The motion was voted on and passed unanimously.

140 IV. ADJOURNMENT

There being no further business to come before the commission the meeting was adjourned.

145 APPROVED:

ATTEST:

150

CITY OF ROCKWALL
City Council Agenda

Agenda Item: January 17, 1994

Agenda No. V.F.

Agenda Item: P&Z 93-39-Z Hold a Public Hearing and Consider Approval of an Ordinance Amending the General Retail Zoning District Classification Regarding Fuel Pumps (1st reading)

Item Generated By:

Action Needed:

Background Information:

Commission recommendation and action to be taken will be sent under separate cover on Friday.

Attachments:

1. Backup information submitted to P&Z for consideration

City of Rockwall
Planning and Zoning Agenda

- Agenda Date:** January 13, 1994
- Agenda Item:** P&Z 93-39-Z - Hold Public Hearing and consider recommending approval of a amendment to the General Retail Zoning District classification to allow a Conditional Use to permit a maximum of 4 fuel pumps as an accessory to a permitted retail use.
- Item Presented By:** Applicant, Tom Shirey
- Action Needed:** Hold Public Hearing and consider recommending approval of an amendment to the GR Zoning District to allow a conditional use to permit a maximum of 4 fuel pumps as an accessory to a permitted retail use.
- Background Information:** The applicant requests an amendment to the GR Zoning in order to permit a maximum of 4 fuel pumps as an accessory to a permitted retail use. This will allow the applicant to serve up to a maximum of 8 customers.
- Recommendation:** Staff recommends approval of the zoning amendment provided the following conditions are met:
1. That the revision to the GR District should occur in the Conditional Use section of the GR Zoning requirements.
 2. That the conditional use allow a maximum of (four) 4 dispensers and a maximum of eight (8) vehicles being served at one time.
 3. That this conditional use only apply at the intersection of two major roadways being a collector roadway width or greater.
- Attachments:** 1. PRG memorandum from Dan Boutwell.
- Agenda Item:** P&Z 93-39-Z



MEMORANDUM

TO: Dub Douphrate, P.E.
FROM: Dan C. Boutwell, AICP
SUBJECT: P&Z 93-39-Z (Amendment to GR district)
DATE: January 7, 1994

Recently, the City analyzed the "GR" district as it relates to fuel pumping facilities. A request had been made to allow more fuel dispensers than what was currently permitted in the district. As a result of our analysis the following comments have been provided:

1. The GR zoning district is very clear that only two (2) fuel dispensers, providing for a maximum of four (4) vehicles, is permitted in this district. The conditional use permit for the GR District does not provide an opportunity to expand this use. Therefore it is our opinion that this use with more than two (2) dispensers may not be allowed under any condition in the GR zoning district.
2. An applicant may not pursue seeking relief from the Zoning Board of Adjustment in order to add more dispensers than what is allowed. That would constitute a "self-imposed" condition and does not fit the definition of a "hardship" as recognized by state law. In addition, the number of dispensers located on site are a matter of zoning, not area regulations. The Zoning Board of Adjustment is not the proper body to hear this issue.
3. Under the structure of the current zoning ordinances, the only recourse left to an applicant is to pursue rezoning of the property. "C" Commercial district permits service stations, without placing a limit on the number of dispensers permitted. However, in our opinion, it would not be consistent with the intent of the neighborhood nor the comprehensive plan to introduce "C" Commercial into many of the areas containing "GR" zoning.
4. The only option left to an applicant is to pursue changing the "GR" district to allow gasoline sales from more than two dispensers. It is our recommendation that any revisions to the GR district should occur in the Conditional Use section. It is also recommended that a maximum of four (4) dispensers and a maximum of eight (8) vehicles should be permitted. And prior approval of any such use as a conditional use permit should be obtained.

**MINUTES OF THE ROCKWALL CITY COUNCIL
JANUARY 17, 1994**

5 **Call to Order**

Mayor Alma Williams called the meeting to order with the following Council Members present: Dale Morgan, Jack Pappa, Todd White, Bruce Oppermann, and Nell Welborn. George Hatfield was absent. Dale Morgan arrived late at 7:24 p.m.

10

Consent Agenda

Approval of Minutes of January 3, 1994

15

Pappa made a motion to approve minutes with corrections. Oppermann seconded the motion. The following votes were cast:

20

- Ayes: Pappa, Williams, Oppermann, Welborn
- Abstain: White
- Absent: Morgan, Hatfield

25

Discuss and Consider Approval of a Resolution Authorizing the City Manager to Submit an Application to the Criminal Justice Department for a Grant for the Continuation of the Middle/High School D.A.R.E. Program

30

Welborn made a motion to approve a resolution authorizing the City Manager to submit an application to the Criminal Justice Department for a grant for the continuation of the middle/high school D.A.R.E. Program. Oppermann seconded the motion which passed unanimously.

Appointments/Public Hearings/Plats

35

Report from the Planning and Zoning Commission Chairman

Pat Friend, Vice-Chairman, Planning and Zoning Commission, reviewed the cases scheduled before Council.

40

P&Z 93-51-Z/PP Hold a Public Hearing and Consider Approval of an Ordinance Authorizing a Zoning Change from "A" Agricultural to "PD" Planned Development for Single Family Uses (1st reading) and Approval of a Preliminary Plan for a 23 Acre Tract of Land for Albright Construction Company

Mayor Williams opened the public hearing.

Kirby Albright, 3221 Ridge Road, addressed Council regarding his application and the issue of deed restrictions applicable to his property.

50 Bob and Sue O'Brien, 5 Shadydale Ln., indicated to Council that they protested the zoning change due to a deed restriction violation. Mayor Williams acknowledged that a dispute existed regarding deed restrictions; however, she stated that deed restrictions were of a civil nature and could not be considered by Council under the established guidelines of the governing body. Mayor Williams closed the public hearing.

55 Council discussed the application. Oppermann moved to approve the ordinance with conditions recommended by the Planning and Zoning Commission. White seconded the motion. Following Council discussion, the following votes were cast:

60 Ayes: Morgan, Pappa, White, Williams, Oppermann
Nays: Welborn
Absent: Hatfield

65 **P&Z 93-46-Z Hold a Public Hearing and Consider Approval of an Ordinance Authorizing a Zoning Change from "PD-11" Planned Development 11 and "SF" Single Family 10 to "PD" Planned Development (1st reading) and Approval of a Preliminary Plan and Area Requirements for MAHR Development**

70 Couch reviewed the requested application for a zoning change submitted by MAHR Development indicating that the Planning and Zoning Commission recommended denial of this application. Mayor Williams opened the public hearing.

75 Robert Pope, MAHR Development Corp., reviewed with Council the planned development proposal. Council directed questions to Mr. Pope regarding the number of lots to be available in each lot size, the estimated value of homes to be constructed, and the time frame of construction. Couch reviewed the history of "PD-11" and acknowledged that no specific land use was assigned prior to this planned development.

80 James Kelly, 329 Shepherd's Hill, addressed Council with concern over the area not adhering to the 10,000 sq.ft. minimum lot requirement and what impact it would have on property value. Mayor Williams closed the public hearing.

85 Council discussed the request and asked the Planning and Zoning Commission Vice-Chairman for clarification on the denial of this application. Pat Friend reviewed with the Council some of the concerns identified by the Commission.

