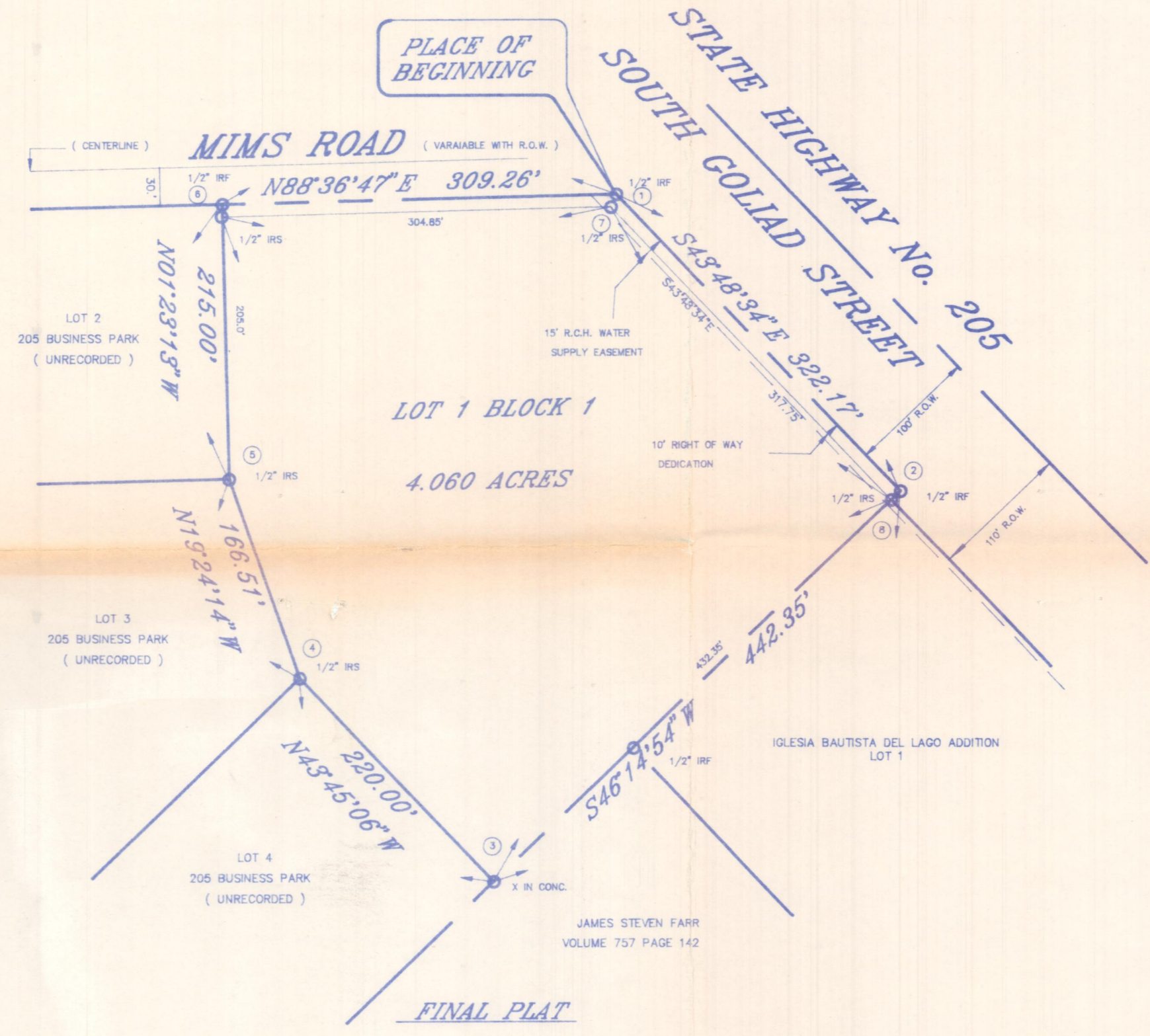


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6	7014954.6702	2601280.2454		
7	7014952.0514	2601585.2460		
8	7014722.7494	2601805.2107		



**FINAL PLAT**  
**TEXAS STAR ADDITION**  
CITY OF ROCKWALL  
J.R. JOHNSON SURVEY ABSTRACT No. 128  
ROCKWALL COUNTY TEXAS  
**OWNER**  
ALVIN M. BODFORD  
2890 SOUTH GOLIAD 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 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 OF 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.

