

Items Submitted:

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| <input checked="" type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Site Plan | <input type="checkbox"/> Conditional Use Permit |
| <input type="checkbox"/> Final Plat | <input type="checkbox"/> Concept Plan | <input type="checkbox"/> Landscape Plan |
| <input type="checkbox"/> Replat | <input type="checkbox"/> Overlay District | <input type="checkbox"/> Treescape Plan |
| <input type="checkbox"/> Vacation of Plat | <input type="checkbox"/> Building Elevations | <input checked="" type="checkbox"/> Zoning / PD Request |

General Information:

Addition Name: MEADOW CREEK ESTATES Current Zoning: ZERO LOT LINE

Proposed Zoning: CENTER LOADED STRUCTURES No. Of Acres: 14.88 No. Of Lots: 68 No. Of Units: 68

General Location of Property (or) Address: NW CORNER OF SH 66 and FM 1141

Proposed Use For Property: SINGLE FAMILY RESIDENTIAL

Owner's Name: ROB WHITTLE

Applicant's Name: STEVE GEE

Company: ROBERT WHITTLE

Company: GEE DEVELOPMENT CO.

Address: P.O. BOX 369

Address: 1431 GREENWAY DRIVE, #770

City, State, Zip: ROCKWALL TX 75087

City, State, Zip: IRVING TX 75038

Phone: (972) 771-5253

Phone: (972) 751-1499

Representative's Name: _____

Submitted By: _____

Company: DOUPHRATE & ASSOCIATES, INC.

Company: DOUPHRATE & ASSOCIATES, INC

Address: 2231 RIDGE ROAD, #200

Address: 2231 RIDGE ROAD, #200

City, State, Zip: ROCKWALL TX 75087

City, State, Zip: ROCKWALL TX 75087

Phone: (972) 771-9004

Phone: (972) 771-9004

Submittal Fee: *(Notaries are available)*

BEFORE ME, a Notary Public, on this day personally appeared ROBERT WHITTLE the undersigned applicant, who stated the information on this application to be true:

"I hereby certify that I am the owner, or duly authorized agent of the owner, for the purposes of this application; all information submitted herein is true and correct; and the application fee of \$ 713.00, to cover the cost of this application, has been paid to the City of Rockwall on this 20th day of January, 1999.

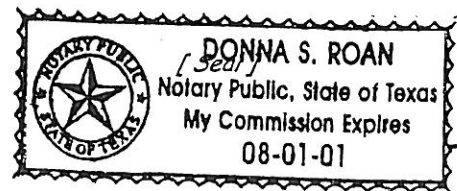
(Signature)

SUBSCRIBED AND SWORN TO before me, this 20th day of January, 1999.

Applicant Signature

08-01-01
My Commission Expires
City Of Rockwall

(Signature)
Notary Public in & for the State of Texas





CITY OF ROCKWALL
COMMUNITY DEVELOPMENT SERVICES
108 East Washington
Rockwall, Texas 75087

CASH RECEIPT

CUSTOMER Vista Oaks Development
STREET ADDRESS
CITY/STATE/ZIP

JOB LOCATION Meadow Creek Estates

DATE OF RECEIPT 1/20/99

RECEIPT NUMBER CR-1999-1-158
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<i>TYPE OF TRANSACTION</i>	<i>ACCOUNT</i>	<i>REFERENCE CODE</i>	<i>QUANTITY</i>	<i>UNIT PRICE</i>	<i>TOTAL</i>
20-21-47 Preliminary Plat	01-3412	1999-07	1	\$713.00	\$713.00

RECEIVED BY: Denise LaRue	PAYMENT METHOD Check	RECEIPT TOTAL \$713.00
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White - Customer Copy