Following additional Council discussion, Welborn moved to remand this request back to the Planning and Zoning Commission and to ask the Vice-Chairman to communicate with the other

90 members of the Commission the comments made by Council regarding Council's feelings and to commend the willingness of MAHR Development to work with Council and the Planning and Zoning Commission in developing a favorable community within Rockwall. White seconded the motion, which passed unanimously.

95 **P&Z 93-50-CUP/PP Hold a Public Hearing and Consider Approval of an Ordinance Granting A Conditional Use Permit (1st reading) and Approval of a Preliminary Plat for an Elementary School Located on Dalton Road from Rockwall Independent School District**

100 Couch reviewed the zoning and platting application, indicating that the school was requesting a partial waiver to the street escrow requirements for Dalton Rd. She indicated that they were asking for a reduction from 50% of the estimated cost per front foot to 25% which is the percentage that would apply if the City widened the roadway and assessed adjacent properties.

105 Mayor Williams opened the public hearing. Joe Holt, 303 Shoreview Dr., requested Council to grant the conditional use permit. Sharon Hilgartner, 505 Bessie Ct., representative of the local homeowners association, expressed support for the conditional use permit. Mayor Williams closed the public hearing.

110 Council discussed the impact the nearby retail zoning area would have on the school. The applicants responded that they did not foresee a problem. Welborn moved to approve the ordinance granting a conditional use permit and to approve a preliminary plat with the requested street escrow waiver. Pappa seconded the motion. The motion passed unanimously.

115 **P&Z 93-49-Z Hold a Public Hearing and Consider Approval of an Ordinance Authorizing a Zoning Change from "A" Agricultural to "LI" Light Industrial from Aline McElroy Word (1st reading)**

120 **P&Z 93-47-CUP Hold a Public Hearing and Consider Approval of an Ordinance Granting a Conditional Use Permit for a Guest/Servants Quarter from Walker Rowe (1st reading)**

125 Couch reviewed the requests for the zoning change from Aline McElroy Word and the conditional use permit from Walker Rowe. Mayor Williams opened the public hearing. Neither the applicants nor any other parties were present. White moved to continue the public hearing for both cases to the next regular meeting. Pappa seconded the motion which passed unanimously.

130 **P&Z 93-39-Z Hold a Public Hearing and Consider Approval of an Ordinance Amending the General Retail Zoning District Classification Regarding Fuel Pumps (1st reading)**

Couch reviewed the process for amending the general retail zoning district classification. Mayor Williams opened the public hearing.

135

Tom Shirey, 605 N. Alamo, appeared before Council to answer any questions and expressed support for the amendment. No one else appeared before Council. Mayor Williams closed the public hearing.

140

White moved to approve the ordinance amending the general retail zoning district classification regarding fuel pumps. The motion was seconded by Pappa and passed unanimously.

P&Z 93-38-PP Consider Approval of a Preliminary Plat for Phase IV of Windmill Ridge

145

Couch reviewed the revisions for the preliminary plat. Welborn moved to approve the preliminary plat. Morgan seconded the motion which passed unanimously.

P&Z 93-54-PP Discuss and Consider Approval of a Preliminary Plat for Harlan Park Phase II

150

Couch indicated to Council that this request was adjacent to the location considered earlier for an elementary school. She also indicated that a narrow strip of the property was zoned general retail. She recommended that the preliminary plat be approved subject to correcting the zoning prior to approval of the final plat. Oppermann moved to approve the preliminary plat with the recommended conditions. The motion was seconded by Pappa, which passed unanimously.

160

P&Z 93-56-FP Discuss and Consider Approval of a Final Plat for Texas Star Express and Consider Approval of a Facilities Agreement

160

Couch reviewed the street escrow and street assessment policies of the city at this time. She indicated that the applicant was requesting the street escrow requirement be reduced to 25%, which is comparable to the current street assessment policy, and that the amount be due at the time the road is improved. Couch also recommended that the Council consider requesting the Planning and Zoning Commission to review and develop recommendations regarding the City's street escrow policy.

165

Following Council discussion, Welborn moved to approve the request for the final plat subject to the preparation of a facilities agreement establishing a street escrow request of 25% of the estimated cost of widening Mims Road, to be paid at time of construction. The motion was seconded by Morgan and passed unanimously. In addition, Welborn moved to ask Planning and Zoning Commission to review and develop recommendations regarding the street escrow policy. Oppermann seconded the motion which passed unanimously.

170

175

City Manager's Report

180 Couch reviewed the building activity for 1993 which included a breakdown of the history of
building permits for the past several years. A fire summary was also reviewed emphasizing
breakdown in city response time, type of calls, duration of service and various other callouts.
Couch indicated to Council that the implementation of Lakeshore/Summit Ridge traffic
185 improvement impediments were nearly completed. She informed Council that the County
meeting regarding traffic would be held on Thursday, January 20, 1994 in the County
Commissioners Courtroom. In addition, she indicated that the next worksession had been
scheduled for Monday, January 24, 1994.

Action/Discussion Items

190
195 **Consider Adoption on First Reading of An Ordinance of the City Council of the City of
Rockwall, Texas, Authorizing the Issuance and Sale of City of Rockwall, Texas,
Waterworks and Sewer System Revenue Bonds, Series 1994; Prescribing the Form of Said
Bonds; Providing for the Security For and Payment of Said Bonds; Approving the Official
Statement; and Enacting Other Provisions Relating to the Subject (1st reading)**

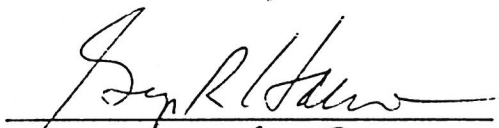
Welborn moved to approve an ordinance authorizing the issuance and sale of City of Rockwall,
Texas, Waterworks and Sewer System Revenue Bonds, Series 1994, etc.. Oppermann seconded
the motion. The following votes were cast:

200
205
210
215
220
Ayes: Morgan, Pappa, White, Williams, Oppermann, Welborn
Absent: Hatfield

Adjournment

The City Council adjourned at 9:10 p.m.

APPROVED



Mayor *Pro Tem*

ATTEST



City Secretary

ROCKWALL CITY COUNCIL
FEBRUARY 7, 1994

5 Call to Order

Mayor Alma Williams called the meeting to order with the following Council Members present: Dale Morgan, Jack Pappa, Todd White, Bruce Oppermann, George Hatfield and Nell Welborn.

10 Open Forum

Mayor Williams announced the open forum.

15 Jerry Moore, 1005 Alta Vista Court, expressed his concern regarding the competitive bid policy currently used by the City for selection of the official newspaper.

Since no one else appeared before Council, Mayor Williams closed the open forum.

20 Consent Agenda

Approval of Minutes of January 12 and January 17, 1994

White made a motion to approve the January 12 and January 17, 1994 minutes. Oppermann seconded the motion. The motion passed with the following votes:

- 25 Ayes: Morgan, Pappa, White, Williams, Oppermann, and Welborn
- Abstain: Hatfield

30 Hatfield then removed himself from the meeting citing a conflict of interest due to proximity of his property to the subject property.

