

CITY OF ROCKWALL
205 West Rusk
Rockwall, Texas

APPLICATION FOR CONDITIONAL USE PERMIT

Case No. 93-45-CUP

Date Submitted 11-19-93

Filing Fee \$ _____

Applicant ALVIN M. BODFORD

Address 3806 O'BRIANT PLACE

Phone No. (214) 771-5655

GREENSBORO, NC 27410

Owner X 1
Tenant _____

1
Prospective Purchaser _____

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

SEE EXHIBIT "B"

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

SEE EXHIBIT "C"

The current zoning on this property is HEAVY COMMERCIAL.
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.

1

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

2

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

L.L.S. & ASSOCIATES, INC.

965 SID'S ROAD, P.O. BOX 65
ROCKWALL TEXAS 75087
(214) 771-3036 FAX (214) 722-3036

EXHIBIT "B"

PROPERTY DESCRIPTION

NOVEMBER 18, 1993

BEING a tract of land situated in the J.R. JOHNSON SURVEY, ABSTRACT NO. 128, Rockwall County, Texas, and being a part of a 40.00 acre tract of land described in Deed to Ladd Properties Ltd., filed for Record January 25, 1984, and recorded in Volume 189, Page 65, Deed Records, Rockwall County, Texas, and being more particularly described as follows;

BEGINNING at a $\frac{1}{2}$ " iron rod found at the intersection of the South line of Mims Road, a 55 foot right-of-way, with the Southwest line of Sate Highway No. 205, a 120 foot right-of-way;

THENCE, S.41⁰30'00"E., a distance of 322.20 feet with said Southwest line to a $\frac{1}{2}$ " iron rod found for corner;

THENCE, S.48⁰33'28"W., a distance of 442.35 feet to a cross cut in concrete at the base of a chain line fence corner post for a corner;

THENCE, N.41⁰26'32"W., a distance of 220.00 feet to a $\frac{1}{2}$ " iron rod set for a corner;

THENCE, N.17⁰03'40"W., a distance of 166.51 feet to a $\frac{1}{2}$ " iron rod found for a corner at an angle point;

THENCE, N.00⁰55'21"E., a distance of 215.00 feet to a $\frac{1}{2}$ " iron rod set for a corner on the South line of Mims Road;

THENCE, S.89⁰04'39"E., a distance of 309.14 feet with said South line to the POINT OF BEGINNING and containing 183,124 square feet or 4.2040 acres of land.

E.L.G. & ASSOCIATES, INC.

965 SID'S ROAD ,P.O. BOX 65
ROCKWALL TEXAS 75087
(214) 771-3036 FAX (214) 722-3036

EXHIBIT "C"

November 19, 1993

The existing building has wood stud partitions and wood roof trusses. We request permission to use wood framing on the new addition in lieu of steel so that it can be more effectively tied to the existing structure and the existing and new would react to temperature change approximately the same.

CITY OF ROCKWALL
205 West Rust
Rockwall, Texas

APPLICATION FOR ZONING CHANGE

Case No. 93-45-2 Filing Fee _____ Date 11-19-93

Applicant TEXAS STAR EXPRESS Phone (214) 722-5655

Mailing Address: 2890 S. Goliad Street
Rockwall, Texas 75087

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

SEE EXHIBIT "B"

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

Commercial & Agricultural District Classification to

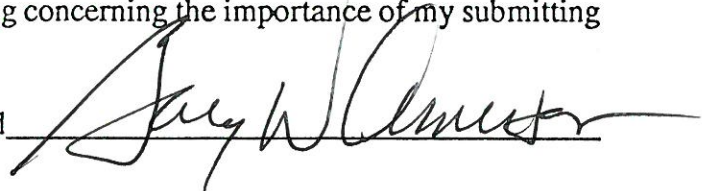
~~Heavy Commercial~~ Heavy Commercial District Classification for the following reasons: (attach separate sheet if necessary)

There (are) (are not) deed restrictions pertaining to the intended use of the property.
2

Status of Applicant Owner Tenant _____

Prospective Purchaser _____

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

Signed 

Note:

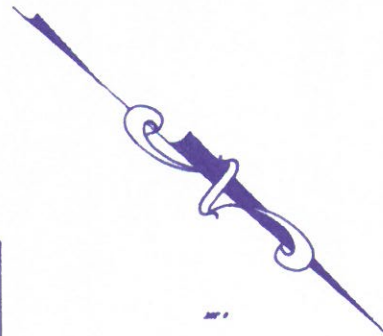
1

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

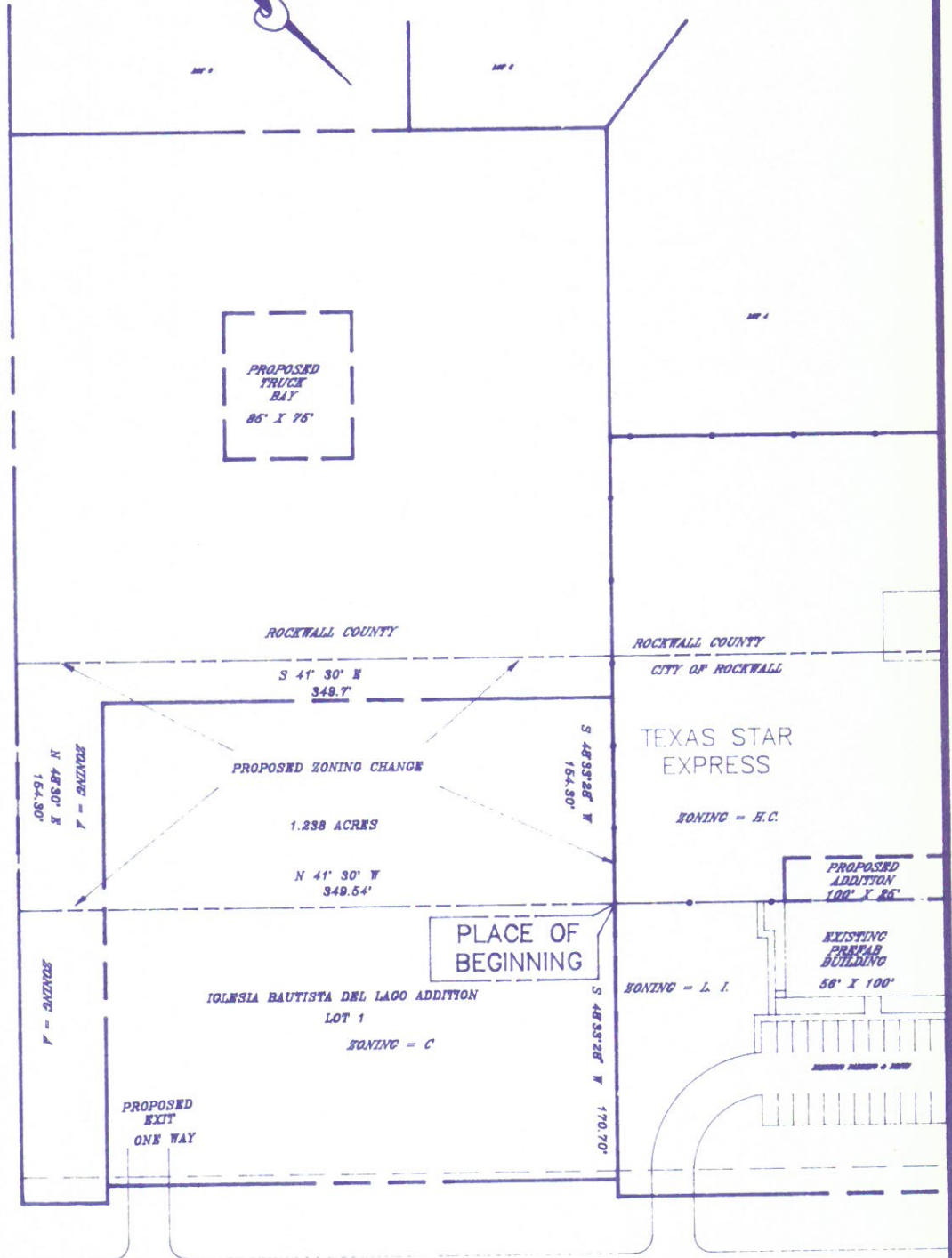
2

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

EXHIBIT " A "



205 BUSINESS PARK (UNRECORDED)



STATE HIGHWAY NO. 205

L.L.S. & ASSOCIATES, INC.

965 SID'S ROAD ,P.O. BOX 65
ROCKWALL TEXAS 75087
(214) 771-3036 FAX (214) 722-3036

EXHIBIT "B"

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NOVEMBER 18, 1993

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BEGINNING at a ½" iron rod found at the intersection of the South line of Mims Road, a 55 foot right-of-way, with the Southwest line of Sate Highway No. 205, a 120 foot right-of-way;

THENCE, S.41°30'00"E., a distance of 322.20 feet with said Southwest line to a ½" iron rod found for corner;

THENCE, S.48°33'28"W., a distance of 442.35 feet to a cross cut in concrete at the base of a chain line fence corner post for a corner;

THENCE, N.41°26'32"W., a distance of 220.00 feet to a ½" iron rod set for a corner;

THENCE, N.17°03'40"W., a distance of 166.51 feet to a ½" iron rod found for a corner at an angle point;

THENCE, N.00°55'21"E., a distance of 215.00 feet to a ½" iron rod set for a corner on the South line of Mims Road;

THENCE, S.89°04'39"E., a distance of 309.14 feet with said South line to the POINT OF BEGINNING and containing 183,124 square feet or 4.2040 acres of land.

SITE PLAN APPLICATION

Date 11-19-93

Name of Proposed Development TEXAS STAR ADDITION

Name of Property Owner/Developer TEXAS STAR EXPRESS

Address 2890 S. Goliad Street/ Rockwall Phone 771-5655


Name of Land Planner/Engineer DECKER & ASSOCIATES

Address P.O. Box 183 / Rockwall Phone (214) 843-4255

Total Acreage 9.2 Acres

Current Zoning H.C., L.I., C, A

Number of Lots/Units _____

Signed 

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".

Provided or Shown Not
On Site Plan Applicable

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.

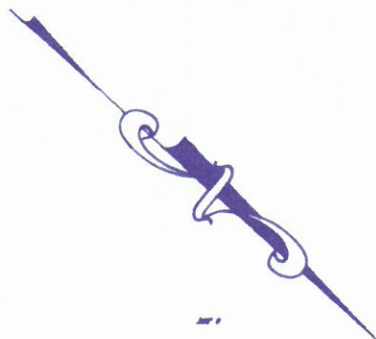
2. Location, dimensions, and size of all existing and planned structures on the subject property and approximate locations of structures adjoining property within 100 ft.

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.

EXHIBIT " A "



206 BUSINESS PARK (UNRECORDED)

PROPOSED
TRUCK
BAY
86' X 76'

ROCKWALL COUNTY

ROCKWALL COUNTY

CITY OF ROCKWALL
TEXAS STAR
EXPRESS

ZONING = H.C.

PROPOSED ZONING CHANGE

1.238 ACRES

N 41° 30' W
349.54'

PLACE OF
BEGINNING

IGLESIA BAUTISTA DEL LAGO ADDITION

LOT 1

ZONING = C

ZONING = L. I.

PROPOSED
ADDITION
100' X 85'

EXISTING
PREFAB
BUILDING
58' X 100'

PROPOSED
EXIT
ONE WAY

STATE HIGHWAY NO. 205

APPLICATION AND PRELIMINARY PLAT CHECKLIST

Date 11-19-93

Name of Proposed Subdivision TEXAS STAR ADDITION

Name of Subdivider TEXAS STAR EXPRESS

Address 2890 S Goliad Street Phone 771-5655

Owner of Record Texas Star Express

Address 2890 S. Goliad Street/ Rockwall Phone 771-5655

Name of Land Planner/Surveyor/Engineer B.L.S. & Associates, Inc.

Address 965 Sid's Road/ Rockwall Phone 771-3036

Total Acreage 4.204 Acres Current Zoning H.C. & L.I.