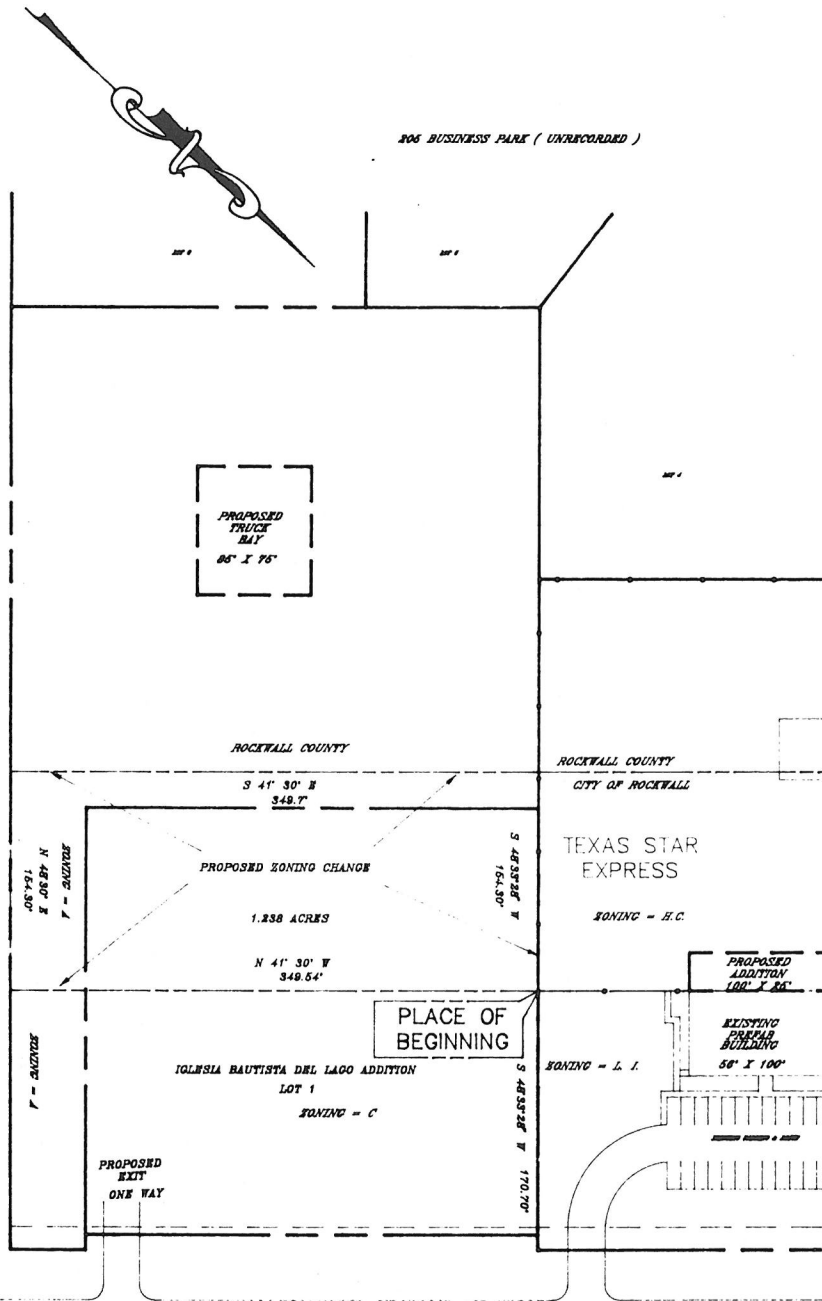
THIS APPROVAL SHALL BE INVALID UNLESS THE APPROVED PLAT FOR SUCH ADDITION IS RECORDED IN THE OFFICE OF THE COUNTY CLERK OF ROCKWALL COUNTY, TEXAS, WITHIN ONE HUNDRED AND TWENTY (120) DAYS FROM SAID DATE OF FINAL APPROVAL.