35 P&Z 93-51-Z/PP Consider Approval of an Ordinance Authorizing a Zoning Change from "A" Agricultural to "PD" Planned Development for Single Family Uses for Albright Construction Company (2nd reading)

Oppermann made a motion to approve an ordinance authorizing a zoning change from "A" Agricultural to "PD" Planned Development for single family uses for Albright Construction Company. Couch read the caption. The motion was seconded by Morgan with the following votes cast:

- 40 Ayes: Morgan, White, Williams, and Oppermann
- Nays: Pappa and Welborn
- Abstention: Hatfield

45 Hatfield returned to the meeting.

50 **P&Z 93-50-CUP/PP Consider Approval of an Ordinance Granting A Conditional Use Permit for an Elementary School Located on Dalton Road from Rockwall Independent School District (2nd reading)**

P&Z 93-39-Z Consider Approval of an Ordinance Amending the General Retail Zoning District Classification Regarding Fuel Pumps (2nd reading)

55 Welborn made a motion to approve both an ordinance granting a conditional use permit for an elementary school located on Dalton Rd. from Rockwall Independent School District and an ordinance amending the general retail zoning district classification regarding fuel pumps. Couch read the captions. Oppermann seconded the motion which passed unanimously.

60 **Appointments/Public Hearings/Plats**

Appointment with David Medanich, First Southwest Company, to Receive and Open the Bids for the Sale of \$1,650,000 Water and Sewer Revenue Bonds

65 David Medanich with First Southwest Company opened four (4) bids for the sale of \$1,650,000 Waterworks and Sewer System Revenue Bonds naming the apparent low bidder as Southwest Securities, with an effective interest rate of 5.1249362%.

70 **P&Z 93-49-Z Continue Public Hearing and Consider Approval of an Ordinance Authorizing a Zoning Change from "A" Agricultural to "LI" Light Industrial from Aline McElroy Word (1st reading)**

75 Couch reviewed the case before Council. Mayor Williams opened the continuation of the public hearing. Ms. Word appeared before Council. No one else appeared before Council. The public hearing was closed.

80 Pappa moved to approve the ordinance and Morgan seconded the motion. Couch read the caption. Following Council discussion, the motion was passed unanimously.

P&Z 93-47-CUP Continue Public Hearing and Consider Approval of an Ordinance Granting a Conditional Use Permit for a Guest/Servants Quarter from Walker Rowe (1st reading)

85 Couch recommended to Council that the public hearing be continued due to the absence of the application. Welborn made a motion to continue the public hearing until the next regular Council meeting. The motion was seconded by Oppermann and passed unanimously.

70 **Action/Discussion Items**

P&Z 93-56-FP Discuss and Consider Approval of a Facilities Agreement with Texas Star Express

95 Couch reviewed the draft agreement with Council outlining the conditions as previously approved by the Council. Welborn moved to authorize the City manager to enter into a facilities agreement with Texas Star Express. Hatfield seconded the motion. The motion passed unanimously.

100 **Consider Adoption of a Resolution of the City Council of the City of Rockwall, Texas Accepting a Bid for the Purchase of the City's Waterworks and Sewer System Revenue Bonds, Series 1994; and Resolving Other Matters Incident Thereto**

105 Medanich indicated to Council that Southwest Securities is the low bidder for the purchase of the City's waterworks and sewer system revenue bonds, series 1994 with an effective interest rate of 5.1249362%. Morgan made a motion to adopt the resolution accepting Southwest Securities as the low bidder. White seconded the motion which passed unanimously.

110 **Consider Adoption on Second and Final Reading of An Ordinance of the City Council of the City of Rockwall, Texas, Authorizing the Issuance and Sale of City of Rockwall, Texas, Waterworks and Sewer System Revenue Bonds, Series 1994; Prescribing the Form of Said Bonds; Providing for the Security For and Payment of Said Bonds; Approving the Official Statement; and Enacting Other Provisions Relating to the Subject (2nd reading)**

115 Couch read the caption for second and final reading of the ordinance. Hatfield made a motion to approve the ordinance. Pappa seconded. The motion passed unanimously.

The Council convened into Executive Session at 7:30 p.m.

120 **Hold Executive Session Under Section 551.074 of the V.A.C.S. To Discuss Personnel Regarding Planning & Zoning Commission Appointment**

Take Any Necessary Action as a Result of the Executive Session

125 Council reconvened into regular session at 8:00 p.m. and indicated that no action would be necessary as a result of Executive Session.

130 **Hold Worksession Regarding Design Elements of New Water Tower Site and Take Any Necessary Action.**

Council held a worksession to discuss design elements of the new water tower site. Jim


135 Bartholomew, architect, reviewed draft concepts regarding color scheme, logo placement, landscape, and fencing for the new tower. After the presentation and some discussion Council agreed that another worksession would be scheduled when more information and prototypes could be presented.

Adjournment

140 The City Council adjourned at 9:10 p.m.

APPROVED


145



Mayor *PRO TEM*

ATTEST

150



City Secretary

**City of Rockwall
City Council Agenda**

Agenda Date: March 21, 1994

Agenda Item: P&Z 93-39-CUP/SP - Hold Public Hearing and Consider Approval of a Request from Tom Shirey for a Conditional Use Permit to Allow a Maximum of Four (4) Fuel Dispensers as an Accessory to a Permitted Retail Use on a Tract of Land Located at SH-205 and FM-552, and Approval of a Site Plan.

Item Presented By: Applicant, Tom Shirey

Action Needed: Hold Public Hearing and consider recommending approval for an conditional use permit and consider recommending approval of a site plan.

Background Information: The applicant is requesting a conditional use permit to allow a maximum of 4 fuel dispensers as an accessory to a permitted retail use. The applicant has also submitted a site plan to be considered for approval. The applicant has revised the site plan to conform to all of the comments listed by Planning Resources Group itemized on the attached letter.

Recommendation: The P&Z Commission recommends approval of both the CUP and the revised site plan prepared by Mr. John Moore, AICP.

Attachments:

1. PRG memorandum from Dan Boutwell, AICP.
2. Site Plan.

Agenda Item: P&Z 93-39-CUP/SP

MINUTES OF THE ROCKWALL CITY COUNCIL
MARCH 21, 1994

5 **Call to Order**

Mayor Pro-Tem George Hatfield called the meeting to order at 7:00 p.m. with the following Council Members present: Dale Morgan, Jack Pappa, Todd White, Bruce Oppermann, and Nell Welborn. Mayor Alma Williams was absent.

10

Consent Agenda

a) **Approval of Minutes of March 7, and March 14, 1994**

15

b) **P&Z 94-1-Z Consider Approval of an Ordinance Granting a Zoning Change from "A" Agricultural to "LI" Light Industrial for Property Located on South Side of IH-30 Service Road West of Hwy. 549 (2nd reading)**

20

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO CHANGE THE ZONING ON A TRACT OF LAND WHICH IS MORE FULLY DESCRIBED HEREIN FROM "A" AGRICULTURAL ZONING CLASSIFICATION TO "LI" LIGHT INDUSTRIAL ZONING CLASSIFICATION; CORRECTING THE OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

25

c) **P&Z 94-3-CUP Consider Approval of an Ordinance Granting a Conditional Use Permit for an Accessory Building Exceeding 2325 Sq. Feet for a Tract of Land Located West of SH-205 and South of Dalton Road (2nd reading)**

30

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO GRANT A CONDITIONAL USE PERMIT FOR AN ACCESSORY STRUCTURE EXCEEDING 225 SQUARE FEET IN A RESIDENTIAL ZONING CLASSIFICATION ON THE PROPERTY DESCRIBED AS LOT 2, BLOCK A, MASON-STEED ADDITION; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

35

40

d) **P&Z 93-46-Z Consider Approval of an Ordinance Granting a Zoning Change from "PD-11" Planned Development 11 and "SF-10" Single-Family 10 District Classifications to "PD" Planned Development Classification for Single Family Uses for Property Located East of N. Lakeshore and South of Alamo Road (1st reading)**

45

50 AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE
COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE
AMENDED SO AS TO GRANT A ZONING CHANGE ON A TRACT OF LAND MORE FULLY
DESCRIBED HEREIN; ORDERING A CHANGE IN THE USE OF SAID PROPERTY FROM "PD-
11" PLANNED DEVELOPMENT NO. 11 AND "SF-10" SINGLE FAMILY DISTRICT
CLASSIFICATION TO "PD- " PLANNED DEVELOPMENT NUMBER ; PROVIDING SPECIAL
55 CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO
THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A
SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR
AN EFFECTIVE DATE.