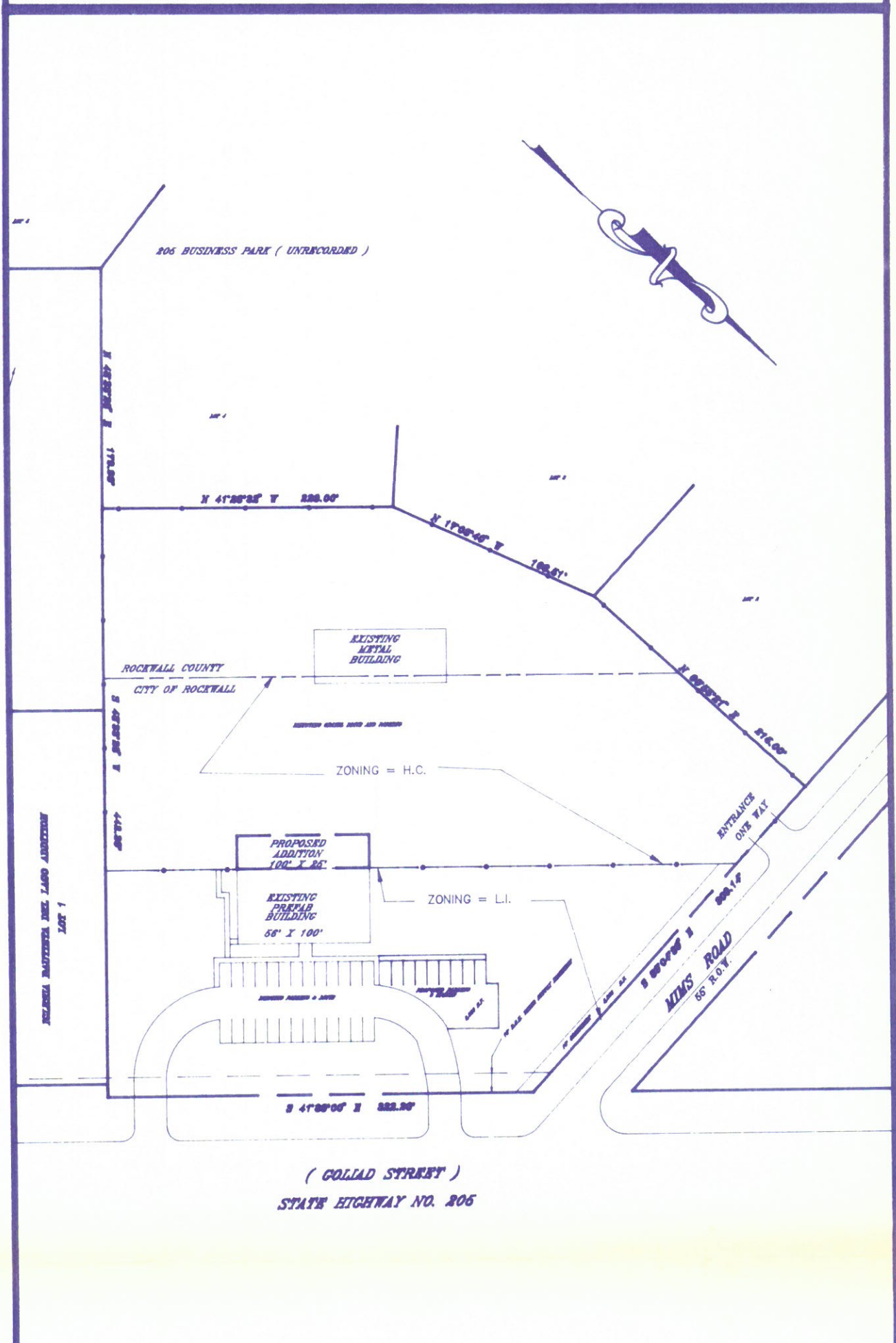
No. of Lots/Units 1

Signed [Signature]

The Following Preliminary Plat Checklist is a summary of the requirements listed under Section VII of the Rockwall Subdivision Ordinance. Section VII should be reviewed and followed when preparing a Preliminary Plat. The following checklist is intended only as a reminder and a guide for those requirements. Use the space at the left to verify the completeness of the information you are submitting. If an item is not applicable to your plan, indicate by placing a check mark.

Table with 2 columns: Provided or Shown, Not. Rows include: On Plat, Vicinity map, Subdivision Name, Name of record owner, subdivider, land planner/engineer, Date of plat preparation, scale and north point.

EXHIBIT A



CITY OF ROCKWALL
PLANNING AND ZONING COMMISSION
APPLICATION RECEIPT

Date: 10-22-93

Applicant: Texas Star Express *Mary Amerson* Phone: 771-5655

Address: 2890 S. Holliad

Development Name: Texas Star Express

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

<input checked="" type="checkbox"/>	Zoning Change	<input checked="" type="checkbox"/>	Preliminary Plat
<input checked="" 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>580-</u>		
<input type="checkbox"/>	Other _____		

With this application, you are scheduled to appear before the Planning and Zoning Commission on _____ and the City Council on _____ at 7:00 p.m. at City Hall, 205 W.Rusk, Rockwall, Texas. 771-7700.

Received By: *D. Harper*

November 22,1993

Filing Fees for Texas Star Express

Zoning Change	\$125.00
C.U.P.	\$125.00
P.P.	\$ 95.00
S.P	\$235.00

Total	\$580.00



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

No

(214) 771-7700

Cash Receipt

Name Sevatar Express Date 11/1

Mailing Address _____

Job Address 2890 S. Holliad Permit No. _____

Check 5786 Cash Other

DESCRIPTION	Acct. Code	Amount	DESCRIPTION	Acct. Code
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>580 -</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 580 - TOTAL OF COLUMN

TOTAL DUE 580 -

Received by [Signature]

CITY OF ROCKWALL

Invoice No

Date

Amount

Discount

Net Amount

112293

11/22

580.00

0.00

580.00

TOTAL =

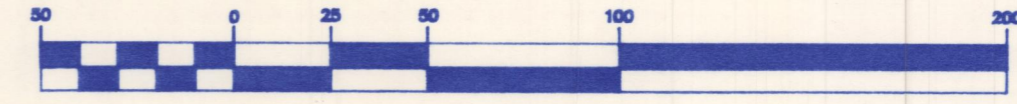
\$580.00

DATE
11/23/93

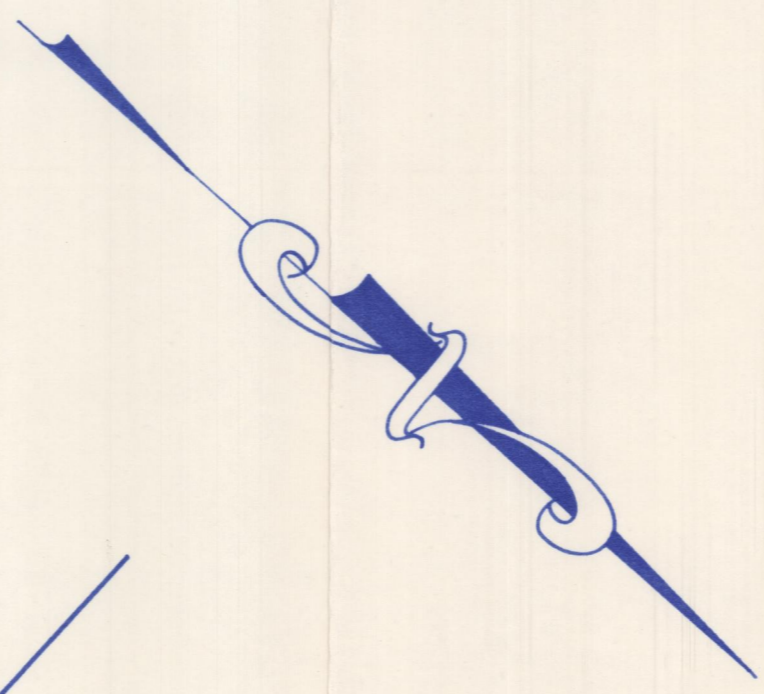
CHECK NUMBER
00005786

205 BUSINESS PARK (UNRECORDED)

GRAPHIC SCALE



(IN FEET)
1 inch = 50 ft.



LOT 4

LOT 3

LOT 2

N 41°28'32" W 220.00'

N 17°08'40" W 168.51'

N 00°55'21" E 215.00'

ROCKWALL COUNTY
CITY OF ROCKWALL

EXISTING METAL BUILDING

EXISTING GRAVEL DRIVE AND PARKING

4.204 ACRES

ZONING = H.C.

ENTRANCE ONE WAY

S 48°39'28" W 442.95'

PROPOSED ADDITION 100' X 25'

EXISTING PREFAB BUILDING 56' X 100'

ZONING = L.I.

S 89°04'39" E 309.14'

EXISTING PARKING & DRIVE

PROPOSED PARKING & DRIVE 3,388 S.F.

16" A.C.E. WATER SUPPLY BASINMENT

14" CONCRETE

MIMS ROAD 55' R.O.W.

S 41°30'00" E 322.20'

(COLLIAD STREET)

STATE HIGHWAY NO. 205

1st Submittal

B.L.S. & ASSOCIATES INC.
965 SD'S ROAD, P.O. BOX 65
ROCKWALL, TEXAS 75087
(214) 771-3036 FAX (214) 722-3036

PROJECT No.

SCALE
1" = 50'

DATE
11-19-93

DRAWN BY
K.E.B.

NOTES

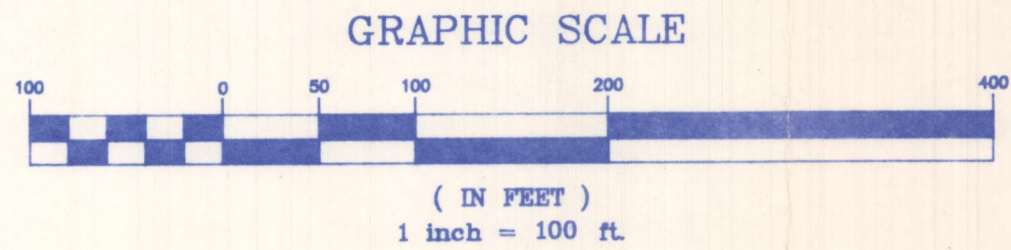
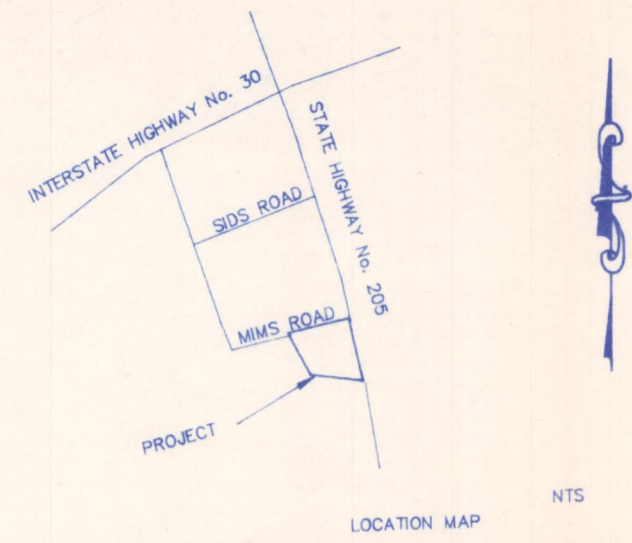
TEXAS STAR EXPRESS