Yellow - Office Copy

Pink - Audit Copy

DESCRIPTION
14.88 ACRES

BEING A TRACT OF LAND SITUATED IN M.B. JONES SURVEY, ABSTRACT No. 1207, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND BEING PART OF THAT TRACT OF LAND AS DESCRIBED IN A SPECIAL WARRANTY DEED FROM THE FEDERAL DEPOSIT INSURANCE CORPORATION TO ROBERT S. WHITTLE, DATED MAY 19, 1992 AND BEING RECORDED IN VOLUME 1140 PAGE 323 OF THE REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTH RIGHT-OF-WAY OF STATE HIGHWAY No. 66 WITH THE WEST RIGHT-OF-WAY OF F.M. HIGHWAY No. 1141, A POINT FOR CORNER;

THENCE, SOUTH 88°24'25" WEST, ALONG THE NORTH LINE OF SAID STATE HIGHWAY No. 66, A DISTANCE OF 972.81 TO A POINT FOR CORNER;

THENCE, NORTH 1°22'59" WEST, LEAVING THE NORTH LINE OF STATE HIGHWAY No. 66, A DISTANCE OF 383.38 FEET TO A POINT FOR CORNER;

THENCE, NORTH 63°59'00" EAST, A DISTANCE OF 1044.88 FEET TO A POINT FOR CORNER;

THENCE, NORTH 89°39'26" EAST, A DISTANCE OF 100.00 FEET TO A POINT ON THE WEST LINE OF F.M. HIGHWAY No. 1141, A POINT FOR CORNER;

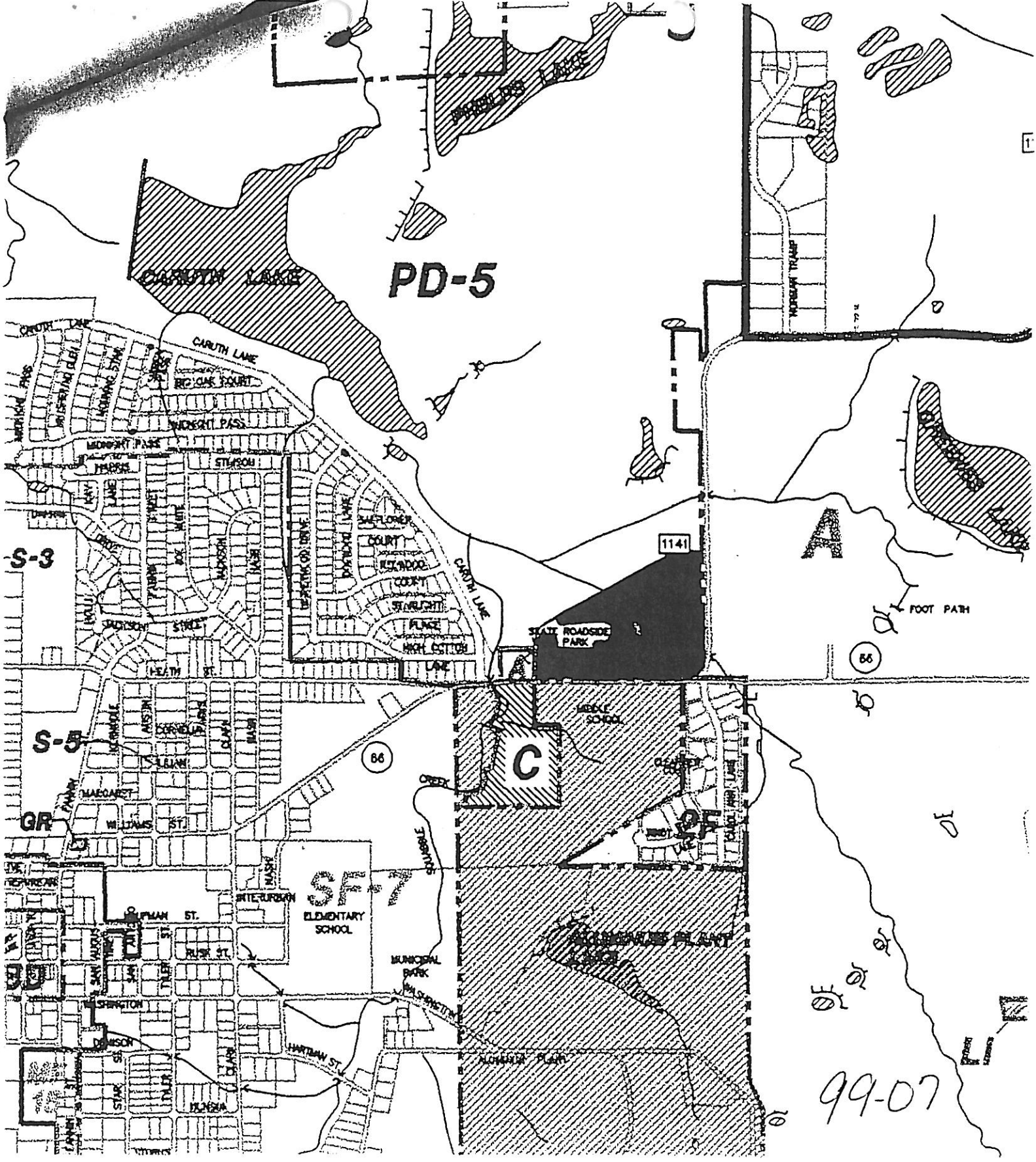
THENCE, ALONG THE WEST LINE OF F.M. HIGHWAY No. 1141, THE FOLLOWING;