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

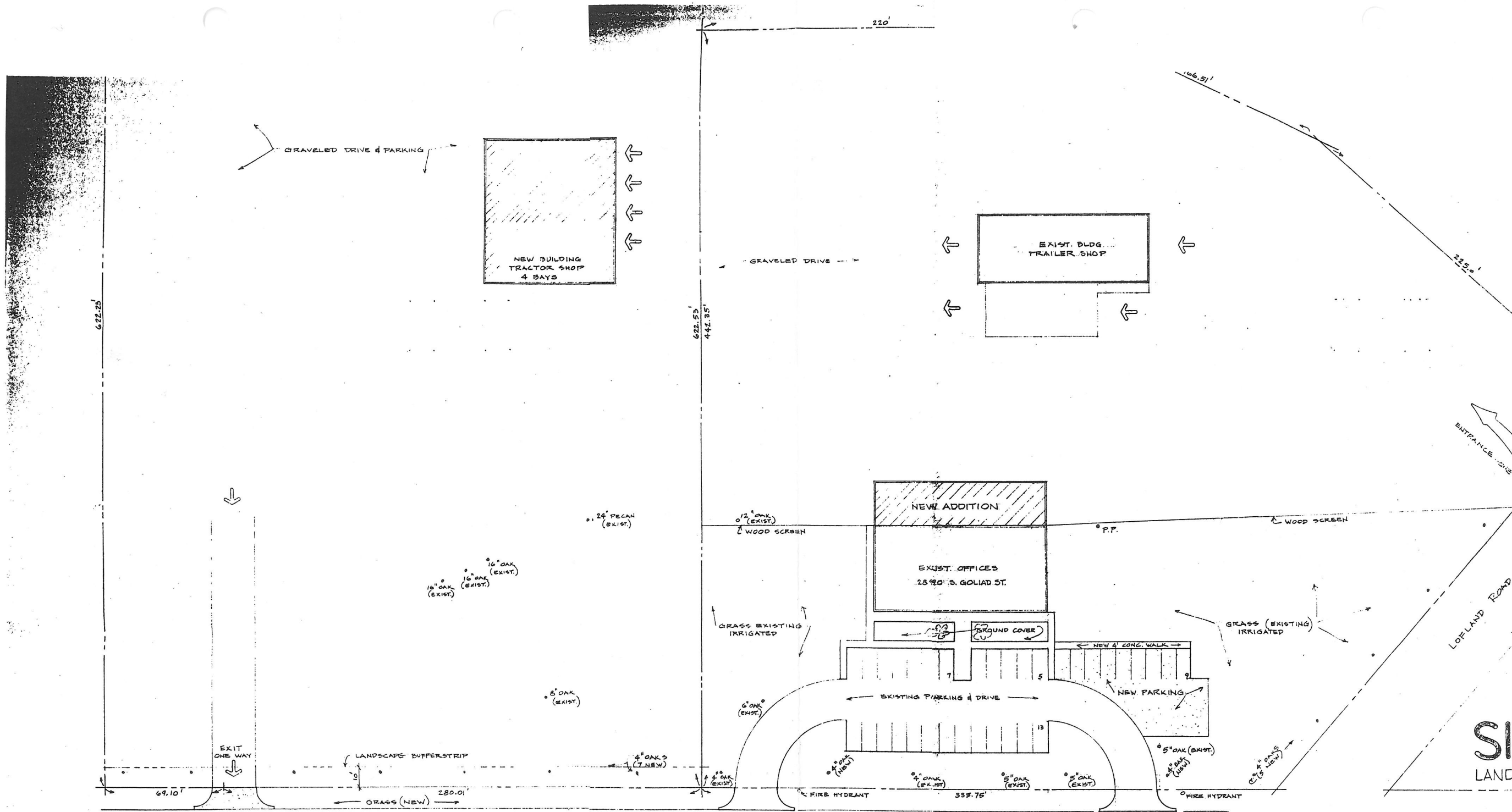
\_\_\_\_\_, MAYOR, CITY OF ROCKWALL, TEXAS      \_\_\_\_\_, CITY SECRETARY, CITY OF ROCKWALL, TEXAS



