

94-22-CUP

CITY OF ROCKWALL
205 West Rusk
Rockwall, Texas

APPLICATION FOR CONDITIONAL USE PERMIT

Case No. 94-22-CUP Date Submitted 9/2/94

Filing Fee \$ 125.00

Applicant Gaston and Gaston, Inc.

Address 1530 E H 30

Phone No. 214-771-1887

Rockwall, Texas 75087

Owner _____ Tenant 1

Prospective Purchaser 1

Legal description of property for which Conditional Use Permit is requested (if additional space is needed, the description may be typed legibly on a separate sheet and attached hereto) 2

See attached legal description

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

Sales, Service, Rental and Storage for R.V.'s

The current zoning on this property is Commercial see Ord. No 93-29 - att.
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.

Gaston and Gaston Inc
By Oona Gaston

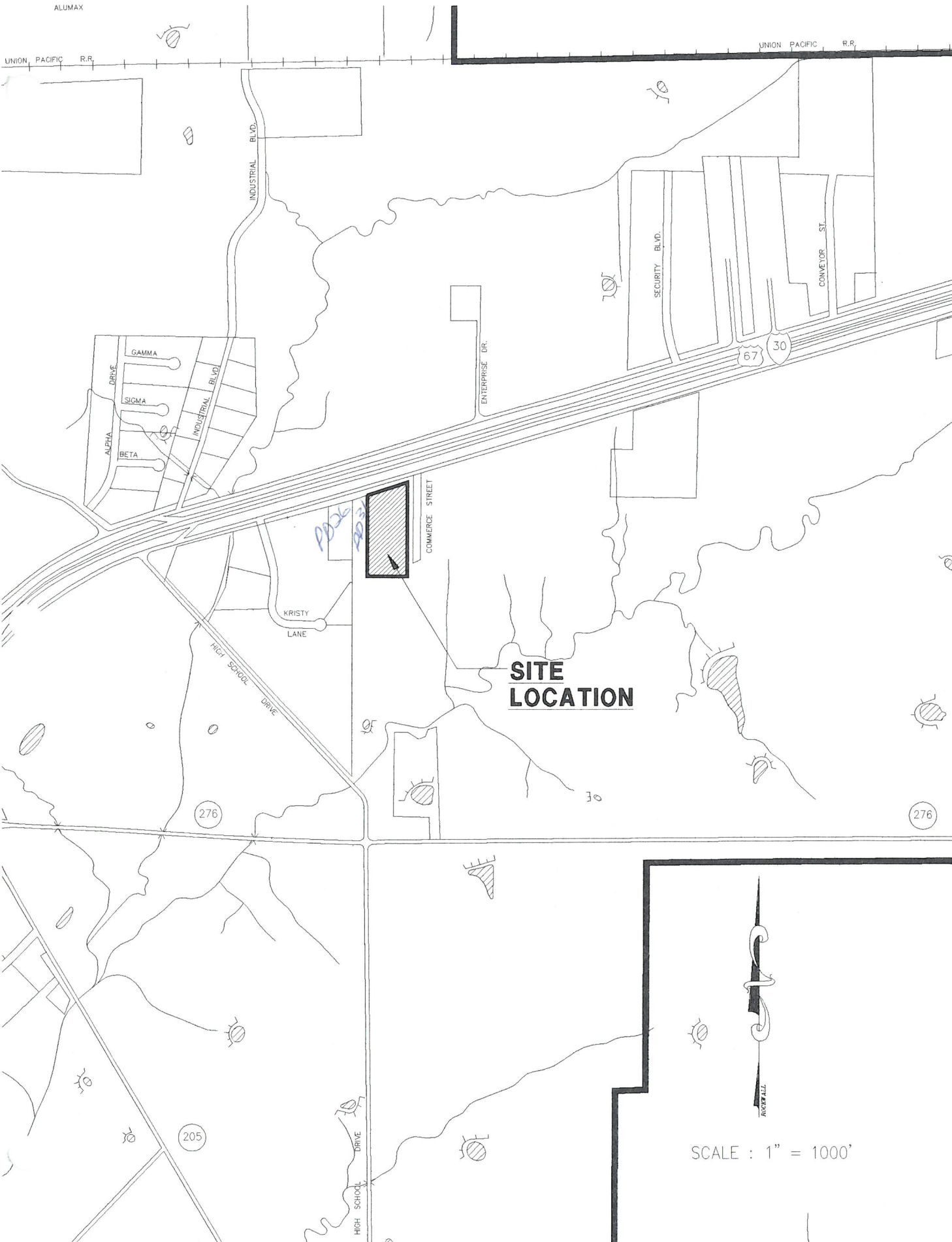
Gaston and Gaston, Inc
By: Oona Gaston

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

ALUMAX

UNION PACIFIC R.R.

UNION PACIFIC R.R.



**SITE
LOCATION**

SCALE : 1" = 1000'

COUNTY OF ROCKWALL

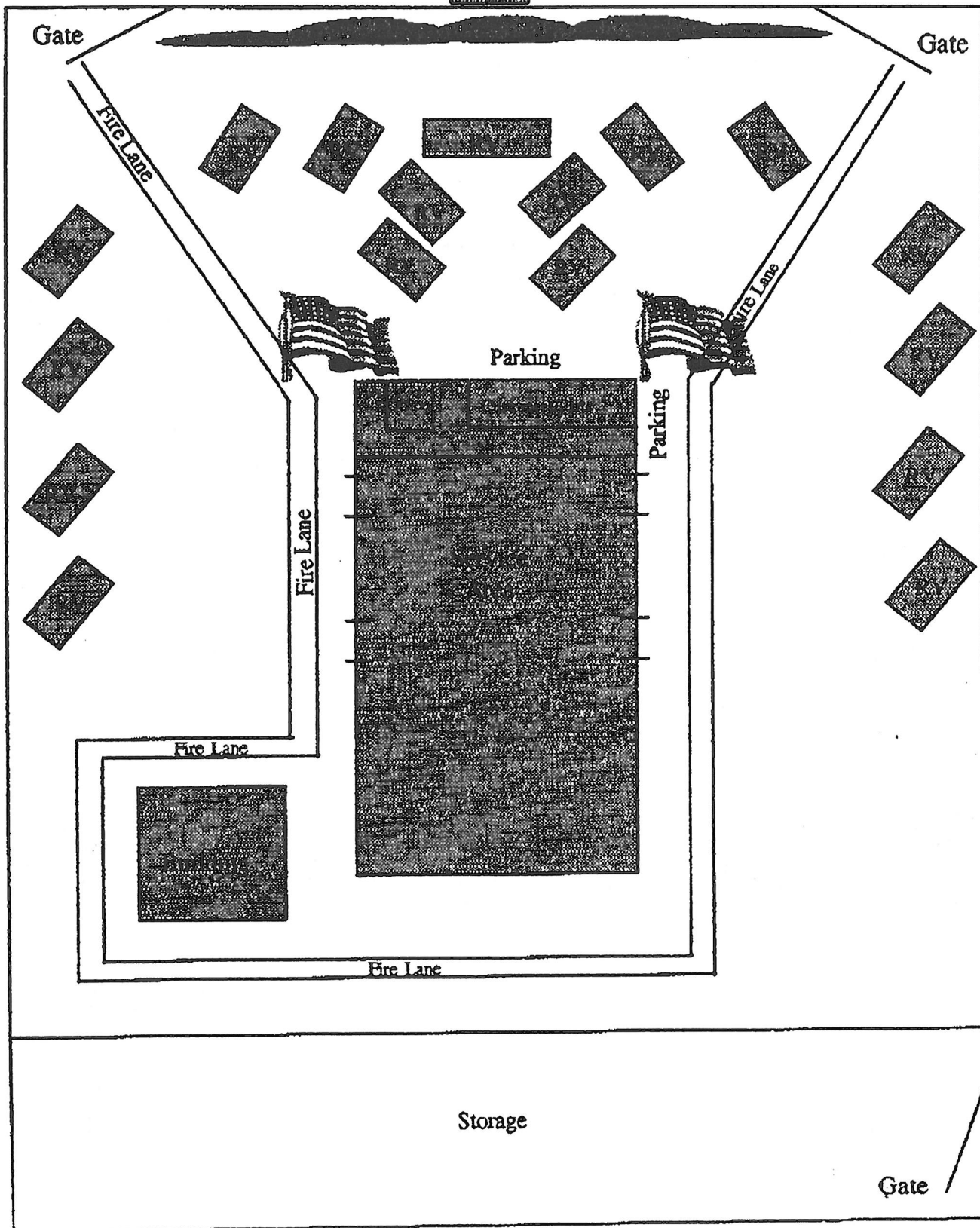
BEING a tract or parcel of land situated in the N. M. Ballard Survey, Abstract No. 24 and the A. Hanna Survey, Abstract No. 99, Rockwall County, Texas, and being a part of a 48.033 acre tract conveyed to Max Scheid, Trustee by deed recorded in Volume 103, Page 791, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a point for a corner on the South right-of-way line of Interstate 30 and the Northwest corner of said Scheid tract;
THENCE: North 73° 19' 25" East with said Interstate 30 a distance of 157.44 feet to a point for a corner;
THENCE: South 0° 07' 15" East a distance of 640.05 feet to a point for a corner;
THENCE: North 89° 52' 45" East a distance of 317.01 feet to a point for a corner;
THENCE: North 0° 07' 15" West a distance of 24.70 feet to a point for a corner;
THENCE: North 69° 27' 59" East a distance of 342.69 feet to a point for a corner on the East line of said Scheid tract;
THENCE: South 0° 08' East with the East line of said Scheid tract a distance of 1325.90 feet to a point for a corner in the center of Buffalo Creek;
THENCE: With the meanders of Buffalo Creek as follows: North 72° 52' 50" West a distance of 44.48 feet; South 67° 02' 01" West a distance of 68.09 feet; South 19° 17' 07" West a distance of 61.05 feet; South 59° 58' 38" West a distance of 55.77 feet; North 62° 29' 12" West a distance of 114.34 feet; South 86° 58' 02" West a distance of 119.21 feet; North 61° 19' 21" West a distance of 77.61 feet; South 59° 33' 11" West a distance of 76.96 feet; South 11° 03' 16" East a distance of 144.36 feet; South 17° 59' 10" West a distance of 122.19 feet; South 50° 11' 31" West a distance of 79.70 feet; South 40° 04' 28" West a distance of 49.45 feet; South 30° 03' 55" West a distance of 95.31 feet; South 69° 33' 04" West a distance of 53.48 feet; South 52° 19' 46" West a distance of 21.57 feet to a point for a corner on the East line of a County Road;
THENCE: North 34° 53' 47" West with said road a distance of 83.30 feet to a point for a corner;
THENCE: North 0° 04' 00" East with West line of said Scheid tract a distance of 2221.74 feet to the Point of Beginning and Containing 27.5 Acres of Land, more or less.