4.024 ACRES

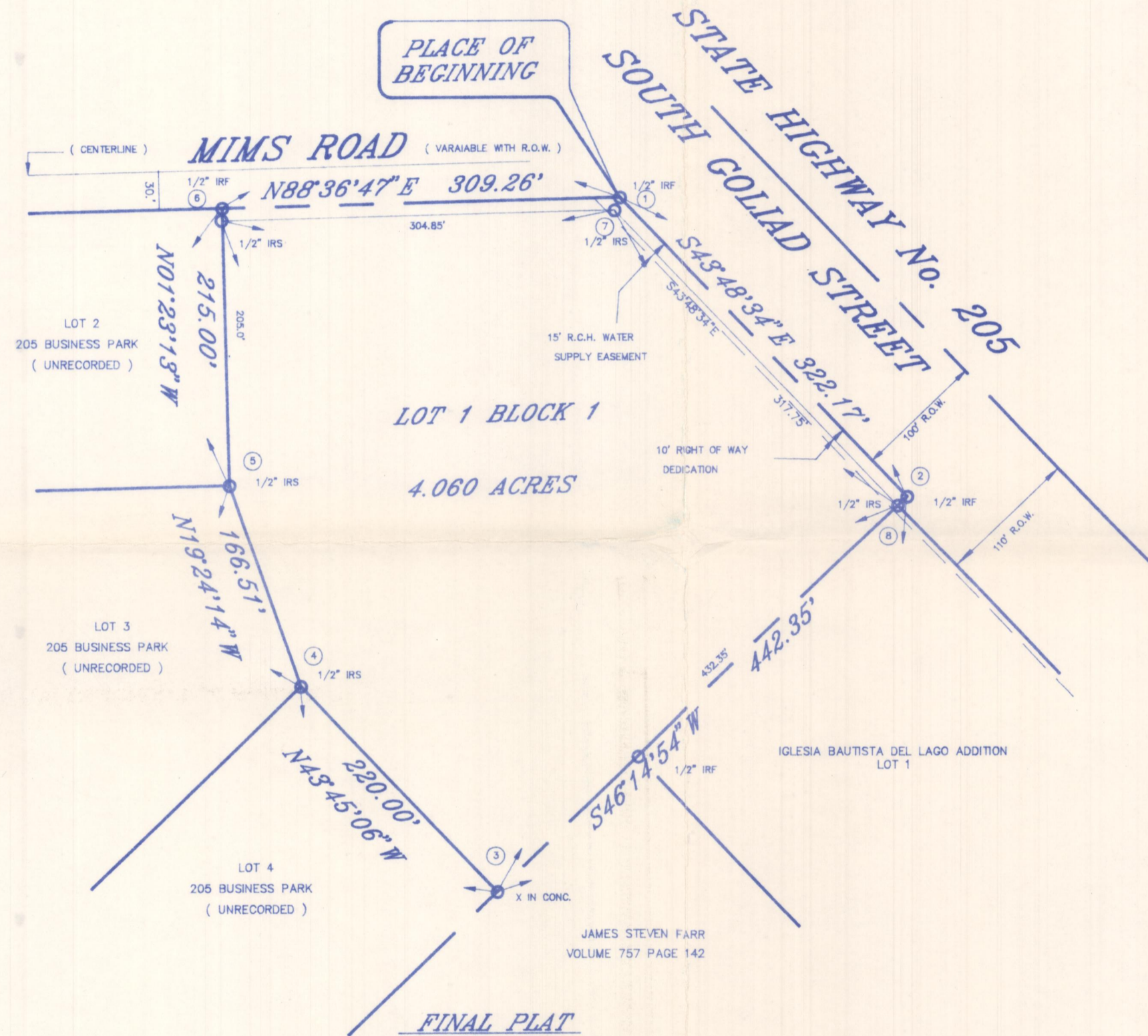
PRELIMINARY PLAT TEXAS STAR ADDITION

COUNTY OF ROCKWALL

CITY OF ROCKWALL



	S.A.C.	GRID AZIMUTHS
	NORTHS	EASTS
1	7014962.1551	2601589.4109
2	7014729.6647	2601812.4342
3	7014423.7650	2601492.9050
4	7014582.6808	2601340.7677
5	7014739.7332	2601285.4491
6	7014954.6702	2601280.2454
7	7014952.0514	2601585.2460
8	7014722.7494	2601805.2107



FINAL PLAT
TEXAS STAR ADDITION

CITY OF ROCKWALL

J.R. JOHNSON SURVEY ABSTRACT No. 128

ROCKWALL COUNTY TEXAS

OWNER

ALVIN M. BODFORD

2890 SOUTH COLLAD STREET

ROCKWALL TEXAS, 75087 (214) 771-5655

PRECISE LAND SURVEYING, INC.

18601 LBJ FREEWAY, SUITE 520

MESQUITE, TEXAS 75150 (214) 681-7072

OWNERS CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS ALVIN M. BODFORD, BEING OWNER OF A TRACT OF LAND SITUATED IN THE CITY OF ROCKWALL, COUNTY OF ROCKWALL, STATE OF TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEING A TRACT OF LAND SITUATED IN THE J. R. JOHNSON SURVEY, ABSTRACT No. 128, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING THAT 4.2040 ACRE TRACT AS CONVEYED TO ALVIN M. BODFORD, AS RECORDED IN VOLUME 607 PAGE 108 REAL PROPERTY RECORDS, ROCKWALL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF MIMS ROAD WITH THE SOUTHWEST LINE OF STATE HIGHWAY No. 205, SAID POINT BEING THE NORTH CORNER OF SAID 4.2040 ACRE TRACT, A 1/2" IRON ROD FOUND FOR CORNER.

THENCE, S.43° 48' 34" E., ALONG THE SOUTHWEST LINE OF STATE HIGHWAY No. 205, A DISTANCE OF 322.17 FEET TO A 1/2" IRON ROD FOUND FOR CORNER.

THENCE, S.46° 14' 54" W., LEAVING THE SOUTHWEST LINE OF STATE HIGHWAY No. 205, AND ALONG THE NORTHWEST LINE OF THE IGLESIA BAUTISTA DEL LAGO ADDITION, PART OF THE WAY, A DISTANCE OF 442.35' TO AN X IN CONCRETE FOUND FOR CORNER.

THENCE, N.43° 45' 06" W., ALONG THE NORTHEAST LINE OF LOT 4, 205 BUSINESS PARK, UNRECORDED, A DISTANCE OF 220.00 FEET TO A 1/2" IRON STAKE SET FOR CORNER.

THENCE, N.19° 24' 14" W., ALONG THE EAST LINE OF LOT 3, 205 BUSINESS PARK, UNRECORDED, A DISTANCE OF 166.51 FEET TO A 1/2" IRON STAKE SET FOR CORNER.

THENCE, N. 1° 23' 13" W., ALONG THE EAST LINE OF LOT 2, 205 BUSINESS PARK, UNRECORDED, A DISTANCE OF 215.00 FEET TO A POINT ON THE SOUTH LINE OF MIMS ROAD, A 1/2" IRON STAKE FOUND FOR CORNER.

THENCE, N. 88° 36' 47" E., ALONG THE SOUTH LINE OF MIMS ROAD, A DISTANCE OF 309.26 FEET TO THE PLACE OF BEGINNING AND CONTAINING 4.204 ACRES OF LAND.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS;

THAT ALVIN M. BODFORD BEING OWNER OF A TRACT OF LAND DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HERE ABOVE DESCRIBED PROPERTY AS FINAL PLAT TEXAS STAR ADDITION - CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, AND ALLEYS SHOWN THEREON, AND HEREBY RESERVES THE RIGHT-OF-WAY AND EASEMENT STRIPS SHOWN ON THIS PLAT FOR THE PURPOSES STATED AND FOR THE MUTUAL USE AND ACCOMMODATION OF ALL UTILITIES DESIRING TO USE OR USING SAME. ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PART OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER GROWTHS OR IMPROVEMENTS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH CONSTRUCTION, RECONSTRUCTION, MAINTENANCE OR EFFICIENCY OF THEIR RESPECTIVE SYSTEM ON ANY OF THE RIGHT-OF-WAY AND EASEMENT STRIPS; ANY PUBLIC UTILITY SHALL HAVE THE RIGHT OF INGRESS AND EGRESS TO, FROM AND UPON THE SAID RIGHT-OF-WAY AND EASEMENT STRIPS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTING, PATROLLING, MAINTAINING, AND EITHER ADDING TO OR REMOVING ALL OR PART OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY OF AT ANY TIME, PROCURING THE PERMISSION OF ANYONE. THE CITY OF ROCKWALL WILL NOT BE RESPONSIBLE FOR ANY CLAIMS OF ANY NATURE RESULTING FROM OR OCCASIONED BY THE ESTABLISHMENT OF GRADES ON STREETS IN THIS ADDITION. A) THE APPROVAL OF A PLAT BY THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, DOES NOT CONSTITUTE ANY REPRESENTATION, ASSURANCE, OR GUARANTEE THAT ANY BUILDING WITHIN SUCH PLAT SHALL BE APPROVED, AUTHORIZED OR PERMIT THEREFORE ISSUED, NOR SHALL SUCH APPROVAL CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE BY THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS OF THE ADEQUACY AND AVAILABILITY OF WATER FOR PERSONAL USE AND FIRE PROTECTION WITHIN SUCH PLAT.

WITNESS MY HAND, THIS _____ DAY OF _____ 1993.

OWNER ALVIN M. BODFORD

BY ALVIN M. BODFORD

STATE OF TEXAS
COUNTY OF ROCKWALL

BEFORE ME, A NOTARY PUBLIC, ON THIS DAY PERSONALLY APPEARED ALVIN M. BODFORD KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING DOCUMENT AND BEING BY ME FIRST DULY SWORN, DECLARED THAT THE STATEMENTS THEREIN CONTAINED ARE TRUE AND CORRECT. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____ 1993.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS: THAT I, DANIEL A. SMITH DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION.

DANIEL A. SMITH, R.P.L.S. No. 4645

STATE OF TEXAS
COUNTY OF ROCKWALL

BEFORE ME, A NOTARY PUBLIC, ON THIS DAY PERSONALLY APPEARED DANIEL A. SMITH KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING DOCUMENT AND BEING BY ME FIRST DULY SWORN, DECLARED THAT THE STATEMENTS THEREIN CONTAINED ARE TRUE AND CORRECT. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____ 1993.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

RECOMMENDED FOR FINAL APPROVAL

APPROVED

CITY MANAGER

CHAIRMAN PLANNING AND ZONING COMMISSION

I HEREBY CERTIFY THAT ABOVE FOREGOING FINAL PLAT OF TEXAS STAR ADDITION, TO THE CITY OF ROCKWALL, TEXAS, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THE _____ DAY OF _____ A.D. 1993.

THIS APPROVAL SHALL BE INVALID UNLESS THE APPROVED PLAT FOR SUCH ADDITION IS RECORDED IN THE OFFICE OF THE COUNTY CLERK OF ROCKWALL COUNTY, TEXAS, WITHIN ONE HUNDRED AND TWENTY (120) DAYS FROM SAID DATE OF FINAL APPROVAL.

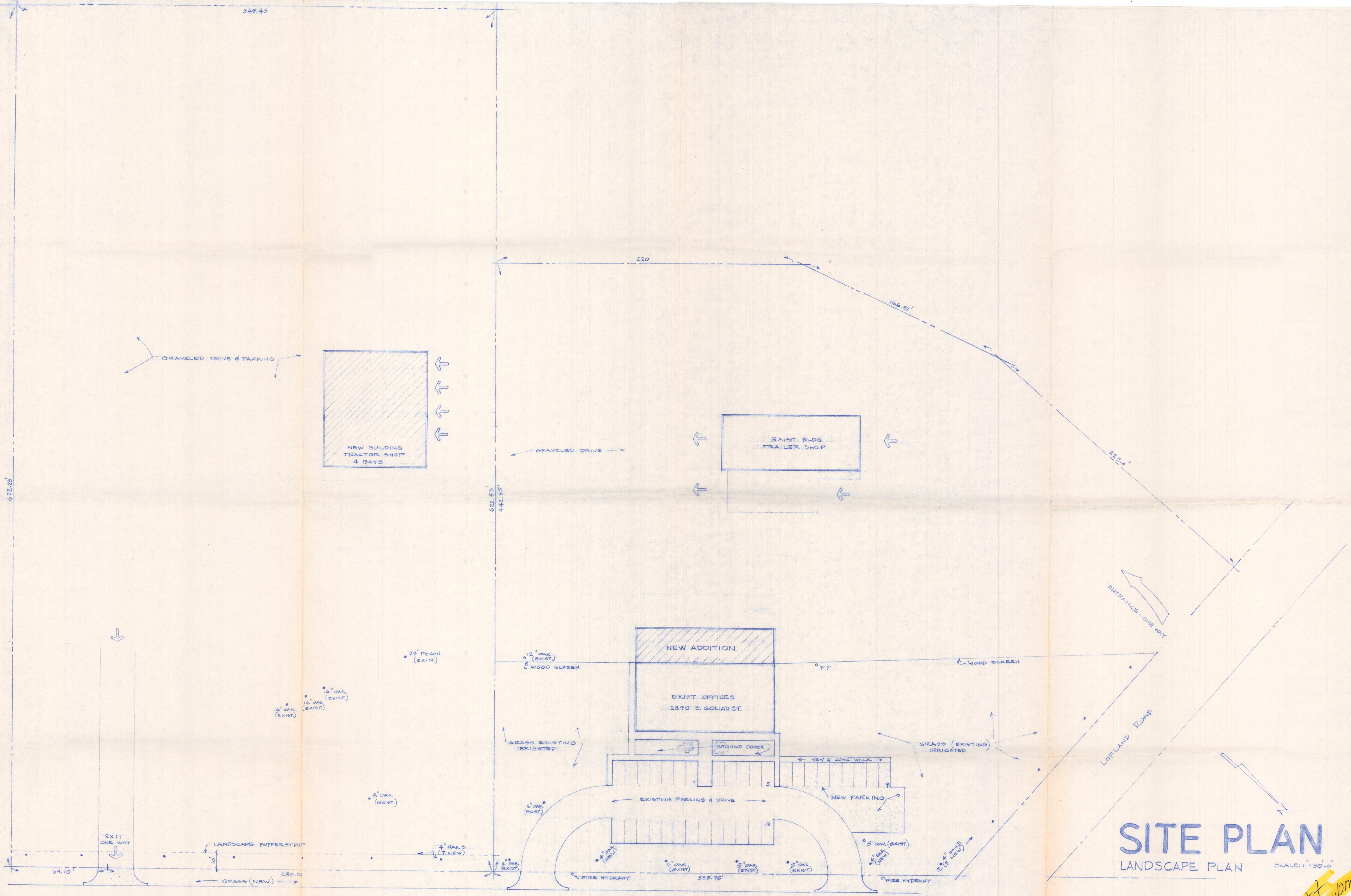
SAID ADDITION SHALL BE SUBJECT TO ALL THE REQUIREMENTS OF THE PLATTING ORDINANCE OF THE CITY OF ROCKWALL, TEXAS.