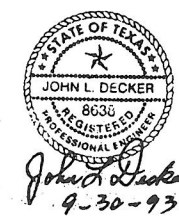
# EXHIBIT " A "





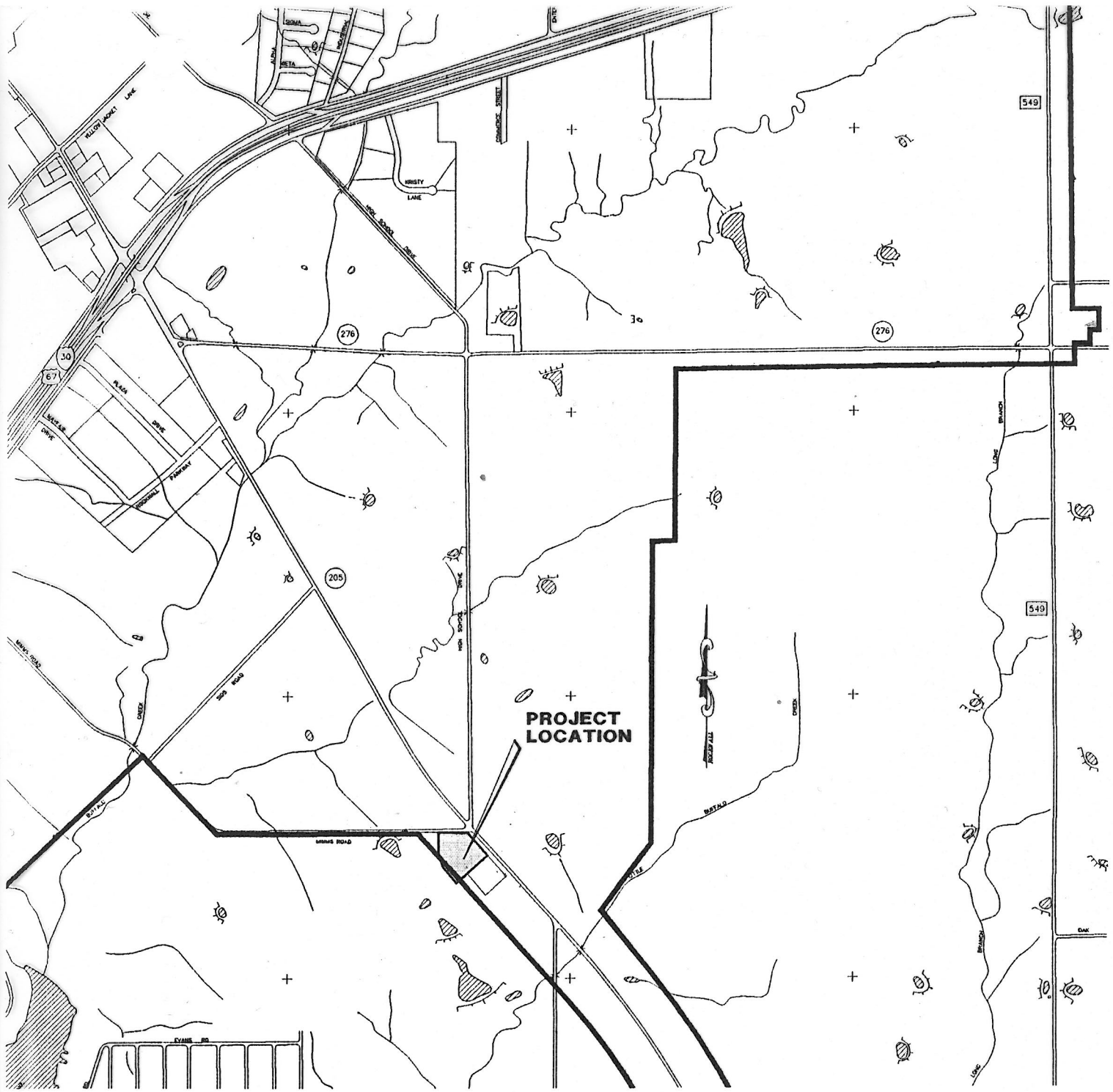


S.H. 205;



ADDITION TO <b>TEXAS STAR EXPRESS</b> TELE. 214-771-5655 2890 S. GOLIAD ST.      ROCKWALL, TX.		<b>DECKER</b> CON TEL P.O. BOX 183
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**City of Rockwall  
Planning and Zoning Agenda**

**Agenda Date:** January 13, 1994

**Agenda Item:** P&Z 93-56-FP - Consider recommending approval of a request from Texas Star Express for a Final Plat of a tract of land located at 2890 S. Goliad.

**Item Presented By:** Applicant, Texas Star Express

**Action Needed:** Consider recommending approval of a final plat described as Texas Star Express located at 2890 S. Goliad.

**Background Information:** The final plat is being requested at this time which is a single lot subdivision. A portion of this plat is outside of the City Limits of Rockwall.

**Recommendation:** Staff recommends approval of the final plat provided the following conditions are met:

1. That the applicant will indicate on the plat the location of the City Limits.
2. 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.

**Attachments:**

1. PRG memorandum from Dan Boutwell.
2. Site Plan.
3. Zoning Map.
4. Location Map.

**Agenda Item:** P&Z 93-56-FP



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:** P&Z 93-56-FP (Texas Star)  
**DATE:** January 7, 1994

*To  
Denise*

The applicant is requesting approval of a final plat. This plat is a one lot subdivision, which was approved in preliminary plat form recently. The final plat is in agreement with the approved preliminary.

The applicant should show the city limit line of the City of Rockwall on the plat.