60 Welborn pulled the minutes of March 7 and item D) for clarification and separate consideration.

Oppermann made a motion to approve the remaining consent items White seconded the motion.
Couch read the necessary captions. The motion was voted on and passed unanimously.

65 Following Council discussion, Welborn made a motion to approve the minutes of March 7,
1994. Morgan seconded the motion which passed unanimously.

70 Welborn made a motion to approve item d) on the consent agenda regarding MAHR
Development. Oppermann seconded the motion. Couch read the caption. A call for votes
resulted in a passed item with Morgan and White voting against.

Appointments/Public Hearings/Plats/Plans

Appointment with Representative of TSI Regarding Status and Continuation of the SH-205 75 Contract, Billings, and Take Any Necessary Action

80 Brian Tehan of TSI addressed the Council regarding the Lakeshore/Summit Ridge project, the
current ownership status of TSI, and his proposal for completing the SH-205 contract. He
introduced the new group composition of TSI and reviewed the experience of the firm.

Following a lengthy discussion with Council, White made a motion to terminate the contract
with TSI. Oppermann seconded the motion.

85 After further discussion, White amended the motion to delay termination of the contract until
completion of Phase II, as outline in the contract, regarding SH-205 alternatives. Oppermann
seconded the motion which passed unanimously.

Appointment with Carla Satterfield Regarding Amending the City Code to Allow for Pot- 90 bellied Pigs Within the City Limits and Take Any Necessary Action

Carla Satterfield addressed Council regarding amending the City Animal Code to allow pot-
bellied pigs within the City Limits.

95 James Greenwalt, 209 Tanya Dr., expressed his concern over the possible impact this would have on allowing more livestock/exotic animals in a residential area in the future.

Council discussed the item and Pappa made a motion to table this issue until City staff could further research such an amendment. White seconded the motion which passed unanimously.

100 **Appointment with Chairman of the Planning and Zoning Commission**

James Greenwalt reviewed items before Council under Planning & Zoning recommendations.

105 **P&Z 93-52-Z Hold a Public Hearing and Consider Granting a Request to Amend "PD-7" and "PD-18" Planned Development Districts to Provide for a Change in Approved Land Uses to Include Single Family, Zero Lot Line, Multi-Family, Condominiums, and Commercial Use and Approval of a Preliminary Plan, Area Requirements, and Special Conditions on Approximately 80 Acres of Land Located South of IH-30 and West of FM-740 Requested by LENMAR Development Co.**

110 Hatfield opened the public hearing. James Greenwalt, Planning and Zoning Chairman, reviewed the recommendation that only applied to the area relating to Single-Family Use.

'15 Robert Pope, representing MAHR Development, reviewed the request of MAHR Development before Council. Marcy Diamond and Richard Farrar, representatives of the architectural firm assisted in the presentation.

120 Kirby Albright, 3221 Ridge Road, with Christopher McHaney, of Choice Hotels and Gregory Deal, of Habitat Hotel Group addressed Council regarding Summer Lee access to IH-30.

Don Brown, 3145 Bourbon St., addressed Council regarding concerns on adding more traffic to Ridge Road by approving zoning for Multi-Family and Condominiums without consideration for another traffic route away from Ridge Road.

125 Lee Bolen, 3141 Bourbon St., addressed Council regarding concerns of adding approximately 500 units in an area with only one entrance/exit onto an already congested roadway.

Pat Luby, expressed approval of the Single-Family request.

130 Robert Jolly, 3135 Bourbon St. expressed concern over Planning and Zoning Commission's recommendation to only examine a portion of a request which would impact a whole community.

135 Mike Carrancejie, 1205 Signal Ridge, representing Signal Ridge Homeowner's Assoc., expressed approval of Single Family Zoning request. He expressed concerns over 1) traffic congestion in the area and recommended signalization and 2) the destruction of the lake view with development backed up to present day landscape buffer.

Hatfield closed public hearing.

140 Welborn made a motion to approve an amendment on a portion of PD-7 and PD-18 to change
the land use from zero lot line and townhouse to Single Family as requested by the applicant,
contingent on a two-lane access being built to IH-30 and a dedication of a ROW providing access
to PD-22, as shown on the approved PD-7 site plan. Morgan seconded the motion.
The motion passed unanimously.

145 **P&Z 93-39-CUP/SP Hold a Public Hearing and Consider Approval of an Ordinance
Granting a Conditional Use Permit to Allow a Maximum of Four (4) Fuel Dispensers as an
Accessory to a Permitted Retail Use on a Tract of Land Located at SH-205 and FM-552 (1st
reading) and Approval of a Site Plan**

150 AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS AMENDING THE
COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE
AMENDED SO AS TO GRANT A CONDITIONAL USE PERMIT FOR A MAXIMUM OF 4
155 FUEL PUMPS AS AN ACCESSORY TO A PERMITTED RETAIL USE IN A GENERAL RETAIL
ZONING CLASSIFICATION ON THE PROPERTY DESCRIBED AS LOT 1, BLOCK A,
HILLCREST CENTER ADDITION; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING
FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS
(\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING
FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

160 Mayor Pro-Tem Hatfield opened the public hearing. Tom Shirey, the applicant, addressed the
Council regarding the approval of the request. Since no one else appeared the public hearing
was closed. White made a motion to approve the conditional use permit as stated. Oppermann
seconded the motion which passed unanimously.

165 **P&Z 94-6-RP Hold a Public Hearing and Consider Approval of a Replat of Lots 1-R and
2-R, Block 18-1, Chandlers Landing to Combine Two Lots as One Requested by Joetta
Welch and Duncan Currie**

170 Public hearing opened by Mayor Pro-Tem Hatfield. Jim Stewart, representing the applicants,
requested approval of the request. There being no one else to address the Council, the public
hearing was closed. Oppermann made a motion to approve the replat. Welborn seconded the
motion. The motion passed unanimously.

175 **Discuss and Consider Approval of a Site Plan/Preliminary Plat for a Tract of Land Located
South of IH-30 and East of SH-205 Requested by Thomas Haack**

180 Mark Smith, representative for Thomas Haack, addressed Council regarding approval of the
request. Pappa made a motion to approve a site plan/preliminary plat with the condition that
the developer enter into a facilities agreement with the City outlining right-of-way and street
improvement requirements. Oppermann seconded the motion. A call for votes resulted in the
following:

Ayes: Morgan, Pappa, White, Hatfield, and Oppermann
Against: Welborn

185

City Manager's Report

190 Couch indicated to Council that the water tower construction bid opening was forthcoming with a probable award of bid at next regular meeting. She also indicated that the ballfield lighting bids were currently being accepted with a completion schedule aimed for the fall.