MAYOR, CITY OF ROCKWALL, TEXAS

CITY SECRETARY, CITY OF ROCKWALL, TEXAS

349.43

622.25



SITE PLAN

LANDSCAPE PLAN

SCALE: 1" = 30'-0"

1st submittal

S.H. 205

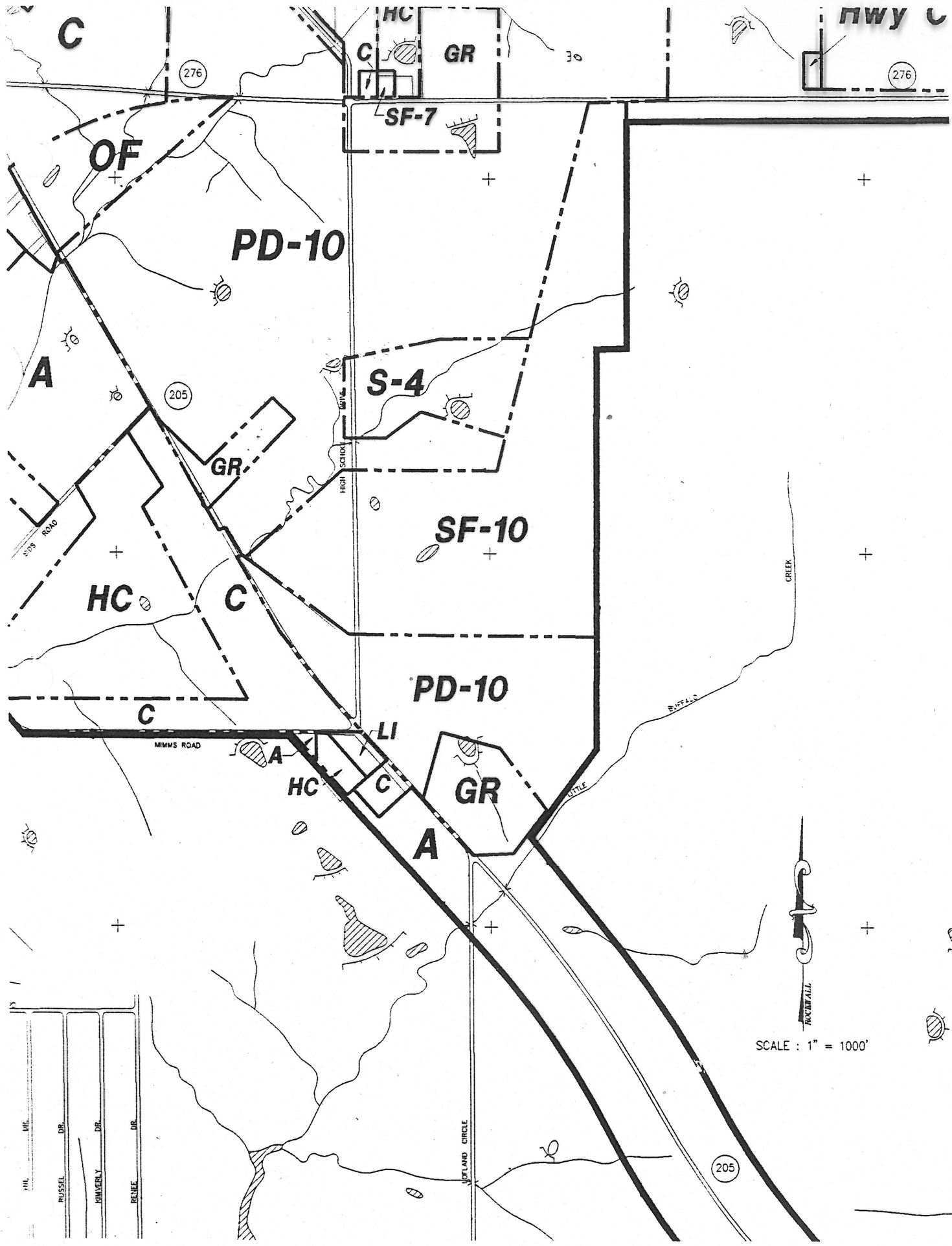


John L. Decker
9-30-93

ADDITIONS TO
TEXAS STAR EXPRESS
TELE 214-771-5655
2890 S. GOLIAD ST. ROCKWALL, TX

DECKER AND ASSOCIATES
CONSULTING ENGINEERS
TELE 214-843-4255
P.O. BOX 183 ROCKWALL, TEXAS 75087

SHT. **1**
OF 2
11-17-93
9-27-93
8-30-93



- DR.
- DR.
- RUSSEL DR.
- DR.
- DR.
- DR.
- DR.
- DR.

**planning resources group**P.O. Box 370
Burleson, Tx., 76028
Tele: (817) 457-1107**MEMORANDUM**

TO: Dub Douphrate, P.E.
FROM: Dan C. Boutwell, AICP
SUBJECT: Conditional Use Permit for Texas Star Express
DATE: December 4, 1993

Comments:

1. The original structure located on this site is in compliance with the material requirement of the zoning ordinance. However, extension of the structure in the rear will cause the conditions for requiring combustible construction materials to be effective. The applicant requests a Conditional Use Permit to continue with this proposal.
2. This request is constant with other property similarly zoned in this area.

**planning resources group**P.O. Box 370
Burleson, Tx, 76028
Tele: (817) 467-1107**MEMORANDUM**

TO: Dub Douphrate, P.E.
FROM: Dan C. Boutwell, AICP
SUBJECT: Rezoning to HC - Heavy Commercial for Texas Star Express
DATE: December 4, 1993

Comments:

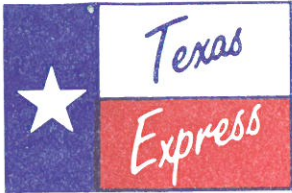
1. This site is currently zoned as A -Agriculture. The applicant is requesting to rezone the property as HC - Heavy Commercial for the purpose of having outside storage on site. The site adjoins the city limits line of the City of Rockwall.
2. The applicant has provided additional parking and landscaping for the site in accordance with the requirements of the City of Rockwall.
3. The use as requested by the applicant is consistent with adjacent zoned property. In addition, the applicant owns the adjacent zoned property. We would recommend approval of this request.

**planning resources group**P.O. Box 370
Burkeville, Tx, 76028
Tele: (817) 457-1107**MEMORANDUM**

TO: Dub Douphrate, P.E.
FROM: Dan C. Boutwell, AICP
SUBJECT: Preliminary Plat for Texas Star Express
DATE: December 4, 1993

Comments:

1. The applicant is requesting approval of a single lot subdivision. The property is currently being used as a trucking facility. New construction in the form of a proposed addition to the existing structure will require a building permit to be issued for this site. Subdivision regulations require that, prior to issuing a building permit, all property be platted.
2. The property being platted include the existing facility and new facilities to be constructed. The applicant proposes to include the entire property being used for this purpose. This will require that the platting include a portion of land located in the county, of which Rockwall has the ETJ.
3. We would recommend approval of this preliminary plat.



EXAS STAR EXPRESS

ICC MC 171142

December 17, 1993

Julie Couch
City Manager
City of Rockwall

Dear Ms. Couch:

Per our conversation, please allow this to serve as Texas Star Express' request that the City of Rockwall waive the escrow requirement for future expansion and improvement of Mims Road.

Thank you for your consideration.

Sincerely,


Gary W. Amerson
President

GWA/ln

93-45

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

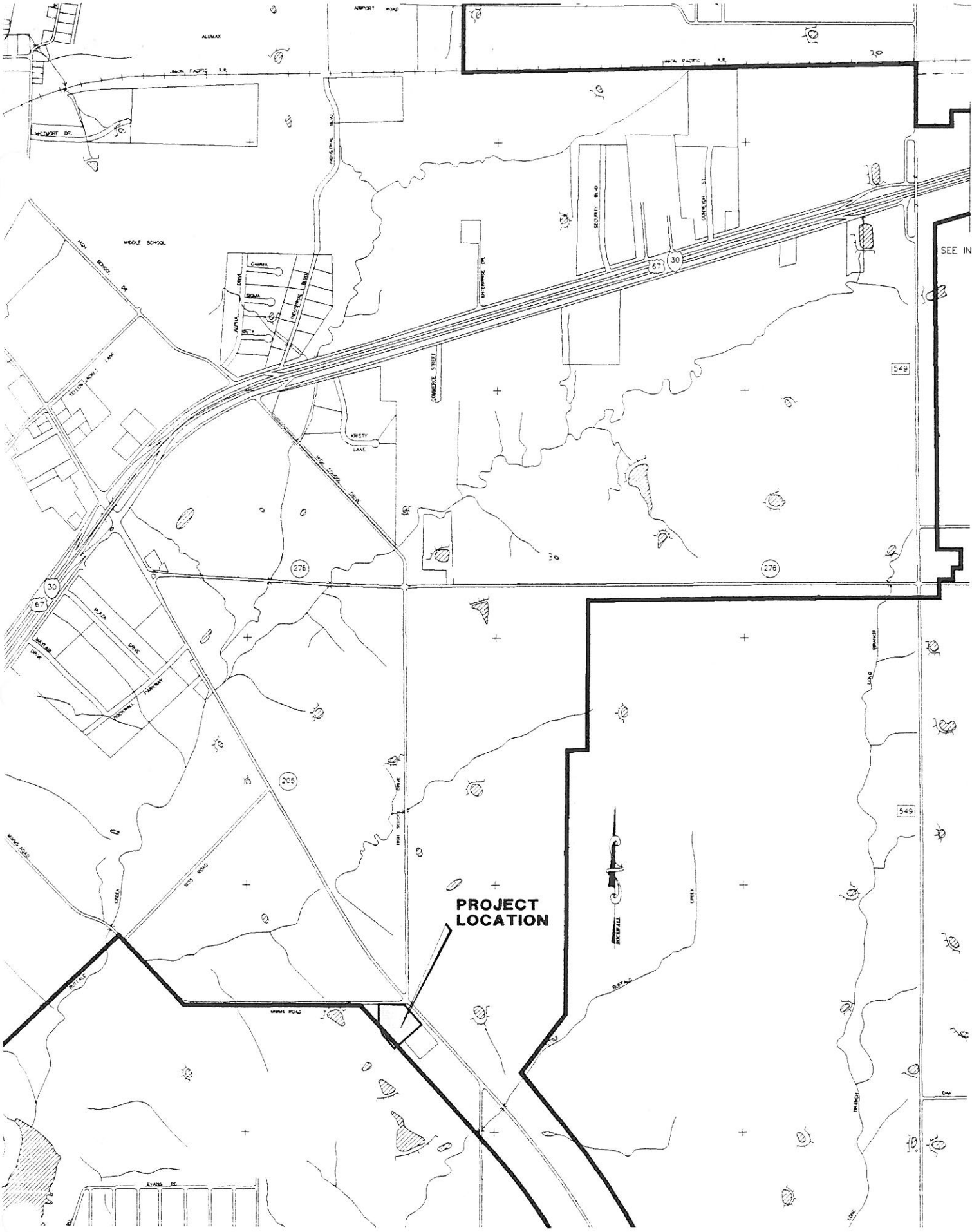
Following is a discussion of the recommendations of the Commission on the items that are to be considered on Monday night.

V. J.

When the preliminary plat on this tract was considered by the City Council last month, the applicant had requested a waiver to the street escrow requirements to reduce the required amount from 50% to 25% and to require that the escrow be paid at the time of construction. The action of the Council was to provide that the escrow be paid at the time of construction, but it was unclear whether it was the intention of the Council to reduce the required amount. There was discussion that it was not the intent of the Council to require the applicant to pay more than Mr. Helwig would be required to pay should the City improve Sids Road. Mr. Helwig was granted a full waiver to the escrow requirements. Should the City improve Sids Road Mr. Helwig would be responsible for no more than 25% of the cost under our current assessment policy.