94-28-CUP

I-30

Access Road



94-23-CUP

DM-68-46
94-22-01P



5.00 AC.

CHURCH of CHRIST

5.00

INTERSTATE HIGHWAY 30.

317.01'

N 89° 52' 45" E

S 0° 07' 15" E

640.05'

173° 19' 28" E 157.44'

470.15' W

N 69° 27' 59" E

342.69'

30.0'



CUP Amendment

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

No. 032449

(214) 771-7700

Cash Receipt

Name Dora Gaston Date 9/2/94

Mailing Address _____

Job Address 1530 I-30 Permit No. _____

Check 4823 Cash Other

DESCRIPTION	Acct. Code	Amount	DESCRIPTION	Acct. Code	Amount
Building Permit	01-3601		Water Tap	02-3311	
Fence Permit	01-3602		10% Fee	02-3311	
Electrical Permit	01-3604		Sewer Tap	02-3314	
Plumbing Permit	01-3607		Water Availability	06-3835	
Mechanical Permit	01-3610		Sewer Availability	07-3836	
Municipal Pool	01-3402		Meter Deposit	02-2201	
Zoning, Planning, B.O.A.	01-3411	125-	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

TOTAL OF COLUMN

TOTAL DUE 125-

Received by [Signature]

11/92 5000

94-23-CUP

01 September 1994

City Council/Planning & Zoning
City Of Rockwall
Rockwall, Texas

To Whom It May Concern:

We at 4 Seasons RV intend to cover all aspects of recreational vehicle repair and service. We also plan to handle a full line of sales and rentals. In addition, our plans are to offer storage.

Through the course of this business, we will utilize the property in the approximate following manner:

Office	136 square feet
Service	4425 square feet
Customer area/parts	288 square feet
Storage (outside)	42,000 square feet
Parking/display (outside)	141,000 square feet
% Parking (outside)	5%

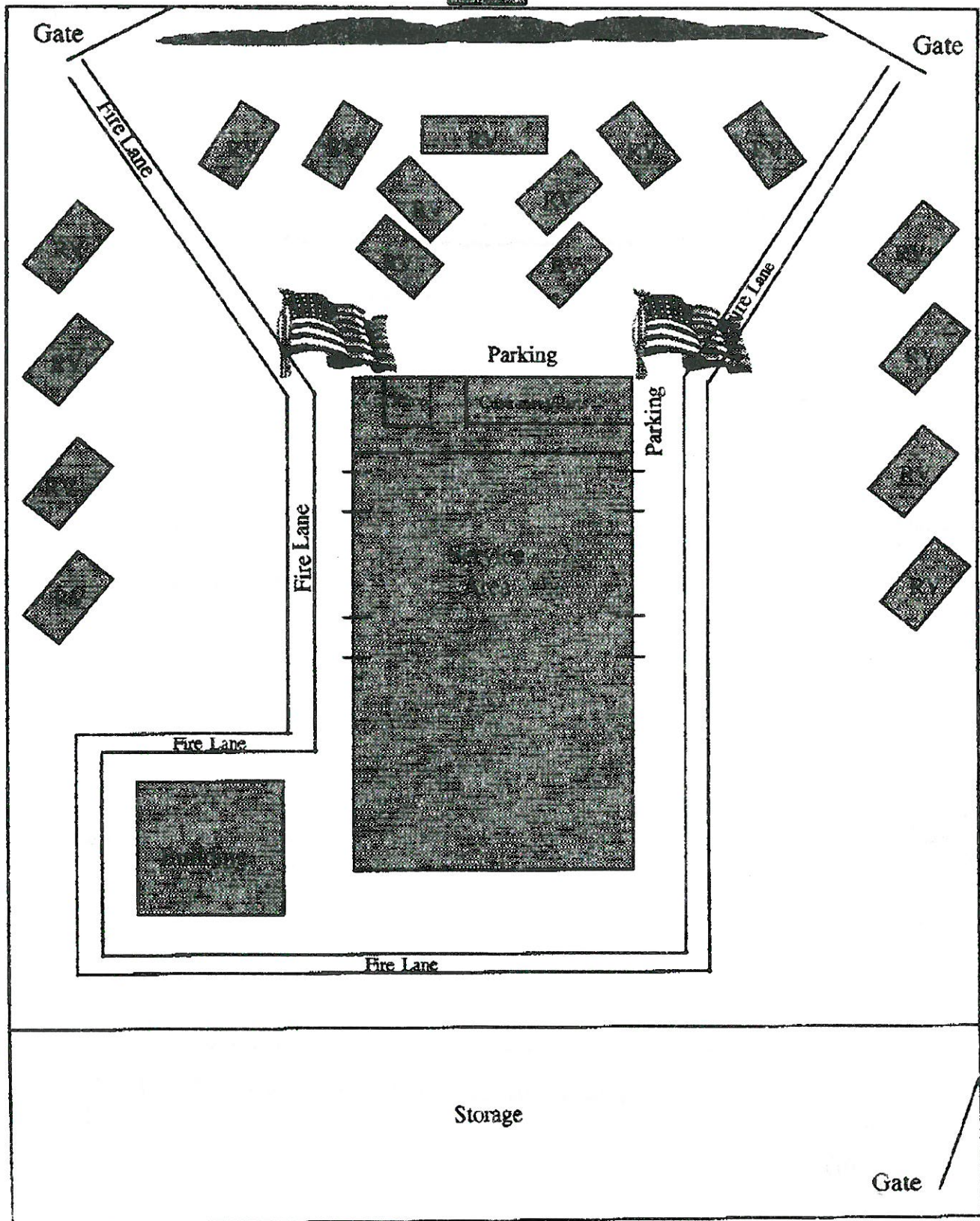
Sincerely,

Gregg Bootes
R.D. Friedrich
Will Ray

94-32-CUP

I-30

Access Road



94-23-CUP

71.5' W
4.70'

N 89° 52' 45" E

317.01'

N 69° 27' 39" E
342.69'

S 0° 07' 15" E

640.05'

N 73° 19' 25" E 157.44'

CHURCH of CHRIST

5.00

5.00 AC.

INTERSTATE HIGHWAY 30.

94-22-CUP

MEMORANDUM

TO: Dub Douphrate, P.E.
FROM: Dan C. Boutwell, AICP
SUBJECT: P&Z 93-22-CUP (Oona Gaston)
DATE: October 5, 1994

The applicant is requesting permission to allow outdoor display, sales, and service of RV (recreational vehicles). This site is currently zoned as Highway Commercial and retail sales and service is a permitted use if contained totally within the structure. However, the nature of this business requires the outdoor display and storage of the inventory, which consists of recreational vehicles of varying sizes and types. The site currently has an SUP that permits the sales and service of mobile homes and auction service. It is our opinion that the new use is sufficiently removed from the original that an amendment to the original CUP should be made. It is our recommendation that the Planning and Zoning Commission consider the following action:

1. Amend the original CUP to replace the current uses with a new use which will be "the outdoor display, sales, and storage of Recreational Vehicles".
2. Place a three (3) year time limitation on the CUP, with the stipulation that the applicant may petition the P&Z at the conclusion of the time period for an extension.
3. All stored recreational vehicles be located in the rear of the property behind a line parallel with the rear of the building.
4. All other stipulations of the original CUP shall apply.

If you have any comments or questions please do not hesitate to contact me.

Oona Gaston Property
1530 I-30

This property was annexed by the City of Rockwall in 1986.
At the time of annexation there was an existing auto auction use.

July 8, 1993

PZ-1993-28-Z

Planning & Zoning

Hold public hearing for zoning change from Ag to Hwy C and CUP for Outside display of large inventory items

ACTION - *Approved by PZ with 3 year review of CUP and 3 foot hedge to be planted.*

July 19, 1993

PZ-1993-28-Z

City Council

Hold public hearing for zoning change from Ag to Hwy C and CUP for Outside display of large inventory items

ACTION - *Approved by CC with conditions;*

All used structures stored in rear of property behind rear building.

Front 100' of property be used as display area with decorative fencing or other decorative materials

Waiver to parking lot standards for a period of three years. Reviewed at three years by PZ & CC.

August 2, 1993

City Council

Ordinance 93-28

ACTION - *Ordinance Approved*

October 5, 1994

Reviewed by Planning Consultant – Planning Resource Group

Suggested amending the CUP to have outdoor display of recreational vehicles sales, and storage

ACTION -

Three limitations on the CUP

All stored vehicles be located at the rear of the property behind the rear building line

October 13, 1994

P&Z Commission

PZ-1994-22-CUP

Hold public hearing to amend the CUP to allow outdoor display of recreational vehicles sales, and storage

Approved with consultants recommendations

October 17, 1994

City Council

PZ-1994-22-CUP

Hold public hearing to amend the CUP to allow outdoor display of recreational vehicles sales, and storage

Approved

All used structures stored in rear of property behind rear building.

Front 100' of property be used as display area with decorative fencing or other decorative materials

Waiver to parking lot standards for a period of three years. Reviewed at three years by PZ & CC.

November 7, 1994

City Council

1994-22-CUP

Ord 94-37

Second reading of ordinance

March 11, 1997

Planning & Zoning Commission

PZ-1997-17-CUP

Hold public hearing for CUP for Outside sales and display of large outdoor inventory.

Tabled until April 8, 1997

April 8, 1997

Planning & Zoning Commission

Discussion Item

No Action

August 12, 1997

Planning & Zoning Commission

Discussion Item

Action

Extended until January 1, 1998

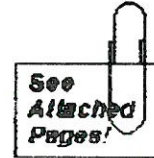
April 28, 1998

Planning & Zoning Commission

Discussion Item

94-22-CUP

Texas Instruments



Dallas/Expressway/S/C Building
Electro-Optics Technologies Center



214-995-5020



214-995-6778

Date:	9/6/94	Total # of pages including cover sheet:	3
To:	Dub Defrat	Recipient Fax:	771-7727
From:	Pat Friedrich 4-Seasons RV	Sender Fax:	995-6778

Comments:

Dub, attached you will find the requested letter and diagram of the property leased by 4-Seasons RV at 1530 E. I-30. If you have any questions or changes, I can be reached at 995-5020.

AGENDA

Planning And Zoning Regular Meeting
October 13, 1994
7:00 P.M.