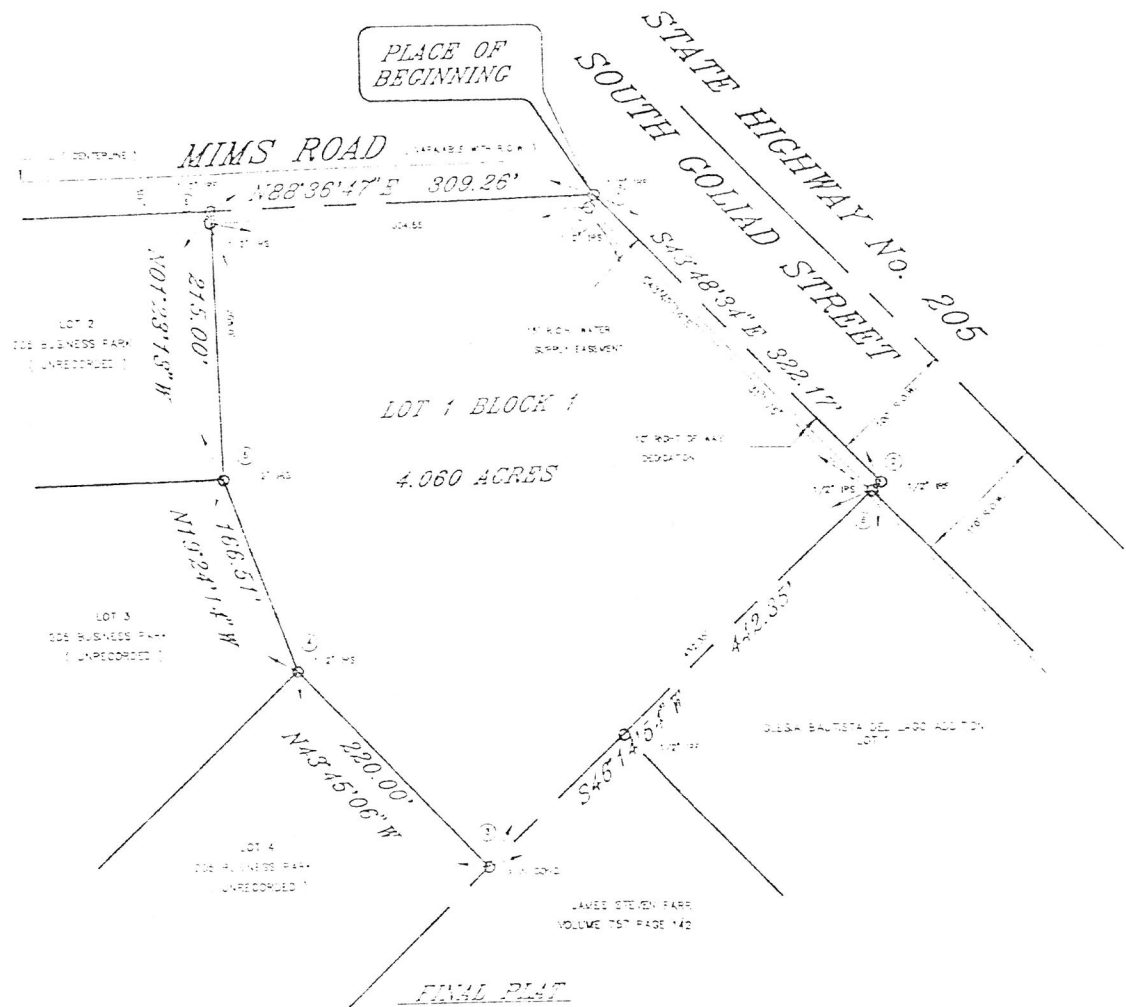
With the exception of the above reference comment, the final plat is in compliance with the Subdivision Regulations of the City of Rockwall.



GRAPHIC SCALE



( IN FEET )  
1 inch = 100 ft



**TEXAS STAR ADDITION**

PARTICULARS DESCRIBED AS FOLLOWS:

BEING 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 SAID 4.060 ACRE TRACT, A 1/2" IRON ROD FOUND FOR CORNER.

THENCE, S43° 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, S46° 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, N43° 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, N1° 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, N1° 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, N1° 58' 36' 47" E., ALONG THE SOUTH LINE OF MIMS ROAD, A DISTANCE OF 309.26 FEET TO THE PLACE OF BEGINNING AND CONTAINING 4.060 ACRES OF LAND.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT ALVIN M. BODFORD, BEING OWNER OF A TRACT OF LAND DOES HEREBY OFFER THIS PLAT DESIGNATING THE HERE ABOVE DESCRIBED PROPERTY AS A FINAL PLAT, TEXAS STAR ADDITION, LOT 1, OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, AND ALLEYS SHOWN THEREON, HEREBY RESERVING THE RIGHT-OF-WAY AND EASEMENT STRIPS SHOWN ON THIS PLAT FOR THE PURPOSES STATED AND FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PERSONS 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 THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS 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 ESTABLISHMENT OF GRADES ON STREETS IN THIS ADDITION. THE APPROVAL OF A PLAT BY THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, DOES NOT CONSTITUTE AN 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 ROCKWALL, ROCKWALL COUNTY, TEXAS OF THE ADEQUACY AND AVAILABILITY OF WATER FOR PERSONAL USE AND THE 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 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 PLACED UNDER MY PERSONAL SUPERVISION.

DANIEL A. SMITH, S.P.L.S. No. 4245

STATE OF TEXAS  
COUNTY OF ROCKWALL





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.



90 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.

James Greenwalt opened the public hearings.

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

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

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

James Greenwalt closed the public hearing.