SOUTH 01°20'34" EAST, A DISTANCE OF 240.36 FEET TO A POINT FOR CORNER;

SOUTH 02°38'07" EAST, A DISTANCE OF 343.09 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 14°00'51" AND A RADIUS OF 533.14 FEET WITH A CHORD BEARING OF SOUTH 04°00'16" WEST, AND A CHORD DISTANCE OF 130.08 FEET, A POINT FOR CORNER;

AROUND SAID CURVE, AN ARC LENGTH OF 130.40 FEET TO THE END OF SAID CURVE, A POINT FOR CORNER;

SOUTH 34°13'31" WEST, A DISTANCE OF 123.80 FEET TO THE PLACE OF BEGINNING AND CONTAINING 648,326 SQUARE FEET OR 14.88 ACRES OF LAND.



2204.33

~~TR 1~~
3.2 AC

~~TR 9~~ 10 AC
~~TR 9-1~~ 1 AC

530.01

1098.12

10
167.43

~~TR. 2-1~~
50.00 Acs

369.98

439.27

M.B. JONES A-122

~~TR 6~~
1 AC

1861.18

TR. 2-2
52.481 Acs

1321.73

(EFF. SIZE - 315.813 Acs)

F.M. 1141

see
3-3

~~TR 2~~
17.757 Acs

195
Tr 11.62 AC

HWY. 66

SE 5

3
24105

TR 66
1.860 AC

919.06

150
TR
5-1
1 AC

(MIDDLE SCHOOL)

~~TR 7~~
21.41 ACS

TR 50
4.096 ACS

TR 10-1
1.67

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WAGGONER
GARDENS INC
ADDN
5225