I. CALL TO ORDER

II. APPROVAL OF MINUTES FROM THE SEPTEMBER 8TH AND 29TH MEETINGS

III. PUBLIC HEARINGS

94-22-CUP

Hold Public Hearing and Consider Recommending Approval of a request from Oona Gaston for an amendment to the Conditional Use Permit to allow outside display, sales and service of recreational vehicles on a 5 acre tract of land located at 1530 I-30.

94-21-PP/Z

Hold Public Hearing and Consider Recommending Approval of a Request from Neal Jones for an amendment to PD-8 Single Family to PD-8 Townhouse and Replat/Final Plat for the Sanctuary At Chandlers Landing.

94-24-PP/CUP

Hold Public Hearing and Consider Recommending Approval of a request from Brinker International for a Site Plan, Preliminary Plat, and Conditional Use Permit for a 1.433 acre located at east I-30 service road and east of FM-740.

94-25-RP

Hold Public Hearing and Consider Recommending Approval of a request from Robert Stark for a Replat of 6 lots located at Tyler and Denison Street.

IV. SITE PLAN/PLATS

94-23-FP/SP

A request from American National Bank for a Final Plat being Lot 1, Block 1 of the Steger Retail Addition located on the northeast corner of FM-3097 and FM-740

94-27-PP

A request from Rob Whittle for a Preliminary Plat for Fox Chase Phase IV located in the Fox Chase addition.

V. ADJOURNMENT

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

Posted this 10th Day of October, 1994 by Denise LaRue at 5:00 p.m.

**CITY OF ROCKWALL
PLANNING & ZONING AGENDA**

- Agenda Date:** October 13, 1994
- Agenda Item:** P-Z 94-22-Z Hold public hearing and consider recommending approval of a request from Oona Gaston for an amendment to the Conditional use Permit to allow outdoor display, sales & service of recreational vehicles on a 5 acre tract of land located at 1530 east I-30.
- Applicant:** Oona Gaston - Owner
- Action Needed:** Hold a public hearing and consider recommendation for approval.
- Background Information:** The current CUP filed of record allows for a manufactured home sales facility and auction sales facility. The applicant is requesting to amend the current CUP to allow for the outdoors display, and storage of the recreational vehicles. Property which is zoned Highway Commercial allows for retail sales and services if contained totally within the structure.
- Recommendations:** Staff recommends approval of the CUP amendment with the following conditions.
1. The uses outlined in the current CUP ordinance are to be replaced with a new use which will be the outdoors display, sales, and storage of Recreational Vehicles.
 2. The CUP is to be limited to 3 years with the stipulation that the applicant may petition the Planning & Zoning at the conclusion of the time period for an extension.
 3. The stored recreational vehicles are to be located at the rear of the property and placed behind a line parallel to the rear building wall.

Planning and Zoning Meeting Minutes
October 13, 1994

3

6

I. CALL TO ORDER

9

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

12

II. APPROVAL OF MINUTES FROM THE SEPTEMBER 8th AND 29th MEETINGS

15

Mr.Ewing made a motion to approve the minutes from the September 8th meeting with one correction. Mr.Raulston seconded the motion. The motion was voted on and passed 5 to 0. Mr.Friend abstained.

18

21

Mr. Ruff made a motion to approve the minutes from the September 29,1994 meeting. Mr.Raulston seconded the motion. The motion was voted on and passed unanimously.

III. PUBLIC HEARING

27

94-22-CUP Hold Public Hearing and Consider Recommending Approval of a request from Oona Gaston for an amendment to the Conditional Use Permit to allow outside display, sales and service of recreational vehicles on a 5 acre tract of land located at 1530 I-30.

30

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

33

Mr.Friend opened the public hearing.

36

Oona Gaston, applicant asked that the commission approve the request.

39

Mr.Friend closed the public hearing.

After much discussion, Mr.Ruff made a motion to approve the request with the following conditions;

42

The uses in the current CUP ordinance be replaced with the new use which will be the outdoors display, sales, service and storage of recreational vehicles.

The CUP will expire at the same date as the paving variance stipulation that the applicant may petition the Planning and Zoning at the conclusion of the time period for an extension.

3

The stored recreational vehicles for paid storage are to be located at the rear of the property and placed behind a line parallel to the rear building wall.

6

All other stipulations of the original CUP shall apply.

9

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

12

94-21-PP/Z Hold Public Hearing and Consider Recommending Approval of a Request from Neal Jones for an amendment to PD-8 Single Family to PD-8 Townhouse and Replat/Final Plat for the Sanctuary At Chandlers Landing.

15

Mr.Friend opened the public hearing.

18

Neal Jones, applicant addressed the Commission requesting approval of the amendment.

21

Cynthia Sea, 5516 Canada Court addressed the Commission stating she was opposed to the request.

Mr.Friend closed the public hearing.

Mr.Douphrate outlined the request recommending approval of the request.

27

After much discussion Mr.Ewing made a motion to approve the request with the following conditions;

30

The applicant is to show the 100 year flood plain delineation on the plat. The finished floor elevation of the triplex is to be a minimum of 2 feet above the 100 year base flood elevation.

33

Label the common area as Lot 4

Lot 4 is to be dedicated to Chandlers Landing and the Homeowners Association.

36

Mr. Ramsay seconded the motion. The motion was voted on and passed 5 to 1.

39

94-24-PP/CUP Hold Public Hearing and Consider Recommending Approval of a request from Brinker International for a Site Plan, Preliminary Plat, and Conditional Use Permit for a 1.433 acre located at east I-30 service road and east of FM-740.

42

Mr. Ewing removed himself from the public hearing stating conflict of interest.

Mr.Douphrate outlined the request recommending approval.

3 Mr.Friend opened the public hearing.

Gerg Clemco, applicant addressed the Commission asking for approval of the request.

6 Mr.Friend closed the public hearing.

9 After much discussion Mr.Ruff made a motion to approve the request from Brinker International for a Site Plan, Preliminary Plat, and Conditional Use Permit for a 1.433 acre located at east I-30 service road and east of FM-740.

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

15 94-25-RP Hold Public Hearing and Consider Recommending Approval of a request from Robert Stark for a Replat of 6 lots located at Tyler and Denison Street.

18 Mr. Douphrate outlined the request recommending approval of the request.

Mr.Friend opened the public hearing.

21 Robert Stark, applicant addressed the Commission asking for approval of the request.

Mr.Friend closed the public hearing.

27 After much discussion Mr.Ramsay made a motion to approve the request from Robert Stark for a Replat of 6 lots located at Tyler and Denison Street with the following conditions;

30 The applicant is to provide a 20' building setback along Star and Tyler street.

The applicant is to show the boundary of the existing 1.18 acre replat adjacent to the proposed .901 acre tract of land.

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

36 IV. SITE PLANS/PLATS

39 PZ-94-23-FP/SP Discuss and consider recommending approval of a request from American National Bank for a site plan and final plat of lot 1, block 1 of the Steger Retail addition.

42 Mr.Douphrate outlined the request recommending approval with several conditions.

Mr.Chris Cronin, applicant addressed the Commission asking for approval of the request.

3 Mr.Ewing made a motion to approve the request from American National Bank for a site plan and final plat of lot 1, block 1 of the Steger Retail addition with the following conditions;

6 The misspellings in the legal description are to corrected.

The applicant is to screen the transformer, air conditioning units, and the trash dumpster.

9 The trash dumpster is to be relocated to the rear of the property.

12 The applicant is to submit a landscaping plan for review and approval.

Approval of the final plat is contingent upon final engineering review and approval.

15 Placement of a sidewalk along FM-3097 and FM-740.

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

21 93-27-PP Discuss and Consider recommendations for approval of a request from Whittle Development for a preliminary Plat for Fox Chase Phase IV located east of FM-740 and north of Shadydale Lane.

Mr.Douphrate outlined the request and recommended approval of the

27 Mr.Whittle addressed the Commission asking for approval of the request.

30 Mr.Raulston made a motion to approve the request from Whittle Development for a preliminary Plat for Fox Chase Phase IV located east of FM-740 and north of Shadydale Lane with the following conditions;

33 The applicant is to submit a phasing plan for the entirety of the Fox Chase Development.

36 The applicant's engineer is to revise the utility layout indicating the segment of the existing sanitary sewer main to be abandoned.

39 The applicant is to provide a 1 acre temporary park recreation area to be used by the City until the permanent park site is dedicated to the City. The site location will be determined by the Park Board and applicant.

42 The applicant will be required to provide a left turn lane on FM-740 into the Fox Chase Development.

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

3

V. ADJOURNMENT

6 There being no further business, the meeting was adjourned at 9:15 p.m.

9

ATTEST:

APPROVED:

12

Community Development Coordinator

Planning & Zoning Commission Chairman

15

**CITY OF ROCKWALL
City Council Agenda**

Agenda Date: October 17, 1994

Agenda No. V.B.

Agenda Item: **PZ 94-22-CUP** Hold Public Hearing and Consider Approval of an Ordinance Granting a Request for an Amendment to the Conditional Use Permit to Allow Outside Display, Sales and Service of Recreation Vehicles on a 5 Acre Tract of Land Located at 1530 I-30 and Take Any Necessary Action (1st reading)

Item Generated By: Applicant, Oona Gaston

Action Needed:

Background Information:

Attachments:

1. Copy of P&Z Agenda Information
2. Copy of Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO GRANT A CONDITIONAL USE PERMIT FOR OUTSIDE DISPLAY OF LARGE INVENTORY ITEMS IN A HIGHWAY COMMERCIAL ZONING CLASSIFICATION ON A TRACT OF LAND DESCRIBED HEREIN; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, A Conditional Use Permit for outside display of large inventory items in a Highway Commercial Zoning Classification has been previously approved and certain amendments to the CUP have been requested by Oona Gaston for the property described on Exhibit "A" attached hereto; and

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

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

Section 1. That the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Conditional Use Permit for outside display of large inventory items in a Highway Commercial Zoning Classification on the property described on Exhibit "A" attached hereto and made a part hereof.

Section 2. That the Conditional Use Permit shall be subject to the following special conditions:

1. That the CUP is granted for the following use:
 - a. a recreational vehicle display, sales, service and storage facility
2. That the proposed uses shall comply with all conditions established in the Comprehensive Zoning Ordinance for such uses, except that the property is granted a waiver to the requirement that the area to be used for outside display

must be paved to City standards. Such waiver shall be granted until August 1, 1996, at which time the continuation of the waiver shall be reviewed by the Planning and Zoning Commission and City Council.