195 Council was informed that the process for approving franchise renewal for the cable company was being developed.

Action/Discussion Items

200 **Discuss and Consider the Approval of the Installation of a Computer Network System for the Service Center and Take Any Necessary Action**

205 Couch indicated to Council that the current budget contained funds for extending the network system to the Service Center. Following Council discussion, Welborn made a motion to defer action until the next regular meeting in order for staff to furnish itemized prices and verify costs with other suppliers. Morgan seconded the motion which passed unanimously.

Hold Executive Session Under Sections 551.074 and 551.071 of the V.A.C.S.

210

The Council convened into executive session at 10:45 p.m. to discuss a) personnel regarding appointment to the Capital Improvement Program Task Force, b) personnel regarding appointment to the Economic Development Commission, c) personnel regarding appointment of Council Member, d) personnel regarding appointment of presiding election judge and alternate for general election and e) litigation regarding Whitman vs. City of Rockwall.

215

Take Any Necessary Action as a Result of the Executive Session

220 The Council reconvened into regular session at 11:20 p.m. Mayor Pro-Tem Hatfield announced that no action would be taken on items a), b), c) and e). Oppermann made a motion to appoint Travis Rhoades as the Presiding Election Judge and Martin Parks as the Alternate Election Judge for the General Election to be held on May 7, 1994. Morgan seconded the motion. The motion was voted on and passed unanimously.

225

Adjournment

Mr.Raulston seconded the motion. The motion was voted on and passed unanimously.

IV. ADJOURNMENT

225 There being no further business the meeting was adjourned.

230

ATTEST:

APPROVED:

Community Development Coordinator

Planning & Zoning Commission Chairman

235

MINUTES OF THE ROCKWALL CITY COUNCIL
APRIL 4, 1994

5 **Call to Order**

Mayor Alma Williams called the meeting to order at 7:00 p.m. with the following Council Members present: Dale Morgan, Jack Pappa, Todd White, Bruce Oppermann, George Hatfield and Nell Welborn.

10 **Open Forum**

Mayor Williams opened the floor to the public. No one appeared before Council. Mayor Williams closed the forum.

15 **Consent Agenda**

a) **Approval of Minutes of March 21, 1994**

20 b) **P&Z 93-46-Z Consider Approval of an Ordinance Granting a Zoning Change from "PD-11" Planned Development 11 and "SF-10" Single-Family 10 District Classifications to "PD" Planned Development Classification for Single Family Uses for Property Located East of N. Lakeshore and South of Alamo Road (2nd reading)**

25 AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO GRANT A ZONING CHANGE ON A TRACT OF LAND MORE FULLY DESCRIBED HEREIN; ORDERING A CHANGE IN THE USE OF SAID PROPERTY FROM "PD-11" PLANNED DEVELOPMENT NO. 11 AND "SF-10" SINGLE FAMILY DISTRICT CLASSIFICATION TO "PD-41" PLANNED DEVELOPMENT NUMBER 41; PROVIDING SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

35 c) **P&Z 93-39-CUP Consider Approval of an Ordinance Granting a Conditional Use Permit to Allow a Maximum of Four (4) Fuel Dispensers as an Accessory to a Permitted Retail Use on a Tract of Land Located at SH-205 and FM-552 (2nd reading)**

40 AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO GRANT A CONDITIONAL USE PERMIT FOR A MAXIMUM OF 4 FUEL PUMPS AS AN ACCESSORY TO A PERMITTED RETAIL USE IN A GENERAL RETAIL ZONING CLASSIFICATION ON THE PROPERTY DESCRIBED AS LOT 1, BLOCK A, HILLCREST CENTER ADDITION; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING

FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

50 Welborn made a motion to approve the all items on the consent agenda. Oppermann seconded the motion. The motion passed with all voting for approval except for Mayor Williams who abstained.

55 **Appointments/Plats/Plans**

Appointment with Rockwall Chamber of Commerce Representative Regarding Annual Contract and Take Any Necessary Action

60 Tom Manskey of the Rockwall Chamber of Commerce appeared before Council. He requested approval of an agreement with the City for the use of hotel/motel funds. Manskey reviewed some of the items suggested for funding in the upcoming year.

65 Welborn made a motion to table this item until the next regular meeting for clarification from the City Attorney regarding use of the funds for certain items and the submission of the quarterly report for the previous contract. Morgan seconded the motion which passed unanimously.

70 **Appointment with Lakefest Representative Regarding Annual Lakefest Planning and Take Any Necessary Action**

75 Tom Manskey, representing the Lakefest Committee), updated Council on Lakefest planning. He indicated to Council that the organization was preparing to incorporate as a non-profit organization. This would involve a name change from Lakefest to 4thfest which would center planned activities for the July 4th holiday. Manskey commented that 4thfest would focus on a one-day event which would be highlighted by a firework demonstration.

80 **P&Z 94-1-FP/PP Discuss and Consider Approval of a Final Plat/Replat for the KHD Addition Located on a Tract of Land South of IH-30 and East of SH-205 and Approval of a Facilities Agreement**

Item pulled from agenda by applicant.

85 **Action/Discussion Items**

90 **P&Z 93-52-Z Consider Approval of an Ordinance Granting a Request from LENMAR Development to Amend a portion of "PD-7" and "PD-18" Planned Development Districts and an Ordinance Granting a Zoning Change to Provide for a Change in Approved Land Uses from Agricultural, Zero Lot Line and Townhouse to Single Family (1st reading)**

95 Hatfield made a motion to approve an ordinance amending a portion of "PD-7" and "PD-8" Planned Development Districts and an ordinance granting a zoning change to provide for a change to provide for a change in approved land uses from agricultural, zero lot line and townhouse to single-family with the conditions as outlined in the ordinances and as added by the City/Manager. Welborn seconded the motion. Couch read the captions. The motion passed unanimously.

100 **Discuss and Consider Approval of an Agreement Terminating the Current FBO Agreement and Take Any Necessary Action Regarding Future Airport Operations**

105 Couch indicated to Council that the current FBO, Bill Ray, has requested termination of the existing contract at the Airport. The City would temporarily take over management of the Airport until a new FBO could be secured. A resolution was included to adopt current hangar rates which were now active. Welborn made a motion to authorize the City Manager to enter into a release of termination agreement with the current FBO and to approve the resolution for the rates to be set at the airport. Pappa seconded the motion which passed unanimously.

110 **Discuss and Consider Authorizing Certain Improvements to the Rockwall Airport Runway**

115 Couch summarized the airport improvements requested for the airport in order to extend the life of the runways for 3 to 4 years. Hatfield reviewed the budget revenue/expenditures for the airport. Welborn made a motion to authorize \$53,549.70 to do the overlay work with city staff and to transfer any unobligated portion of funds budgeted to the airport improvements to the general street maintenance budget for general repairs. Hatfield seconded the motion. Following Council discussion, the motion was voted on and passed unanimously. Mayor Williams recognized Sam Chenault from the audience. Mr. Chenault requested an appearance before Council. He indicated to Council that he represented a local resident who has expressed an interest in purchasing the airport from the City. He requested an appointment at a later date to discuss the possibility.

120 **Discuss and Consider Entering Into a Contract with North Texas Municipal Water District Regarding Industrial Pretreatment Program**

125 Crowley outlined the pretreatment program with the Council. After Council discussion, Hatfield made a motion to enter into the industrial pretreatment program as recommended by staff. Pappa seconded the motion which passed unanimously.