see
3-3

TR 48
1 AC

TR 48-1
0.45 AC

701.86
ROCKWALL ISD
6.97 ACS

1544.81

OAK CREEK ADDN
4600

526

679.45

1086.86

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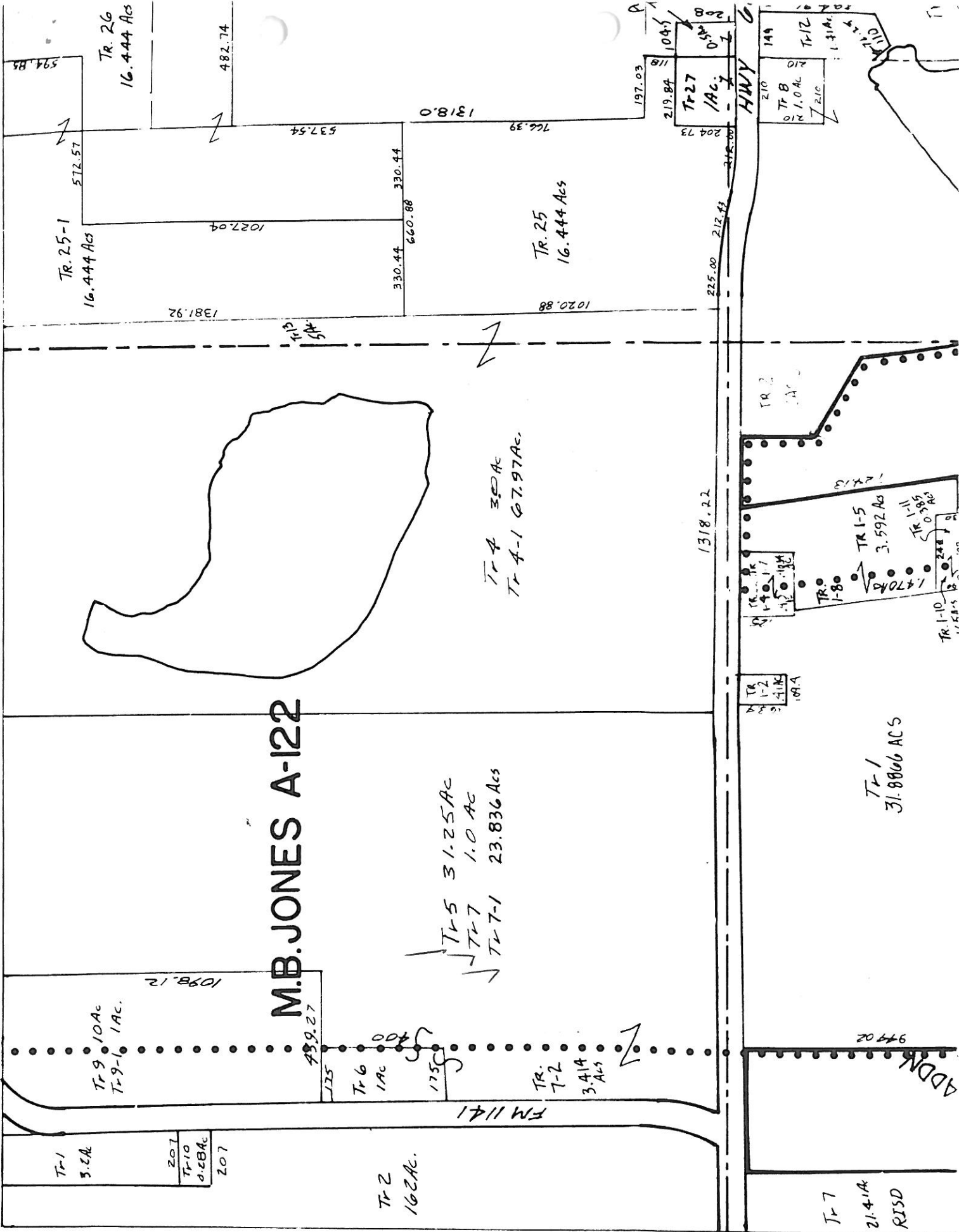
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G.W. RIDLIN A-183

1057.74

(TR 6-1)
444/146

320.90



Tr-1
3.5Ac
207
Tr-10
0.25Ac
207

Tr-2
162Ac.

Tr-9 10Ac
Tr-9-1 1Ac.

M.B. JONES A-122

Tr-5 31.25Ac
Tr-7 1.0Ac
Tr-7-1 23.836Ac

Tr-4 35Ac
Tr-4-1 67.97Ac.

TR. 25-1
16.444 Ac

TR. 26
16.444 Ac

TR. 25
16.444 Ac

Tr-27
1Ac.