3. That the following conditions shall apply to the recreational vehicle sales, service and storage operation;
 - a. that all vehicles renting storage space shall be stored at the rear of the property behind a line parallel with the rear of the building.
 - b. that the property within 100 feet of the front property line to be used as display area be designated on the site with the use of decorative fencing or other decorative material.
 - c. that any significant change in the approved site plan or elevations, attached hereto and made a part hereof as Exhibit "A", must be submitted for approval by the Commission and City Council.
4. That Ordinance 93-29 is hereby repealed in its entirety.

Section 3. That the above described tract of land shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the city of Rockwall as heretofore amended, as amended herein by granting of this Conditional Use Permit and as may be amended in the future.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Comprehensive Zoning Ordinance No.83-23 of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

DULY PASSED AND APPROVED this _____ day of _____,
1993.

ATTEST

APPROVED

1st Reading _____

2nd Reading _____

EXHIBIT A

All that certain lot, tract or parcel of land situated in the N. M. BALLARD SURVEY, Abstract No. 24, and the A. HANNA SURVEY, Abstract No. 99, Rockwall County, Texas, and being a part of a 48.033 acre tract of land conveyed from Eva E. Tadlock, a widow, and C. W. Tadlock to Max Scheid, Trustee, by deed recorded in Volume 103, Page 791, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod on the South line of Interstate Highway 30 and on the North line of said 48.033 acre tract, said iron rod bears North, $73^{\circ} 19' 25''$ East, a distance of 157.44 feet from the intersection of the South line of said Highway and the West line of said 48.033 acre tract;

THENCE: North $73^{\circ} 19' 25''$ East, with said line of Highway a distance of 304.88 feet to a concrete highway marker for a corner;

THENCE: North $80^{\circ} 16' 15''$ East, continuing along said line of highway a distance of 25.12 feet to an iron rod found at the Northwest corner of a 5.000 acre tract of land described in a deed recorded in Volume 131, Page 405, Deed Records of Rockwall County, Texas;

THENCE: South $00^{\circ} 07' 15''$ East, traversing said 48.033 acre tract and with the West line of said 5.000 acre tract passing at 646.51 feet an iron rod at the Southwest corner of said 5.000 acre tract a total distance of 731.12 feet to an iron rod for a corner;

THENCE: South $89^{\circ} 52' 45''$ West, a distance of 317.01 feet to an iron rod for a corner;

THENCE: North $0^{\circ} 07' 15''$ West, a distance of 640.05 feet to the Point of Beginning and Containing 5.000 acres of land.

94-33-CUP

MINUTES OF THE ROCKWALL CITY COUNCIL NOVEMBER 7, 1994

5

Call to Order

Mayor Alma Williams called the meeting to order at 7:00 p.m. with the following Council Members present: George Hatfield, Dale Morgan, Pat Luby, Todd White, Bob Wilson, and Nell Welborn. Invocation and Pledge of Allegiance was lead by Dale Morgan.

Open Forum

Ross Ramsey, 713 Forest Trace, came forward. Mr. Ramsey voiced his concern regarding the recent news stories regarding the area roadways and the effect these stories will have on the upcoming bond election. Mr. Ramsey commented on the recent meeting of County officials and Mr. David Cain. Mr. Ramsey stated that he would like to see the North Central Texas Council of Governments and the County involved in road planning, but not at the expenses of passing the badly needed widening of FM-740. Mr. Ramsey commented on the decision to widen SH-205 to six lanes and stated that he believed that it would beautify the City.

Gloria Williams, 304 Emma Jane Street, came forward. Ms. Williams commented and thanked the Council for being sensitive to the Southside community and not running a thoroughfare through the area.

Greg Herring, 604 Stonebridge Circle, came forward. Mr. Herring thanked the Council for making a positive decision to go forward and solve the problems regarding traffic in Rockwall. He also stated that he found it a little disconcerting to see that there are certain constituencies that would just not let the project go forward and who are going to continue to have meetings of people in the community that we really don't know much about. He stated that he felt it was time to take a positive stance to give support to the bond election for FM-740.

Consent Agenda

- a) Approval of Minutes of October 17, 1994 and October 12, 1994
- b) **PZ-94-22-CUP** Consider Approval of Ordinance Granting a Request from Oona Gaston for an Amendment to the Conditional Use Permit to allow Outside Display, Sales and Service of Recreational Vehicles on a 5 acre tract of land located at 1530 I-30 (2nd reading)

4 c) **PZ-94-24-PP/Z Consider Approval of an Ordinance Granting a Request from Brinker International for a Conditional Use Permit (2nd reading)**

Hatfield requested that the minutes be pulled from the consent agenda for a separate vote. Welborn made a motion for approval of the remaining items on the consent agenda. The motion was seconded by White. Captions were read by Julie Couch.

50 **ORDINANCE NO. 94-37**

55 AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO GRANT A CONDITIONAL USE PERMIT FOR OUTSIDE DISPLAY OF LARGE INVENTORY ITEMS IN A HIGHWAY COMMERCIAL ZONING CLASSIFICATION ON A TRACT OF LAND DESCRIBED HEREIN; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE

60 **ORDINANCE NO. 94-38**

65 AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO GRANT A CONDITIONAL USE PERMIT FOR STRUCTURE NOT MEETING THE STRUCTURAL BUILDING MATERIALS REQUIREMENTS AND APPROVE A PRIVATE CLUB IN A COMMERCIAL ZONING CLASSIFICATION ON A TRACT OF LAND DESCRIBED HEREIN; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

70 The motion passed unanimously. Hatfield stated that he would abstain from voting on the minutes due to his absence. Luby made a motion for approval of the minutes. Motion was seconded by White. The motion passed with the following votes cast:

Ayes: Luby, Morgan, Welborn, White, Williams, Wilson
Abstention: Hatfield

80 **Appointments/Plats/Plan/Public Hearing**

85 **PZ 94-21-PP/Z Hold Public Hearing and Consider Approval of an Ordinance Granting a Request from Neal Jones for an Amendment from PD-8 Single Family to PD-8 Townhouse and Replat/Final Plat for the Sanctuary at Chandlers Landing and Take Any Necessary Action (1st reading)**

90 Pat Luby excused himself from discussion and the vote due to a potential conflict of interest. Couch reviewed the request. She indicated that in accordance with Council directive from the previous meeting staff had renotified the property owners within PD-8 in regard to the change. She indicated that the total number opposed were twenty-seven and the total number for the change was twenty-eight. Welborn requested information regarding the notification process.

Couch stated that they were sent to everyone within the PD.

Williams opened the public hearing. Neal Jones, applicant, came forward. Mr. Jones stated that he was requesting a change in zoning from a PD-8 single family to a PD-8 townhouse. Mr. Jones commented that when he was designing the project which would be a transition from the condominiums to the single family. Mr. Jones commented on the concerns which had previously been raised. Mr. Jones addressed the concern that some had raised about the devaluation of surrounding property. Mr. Jones stated that ninety percent of phase 17 within Chandlers Landing is townhomes. Mr. Jones also addressed the concern that the townhomes would create a greater density within the planned development and stated that the surrounding area, referencing, Signal Ridge was high density. Additionally, Mr. Jones addressed concerns that had arisen about his development blocking the surrounding property owners' views. Mr. Jones provided overheads and to demonstrate that no views would be blocked. Mr. Jones also commented on concerns about saving the trees in the area and Mr. Jones showed the Council how he proposed to save the trees. Mr. Jones commented on his plans to access the property and how he would provide this access to Chandlers for other property owners to access their homes for repairs. Mr. Jones commented that the structure which he intended to build would cost approximately \$90 to \$100 per square foot. Mr. Jones also commented on the concerns regarding traffic and stated that he did not believe that three townhomes could effect the traffic, especially when in the future a whole new development of homes will be added at Chandlers. Mr. Jones also discussed an alternative to provide access to the property which could save several trees. Mr. Jones commented that whether he develops the property or not he has the right to access his property.

Jimmy Seay, 5516 Canada Court, came forward. Mr. Seay stated that he was opposed to the zoning change. Mr. Seay stated that his house is right next to a townhome and stated that he felt it would hurt the property values and lead to more congestion in the area. Mr. Seay also commented on the statement regarding the roads and greenbelt being turned over to the homeowners association. Mr. Seay stated that this would just add more for Chandlers to upkeep. Mr. Seay commented that by giving up part of the land the owner would not have to pay additional taxes. Mr. Seay stated that he did not believe that the zoning change would be fair to people in the neighborhood who thought that the homes would be single family. Mr. Seay said that the owners of the lot knew prior to purchasing it that it was zoned single family.

Marliyn Caldwell came forward. Ms. Caldwell stated that she was not in agreement with the proposed roadway because it reduces the privacy in the area. Ms. Caldwell stated that it was a City easement and she did not know whether or not it had been approved by the City and Chandlers Landing. Ms. Caldwell stated she did not like the placement of the proposed roadway because it would create more traffic.

Hays Hettinger, 5576 Canada Court, came forward. Mr. Hettinger spoke of his support of the development and stated that he felt it was a good transition in the area. Mr. Hettinger stated that he felt the concept would enhance the area and that the appearance of the structure was pleasing. Mr. Hettinger stated he felt that the development would not cause additional traffic problems.

Mr. Hettinger also commented on the difficulty of developing the lot. Mr. Hettinger stated that he felt that the development would be compatible with the area.

140 Kelly Colbert came forward. Ms. Colbert voiced her opposition of the placement of the road because she has small children and is concerned for their safety.

145 Tracy Connolly, 331 Valiant, came forward. Ms. Connolly stated her opposition of the rezoning and because she has small children, and she felt that the development would cause additional traffic. Ms. Connolly stated she did not feel it was fair to change the zoning of the surrounding area when the people who bought there believed that they would be living in a single family area.

150 David Black, 5533 Canada Court, came forward. Mr. Black voiced his concerns and opposition to the development. Mr. Black commented that the roadway would appear more like an alley than a street and that the people who bought the lot knew it was single family when they bought it. Mr. Black stated he would like it to stay single family.

155 Betty Martin, 5552 Canada Court, came forward. Ms. Martin stated her opposition of the rezoning.

160 Jack Boyce, 1234 Signal Ridge, came forward. Mr. Boyce voiced his opposition to the rezoning. Mr. Boyce stated that Signal Ridge would be impacted more by the zoning change than Chandlers Landing. He stated that the roadway would allow free access to back of his property and others in Signal Ridge. Mr. Boyce also expressed concern for the creek and trees that would be impacted by the roadway.