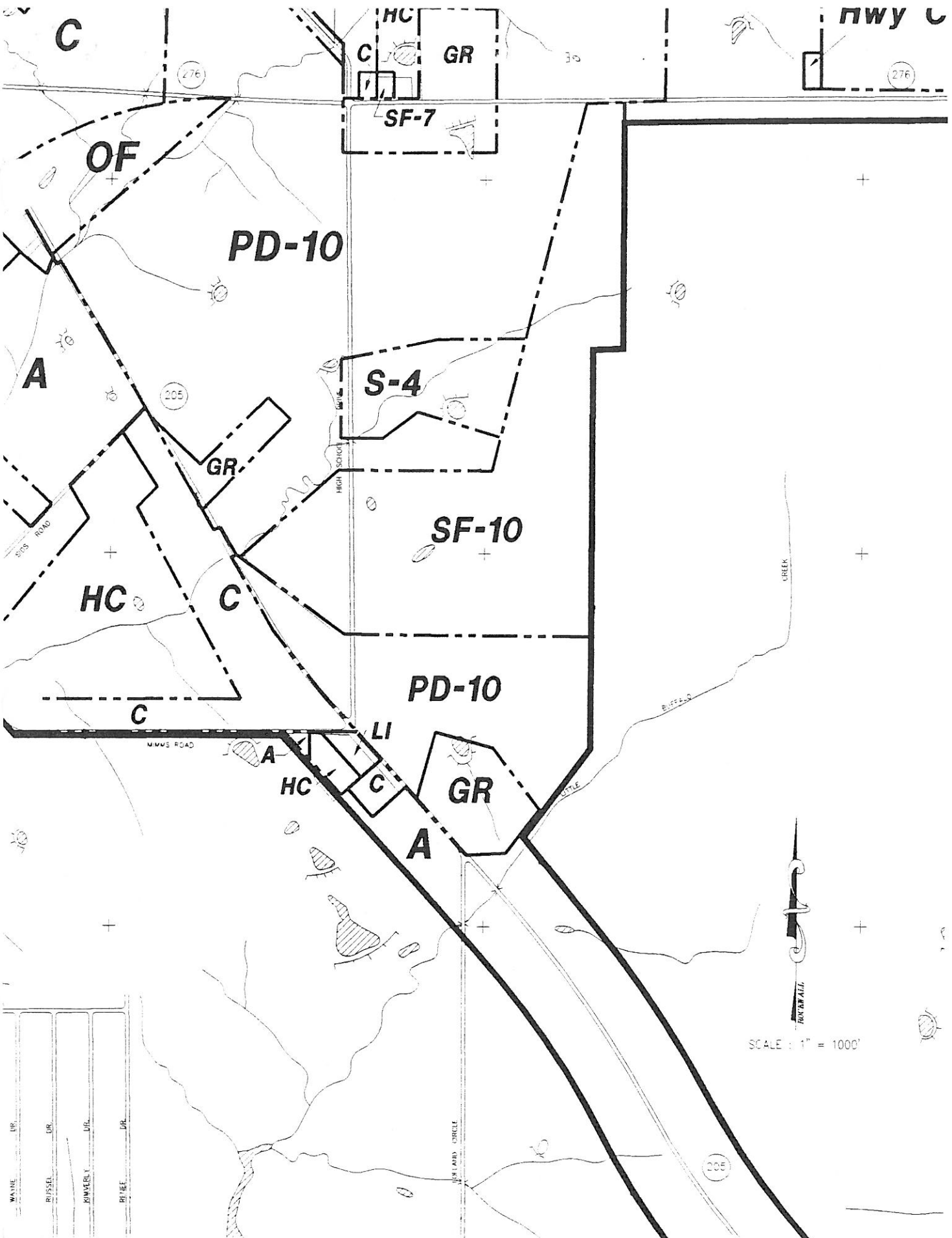
Should the Council approve the reduction of the escrow requirement as well as deferring the collection until the road is improved a facilities agreement will be drafted incorporating these conditions.

The Commission has recommended approval of the plat with the condition that the City limit line be added to the plat.



**PROJECT
LOCATION**

SEE IN



WAYNE DR.
RUSSEL DR.
KIMBERLY DR.
BUTEE DR.

SCALE : 1" = 1000'

**City of Rockwall
Planning and Zoning Agenda**

Agenda Date: December 9, 1993

Agenda Item: P&Z 93-45-2CUP/Z - Conditional Use Permit for a structure not meeting structural materials requirements and a change in zoning classification from Commercial & Agricultural to Heavy Commercial zoning classification for a tract of land located at 2890 S. Goliad.

Item Presented By: Texas Star Express

Action Needed: Consider recommending approval of a zoning change from Commercial and Agricultural to Heavy Commercial HC. Consider recommending approval of a preliminary plat. Consider recommending approval of a conditional use permit.

Background Information: The applicant is requesting a zoning change from C & A to HC in order to have outside storage. The applicant is proposing to build an addition to the existing structure which will be 2,500 square feet of additional floor space. The applicant is requesting a CUP so that he may build the addition with combustible materials. Since a new structure is being added to the existing structure, the property is being platted as a single lot subdivision. The preliminary plat of this subdivision is being requested at this time. A portion of this plat is outside of the City limits and within Rockwall's ETJ. Adequate parking and landscaping is being provided as part of this application.

Recommendation: Staff recommends approval of the zoning change from C & A to HC, approval of the preliminary plat and approval of the conditional use permit.

Attachments:

1. PRG Memorandum from Dan Boutwell, AICP.
2. Site Plan
3. Zoning Maps

Agenda Item: PZ-93-38-Z - Shepherd Place Homes

**planning resources group**P.O. Box 370
Burleson, Tx., 76020
Tele: (817) 457-1107**MEMORANDUM**

TO: Dub Douphrate, P.E.
FROM: Dan C. Boutwell, AICP
SUBJECT: Conditional Use Permit for Texas Star Express
DATE: December 4, 1993

Comments:

1. The original structure located on this site is in compliance with the material requirement of the zoning ordinance. However, extension of the structure in the rear will cause the conditions for requiring combustible construction materials to be effective. The applicant requests a Conditional Use Permit to continue with this proposal.
2. This request is constant with other property similarly zoned in this area.

PRG**planning resources group**P.O. Box 370
Burleson, Tx, 76028
Tele: (817) 457-1107**MEMORANDUM**

TO: Dub Douphrate, P.E.
FROM: Dan C. Boutwell, AICP
SUBJECT: Rezoning to HC - Heavy Commercial for Texas Star Express
DATE: December 4, 1993

Comments:

1. This site is currently zoned as A -Agriculture. The applicant is requesting to rezone the property as HC - Heavy Commercial for the purpose of having outside storage on site. The site adjoins the city limits line of the City of Rockwall.
2. The applicant has provided additional parking and landscaping for the site in accordance with the requirements of the City of Rockwall.
3. The use as requested by the applicant is consistent with adjacent zoned property. In addition, the applicant owns the adjacent zoned property. We would recommend approval of this request.

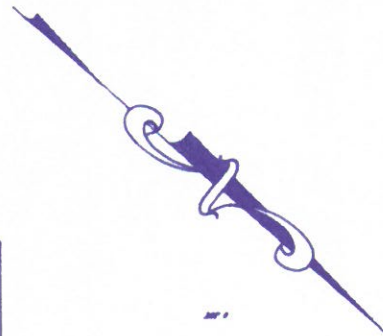
**planning resources group**P.O. Box 370
Burtonson, Tx., 78028
Tele: (817) 457-1107**MEMORANDUM**

TO: Dub Douphrate, P.E.
FROM: Dan C. Boutwell, AICP
SUBJECT: Preliminary Plat for Texas Star Express
DATE: December 4, 1993

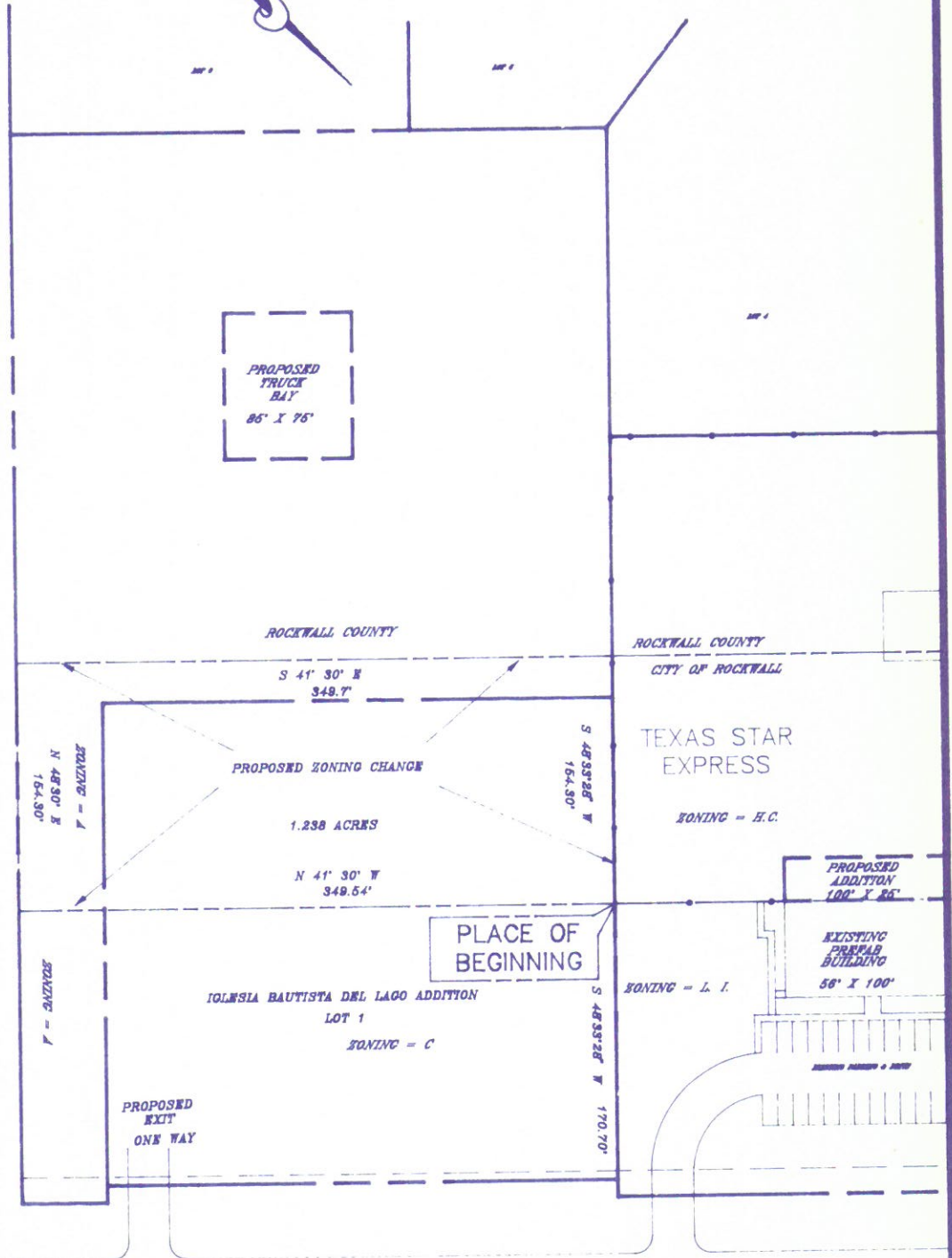
Comments:

1. The applicant is requesting approval of a single lot subdivision. The property is currently being used as a trucking facility. New construction in the form of a proposed addition to the existing structure will require a building permit to be issued for this site. Subdivision regulations require that, prior to issuing a building permit, all property be platted.
2. The property being platted include the existing facility and new facilities to be constructed. The applicant proposes to include the entire property being used for this purpose. This will require that the platting include a portion of land located in the county, of which Rockwall has the ETJ.
3. We would recommend approval of this preliminary plat.