Tr-12
51Ac

Tr-1
31.8866 AcS

Tr-7
21.41Ac
RISD

TR-1-5
3.592 Ac

TR-1-8
1.470Ac

TR-1-9
11.185 Ac

TR-1-10
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CITY OF ROCKWALL

"THE NEW HORIZON"

- Public Notice -

The City of Rockwall Planning and Zoning Commission will hold a public hearing on **February 9, 1999** at 7:00 p.m., at the Rockwall City Hall, 205 W Rusk, Rockwall, Texas and the Rockwall City Council will hold a public hearing on **February 15, 1999** at 6:00 p.m. at City Hall, 205 West Rusk, in the City Council Chambers to consider the following items;

1999-07-2-Z

A request from Gee Development for a preliminary plat and change in zoning from zero lot line to center loaded structures for a tract of land currently zoned zero lot and containing approximately 14 acres of land with 68 single family lots generally located at the north west corner of SH-66 and FM-1141

As an interested property owner, you are invited to attend this meeting or make your feelings known in writing by returning the form below. If you want your comments to be included in the information sent to the Planning and Zoning Commission meeting please return the form below by **February 5, 1999:**

Denise LaRue,
Community Development Coordinator

Case No. 99-07-Z

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

I am opposed to the request for the reasons listed below

Your Name: _____

Rockwall Property Address: _____

SEE MAP →

99-07

MB Jones Survey A 1207
14.88 acres

2-1 ✓ Lumbermens Investment
5495 Belt Line #225
Dallas, TX 75240

2-2 Lumbermens

2 ✓ Whittle, Rob
PO Box 369
Rockwall 75087

1 ✓ Jan Cullins
927 FM 1141
Rockwall, TX 75087

6 ✓ Burko Payne
Box 274
Rockwall, TX 75087

9 ✓ Robert Hurri
9-1 516 E Meadow Lane
Phoenix, AZ 85022

A-0183

7 ✓ RISD

99-7

Lakeside Church of Christ
✓ P.O. Box 1085
Rockwall, TX 75087

✓ Dewayne Cain / Kenneth DeJarnett
PO Box 1119
Rockwall, TX 75087



CITY OF ROCKWALL
"THE NEW HORIZON"

99-7
MEADOWCREEK
CONCEPT PLAN
FILE

September 1, 1999

Mr. Don Westfall
Centex Homes
2800 Surveyor Blvd.
Carrollton, TX 75006

Re: Meadowcreek Concept Plan

Dear Mr. Westfall:

It has been represented to the City of Rockwall that Centex Homes has acquired Tracts 7A, 7B, 7C and 7D of Meadowcreek Estates. The property is zoned PD-10 by Ordinance #96-3. A concept plan for the development has been approved by the City Council.

The City considers the concept plan to be an approved development plan under § 2.17(E)(2) of the City's Zoning Ordinance. Due to the location of an underground gas line, it is my understanding that Centex desires to revise the lot and street layout for Tracts 7C and 7D. So long as the number of lots is not increased in Tracts 7C and 7D, then the proposed change would not be considered a major site plan change triggering a rezoning application. This type of change may be approved by the P&Z and City Council without a public hearing.

Similarly, if revisions to the lot and street layout for Tracts 7E, 7F and 7G are required, any changes would be considered minor ones not necessitating a rezoning application so long as the total number of lots (by lot size) is not increased.

Sincerely,

Billy Crolley
Director of Community Development

**City of Rockwall
Planning & Zoning Commission**

Agenda Date: 2/9/1999

Applicant: Gee Development

Agenda Item: PZ-1999-7-1 Preliminary Plat

A request from Gee Development for a preliminary plat and change in zoning from zero lot line to center loaded structures for a tract of land currently zoned zero lot and containing approximately 14 acres of land with 68 lots known as the Meadow Creek Estates and generally located at the north west corner of SH-66 and FM-1141.

Action Needed:

Hold public hearing and consider the request.

Background Information:

The parcel in question is part of PD-5 and contains 68 lots. The parcel has traffic access from SH 66 to the south and FM 1411 to the east. The purposed use of the property is a single family residential development. Attached is the concept plan that was approved for this tract as part of the rezoning of PD 5 in conjunction with the Luberman's Development Plan. If the zoning is approved to allow center loading of the houses, this plat will be in conformance with the zoning.