105 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.

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.

Greenwalt open the public hearing.

125 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

5 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.

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

CITY OF ROCKWALL  
City Council Agenda

Agenda Item: January 17, 1994

Agenda No. V.I.

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

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

Agenda Item: P&Z 93-56-~~FP~~ Texas Star Express

Item No. V.I.



**City of Rockwall  
Planning and Zoning Agenda**

**Agenda Date:** January 13, 1994

**Agenda Item:** P&Z 93-56-FP - Consider recommending approval of a request from Texas Star Express for a Final Plat of a tract of land located at 2890 S. Goliad.

**Item Presented By:** Applicant, Texas Star Express

**Action Needed:** Consider recommending approval of a final plat described as Texas Star Express located at 2890 S. Goliad.

**Background Information:** The final plat is being requested at this time which is a single lot subdivision. A portion of this plat is outside of the City Limits of Rockwall.

**Recommendation:** Staff recommends approval of the final plat provided the following conditions are met:

1. That the applicant will indicate on the plat the location of the City Limits.
2. 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.

**Attachments:**

1. PRG memorandum from Dan Boutwell.
2. Site Plan.
3. Zoning Map.
4. Location Map.

**Agenda Item:** P&Z 93-56-FP



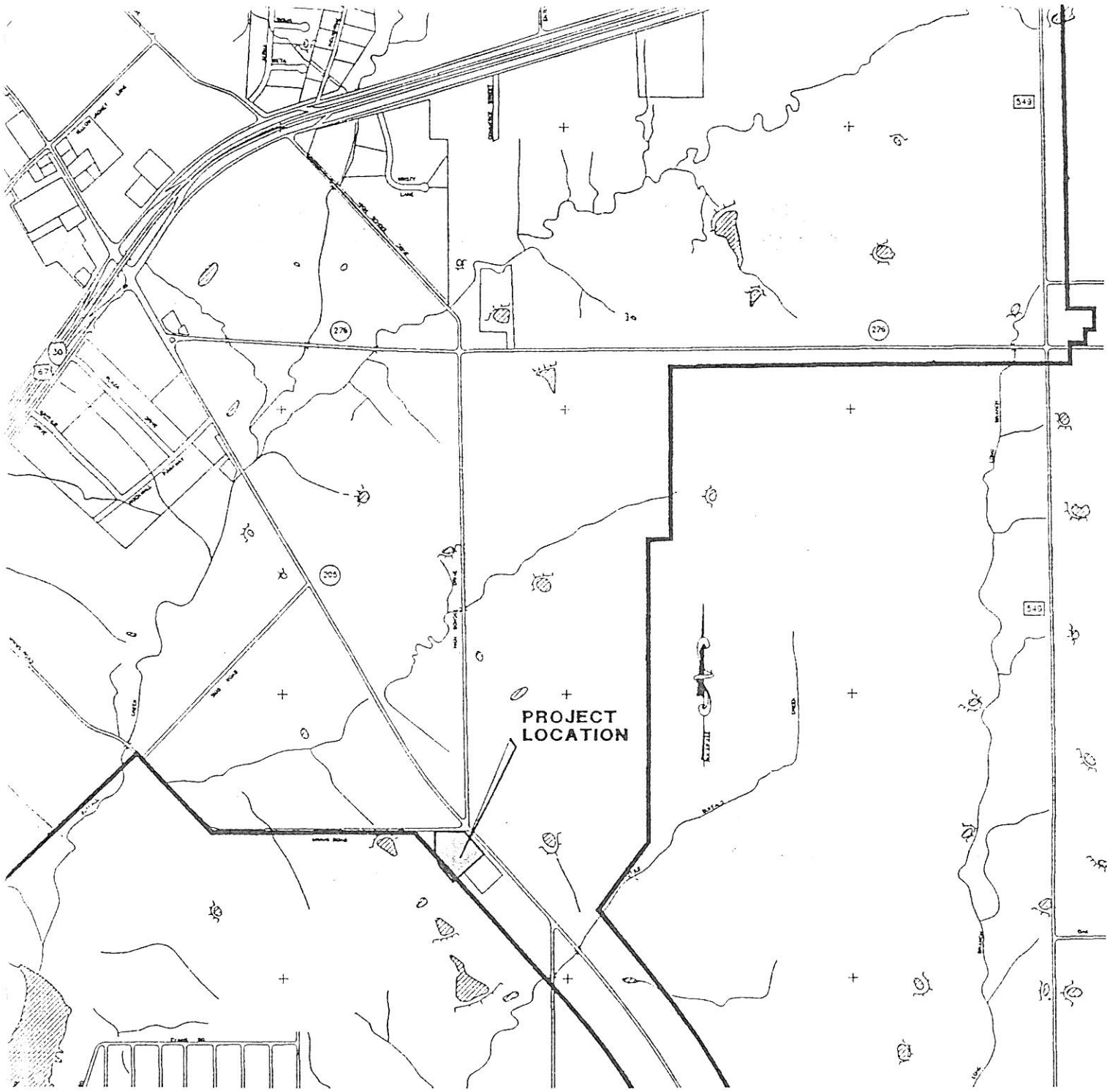
**MEMORANDUM**

**TO:** Dub Douphrate, P.E.  
**FROM:** Dan C. Boutwell, AICP  
**SUBJECT:** P&Z 93-56-FP (Texas Star)  
**DATE:** January 7, 1994

The applicant is requesting approval of a final plat. This plat is a one lot subdivision, which was approved in preliminary plat form recently. The final plat is in agreement with the approved preliminary.

The applicant should show the city limit line of the City of Rockwall on the plat.

With the exception of the above reference comment, the final plat is in compliance with the Subdivision Regulations of the City of Rockwall.







93-56-FP

**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.

1

**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.

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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  
improvement impediments were nearly completed. She informed Council that the County  
185 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 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  
195 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:


10 Ayes: Morgan, Pappa, White, Williams, Oppermann, Welborn  
Absent: Hatfield