130 **Discuss and Consider Entering Into a Contract with Roy Hance and Rockwall County Regarding Downtown Parking Site**

135 Couch outlined the terms of the contract with the Hances' and Rockwall County to Council regarding downtown parking. White made a motion to enter into the Interlocal Agreement with Rockwall County and also to enter into the parking lot lease with the Hances'. Oppermann seconded the motion. The motion passed unanimously.

Discuss and Consider Authorizing Solicitation of Proposals for Land Use Plan Update

140 Couch reviewed the request for proposal for the land use plan update including impact fees, land uses, etc. White requested an inclusion of ownership information on the firms submitting proposals on this and all future proposals. Welborn made a motion to authorize the City Manager to proceed with requesting proposals from outside consultants as outlined in the recommendation. White seconded the motion and it passed unanimously.

145 **Discuss Revision of City's Code of Ethics for Non-Employees and Take Any Necessary Action**

150 Councilmember White provided a draft copy of the revised City's Code of Ethics for Non-Employees to the Council. Following a brief discussion, it was Council's consensus to delay action on this item until a later date.

Discuss and Consider Award of Bid for Water Tower Construction

155 Couch reviewed with Council the recommendation for construction of the water tower, which would include awarding the bid to the low bidder with two options being deferred, the lighting and logo, until a later date. Frank Razor of Chiang, Patel & Associates reviewed the bids with Council. He recommended the bid be awarded to the low bidder, Landmark Structures, Inc.. Phil Yearby of Chiang, Patel & Associates spoke to Council regarding the security system and the trench safety program addressed in the bid proposal. Following Council discussion, Hatfield made a motion to award the contract with the alternates, as recommended by the staff, with exception of tower lighting and logo painting to the low-bidder, Landmark Structures, Inc.. The motion was seconded by Morgan and passed unanimously.

165 **Discuss and Consider Award of Bid for Service Center Computer Network System Installation**

Couch reviewed the price estimate received by Lantel Systems. Following Council review, Welborn made a motion to award the bid to Lantel Systems. Morgan seconded. The motion passed unanimously.

170 **Hear Comments, Discuss and Consider Award of Bid for Janitorial Service**

175 Gloria Owen, Metroplex Maid, appeared before Council regarding clarification of the bid specifications regarding workman's compensation and liability coverage by the bidders. Couch indicated to Council that follow-up research revealed that the low-bidder, Omni systems, had met all specifications that could be applicable to him as a sole proprietor business.

Omni System representative addressed the Council regarding their qualifications to fulfill the contract and answered questions of the Council.

J Welborn made a motion to award the bid to the low bidder, Omni Systems. Hatfield seconded.
A call for votes resulted in the following:

Ayes: Morgan, Pappa, White, Williams, Hatfield and Welborn
Abstention: Oppermann

185 **Discuss and Consider Award of Bid for Bi-Annual Contract of Hot-Mix Asphalt**

Hatfield made a motion to award the bid for hot-mix asphalt to low bidders, Gohmann Asphalt and APAC Texas, Inc.. White seconded the motion which passed unanimously.

190 **Discuss and Consider Award of Bid for Extended Cab Pickup Truck for Animal Control**

White made a motion to award the bid to the low bidder, Classic Chevrolet. Oppermann seconded the motion. The motion passed unanimously.

195 **Hold Executive Session Under Sections 551.074, 551.072 and 551.071 of the V.A.C.S.**

200 The Council convened into executive session at 8:51 p.m. to discuss a) personnel regarding appointment to the Capital Improvement Program Task Force, b) personnel regarding appointment to the Economic Development Commission, c) personnel regarding appointment of Council Member, d) personnel regarding appointment to Board of Adjustment, e) personnel regarding appointment to North Texas Municipal Water District, f) land acquisition regarding future expansion and g) litigation regarding Whitman vs. City of Rockwall.

205 **Take Any Necessary Action as a Result of the Executive Session**

210 The Council reconvened into regular session at 9:20 p.m. Morgan made a motion to appoint Larry Parks to the North Texas Municipal Water District Board of Directors. White seconded the motion which passed unanimously. Mayor Williams indicated that no other action would be necessary as a result of the executive session.

Adjournment

215 The meeting adjourned at 9:25 p.m.

ATTEST:

220 

City Secretary

APPROVED:



Mayor



CITY OF ROCKWALL

"THE NEW HORIZON"

PUBLIC NOTICE

The Rockwall City Council will hold a public hearing at 7:00 p.m. on Monday, December 6, 1993 in City Hall, 205 W. Rusk to consider approval of a request from Tom Shirey to consider a conditional use to the General Retail Zoning District. 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 93-37-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 _____



CITY OF ROCKWALL

"THE NEW HORIZON"

PUBLIC NOTICE

The Rockwall Planning and Zoning Commission will hold a public hearing on Thursday, January 13, 1994 at 7:00 P.M. in City Hall, 205 West Rusk, and the Rockwall City Council will hold a public hearing on Monday, January 17, 1994 at 7:00 P.M. in City Hall, 205 West Rusk, Rockwall, Texas to consider approval of a request from Tom Shirey for an Amendment to the General Retail Zoning District Classification to allow a Conditional Use to permit a maximum of 4 fuel pumps as an accessory to a permitted retail use.

As an interested property owner, you are invited to attend this meeting or make your feelings known in writing by returning the form below:

Denise LaRue, Community Development Coordinator

Case No. PZ 93-39-SP

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 _____

PZ-PUBLICNOTICEFORM.FRM



CITY OF ROCKWALL

"THE NEW HORIZON"

PUBLIC NOTICE

The Rockwall Planning and Zoning Commission will hold a public hearing on Thursday, February 10, 1994 at 7:00 P.M. in City Hall, 205 West Rusk, and the Rockwall City Council will hold a public hearing on Monday, February 21, 1994 at 7:00 P.M. in City Hall, 205 West Rusk, Rockwall, Texas to consider approval of a request from Tom Shirey for a Conditional Use Permit to allow a maximum of 4 fuel pumps as accessory to a permitted retail use for a tract of land located at SH-205 and FM-552 and further described as Lot 1, Block A, of the Hillcrest Center Addition. (see attachment)

As an interested property owner, you are invited to attend this meeting or make your feelings known in writing by returning the form below:



Denise LaRue, Community Development Coordinator

Case No. PZ 93-39-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 _____

PZ-PUBLICNOTICEFORM.FRM



CITY OF ROCKWALL

"THE NEW HORIZON"

PUBLIC NOTICE

The Rockwall Planning and Zoning Commission will hold a public hearing on Thursday, March 10, 1994 at 7:00 p.m. in City Hall, 205 West Rusk, Rockwall, Texas and the City Council will hold Public Hearings on Monday, March 21, 1994 at 7:00 P.M. in City Hall, 205 West Rusk, Rockwall, Texas to consider approval of a request from Tom Shirey for a Conditional Use Permit to allow a maximum of 4 fuel dispensers as an accessory to a permitted retail use on a tract of land located at SH-205 and FM-552 and further described as Lot 1, Block A, of the Hillcrest Center Addition. (see attachment)

As an interested property owner, you are invited to attend this meeting or make your feelings known in writing by returning the form below:



Denise LaRue, Community Development Coordinator

Case No. PZ-93-39-CUP

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

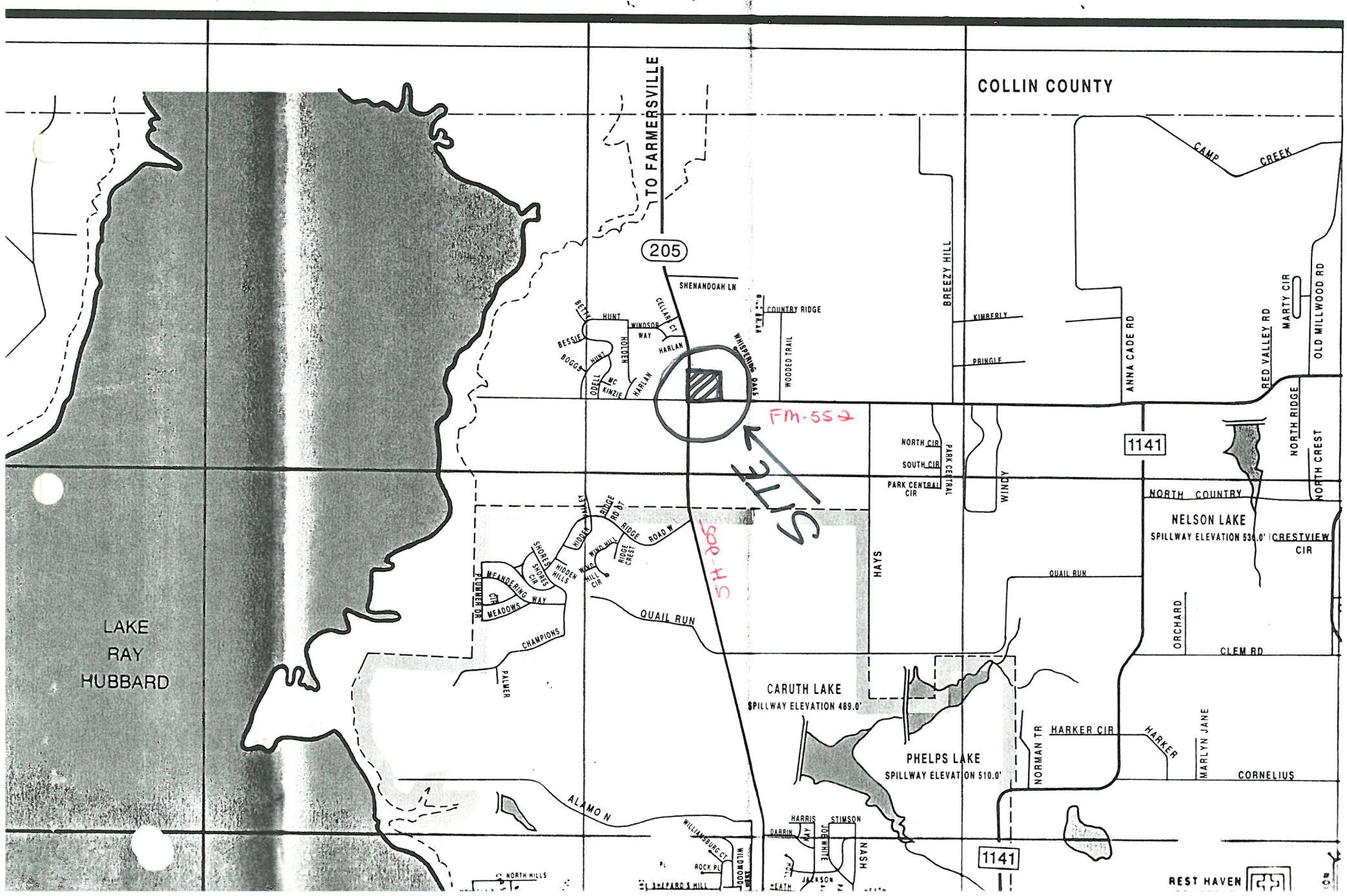
I am opposed to the request for the reasons listed below _____

- 1.
- 2.
- 3.

Signature _____

Address _____

PZ-PUBLICNOTICEFORM.FRM



COLLIN COUNTY

205

1141

1141

LAKE
RAY
HUBBARD

TO FARMERSVILLE

FM-55

SITE

FM-55

REST HAVEN

10

PUBLIC NOTICE

The Rockwall Planning and Zoning Commission will hold a Hearing on Thursday March 10, 1994 at 7:00 p.m. in City Hall, 205 West Rusk, Rockwall, Texas and the Rockwall City Council will hold Public Hearing on Monday March 21, 1994 at 7:00 p.m. in City Hall, 205 West Rusk, Rockwall, Texas to consider the following requests:

1. A request from LENMAR Development Corporation for an amendment to "PD-7" and "PD-18" Planned Development Districts to provide for a change in approval land uses to include single family, zero lot line, multifamily, condominium, and commercial use, and approval of a preliminary plan, area requirements, and special conditions on approximately 80 acres of land located south of I-30 and west of FM-740, further described as follows:
2. A request from Van Walker for a change in zoning from "A" Agricultural to "LI" Light Industrial District Classification on a tract of land located on the south side of IH-30 and east of SH-205, further described as follows:
3. A request from Monty Oakley for an amendment to PD-14 Planned Development District to allow for a part time residency as an accessory to a permitted use located at 1300 Rockwall Parkway, further described as lot 1, block B, Rockwall Business Park East, Phase II.
4. A request from Tom Shirey for a Conditional Use permit to allow a maximum of 4 fuel dispensers as a accessory to a permitted retail use on a tract of land located at SH-205 and FM 552 and further described as lot 1, block A of the Hillcrest Center Addition.
5. A request from Joe Holt for a change in zoning from "GR" General Retail to "SF-10" residential district classification on a tract of land located north of Dalton Road and west of SH-205, further described as follows:
6. A request from Joetta Welch and Duncan Currie for a replat of lots 1-R and 2-R, Block A, Phase 18-1, Chandlers Landing to combine the lots.

Tom Shurey

OWNER NAME AND ADDRESS	PROPERTY DESCRIPTION	EXEMPT
R10321 (10187) 0029-0000-0068-00-OR SINGLETON TOMMY A TRUSTEE C/O KEN E ANDREWS & CO P O BOX 489 SEAGOVILLE, TX 75159	A0029 R BALLARD, TRACT 68, ACRES 7.653, (PT OF 20.481 AC TR) SITUS: ALUMINUM PLANT RD LAND SPTB: D4	
R10322 (10277) 0029-0000-0070-00-OR PAYNE ALFRED E 1002 SQUABBLE CREEK LANE ROCKWALL, TX 75087	A0029 R BALLARD, TRACT 70, ACRES 0.3, (PT OF 7.75 AC TR) LAND SPTB: C1	
R10323 (10297) 0029-0000-0072-00-OR SPILLMAN JAMES T JR ET UX 402 NASH ROCKWALL, TX 75087	R BALLARD SURVEY AB 29 TR 72 1.742 AC LAND SPTB: C1	
R10327 (50802) 0030-0000-0004-00-OR TAYLORBANC FEDERAL S&L ASSOC P O BOX 632 TAYLOR, TX 76574-0632	A0030 T R BAILEY, TRACT 4, ACRES 22.733 LAND SPTB: D4	<i>GAIL RAWLINGS 1-713-623-0206 COASTAL REALTY</i>
R10328 (31901) 0030-0000-0004-01-OR TAYLOR BANC SAVINGS ASSN C/O REALTY TAX CONSULTANTS P O BOX 26810 AUSTIN, TX 78755	A0030 T R BAILEY, TRACT 4-1, ACRES 8.74 LAND SPTB: D4	
R10584 (53007) 0064-0000-0001-03-OR FEDERAL DEPOSIT INSURANCE CORP RCVR INDEPENDENT BANK-ROCKWALL P O BOX 809049 DALLAS, TX 75380	A0064 E P G CHISUM, TRACT 1-3, ACRES 1.080 LAND SPTB: C1	<i>826- 7882</i>
R10585 (49813) 0064-0000-0002-00-OR BROWN MITCHELL H JR RT 4 BOX 104 GRAND SALINE, TX 75140	A0064 E P G CHISUM, TRACT 2, ACRES 5.568 SITUS: BETWEEN IH-30 & TUBBS RD LAND SPTB: D3	
R32939 (49812) 0064-0000-0002-02-OR BROWN GEORGE 6889 SOUTH NIAGARA COURT ENGLEWOOD, CO 80112-1012	A0064 E P G CHISUM, TRACT 2-02, ACRES 5.804 LAND SPTB: D3	
R10586 (11882) 0064-0000-0003-00-OR CHILTON J E R III P O BOX 741775 DALLAS, TX 75374-1775	E P G CHISUM & J SMITH AB 64 TR 3 16.790 AC LAND SPTB: D4	