Staff Recommendation:

Recommends Approval of the request with the following condition(s).

1. Submittal and approval of the engineering plans with final plat.
2. Release from the soil conservation service if necessary.
3. Right-of-Way dedication for FM 1141 and lot 24 for future intersection.

City of Rockwall
City Council

Agenda Date: 2/15/1999

Applicant: Gee Development

Agenda Item: PZ-1999-7-1 Zoning

A request from Gee Development for a preliminary plat and change in zoning from zero lot line to center loaded structures for a tract of land currently zoned zero lot and containing approximately 14 acres of land with 60 for a single family development and generally located at the north west corner of SH-66 and FM-1141.

Action Needed:

Hold public hearing and consider the request.

Background Information:

The subject property is currently zoned PD-5 and contains 14.88 acres and 60 lots. The future land use plan designates this area as single-family residential, therefore, the zoning change is appropriate for this area.

However, the discussions we have had previously regarding allowing center loading (5 foot setback on each side) on zero-lot line zoning should be discussed. In the Staff's opinion, zero-lot line development is a concept more than a setback. While we have approved a request on Newport Place for center loading lots, that was presented by a builder that gave specific examples of the product that would be built on the property. This is a different situation. Staff recommends adding a hedge to the stone column and wrought iron fence. As proposed, backyard fences appear to be limited on the lots that are adjacent to the drainway.

Staff Recommendation:

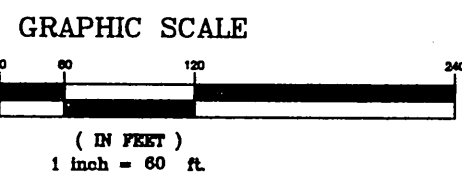
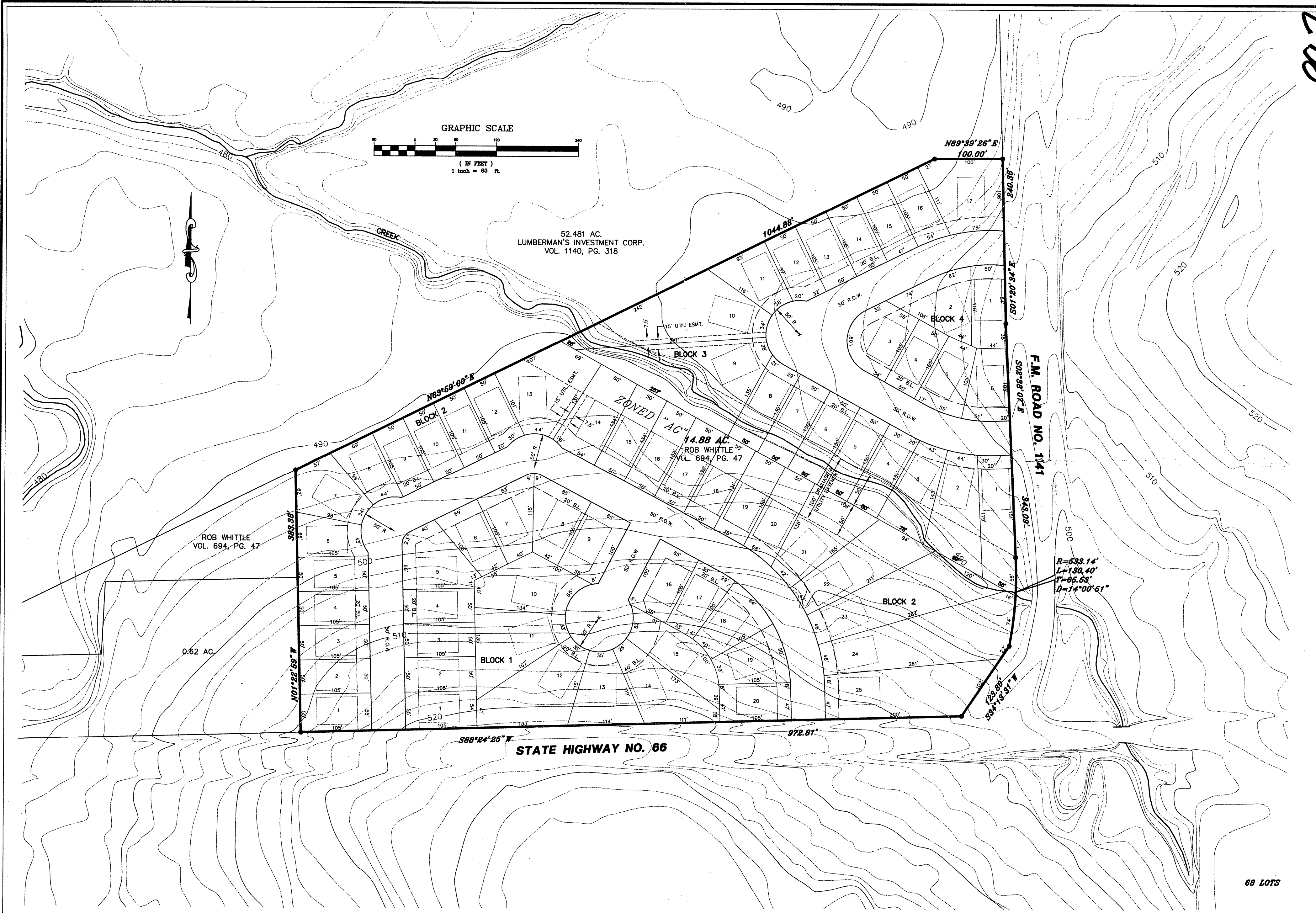
Recommends Approval of the request.