165 Cynthia Seay, 5516 Canada Court, came forward. Ms. Seay commented that when they built their home that they selected their lot because it was single family and was located just off of the lake. Ms. Seay stated that Mr. Neal's property would effect the view of the lake from her home. Ms. Seay expressed concern that if the area is dedicated as a greenbelt it will allow more people to access the area and would invade her privacy and hurt her property.

170 Mike Karensseige, 1205 Signal Ridge, came forward. He stated that he had sent a letter of opposition to the Mayor and the City Manager. He commented that the homeowners and residents were concerned. He stated that no meeting has been held by the developer to address issues which would adversely effect area residents. He commented that no one had addressed the issue of the creek which would be effected by the roadway. He also commented that 50 to 175 100 trees would be effected and that no tree survey had been performed.

Pam Patton, 1506 Signal Ridge, came forward. Ms. Patton, the president of homeowner's association of Signal Ridge, voiced her opposition to the project.

180 David Groark, 5572 Canada Court, came forward. Mr. Groark stated that when he bought in Chandlers Landing that he was told he would have access to the property and he currently does

not. Mr. Groark stated that Phase 17 was originally zoned townhomes and was then changed to single family. Mr. Groark voiced his concern that area residents are treating the take-line property as their own, but they do not own it. Mr Groark voiced his support of Mr. Jones' development.

Jennifer Jones, 5574 Canada Court, voiced her opinions regarding support for the project. Ms. Jones stated that she could not see where there would be any congestion. Ms. Jones stated that a great deal of consideration had been given to the environment. Ms. Jones stated that the developer is trying to work with everyone to deal with the issues. Ms. Jones also indicated that more trees would be planted. She stated that she hoped that everyone could come to an agreement.

Shirley Granstaff, 5603 Cambria Dr, came forward. Ms. Granstaff stated that several years ago the homeowners' association in Chandler's Landing voted to change the townhouse zoning to single family in Phase 17. She voiced her concerns and opposition to the proposed re-zoning.

Mr. Jones came forward to re-address some of the issues which had been raised. Mr. Jones commented that he did not believe that the units would create additional traffic. Mr Jones also addressed the issues of the creek and access, and his desire to work with everyone to resolve the issues.

Williams closed the public hearing. Bob Wilson requested further clarification regarding the roadway and greenbelt. Mr Jones responded that the greenbelt would be dedicated to Chandlers as well as the driveway and would be maintained by Chandlers. If the property was single family it would be maintained by the property owner. Welborn requested information concerning the width of the drive. Couch stated that for multiple lots it would need to be twenty feet wide. If it were a single family home, the roadway would not have any requirement placed on it. Welborn requested information on the number of single family lots in the area. Couch indicated that there were seven to eight single family homes within the area.

Todd White requested information on the possibilities of placing two single family homes on the lot if it remains zoned single family. Mr. White asked if the lot could be replated. Mr. Jones responded that he did not know if it would meet the minimum square footage requirements.

White moved for approval of the re-zoning request. Welborn seconded the motion with an amendment that with the final plat a tree survey be provided and a site plan with the location of the building and driveways be clearly defined. Mr. Hatfield stated his opposition of the request. The motion did not pass with a tie vote as follows:

Ayes: Welborn, White and Williams
Nays: Hatfield, Morgan and Wilson

PZ 94-27-PP Discuss and Consider Request from Rob Whittle for a Preliminary Plat for

Fox Chase Phase IV located in the Fox Chase Addition and Take Any Necessary Action

230 Couch reviewed the request for a preliminary plat in Fox Chase Phase IV. Couch stated that the plat is in conformance with the preliminary concept plan that was approved for Fox Chase several years ago. Couch reviewed the conditions set forth by the planning and zoning commission. The conditions required include: 1.) the applicant must submit a phasing plan for the remainder of the development in conjunction with the final plat; 2.) the applicant's engineer must revise the utility layout in regards to the sanitary sewer line that would be abandoned; 3.) the developer must provide a temporary recreation park site, 4.) and the developer will construct of a left hand turn lane on FM-740 in conjunction with the development. Wilson made a motion to approve the request for a preliminary plat for Fox Chase Phase IV with the conditions recommended by the Planning and Zoning Commission and to provide a left hand turn lane. Morgan seconded. Motion passed unanimously.

240 **Action/Discussion Items**

245 **Discuss and Consider Adoption of a Resolution Approving Issuance by the Rockwall Housing Finance Corporation of a Certain \$950,000 Rockwall Housing Finance Corporation MultiFamily Housing Revenue Note (The Meadows Project) Series 1994 and Take Any Necessary Action**

250 Couch reported on progress of the project. Couch reported that the financing documents have been completed and closing date has been set for November 14. Couch reported that the FDIC had requested closing to take place prior to November 15, 1994. Hatfield requested clarification that the City of Rockwall's credit rating will not be effected in the event of a default. Couch confirmed that the City's credit rating would not be affected. White asked if the Attorney General's office had reviewed the documents. Council indicated that the City had received a preliminary approval letter, but the Attorney General will need to review the City's resolution approving the transaction. Welborn made a motion to approve the resolution approving issuance by the Rockwall Housing Finance Corporation of a Certain \$950,000 Rockwall Housing Finance Corporation Multifamily Housing Revenue Note (The Meadows Project) Series 1994. Motion was seconded by George Hatfield. The motion passed unanimously.

260 **Discuss and Consider a Resolution Establishing the Rates to Charge for Refuse Collection Services and Take Any Necessary Action**

265 Couch reported that the City had received a request from Laidlaw for a rate increase. She indicated that the majority of the increase was a result of an increase that Laidlaw had experienced from the City of Garland who had raised their tipping fees to \$19.00 per ton. Richard Davis, the representative from Laidlaw, came forward and commented on the request. Mr. Davis stated that they were looking for other outlets available disposable sources. Mr. Davis stated that the last requested increase was in July 1993. Dale Morgan requested clarification regarding future rate increases and future practices and coming legislation. There

270 was general discussion on possible future restrictions on what can be placed in landfills, available capacity in area landfills, recycling volumes in the City and yard waste programs. Hatfield made a motion to approve a resolution approving the rate request. The motion was seconded by Welborn, and it passed unanimously.

275 **Discuss and Consider Approval of Architectural Contract and Take Any Necessary Action**

Couch reviewed the recommended contract and services needed by the City for future architectural services for changes to City Hall, the animal shelter and the City's service center. Couch stated that Dale Morgan had suggested that the present fire escape at City Hall be redesigned and used as office space. She indicated that the most practical use of that area is for records storage which will open up additional office space. Additionally, Couch commented on the City's need to further look at plans for the animal shelter. Couch also raised the issue of looking at the service center plan, after the bond election. Welborn made a motion for approval of the architectural contract for the City Hall and the animal shelter. The motion was seconded by Bob Wilson and was passed unanimously.

285 **Discuss and Consider Need for Comprehensive Review of Measures Taken by City to Comply with the Americans With Disabilities Act and Take Any Necessary Action**

290 Morgan reported that at the Texas Municipal League conference he had attended a seminar regarding The American with Disabilities Act. As a result, he stated that he felt it would be good to review the compliance of the City because of the oversight responsibilities of the Council. Couch commented on the progress of the City in response to Morgan's request. Couch indicated that the City had completed the majority of the requirements identified for compliance with the ADA and plans to have all issues addressed by January 1995. Couch also reported that all personnel issues had been addressed except for the City's job descriptions, currently being reviewed by Stacey Robbins. Morgan requested clarification of information regarding door closure requirements. Crowley responded to the question and stated he would be happy to discuss the requirements further with Morgan.

300 **Discuss and Consider Implementing New Policies and Procedures to be Used in Connection with Land Use Regulation Practices and Take Any Necessary Action**

305 Morgan commented on the need for the City to address issues regarding land use policies and procedures which are the result of recent Supreme Court cases. Hatfield commented on the City's current practices and the need to review these practices. Pete Eckert, City Attorney, commented briefly on the recent cases and measures the City could take to address the issues that had been raised. Eckert commented that the documentation of future developments and actions of the City may need to be revised.

310 **Hold Executive Session Under Section 551.071 and 551.074 of the Texas Government Code**

The Council convened into executive session at 9:30 p.m. to discuss personnel regarding

31. appointments to the Park Board and potential litigation regarding employee termination.

The Council reconvened into regular session at 10:00 p.m. Mayor Williams announced that no action would be taken on as a result of executive session.

320 **Adjournment**

The meeting adjourned at 10:05 p.m.

325 APPROVED:

330 Mayor

330 ATTEST:

335 City Secretary

ORDINANCE NO. 93-29

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE ~~AMENDED SO AS TO GRANT A CONDITIONAL USE PERMIT FOR OUTSIDE DISPLAY OF LARGE INVENTORY ITEMS~~ IN A HIGHWAY COMMERCIAL ZONING CLASSIFICATION ON A TRACT OF LAND DESCRIBED HEREIN; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, A Conditional Use Permit for outside display of large inventory items in a Highway Commercial Zoning Classification has been requested by Oona Gaston for the property described on Exhibit "A" attached hereto; and

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

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

Section 1. That the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Conditional Use Permit for outside display of large inventory items in a Highway Commercial Zoning Classification on the property described on Exhibit "A" attached hereto and made a part hereof.

Section 2. That the Conditional Use Permit shall be subject to the following special conditions:

1. That the CUP is granted for the following uses:
 - a. a manufactured home sales facility
 - b. an auction sales facility
2. That the proposed uses shall comply with all conditions established in the

04-22-CUP

Comprehensive Zoning Ordinance for such uses, except that the property is granted a waiver to the requirement that the area to be used for outside display must be paved to City standards. Such waiver shall be granted for a period of three years, at which time the continuation of the waiver shall be reviewed by the Planning and Zoning Commission and City Council.

3. That the following conditions shall apply to the manufactured home sales operation;
 - a. that all used structures be stored in the rear of the property behind a line parallel with the rear of the building.
 - b. that the property within 100 feet of the front property line to be used as display area be designated on the site with the use of decorative fencing or other decorative material.
 - c. that any significant change in the approved site plan or elevations, attached hereto and made a part hereof as Exhibit "A", must be submitted for approval by the Commission and City Council.

Section 3. That the above described tract of land shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the city of Rockwall as heretofore amended, as amended herein by granting of this Conditional Use Permit and as may be amended in the future.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Comprehensive Zoning Ordinance No.83-23 of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

94-23-CUP

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

DULY PASSED AND APPROVED this 2nd day of August, 1993, 1993.