**Adjournment**

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

APPROVED

215 ATTEST

  
\_\_\_\_\_  
Mayor *Pro Tem*

  
\_\_\_\_\_  
City Secretary



93-56-FP

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.

**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)**

35 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

65 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

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.

85 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)

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.

90 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**

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


APPROVED

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Mayor *PRO TEM*

ATTEST

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\_\_\_\_\_  
City Secretary

## PUBLIC NOTICE

The Rockwall Planning and Zoning Commission will hold a public hearing on Thursday, January 13, 1994 at 7:00 P.M., 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 the following requests:

1. A request from Kirby Albright for a change in zoning from "A", Agricultural to "PD", 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 Shadydale Lane and further described as follows:
2. A request from MAHR Development for a change in zoning from "PD-11", Planned Development No. 11 and "SF-10", Single Family District Classification to "PD" 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 Drive and south of Alamo Road and further described as follows:
3. A request from the Rockwall Independent School District for approval of a Conditional Use Permit for an elementary school location located on Dalton Drive west of SH-205 and further described as follows:
4. A request from Aline McElroy Wood for a change in zoning from "A" Agricultural to "LI" light Industrial District Classification on a tract of land located on the north side of I-30 east of Industrial Drive and further described as follows:
5. A request from Walker Rowe for a Conditional Use Permit for guest/servants quarters in a single family zoning district for 1110 Vail Court and further described as Block F, Lot 26 of the Pinnacle Addition.
6. A request from Lenmar Development for an Amendment to "PD-7" and "PD-18", Planned Development Districts to provide for a change in approved land uses to include single family, zero lot line, multifamily, and commercial uses, and approval of a preliminary plan, approval of area requirements and special conditions on approximately 80 acres of land located south of I-30 and west of FM-740 and further described as follows:

7. Approval of 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.
8. A request from Duane Lites for approval of a front yard fence for a lot located on 601 Parks Avenue.