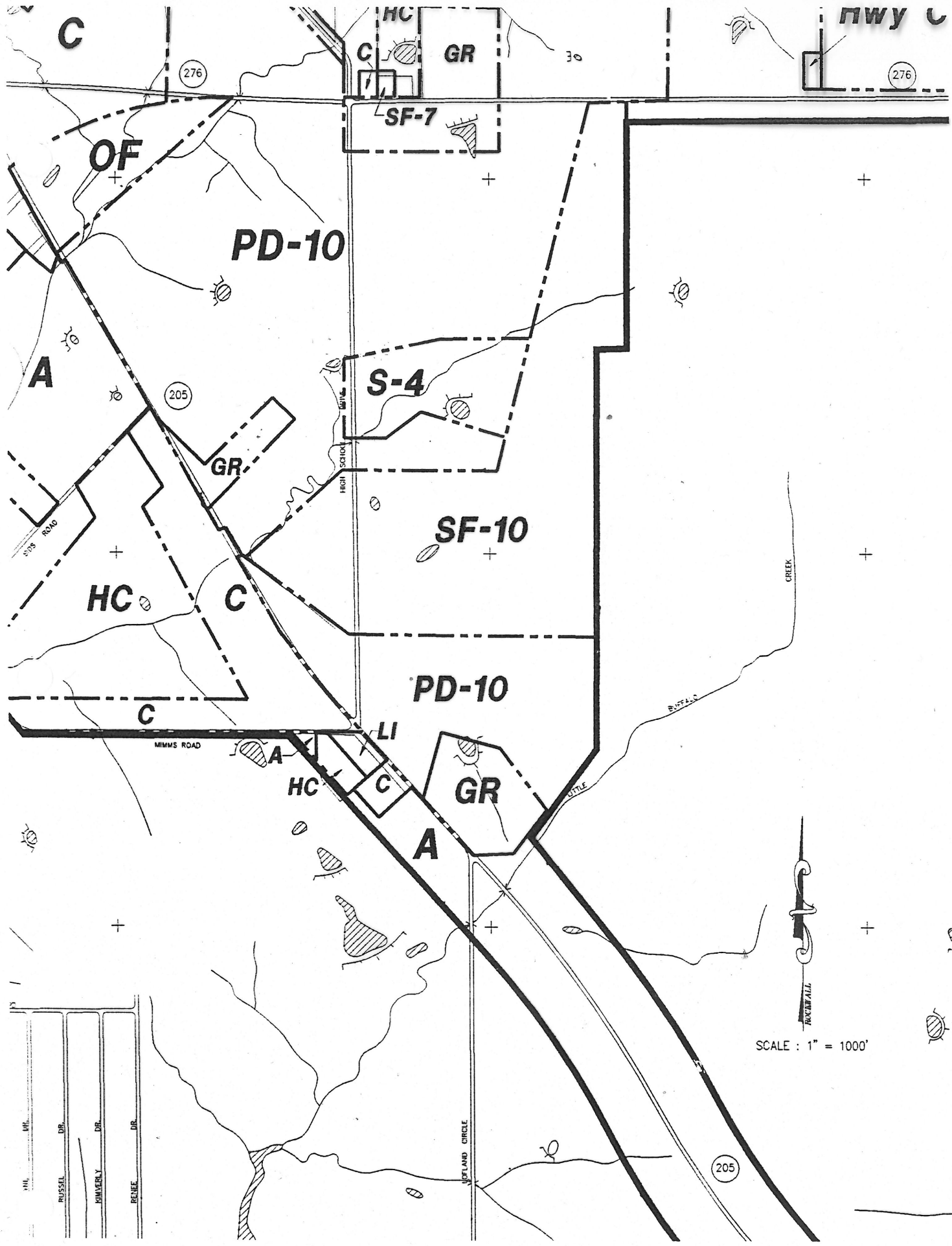
EXHIBIT " A "



206 BUSINESS PARK (UNRECORDED)



STATE HIGHWAY NO. 205



SCALE : 1" = 1000'

DR. RUSSEL
 DR. RUMBERLY
 DR. BEHEE

HIGHLAND CIRCLE

ROCKWALL CREEK

205

MIMS ROAD

BUFFALO CREEK

HIGH SOCIETY DRIVE

PLWY C

30

276

276

PD-10

SF-7

S-4

SF-10

PD-10

GR

A

HC

GR

HC

C

C

LI

UTILE

C

A

205

505 ROAD

70

+

+

+

70

—

Planning And Zoning Commission Meeting Minutes
December 9, 1993

Call To Order

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

Approval Of Minutes

Art Ruff made a motion to approve the minutes. Terry Raulston seconded the motion. The motion was voted on and passed unanimously.

Public Hearings

P&Z 93-38-Z Hold Public Hearing and Consider Recommending Approval for a request from Shepherd Place Homes for amendment to the Planned Development 13 to Amend the required minimum lot depth required on certain lots from 110 feet and Consider Approval of a Request for a Preliminary Plat for property located at Windmill Ridge Estates subdivision located off FM 3097.

Douphrate outlined the applicant's request for the commission and introduced Dan Boutwell, Planning Consultant. Boutwell explained to the commission that the request for the amendment to the "PD" was due to cutting the depth of 9 lots to less than 110. He advised the commissioners that they could approve the amendment and specify the 9 lots and the phase of the "PD".

Doug Jones, 148 Woodcreek asked the commission what would be done about drainage in the area. He stated he was concerned about possible flooding around the creek area of the subdivision.

Harold Evans, Engineer, explained that they would be working with the City Engineer in regards to drainage for the area and that plans have been made to work on parts of the creek.

After considerable discussion Jim Greenwalt made a motion to Art Ruff to disapprove the motion. Terry Raulston seconded the motion. The motion was voted on 5 voted opposed and 1 in favor.

93-41-CUP Hold Public Hearing and Consider Recommending Approval for a Request from Beverly Jacobs for a Conditional Use Permit for a residence as an accessory to a permitted use within the Central Business District classification for property located at 106 S. San Jacinto, Rockwall, Texas and further described as Lot 6C and 7C, Block M, Rockwall Original Town. Beverly Jacobs addressed the commission with her request stating it would not be permanent.

After much discussion Pat Friend made a motion to approve the request for the CUP for a residence at 106 S. San Jacinto with understanding the CUP will be reviewed in 2 years. Van seconded the motion. The motion was voted and passed unanimously.

P&Z 93-43-Z Hold Public Hearing and Consider Recommending Approval for a Request from Caruth Lake Development Corp. for an Amendment to Planned Development 5 to amend the approved land uses on two tracts of land from Multi-Family and General Retail uses to Single Family residential on a portion of PD-5 and Consider Recommending Approval for a Preliminary Plat for property located North of Harris Heights Addition and East of SH-205.

Van asked if the Park Board was familiar with this cases.

Julie Couch briefed the commission regarding the opinions of the Park Board.

Dan Boutwell, Planning Consultant reviewed the PD and the Park Plan.

After much discussion Terry Raulston made a motion to approve the amendment. The park concept plan be approved with the preliminary Plat and a facilities agreement outlining the park plan dedication be submitted along with the Final Plat and that the thoroughfare plan be revised when the Final Plat is submitted.

Art Ruff seconded the motion. The motion was voted on, 5 voted in favor and 1 against. The motion passed.

P&Z 93-45-CUP/Z Hold Public Hearing and Consider Recommending Approval for a Request from Texas Star Express for a Conditional Use Permit for a structure not meeting structural materials requirements and a change in Zoning classification from Commercial & Agricultural to Heavy Commercial zoning classification. Discuss and Consider Recommending Approval of a Site Plan and Preliminary Plat for a tract of land located at 2890 South Goliad.

Dub Douphrate reviewed the applicant's request for the commission.

Gary Amerson, President of Texas Star Express explained to the commission that due to growth of the company the expansion was needed for the building.

After much discussion Pat Friend made a motion to recommend approval of the request. Van Ewing seconded the motion. The motion was voted on and passed unanimously.

Closed Public Hearing

Action Items

P&Z 93-42-P/FP Discuss and Consider Recommending Approval of a Request from Fox Chase Development for a Preliminary Plat/Final Plat for Fox Chase Development Corp. located at SH-740.

After much discussion Jim Greenwalt made a motion to recommend approval provided the engineering is approved by the City Engineer. Van Ewing seconded the motion. The motion was voted on and passed unanimously.

After much discussion Art Ruff made a motion due to the holidays to reschedule the December 30th workshop to January 6, 1994. Van Ewing seconded the motion. The motion was voted on and passed unanimously.

Adjournment

Meeting adjourned at 9:20 p.m.

MINUTES OF THE ROCKWALL CITY COUNCIL
DECEMBER 20, 1993

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.

Consent Agenda

10 **A. Approval of Minutes of December 6, 1993**

15 **B. P&Z 93-37-Z Consider Approval of an Ordinance Granting First Madison Bank a Zoning Change from "MF-15" Multi-Family and "GR" General Retail Zoning Classification to "PD" Planned Development Zoning Classification on Property Located at 1000 Yellowjacket Lane (2nd reading)**

Minutes pulled by Jack Pappa for separate discussion. White made a motion to approve an ordinance granting First Madison Bank a zoning change from "MF-15" Multi-Family and "GR" General Retail zoning classification to "PD" Planned Development zoning classification on property located at 1000 Yellowjacket Lane (2nd reading). The motion was seconded by Morgan and passed unanimously.

25 Welborn made a motion to accept the minutes with corrections noted. White seconded the motion. The following votes were cast:

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

30 **Appointments/Public Hearings/Plats**

Appointment with Lakefest Committee Representative Regarding the 1994 Lakefest and Take Any Necessary Action

35 Paul Morelan met with the Council regarding plans for the proposed 1994 Lakefest. He indicated that plans being considered would include activities for the 4th of July celebration such as cycling events, craft fairs, etc. and that the Lakefest Committee would be seeking involvement with area businesses for ideas. He stated that the committee would return to the Council with specific plans and any requested participation by the City.

40 **Appointment with James Greenwalt, Planning and Zoning Commission Chairman, Regarding Planning and Zoning Commission Report**

James Greenwalt summarized the planning and zoning cases scheduled before Council.

45 **P&Z 93-41-CUP Hold a Public Hearing and Consider Approval of an Ordinance Granting a Conditional Use Permit for a residence as an accessory to a permitted use within the Central Business District classification for a property located at 106 S. San Jacinto, Rockwall, Texas (1st reading)**

50 Mayor Williams opened the public hearing regarding an ordinance granting a conditional use permit for a residence as an accessory to a permitted use within the Central Business District classification for a property located at 106 S. San Jacinto, Rockwall, Texas.

55 Beverly Jacobs, 106 S. San Jacinto, explained the request submitted for this property. She indicated that the request was for a temporary residence. No one else appeared before Council. Mayor Williams closed the public hearing.

60 Hatfield made a motion to approve the ordinance granting a conditional use permit for a residence as an accessory to a permitted use within the Central Business District classification with a two year review stipulation and a floor plan to be included as Exhibit "A". Pappa seconded the motion. The motion passed unanimously.

75 **P&Z 93-43-Z Hold a Public Hearing and Consider Approval of an Ordinance Granting an Amendment to Planned Development 5 to amend the approved land uses on two tracts of land from Multi-Family and General Retail uses to Single Family residential and Consider Approval of Conditions on a portion of PD-5 on Property Located North of Harris Heights Addition and East of SH-205 (1st reading) and Approval of a Preliminary Plat**

70 Couch commented on proposed development of land and reviewed the thoroughfare and park issues related to the proposed development. Ron Black with Kimley-Horn & Associates, consultants for the City, reviewed the study they completed regarding an amendment to the thoroughfare plan as it pertains to this property. He indicated that their review of the densities planned for this area and the proposed road system would allow the downgrade of a proposed 4 lane divided roadway to a 4 lane undivided collector. He also recommended that the collector ultimately be extended to intersect SH-66 rather than the future bypass. Some additional recommendations to revise the thoroughfare plan were noted by Mr. Black. Council discussed the need for an arterial connection from the bypass to SH-205, the distance between arterial roadways, and the need to ensure that other existing streets in the area are not overloaded in the future.

80 Dan Boutwell, consultant for the City, discussed the Master Park Plan as it relates to the proposed project. He summarized the Park Plan prepared for "PD-5" which included a multi-purpose trail system with bicycle, jogging and equestrian widths, activity stations, and passive area to provide playground equipment, picnic tables, and unorganized playing fields. He also reviewed how the revised road system worked with the park plan.

85 Mayor Williams opened a public hearing regarding approval of an ordinance granting an amendment to Planned Development 5 to amend the approved land uses on two tracts of land

30 from Multi-Family and General Retail uses to Single Family residential and approval of conditions on a portion of "PD-5" on property located north of Harris Heights Addition and east of SH-205.

95 Harold Evans, consulting engineer, and Rob Whittle, developer/landowner, appeared before Council to answer any questions. There being no one else to speak Mayor Williams closed the public hearing.

100 Welborn made a motion to amend "PD-5" on the proposed 38.3 acre tract to change the approved land uses on a portion of the tract from Multi-Family and General Retail to Single Family with a minimum lot size of 7,500 sq.ft. and to approve the preliminary plat and proposed park plan concept noting that a facilities agreement for the park dedication will be drafted and that hearings will be held to amend the thoroughfare plan at the time the final plat is submitted. The motion was seconded by Todd White and passed unanimously.

105 **P&Z 93-45-CUP/Z** Hold a Public Hearing and Consider Approval of an Ordinance Granting conditional Use Permit for a Structure not meeting structural materials requirement (1st reading) and a Change in Zoning Classification for a Tract of Land Located at 2890 S. Goliad (1st reading) and Approval of a Preliminary Plat

110 Couch familiarized Council with the owner's intention to expand his facility on the existing property. Applicant sought an approval of the site plan and the preliminary plat for the existing facility in conjunction with a conditional use permit allowing the existing office building which is located on that lot be increased in size from 5,000 sq.ft. to 7,600 sq.ft. In addition, the applicant wished to zone a portion of the adjacent lot to the south of the property as Heavy Commercial to allow for storage of trucks/equipment. Couch commented on the policy of requiring escrow from the developer at the time of preliminary platting and indicated that the applicant wished to have that requirement waived.