Janet M. Laky
ATTEST

Mrs. K. Williams
APPROVED

1st Reading 7/19/93

2nd Reading 8/02/93

94-22-CUP

ALL that certain lot, tract or parcel of land situated in the N. M. BALLARD SURVEY, Abstract No. 24, and the A. HANNA SURVEY, Abstract No. 99, Rockwall County, Texas, and being a part of a 48.033 acre tract of land conveyed from Eva E. Tadlock, a widow, and C. W. Tadlock to Max Scheid, Trustee, by deed recorded in Volume 103, Page 791, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod on the South line of Interstate Highway 30 and on the North line of said 48.033 acre tract, said iron rod bears North, $73^{\circ} 19' 25''$ East, a distance of 157.44 feet from the intersection of the South line of said Highway and the West line of said 48.033 acre tract;

THENCE: North $73^{\circ} 19' 25''$ East, with said line of Highway a distance of 304.88 feet to a concrete highway marker for a corner;

THENCE: North $80^{\circ} 16' 15''$ East, continuing along said line of highway a distance of 25.12 feet to an iron rod found at the Northwest corner of a 5.000 acre tract of land described in a deed recorded in Volume 131, Page 405, Deed Records of Rockwall County, Texas;

THENCE: South $00^{\circ} 07' 15''$ East, traversing said 48.033 acre tract and with the West line of said 5.000 acre tract passing at 646.51 feet an iron rod at the Southwest corner of said 5.000 acre tract a total distance of 731.12 feet to an iron rod for a corner;

THENCE: South $89^{\circ} 52' 45''$ West, a distance of 317.01 feet to an iron rod for a corner;

THENCE: North $0^{\circ} 07' 15''$ West, a distance of 640.05 feet to the Point of Beginning and Containing 5.000 acres of land.

W-22-CUP



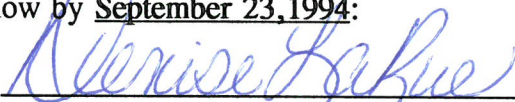
CITY OF ROCKWALL

"THE NEW HORIZON"

PUBLIC NOTICE

The Rockwall Planning and Zoning Commission will hold Public Hearing on Thursday, **September 29, 1994** at 7:00 p.m in City Hall, 205 W.Rusk Rockwall, Texas and the City Council will hold Public Hearings on Monday, **October 3, 1994** at 7:00 p.m in City Hall, 205 W.Rusk, Rockwall, Texas to consider approval of a request from **Oona Gaston** for an amendment to the Conditional Use Permit to allow for recreational vehicle sales, service, and storage on a 5 acre tract of land located at **1530 East I-30**.

As an interested property owner, you are invited to attend this meeting or make your feelings known in writing by returning the form below by **September 23, 1994**:



Denise LaRue, Community Development Coordinator

Case No. PZ-94-22-CUP

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

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

- 1.
- 2.
- 3.

Signature _____

PUBLIC NOTICE

The Rockwall Planning and Zoning Commission will hold Public Hearing on Thursday, September 29, 1994 at 7:00 p.m in City Hall, 205 W. Rusk Rockwall, Texas and the City Council will hold Public Hearings on Monday, October 3, 1994 at 7:00 p.m in City Hall, 205 W. Rusk, Rockwall, Texas to consider approval of a request from Oona Gaston for an amendment to the Conditional Use Permit to allow for recreational vehicle sales, service, and storage on a 5 acre tract of land located at 1530 East I-30.

COUNTY OF ROCKWALL

BEING a tract or parcel of land situated in the N. M. Ballard Survey, Abstract No. 24 and the A. Hanna Survey, Abstract No. 99, Rockwall County, Texas, and being a part of a 48.033 acre tract conveyed to Max Scheid, Trustee by deed recorded in Volume 103, Page 791, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a point for a corner on the South right-of-way line of Interstate 30 and the Northwest corner of said Scheid tract;

THENCE: North 73° 19' 25" East with said Interstate 30 a distance of 157.44 feet to a point for a corner;

THENCE: South 0° 07' 15" East a distance of 640.05 feet to a point for a corner;

THENCE: North 89° 52' 45" East a distance of 317.01 feet to a point for a corner;

THENCE: North 0° 07' 15" West a distance of 24.70 feet to a point for a corner;

THENCE: North 69° 27' 59" East a distance of 342.69 feet to a point for a corner on the East line of said Scheid tract;

THENCE: South 0° 08' East with the East line of said Scheid tract a distance of 1325.90 feet to a point for a corner in the center of Buffalo Creek;

THENCE: With the meanders of Buffalo Creek as follows: North 72° 52' 50" West a distance of 44.48 feet; South 67° 02' 01" West a distance of 68.09 feet; South 19° 17' 07" West a distance of 61.05 feet; South 59° 58' 38" West a distance of 55.77 feet; North 62° 29' 12" West a distance of 114.34 feet; South 86° 58' 02" West a distance of 119.21 feet; North 61° 19' 21" West a distance of 77.61 feet; South 59° 33' 11" West a distance of 76.96 feet; South 11° 03' 16" East a distance of 144.36 feet; South 17° 59' 10" West a distance of 122.19 feet; South 50° 11' 31" West a distance of 79.70 feet; South 40° 04' 28" West a distance of 49.45 feet; South 30° 03' 55" West a distance of 95.31 feet; South 69° 33' 04" West a distance of 53.48 feet; South 52° 19' 46" West a distance of 21.57 feet to a point for a corner on the East line of a County

Road;

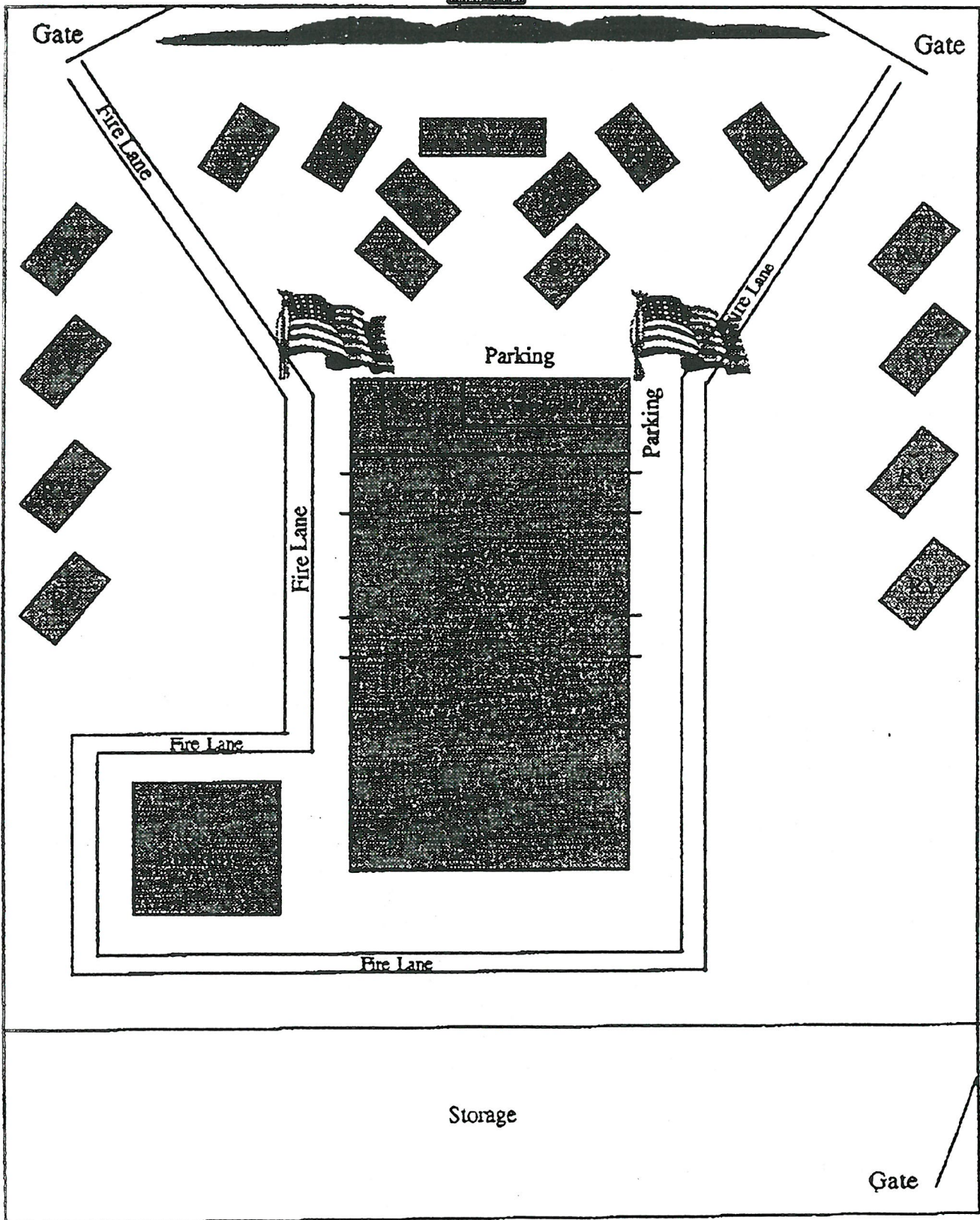
THENCE: North 34° 53' 47" West with said road a distance of 83.30 feet to a point for a corner;

THENCE: North 0° 04' 00" East with West line of said Scheid tract a distance of 2221.74 feet to the Point of Beginning and Containing 27.5 Acres of Land, more or less.

94-28-CUP

I-30

Access Road



94-23-CUP

ALUMAX

UNION PACIFIC R.R.

UNION PACIFIC R.R.

INDUSTRIAL BLVD.

SECURITY BLVD.

CONVEYOR ST.

ALPHA DRIVE
BETA
GAMMA
SIGMA
INDUSTRIAL BLVD.

ENTERPRISE DR.