OWNER NAME AND ADDRESS	PROPERTY DESCRIPTION	EXEMP
R10643 (10588) 0069-0000-0004-01-OR CHAMBLEE STEPHEN TRUSTEE P. O. BOX 50667 DALLAS, TX 75250	A0069 T DEAN, TRACT 4-01, ACRES 18.2, UNDIVIDED INTEREST 50%, (PT OF 28.2 AC TR) SITUS: UND. 1/2 INTEREST LAND SPTB: D4	
R10644 (48753) 0069-0000-0006-00-OR MORRIS LYNDA, WATKINS MARY PEOPLES BILL JR, PEOPLES PHIL P. O. BOX 35 ROCKWALL, TX 75087	A0069 T DEAN, TRACT 6, ACRES 0.3 LAND SPTB: C1	
R10645 (49544) 0069-0000-0009-00-OR THE SHORES COUNTRY CLUB INC 2600 CHAMPIONS DRIVE ROCKWALL, TX 75087	A0069 T DEAN, TRACT 9, ACRES 32.159 SITUS: TR A LAND SPTB: D4	
R10647 (10592) 0069-0000-0011-00-OR PARKER CEMETERY C/O BILL COLLINS 2001 N GOLIAD ROCKWALL, TX 75087	A0069 T DEAN, TRACT 11, ACRES 3, EXEMPT SITUS: EXEMPT LAND SPTB: C1	** EXE
R10648 (48843) 0069-0000-0012-00-OR THOMPSON LEONE JR, MARJORIE TH ELIZABETH THOMPSON, JAMES CROW 7107 CURRIN DALLAS, TX 75230	A0069 T DEAN, TRACT 12, ACRES 3.372, (PT OF 103.372 AC TR) LAND SPTB: D1	
R30840 (49816) 0069-0000-0016-00-OR THE SHORES COUNTRY CLUB INC % LEONARD I MARGOLIS, ESQUIRE 5429 LBJ FWY #890 DALLAS, TX 75240-2627	A0069 T DEAN, TRACT 16, ACRES 121.267 LAND SPTB: D4	
R10661 (10602) 0071-0000-0001-00-OR CARUTH W W JR - ESTATE OF 5803 GREENVILLE AVE DALLAS, TX 75206-2997	A0071 W T DEWEESE, TRACT 1, ACRES 26.0, (PT OF 599.8 AC TR) LAND SPTB: D3	
R30871 (10602) 0071-0000-0002-01-OR CARUTH W W JR - ESTATE OF 5803 GREENVILLE AVE DALLAS, TX 75206-2997	A0071 W T DEWEESE, TRACT 2-1, ACRES 60.65, (PT OF 599.8 AC TR) LAND SPTB: D1	

0071-0000-0001-00-OR
CARUTH W W JR - ESTATE OF
5803 GREENVILLE AVF
DALLAS, TX 75206-2,77

26.0, (PT OF 599.8 AC TR)
LAND SPTB: D3

R30871 (10602)
0071-0000-0002-01-OR
CARUTH W W JR - ESTATE OF
5803 GREENVILLE AVE
DALLAS, TX 75206-2997

A0071 W T DEWEESE, TRACT 2-1, ACRES
60.65, (PT OF 599.8 AC TR)
LAND SPTB: D1

Rockwall County Appraisal District
THE SOFTWARE GROUP, INC.

A C A D S Y S T
1993 PRELIMINARY ROLL FO

OWNER NAME AND ADDRESS	PROPERTY DESCRIPTION	EXEM
R10663 (27893) 0071-0000-0003-00-OR CHENAULT LAURA L 3057 NORTH GOLIAD ROCKWALL, TX 75087	A0071 W T DEWEESE, TRACT 3, ACRES 8.0156 LAND SPTB: D4	
R10666 (10606) 0071-0000-0005-00-OR CROFFORD LARRY G ET UX 3051 N GOLIAD ROCKWALL, TX 75087	A0071 W T DEWEESE, TRACT 5, ACRES 10 SITUS: 3051 N GOLIAD LAND SPTB: E1, IMP.SPTB: E1 T1083 - BANC ONE MTG CORP, #	
R10667 (27893) 0071-0000-0006-00-OR CHENAULT LAURA L 3057 NORTH GOLIAD ROCKWALL, TX 75087	A0071 W T DEWEESE, TRACT 6, ACRES 1.965 LAND SPTB: A1, IMP.SPTB: A1	DA \$ TOT \$
R10669 (27754) 0071-0000-0008-01-OR PETERSON RICHARD H ETUX 803 DALTON RD ROCKWALL, TX 75087	A0071 W T DEWEESE, TRACT 8-01, ACRES 1, (PT OF 12 AC TR) SITUS: 803 DALTON RD LAND SPTB: E1, IMP.SPTB: E1 T2934 - GE MORTGAGE CAPITAL COR, #	
R10670 (27754) 0071-0000-0008-02-OR PETERSON RICHARD H ETUX 803 DALTON RD ROCKWALL, TX 75087	A0071 W T DEWEESE, TRACT 8-02, ACRES 11, (PT OF 12 AC TR) LAND SPTB: D1	
R26919 (27890) 0071-0000-0008-03-OR FREE METHODIST CHURCH OF NORTH AMERICA 302 N GOLIAD ROCKWALL, TX 75087	A0071 W T DEWEESE, TRACT 8-3, ACRES 5 LAND SPTB: C1	
R10694 (10631) 0072-0000-0013-01-OR CITY OF ROCKWALL 205 W RUSK ROCKWALL, TX 75087	WM DALTON AB 72 TR 13-1 4.000 AC EXEMPT (OLD LAND FILL) SITUS: EXEMPT (OLD LAND FILL) LAND SPTB: C1	** EXE
R10733 (37655) 0077-0000-0005-00-OR SPRINGER QUIDA MRS 2180 AIRPORT ROAD ROCKWALL, TX 75087	A0077 E M ELLIOTT, TRACT 5, ACRES 16.779, (PT OF 80.779 AC TR) SITUS: FM 549 LAND SPTB: D3	