115 Mayor Williams opened the public hearing.

120 Gary Amerson, President of Texas Star Express, 2890 S. Goliad, summarized his request due to company's growth.

No one else appeared before Council. Mayor Williams closed the public hearing.

125 Following Council discussion regarding the escrow policy for roadway improvements and the waiver request, Welborn made a motion to approve the site plan and preliminary plat on the existing lot; to grant a conditional use permit for expansion of the existing building from 5,000 sq.ft. to 7,600 sq.ft.; and to approve a zoning change from Commercial and Agricultural on the property south of the existing site to Heavy Commercial, with the provision that the City and the owner enter into a facilities agreement to provide that the owner escrow funds for the improvement to Mims Rd. at the time the City is ready to construct the improvements. Todd White seconded the motion, which passed unanimously.

P&Z 93-38-Z Hold a Public Hearing and Consider Approval of an Ordinance Granting an Amendment to "PD-13" Planned Development to amend the required minimum lot depth for property located at Windmill Ridge Estates subdivision located on FM 3097 (1st reading) and Approval of a Preliminary Plat

Couch summarized the request and indicated that the developer had revised the plan to bring all lots in conformance with the zoning ordinance. She also indicated that the Planning and Zoning Commission had not had an opportunity to review the revised site plan. Hatfield moved to remand the case back to the Planning and Zoning Commission for their review at the next Planning and Zoning meeting to be held on January 13, 1994. Pappa seconded the motion. After further discussion a vote on the motion was called, the following votes were cast:

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

The Mayor opened the public hearing to receive input from citizens regarding the amendment to "PD-13" Planned Development and indicated that citizens could speak at this meeting or wait and speak when the case is brought back to the Council on January 17, 1994.

No one appeared in regard to the hearing.

P&Z 93-42-P/FP Discuss and Consider Approval of a Request from Fox Chase Development for a Preliminary Plat/Final Plat for Fox Chase Development Corp. located at SH-740

City Manager reviewed the request with Council and indicated that the plat met all city requirements. Councilmember Morgan moved to approve the preliminary plat/final plat for Fox Chase Development. After discussion by Council the motion was seconded by Pappa and passed unanimously.

City Manager's Report

Julie Couch, City Manager, presented the monthly manager's report for December 1993. She reviewed police activity; proposed setting a worksession date on SH-205 for January 24, 1994 at 7:00 p.m. in the Council Chambers; explained the process for selecting a Volunteer Fire Chief; reported on the initiation of Lakeshore/Summit Ridge traffic control devices; and reviewed the preliminary report on Building Permits for the months of November and December. The Council agreed to the January 24 worksession date.

Chief Watkins explained the police activity including arrests, offenses and 9-1-1 hang up calls. Mayor Williams read two letters commending officers' community involvement and service.

Chief Watkins commented on the "Toys for Tots" program in which 600 area children were helped.

Action/Discussion Items

30 **Discuss and Consider Adoption of a Resolution Accepting a Bid for the Purchase of the City's Public Property Finance Contractual Obligations, Series 1993; and resolving Other Matters Incident Thereto (2nd reading)**

185 David Medanich with First Southwest discussed the bids received. He recommended awarding the bid to Community Bank, the apparent low bidder. Morgan made a motion to approve the resolution to accepting the recommended bid. The motion was seconded by Bruce Oppermann and passed unanimously.

190 **Discuss and Consider Adoption of an Ordinance Authorizing the Issuance and Sale of City of Rockwall, Texas, Public Property Finance Contractual Obligations, Series 1993; Levying a Tax in Payment Thereof; and Enacting Other Provisions Relating Thereto (2nd reading)**

195 Hatfield made a motion to adopt an ordinance authorizing the issuance and sale of City of Rockwall, Texas, Public Property Finance Contractual Obligations, Series 1993; levying a tax in payment thereof; and enacting other provisions relating thereto. White seconded the motion. The motion passed unanimously.

Discuss and Consider Park Board Recommendation Regarding Process to Develop Position on the City of Dallas' Lake Ray Hubbard Master Plan and Take Any Necessary Action

20 Rick Crowley outlined the Park Board proposal for developing a position regarding input into the City of Dallas' Lake Ray Hubbard Master Plan. He indicated that the Park Board recommended a joint workshop session with City Council, Planning and Zoning Commission, and Park Board to aide in identifying issues, setting goals and objectives, and finalizing position to be taken with Dallas.

205 After Council discussion, a workshop date was scheduled for Thursday, February 3, 1994 at 6:00 p.m.. It was indicated by staff that backup information will be sent to Council as it becomes available.

210 **Discuss Design Concepts for 1.0 MG Elevated Water Storage Tank and Take Any Necessary Action**

215 Julie Couch advised Council that the meeting held for interested citizens input yielded no response. She proposed a council worksession for Monday, January 10, 1994 to discuss design considerations for the water tower. This date was agreed upon.

Discuss Draft Capital Improvement Plan and Take Any Necessary Action

20 Couch reviewed the draft CIP, outlining the list of projects to be forwarded to the Capital Improvement Program Task Force for consideration. After discussion, it was the consensus of

Council that the CIP Task Force be allowed to review and develop recommendations to the City Council on all of the listed projects proposed by staff. Staff will provide informational data and Council concerns to the Task Force to aide in their deliberation.

225 The City Council convened into executive session at 10:08 p.m.

**Hold Executive Session Under Sections 551.074 and 551.072 V.A.C.S. to Discuss:
a) Personnel Regarding Historic Preservation Advisory Board, b) Personnel Regarding
230 Median Improvement Volunteer Coordinator, and c) Land Acquisition Regarding Future
Park Expansion**

The City Council reconvened into regular session at 10:50 p.m.

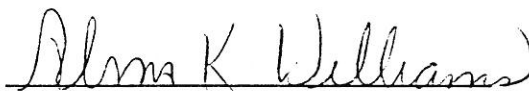
Take Any Necessary Action as a Result of the Executive Session

235

No action was taken as a result of executive session.

The City Council adjourned at 11:00 p.m.

240




Mayor

245

ATTEST:

250



City Secretary

**CITY OF ROCKWALL
City Council Agenda**

Agenda Item: January 3, 1994

Agenda No. V.D.

Agenda Item: **P&Z 93-45-CUP/Z** Consider Approval of an Ordinance Granting a Conditional Use Permit for a Structure not meeting structural materials requirement (2nd reading) and A Change in Zoning Classification from Commercial & Agricultural to Heavy Commercial Zoning Classification for a Tract of Land Located at 2890 S. Goliad (2nd reading)

Item Generated By:

Action Needed:

Motion to Approve

Background Information:

Attachments:

1. Background information
2. Copy of two ordinances

Agenda Item: P&Z 93-45-CUP/Z 2890 S. Goliad

Item No. V.D.

**City of Rockwall
City Council Agenda**

Agenda Date: December 20, 1993

Agenda Item: P&Z 93-45-2CUP/Z - Hold Public Hearing and Consider Recommending Approval for a Request from Texas Star Express for a Conditional Use Permit for a structure not meeting structural materials requirements and a change in zoning classification from Commercial & Agricultural to Heavy Commercial zoning classification. Discuss and Consider Recommending Approval of a Site Plan and Preliminary Plat for a tract of land located at 2890 S. Goliad.

Item Presented By: Texas Star Express

Action Needed: Hold Public Hearing and consider recommending approval of a zoning change from Commercial and Agricultural to Heavy Commercial HC. Consider recommending approval of a preliminary plat. Consider recommending approval of a conditional use permit.

Background Information:

The applicant is requesting a zoning change from C & A to HC in order to have outside storage. The applicant is proposing to build an addition to the existing structure which will be 2,500 square feet of additional floor space. The applicant is requesting a CUP so that he may build the addition with combustible materials. Since a new structure is being added to the existing structure, the property is being platted as a single lot subdivision. The preliminary plat of this subdivision is being requested at this time. A portion of this plat is outside of the City limits and within Rockwall's ETJ. Adequate parking and landscaping is being provided as part of this application. The applicant is required to escrow one-half (1/2) of the cost to build that segment of Mims Road, which is within the City limits, and which fronts along the property proposed to be platted. The applicant is requesting the Council to consider waiving this requirement. This request was not presented to the Commission for their review and recommendation. The Council may elect to act on this request at this time or send this request back to the Commission for their review. Their escrow recommendations would be included along with the final plat recommendations.

Recommendation: The Commission recommends approval of the zoning change from C & A to HC, approval of the preliminary plat and approval of the conditional use permit.

Attachments:

1. PRG Memorandum from Dan Boutwell, AICP.
2. Site Plan
3. Zoning Maps

Agenda Item: PZ-93-38-Z - Shepherd Place Homes

**CITY OF ROCKWALL
City Council Agenda**

Agenda Item: December 20, 1993

Agenda No. V.E.

Agenda Item: P&Z 93-45-CUP/Z Hold a Public Hearing and Consider Approval of an Ordinance Granting a Conditional Use Permit for a Structure not meeting structural materials requirement (1st reading) and a Change in Zoning Classification from Commercial & Agricultural to Heavy Commercial Zoning Classification for a Tract of Land Located at 2890 S. Goliad (st reading)

Item Generated By:

Action Needed:

Background Information:

NOTE: Ordinances will be sent under separate cover.

Attachments:

1. Background information enclosed

Agenda Item: Pub. Hearing: Cup & Zoning Change 2890 S. Goliad

Item No. V.E.

**planning resources group**P.O. Box 370
Burleson, Tx., 76028
Tele: (817) 457-1107**MEMORANDUM**

TO: Dub Douphrate, P.E.
FROM: Dan C. Boutwell, AICP
SUBJECT: Conditional Use Permit for Texas Star Express
DATE: December 4, 1993

Comments:

1. The original structure located on this site is in compliance with the material requirement of the zoning ordinance. However, extension of the structure in the rear will cause the conditions for requiring combustible construction materials to be effective. The applicant requests a Conditional Use Permit to continue with this proposal.
2. This request is constant with other property similarly zoned in this area.

**planning resources group**P.O. Box 370
Burleson, Tx, 76028
Tele: (817) 467-1107**MEMORANDUM**

TO: Dub Douphrate, P.E.
FROM: Dan C. Boutwell, AICP
SUBJECT: Rezoning to HC - Heavy Commercial for Texas Star Express
DATE: December 4, 1993

Comments:

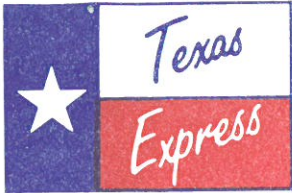
1. This site is currently zoned as A -Agriculture. The applicant is requesting to rezone the property as HC - Heavy Commercial for the purpose of having outside storage on site. The site adjoins the city limits line of the City of Rockwall.
2. The applicant has provided additional parking and landscaping for the site in accordance with the requirements of the City of Rockwall.
3. The use as requested by the applicant is consistent with adjacent zoned property. In addition, the applicant owns the adjacent zoned property. We would recommend approval of this request.

**MEMORANDUM**

TO: Dub Douphrate, P.E.
FROM: Dan C. Boutwell, AICP
SUBJECT: Preliminary Plat for Texas Star Express
DATE: December 4, 1993

Comments:

1. The applicant is requesting approval of a single lot subdivision. The property is currently being used as a trucking facility. New construction in the form of a proposed addition to the existing structure will require a building permit to be issued for this site. Subdivision regulations require that, prior to issuing a building permit, all property be platted.
2. The property being platted include the existing facility and new facilities to be constructed. The applicant proposes to include the entire property being used for this purpose. This will require that the platting include a portion of land located in the county, of which Rockwall has the ETJ.
3. We would recommend approval of this preliminary plat.



EXAS STAR EXPRESS

ICC MC 171142

December 17, 1993

Julie Couch
City Manager
City of Rockwall

Dear Ms. Couch:

Per our conversation, please allow this to serve as Texas Star Express' request that the City of Rockwall waive the escrow requirement for future expansion and improvement of Mims Road.

Thank you for your consideration.

Sincerely,


Gary W. Amerson
President

GWA/lh

90 from Multi-Family and General Retail uses to Single Family residential and approval of conditions on a portion of "PD-5" on property located north of Harris Heights Addition and east of SH-205.

95 Harold Evans, consulting engineer, and Rob Whittle, developer/landowner, appeared before Council to answer any questions. There being no one else to speak Mayor Williams closed the public hearing.