COMMERCE STREET

KRISTY LANE

HIGH SCHOOL DRIVE

SITE LOCATION

276

30

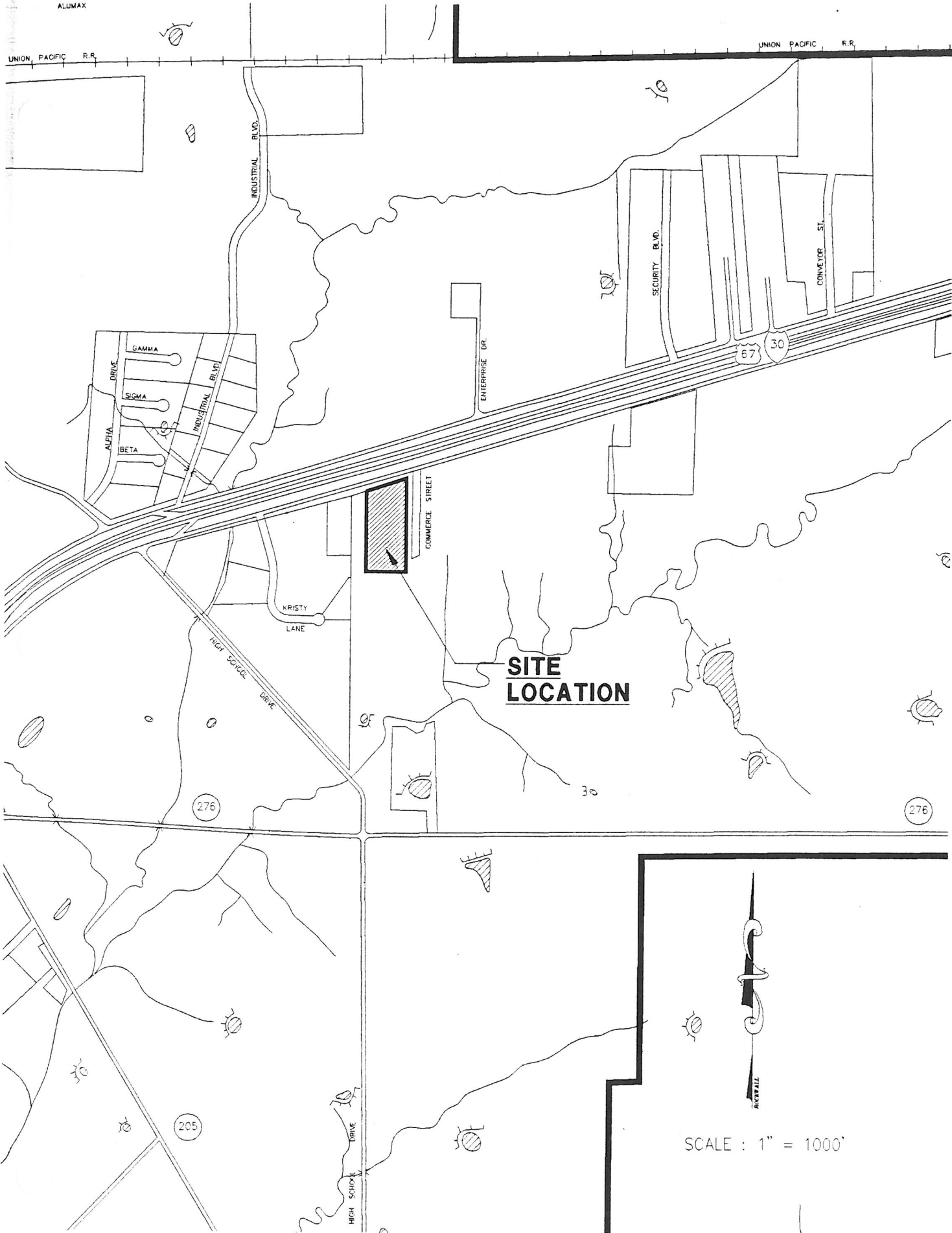
276

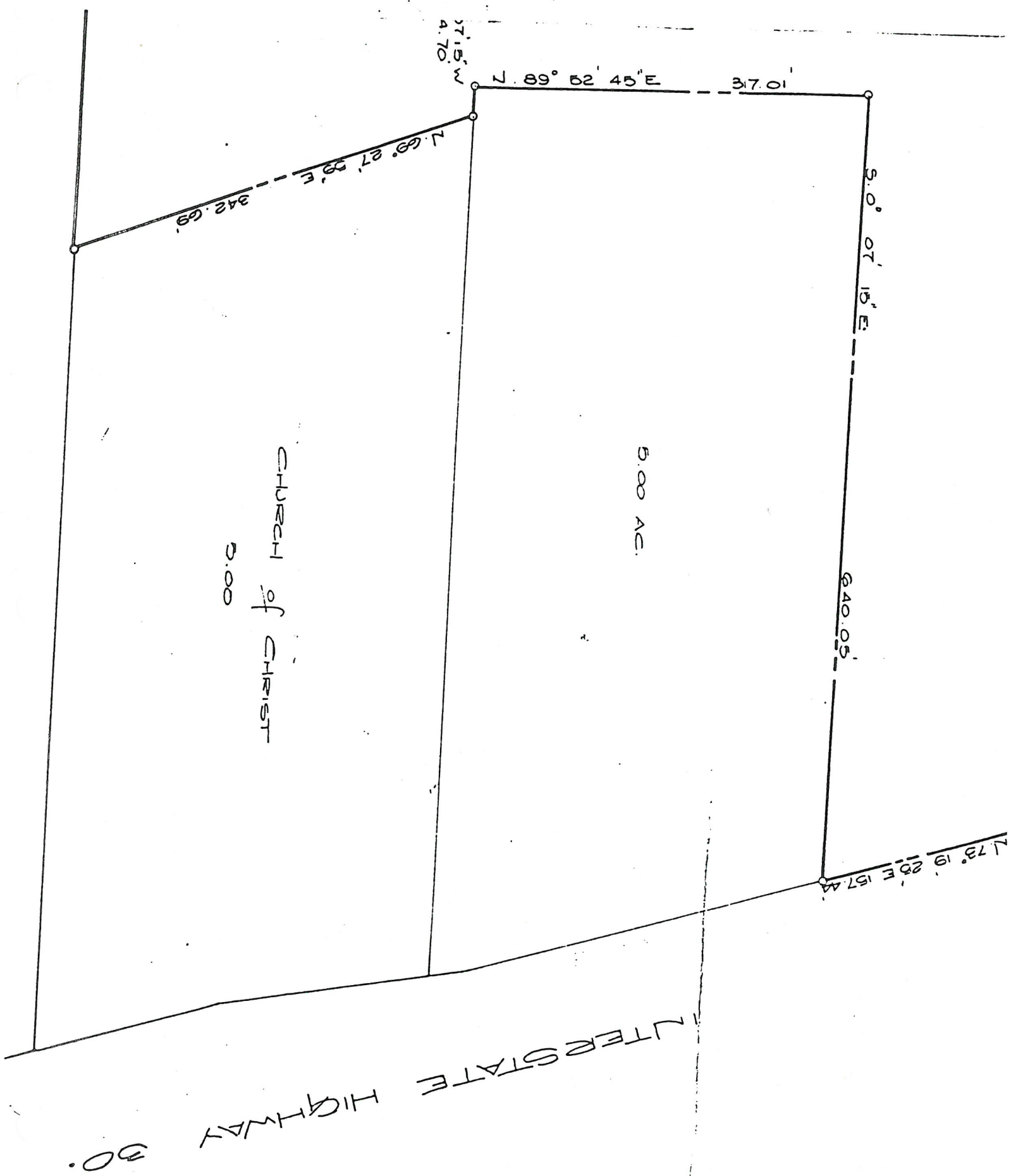
205

HIGH SCHOOL DRIVE



SCALE : 1" = 1000'





CHURCH of CHRIST
5.00

5.00 AC.

INTERSTATE HIGHWAY 30.

94-22-01P

GUARANTY FEDERAL BANK
10440 N CENTRAL EXPRESSWAY
#800
DALLAS, TEXAS 75231

B & M SAND AND GRAVEL
MYRE COMPANIES
P.O. BOX 721
ROCKWALL, TEXAS 75087

ROCKWALL CHURCH OF CHRIST
P.O. BOX 653
ROCKWALL, TEXAS 75087

MULTI METAL
1500 I 30
ROCKWALL, TEXAS 75087

MAJESTIC REAL ESTATE
3940 GLENWICK
DALLAS, TEXAS 75205-1238

DAVIS MEATS
2015 KRISTY LANE
ROCKWALL, TEXAS 75087

LANE CONCRETE
1510 EAST I-30
ROCKWALL, TEXAS 75087

OWNER NAME AND ADDRESS

PROPERTY DESCRIPTION

EXEMPTION

PID: R10229 (34072)
0024-0000-0004-00-OR

A0024 N M BALLARD, TRACT 4, ACRES
22.446

GUARANTY FEDERAL BANK
10440 N. CENTRAL EXPRESSWAY
SUITE 800
DALLAS, TX 75231

ENTS: GRW, SRW, CRW
LAND SPTB: D4

AGENT: MARVIN F POER AND CO
P. O. BOX 802206
DALLAS, TX 75380

PID: R10230 (10213)
0024-0000-0004-02-OR

N M BALLARD SURVEY AB 24 TR 4-2
5.000 AC FRONT I-30

GASTON & GASTON AUCTIONEERS
C/O DONA PANICI GASTON
703 ROBIN RD
ROCKWALL, TEXAS 75087

SITUS: FRONT I-30
ENTS: GRW, SRW, CRW
LAND SPTB: F1, IMP. SPTB: F1

PID: R10231 (10214)
0024-0000-0004-03-OR

A0024 N M BALLARD, TRACT 4-03,
ACRES 1.588

EVANS ROBERT J JR
3703 MEDITERRANEAN
ROCKWALL, TX 75087

SITUS: FM 276 & HIGH SCHOOL DR
ENTS: GRW, SRW, CRW
LAND SPTB: F2

PID: R10232 (22499)
0024-0000-0004-04-OR

N M BALLARD SUR AB 24 TR 4-4 2.160
AC FRONTS I-30

B & M SAND & GRAVEL
MYRE COMPANIES
P O BOX 721
ROCKWALL, TX 75087

SITUS: FRONTS I-30
ENTS: GRW, SRW, CRW
LAND SPTB: F1, IMP. SPTB: F1

PID: R28053 (28128)
0024-0000-0004-05-OR

A0024 N M BALLARD, TRACT 4-5, ACRES ** EXEMP
5

ROCKWALL CHURCH OF CHRIST
P O BOX 653
ROCKWALL, TX 75087

ENTS: GRW, SRW, CRW
LAND SPTB: C3

PID: R10233 (50096)
0024-0000-0004-06-OR
THOMAS GARY A & JANICE A

N M BALLARD SURVEY AB 24 TR 4-6
0.896 AC FM 276 & HIGH SCHOOL DR

24797 RED CLOUD
CONIFER, CO 80433

SITUS: FM 276 & HIGH SCHOOL DR
ENTS: GRW, SRW, CRW
LAND SPTB: C2

PID: R29510 (28128)
0024-0000-0004-07-OR

A0024 N M BALLARD, TRACT 4-7, ACRES ** EXEMP
2.8939

ROCKWALL CHURCH OF CHRIST
P O BOX 653
ROCKWALL, TX 75087

ENTS: GRW, SRW, CRW
LAND SPTB: C2

94-22-CUP

OWNER NAME AND ADDRESS	PROPERTY DESCRIPTION	EXEMPTION
PID: R26824 (53814) 3130-0000-0001-00-OR ZEBRA EQUIPMENT COMPANY 406 COLOMBIA ROCKWALL, TX 75087	BODIN INDUSTRIAL TRACT, LOT TR 1 PART, ACRES 4.79 SITUS: HIGH SCHOOL DR ENTS: GRW, SRW, CRW LAND SPTB: C2	
PID: R26823 (19760) 3130-0000-0001-A0-OR WRIGHT JOHN G P O BOX 819 ROCKWALL, TX 75087	BODIN INDUSTRIAL TRACT, LOT TR 1-A, ACRES 2.186 SITUS: 2050 KRISTY LN ENTS: GRW, SRW, CRW LAND SPTB: F1	
PID: R27006 (52684) 3130-0000-0001-A1-OR THE MARLEY COMPANY C/O STEVEN F CROOKE 1900 SHAWNEE MISSION PARKWAY MISSION WOODS, KS 66205-5440	BODIN INDUSTRIAL TRACT, LOT 1-A1, ACRES 2.974 SITUS: 2050 KRISTY LN ENTS: GRW, SRW, CRW LAND SPTB: F2, IMP. SPTB: F2	
PID: R14303 (56900) 3130-0000-0001-B0-OR MULTI-METAL & MFG CO, INC 1500 INTERSTATE 30 ROCKWALL, TX 75087	BODIN INDUSTRIAL TRACT, LOT 1-B0, ACRES 2.77, 1501 I-30 SITUS: 1500 I-30 ENTS: GRW, SRW, CRW LAND SPTB: F2, IMP. SPTB: F2	
PID: R14304 (31204) 3130-0000-0001-C0-OR MAJESTIC REAL ESTATE INC 3940 GLENWICK LN DALLAS, TX 75205-1238	BODIN INDUSTRIAL TRACT, LOT 1-C0, ACRES 1 SITUS: 2045 KRISTY LN ENTS: GRW, SRW, CRW LAND SPTB: F1, IMP. SPTB: F1	
PID: R14305 (54207) 3130-0000-0001-D0-OR BENTLEY JAMES A 1450 I-30 EAST ROCKWALL, TX 75087	BODIN INDUSTRIAL TRACT TR 1-D 0.500 AC 1450 I-30 SITUS: 1450 I-30 ENTS: GRW, SRW, CRW LAND SPTB: F1, IMP. SPTB: F1	
PID: R14306 (54083) 3130-0000-0001-E0-OR SOUTHERN TIRE MART, INC 2065 KRISTIE LANE ROCKWALL, TX 75087	BODIN INDUSTRIAL TRACT, LOT 1-E0, ACRES 1, 2025 KRISTY LN SITUS: 2025 KRISTY LN ENTS: GRW, SRW, CRW LAND SPTB: F2, IMP. SPTB: F2	
PID: R14307 (22355) 3130-0000-0001-F0-OR DAVIS MEATS INC 2015 KRISTY LN ROCKWALL, TX 75087	BODIN INDUSTRIAL TRACT, LOT 1-F0, ACRES 1.215, 2015 KRISTY LN SITUS: 2015 KRISTY LN ENTS: GRW, SRW, CRW LAND SPTB: F1, IMP. SPTB: F1	

94-22-CUP

OWNER NAME AND ADDRESS	PROPERTY DESCRIPTION	EXEMPT
PID: R18552 (28313) 4125-000A-0001-00-OR LAFON NORMAN R & CECILLIA RT 3 BOX 150A FARMERSVILLE, TX 75031	LAFON, BLOCK A, LOT 1, ACRES 4.8364, IH-30 FRONTAGE SITUS: I-30 FRONTAGE ENTS: GRW, SRW, CRW LAND SPTB: F1, IMP. SPTB: F1	
PID: R18553 (33296) 4125-000A-0001-A0-OR LAFON NORMAN R ETAL RT 3 BOX 150A FARMERSVILLE, TX 75031	LAFON, BLOCK A, LOT 1-A0, ACRES 5.734 ENTS: GRW, SRW, CRW LAND SPTB: C2	
PID: R31185 (22462) 4132-000A-0001-00-OR LANE CONCRETE CONTRACTORS 1510 EAST INTERSTATE 30 ROCKWALL, TX 75087	LANE BUSINESS PARK, BLOCK A, LOT 1 SITUS: 1520 INTERSTATE 30 ENTS: GRW, SRW, CRW LAND SPTB: F2, IMP. SPTB: F2	
PID: R18647 (56190) 4160-0001-0001-00-OR WILES KENNETH C & TRINA D 501 NASH ST ROCKWALL, TX 75087	LEONARD & ADAMS LOT 1 & 2 BLK 1 SITUS: 501 NASH ENTS: GRW, SRW, CRW LAND SPTB: A1, IMP. SPTB: A1	
PID: R18648 (17162) 4160-0001-0003-00-OR LAMB BILLY 503 NASH ST ROCKWALL, TX 75087	LEONARD & ADAMS LOT 3 & PART 4 BLK 1 SITUS: 503 NASH ST ENTS: GRW, SRW, CRW LAND SPTB: A1, IMP. SPTB: A1	
PID: R18649 (56598) 4160-0001-0004-00-OR BAILEY ROBERT HAROLD 505 NASH ST ROCKWALL, TX 75087	LEONARD & ADAMS LOT 4 & PT 5 BLK 1 SITUS: 505 NASH ENTS: GRW, SRW, CRW LAND SPTB: A1, IMP. SPTB: A1	
PID: R18650 (17164) 4160-0001-0005-00-OR BOUNDS JANE 507 NASH ST ROCKWALL, TX 75087	LEONARD & ADAMS LOT N PT 5 & 6 BLK 1 SITUS: 507 NASH ST ENTS: GRW, SRW, CRW LAND SPTB: A1, IMP. SPTB: A1	OA \$ 30 TOT \$ 30
PID: R18651 (17165) 4160-0002-0001-00-OR RICHARDSON ALVIN L MRS 504 NASH ST ROCKWALL, TX 75087	LEONARD & ADAMS LOT 1 & S 30' OF 2 BLK 2 SITUS: 504 NASH ST ENTS: GRW, SRW, CRW LAND SPTB: A1, IMP. SPTB: A1	OA \$ 30 TOT \$ 30

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Handwritten signature: R-22-CVP

The Rockwall Planning and Zoning Commission will hold Public Hearing on Thursday, September 29, 1994 at 7:00 p.m. in City Hall, 205 W. Rusk, Rockwall, Texas and the City Council will hold Public Hearings on Monday, October 3, 1994 at 7:00 p.m. in City Hall, 205 W. Rusk, Rockwall, Texas to consider approval of a request from oona Gaston for an amendment to the Conditional Use Permit to allow for recreational vehicle sales, service, and storage on a 5 acre tract of land located at 1530 East I-30.

COUNTY OF ROCKWALL

BEING a tract or parcel of land situated in the N.M. Ballard Survey, Abstract No. 24 and the A. Hanna Survey, Abstract No. 99, Rockwall County, Texas, and being a part of a 48.033 acre tract conveyed to Max Scheid, Trustee by deed recorded in Volume 103, Page 791, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a point for a corner on the South right-of-way line of Interstate 30 and the Northwest corner of said Scheid tract;

THENCE: North 73 degrees 19' 25" East with said Interstate 30 a distance of 157.44 feet to a point for a corner;

THENCE: South 0 degrees 07' 15" East a distance of 640.05 feet to a point for a corner;

THENCE: North 89 degrees 52' 45" East a distance of 317.01 feet to a point for a corner;

THENCE: North 0 degrees 07' 15" West a distance of 24.70 feet to a point for a corner;

THENCE: North 69 degrees 27' 59" East a distance of 342.69 feet to a point for a corner on the East line of said Scheid tract;

THENCE: South 0 degrees 08' East with the East line of said Scheid Tract a distance of 1325.90 feet to a point for a corner in the center of Buffalo Creek;

THENCE: With the meanders of Buffalo Creek as follows: North 72 degrees 52' 50" West a distance of 44.48 feet; South 67 degrees 02' 01" West a distance of 68.09 feet; South 19 degrees 17' 07" West a distance of 61.05 feet; South 59 degrees 58' 38" West a distance of 55.77 feet; North 62 degrees 29' 12" West a distance of 114.34 feet; South 86 degrees 58' 02" West a distance of 119.21 feet; North 61 degrees 19' 21" West a distance of 77.61 feet; South 59 degrees 33' 11" West a distance of 76.96 feet; South 11 degrees 03' 16" East a distance of 144.36 feet; South 17 degrees 59' 10" West a distance of 122.19 feet; South 50 degrees 11' 31" West a distance of 79.70 feet; South 40 degrees 04' 28" West a distance of 49.45 feet; South 30 degrees 03' 55" West a distance of 95.31 feet; South 69 degrees 33' 04" West a distance of 53.48 feet; South 52 degrees 19' 46" West a distance of 21.57 feet to a point for a corner on the East line of a County Road;

THENCE: North 34 degrees 53' 47" West with said road a distance of 83.30 feet to a point for a corner;

THENCE: North 0 degrees 04' 00" East with West line of said Scheid tract a distance of 2221.74 feet to the Point of Be-

P&Z FILE INFORMATION

Date: _____

<input checked="" type="checkbox"/>	Application <u>Ona Houston</u>
<input checked="" type="checkbox"/>	Agenda - Regular Meeting
<input type="checkbox"/>	Agenda - Workshop
<input checked="" type="checkbox"/>	Bluelines 18 x 20
<input checked="" type="checkbox"/>	Case Number: <u>94-22-CUP</u>
<input checked="" type="checkbox"/>	C.U.P. Description
<input checked="" type="checkbox"/>	Legal Description
<input checked="" type="checkbox"/>	Location Maps
<input checked="" type="checkbox"/>	Minutes
<input checked="" type="checkbox"/>	Newspaper Notice
<input checked="" type="checkbox"/>	Planners Recommendations
<input checked="" type="checkbox"/>	Public Notices
<input checked="" type="checkbox"/>	Receipt
<input checked="" type="checkbox"/>	Return Notices
<input checked="" type="checkbox"/>	Staff Recommendations
<input type="checkbox"/>	Transparencies