100 Welborn made a motion to amend "PD-5" on the proposed 38.3 acre tract to change the approved land uses on a portion of the tract from Multi-Family and General Retail to Single Family with a minimum lot size of 7,500 sq.ft. and to approve the preliminary plat and proposed park plan concept noting that a facilities agreement for the park dedication will be drafted and that hearings will be held to amend the thoroughfare plan at the time the final plat is submitted. The motion was seconded by Todd White and passed unanimously.

105 **P&Z 93-45-CUP/Z Hold a Public Hearing and Consider Approval of an Ordinance Granting conditional Use Permit for a Structure not meeting structural materials requirement (1st reading) and a Change in Zoning Classification for a Tract of Land Located at 2890 S. Goliad (1st reading) and Approval of a Preliminary Plat**

110 Couch familiarized Council with the owner's intention to expand his facility on the existing property. Applicant sought an approval of the site plan and the preliminary plat for the existing facility in conjunction with a conditional use permit allowing the existing office building which is located on that lot be increased in size from 5,000 sq.ft. to 7,600 sq.ft. In addition, the applicant wished to zone a portion of the adjacent lot to the south of the property as Heavy Commercial to allow for storage of trucks/equipment. Couch commented on the policy of requiring escrow from the developer at the time of preliminary platting and indicated that the applicant wished to have that requirement waived.

Mayor Williams opened the public hearing.

120 Gary Amerson, President of Texas Star Express, 2890 S. Goliad, summarized his request due to company's growth.

No one else appeared before Council. Mayor Williams closed the public hearing.

125 Following Council discussion regarding the escrow policy for roadway improvements and the waiver request, Welborn made a motion to approve the site plan and preliminary plat on the existing lot; to grant a conditional use permit for expansion of the existing building from 5,000 sq.ft. to 7,600 sq.ft.; and to approve a zoning change from Commercial and Agricultural on the property south of the existing site to Heavy Commercial, with the provision that the City and the owner enter into a facilities agreement to provide that the owner escrow funds for the improvement to Mims Rd. at the time the City is ready to construct the improvements. Todd White seconded the motion, which passed unanimously.



CITY OF ROCKWALL

"THE NEW HORIZON"

PUBLIC NOTICE

The Rockwall Planning and Zoning Commission will hold a public hearing on Thursday, December 9, 1993 at 7:00 P.M. in City Hall, 205 West Rusk, and the Rockwall City Council will hold a public hearing on Monday, December 20, 1993 at 7:00 P.M. in City Hall, 205 West Rusk, Rockwall, Texas to consider approval of a request from Texas Star Express for a change in Zoning from Commercial to Heavy Commercial and approval of a Conditional Use Permit for a structure not meeting the non combustibile structural requirements of the Heavy Commercial Zoning District classification for property located on SH 205, Rockwall, Texas and further described on the attached exhibit.

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 93-45-Z

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

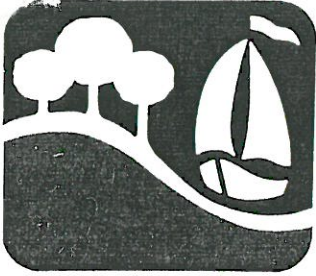
I am opposed to the request for the reasons listed below _____

- 1.
- 2.
- 3.

Signature _____

Address _____

PZ-PUBLICNOTICEFORM.FRM



CITY OF ROCKWALL

"THE NEW HORIZON"

DEC 14 1993

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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 *Max Schmid*

Address P.O. Box 2347
GARLAND, TX 75041

PZ-PUBLICNOTICEFORM.FRM

93-45-CUP/Z

To consider approval of a request from Texas Star Express for a Conditional Use Permit for a structure not meeting structural materials requirements and a change in Zoning from Commercial & Agricultural to Heavy Commercial zoning classification for a tract of land located at 2890 S. Goliad and more particularly described as follows: Lot 1 Block A, Iglesia Bautista Del Lago Addition.

BEING a tract of land situated in the J.R. JOHNSON SURVEY, ABSTRACT NO. 128, City of Rockwall, Rockwall County, Texas, and being part of a 5.00 acre tract as recorded in Volume 757, Page 143, Real Estate Records of Rockwall County, Texas, and further being part of LOT 1 of Iglesia Bautista Del Lago Addition, an Addition to the City of Rockwall, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a point on the North line of Iglesia Bautista Del Lago Addition, said point being S. 48°33'28"W., a distance of 170.70 feet from the North corner of said Addition, a point for corner;

THENCE, S.48°33'28"W., a distance of 154.30 feet to the City Limits of Rockwall, a point for corner;

THENCE, S.41°30'00"E., along the City Limits of Rockwall, a distance of 349.70 feet to a point on the Southeast line of said 5.00 acre tract, a point for corner;

THENCE, N.48°30'00"E., along the Southeast line of said 5.00 acre tract, a distance of 154.30 feet to a point for corner;

THENCE, N41°30'00"W., a distance of 349.54 feet to the PLACE OF BEGINNING and containing 1.238 acres of land.

BEING a tract of land situated in the J.R. JOHNSON SURVEY, ABSTRACT NO. 128, Rockwall County, Texas, and being a part of a 40.00 acre tract of land described in Deed to Ladd Properties Ltd., filed for Record January 25, 1984, and recorded in Volume 189, Page 65, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at ½" iron rod found at the intersection of the South line of Mims Road, a 55 foot right-of-way, with the Southwest line of State Highway No. 205, a 120 foot right-of-way;

THENCE, S.41°30'00"E. a distance of 322.20 feet with said

Southwest line to a ½" iron rod found for corner;

THENCE, S.48°33'28"W., a distance of 442.35 feet to a cross cut in concrete at the base of a chain line fence corner post for a corner;

THENCE, N.41°26'32"W., a distance of 220.00 feet to a ½" iron rod set for a corner;

THENCE, N.17°03'40"W., a distance of 166.51 feet to a ½" iron rod found for a corner at an angle point;

THENCE, N.00°55'21"E., a distance of 215.00 feet to a ½" iron rod set for a corner on the South line of Mims Road;

THENCE, S.89°04'39"E., a distance of 309.14 feet with said South line to the POINT OF BEGINNING and containing 183,124 square feet or 4.2040 acres of land.

TEXAS
STAR
EXPRESS

Rockwall County Appraisal Dist
THE SOFTWARE GROUP, INC.

D SYSTEM
JARY ROLL FOR:

OWNER NAME AND ADDRESS

EXEMPTI

R11293 (12073) 0127-0000-0001-01-OR DALTON MABLE MRS BOX 237 ROCKWALL, TX 75087	A0127 C W JONES, TRACT 1-01, ACRES 36.92, (PT OF 44.92 AC TR) LAND SPTB: D1
R11294 (11160) 0127-0000-0001-02-OR BRYANT NANCY M BOX 670 ROCKWALL, TX 75087	C W JONES AB 127 TR 1-2 23.817 AC LAND SPTB: D3
R11295 (49723) 0127-0000-0002-00-OR GOLD HILL CORPORATION 3000 EAST PARKER RD PLANO, TX 75074	A0127 C W JONES, TRACT 2, ACRES 8.119 LAND SPTB: D3
R11298 (11164) 0128-0000-0002-01-OR DALLAS BAPTIST ASSOC INC 8001 EAST R L THORNTON FRWY DALLAS, TX 75228	A0128 J R JOHNSON, TRACT 2-01, ACRES 2.462, (PT OF 5 AC TR) SITUS: FM 205 2920 S. GOLIAD LAND SPTB: D4
R30860 (11126) 0128-0000-0002-03-OR SCHEID MAX TR P O BOX 472347 GARLAND, TX 75047	A0128 J R JOHNSON, TRACT 2-3, ACRES 6.286, (PT OF 44.330 AC TR) SITUS: FM 205 LAND SPTB: D1
R30969 (50902) 0128-0000-0002-04-OR BODFORD ALVIN M 3806 D'BRIANT PLACE GREENSBORO, NC 27410	A0128 J R JOHNSON, TRACT 2-4, ACRES 3.31, (PT OF 4.204 AC TR FKA LOT 1 BLK A RW 205 BP) SITUS: MIMS RD & HWY 205 LAND SPTB: F1, IMP. SPTB: F1
R30972 (20823) 0128-0000-0002-07-OR 710 PETERS COLONY ROCKWALL, TX 75087	A0128 J R JOHNSON, TRACT 2-7, ACRES 0.2410, (PT OF 2.276 AC TR FKA LOT 2-1 BLK A RW 205 BP) SITUS: NATIONAL DR LAND SPTB: C2
R11321 (11187) 0131-0000-0001-00-OR DAVIS GRANVILLE 3009 N GOLIAD ROCKWALL, TX 75087	A0131 S KING, TRACT 1, ACRES 4.4 SITUS: 3009 N GOLIAD LAND SPTB: A1, IMP. SPTB: A1
R11322 (11188) 0131-0000-0002-00-OR CARUTH W W JR - ESTATE OF 5803 GREENVILLE AVE DALLAS, TX 75206-2997	A0131 S KING, TRACT 2, ACRES 2.5, (PT OF 599.8 AC TR) LAND SPTB: A1, IMP. SPTB: A1

OWNER NAME AND ADDRESS	PROPERTY DESCRIPTION	EXEMPT
R10231 (10214) 0024-0000-0004-03-OR EVANS ROBERT J JR 1230 RIDGE RD ROCKWALL, TX 75087	A0024 N M BALLARD, TRACT 4-03, ACRES 1.588 SITUS: FM 276 & HIGH SCHOOL DR LAND SPTB: F2	
R10232 (22499) 0024-0000-0004-04-OR MYRE COMPANIES PO BOX 721 ROCKWALL, TX 75087	N M BALLARD SUR AB 24 TR 4-4 2.160 AC FRONTS I-30 SITUS: FRONTS I-30 LAND SPTB: F1, IMP. SPTB: F1	
R28053 (28128) 0024-0000-0004-05-OR ROCKWALL CHURCH OF CHRIST P O BOX 653 ROCKWALL, TX 75087	A0024 N M BALLARD, TRACT 4-5, ACRES ** EXEMI 5 LAND SPTB: C3	
R10233 (50096) 0024-0000-0004-06-OR THOMAS GARY A & JANICE A 9834 WOLF AVE CONIFER, CO 80433	N M BALLARD SURVEY AB 24 TR 4-6 0.896 AC FM 276 & HIGH SCHOOL DR SITUS: FM 276 & HIGH SCHOOL DR LAND SPTB: C2	
R29510 (28128) 0024-0000-0004-07-OR ROCKWALL CHURCH OF CHRIST P O BOX 653 ROCKWALL, TX 75087	A0024 N M BALLARD, TRACT 4-7, ACRES ** EXEMI 2.8939 LAND SPTB: C2	
R33827 (52547) 0024-0000-0004-08-OR LANDUA DAVID G & SHIRLEY J 3336 RUIDOSA DALLAS, TX 75228	A0024 N M BALLARD, TRACT 4-8, ACRES 1.827 SITUS: FM 276 & HIGH SCHOOL DR LAND SPTB: F2, IMP. SPTB: F2	
R10234 (50065) 0024-0000-0005-00-OR SWITZER PETROLEUM PRODUCTS P O BOX 940247 PLANO, TX 75094-0247	A0024 N M BALLARD, TRACT 5, ACRES .54 SITUS: FM 276 LAND SPTB: F1, IMP. SPTB: F1	
R10235 (10218) 0025-0000-0001-00-OR CAMBRIDGE COMPANIES 17440 DALLAS PKWY SUITE 103 DALLAS, TX 75287	BAIRD AB 25, CADLE AB65, TR 1. 99.62 ACS, (PT OF 268.54 AC TR) LAND SPTB: D4	
R10236 (10219) 0025-0000-0002-00-OR CAMBRIDGE COMPANIES 17440 DALLAS PKWY #103 DALLAS, TX 75252	BAIRD AB 25 & JOHNSON AB 123, TR 2, 168.22 ACS, (PT OF 268.54 AC TR) LAND SPTB: D3	

OWNER NAME AND ADDRESS	PROPERTY DESCRIPTION	EXEMPT
R10237 (10555) 0025-0000-0003-00-OR CAMBRIDGE COMPANIES 17440 DALLAS PKWY #103 DALLAS, TX 75287	A0025 W H BAIRD, TRACT 3, ACRES 0.7, (PT OF 268.54 AC TR) LAND SPTB: C1	
R10238 (10221) 0025-0000-0005-00-OR CHAPEL VIEW ATT: B MCNIGHT 2911 TURTLE CREEK BLVD SUITE 1400 DALLAS, TX 75219	A0025 W H BAIRD, TRACT 5, ACRES 18.540, (PT OF 173.61 AC TR) LAND SPTB: E1, IMP. SPTB: E1	