Staff feels that zero-lot line zoning is a concept more than a setback and if a center loaded, "more traditional", single-family product is what is desired, than maybe one of the "more traditional" single-family lots sizes should be considered.

P & Z Recommendation:

Approval by a vote of 5 to 2. Greenwalt & Herring voting against.

99-7
 99-7



52.481 AC.
 LUMBERMAN'S INVESTMENT CORP.
 VOL. 1140, PG. 318

ROB WHITTLE
 VOL. 694, PG. 47

0.62 AC.

14.88 AC.
 ROB WHITTLE
 VOL. 694, PG. 47

$R=533.14'$
 $L=130.40'$
 $T=66.63'$
 $D=14^{\circ}00'51''$

STATE HIGHWAY NO. 66

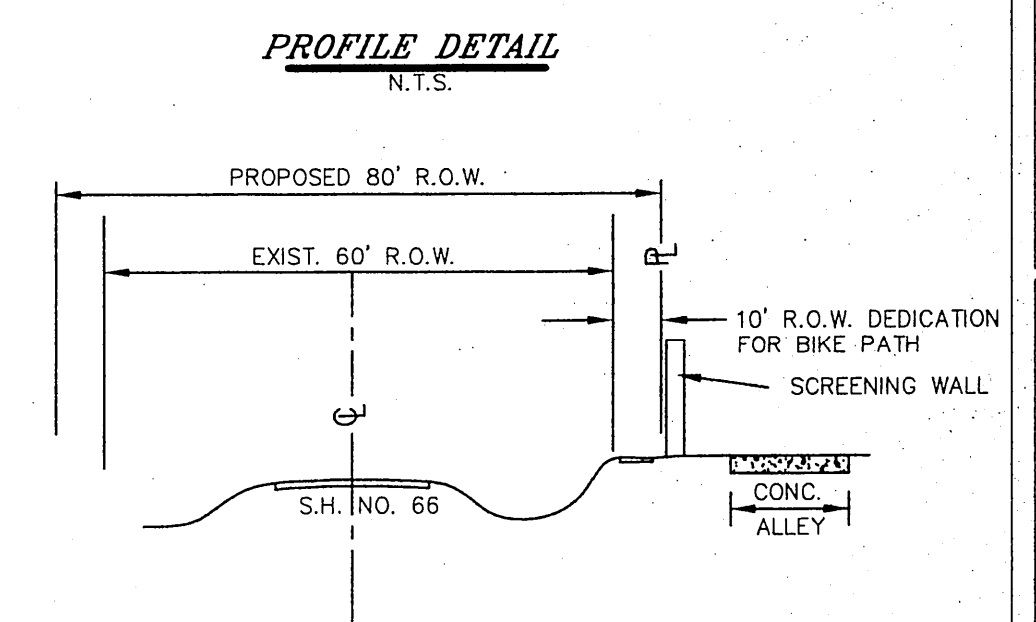
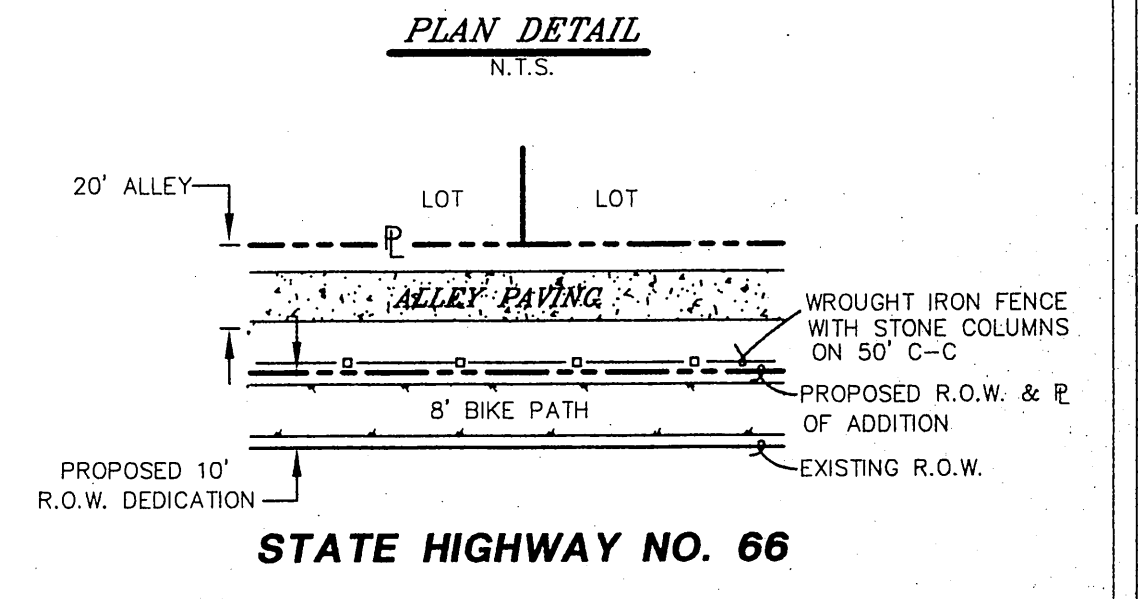
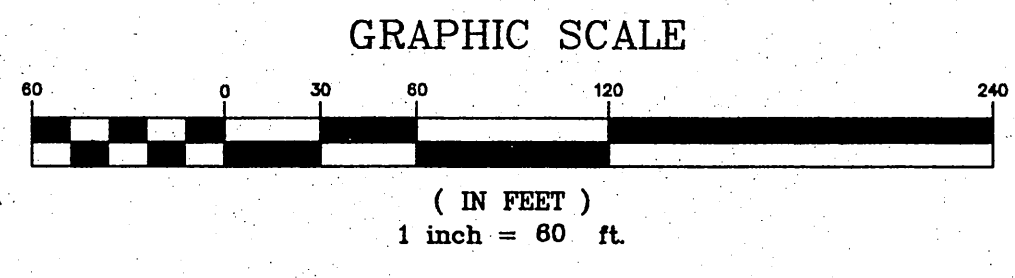
F.M. ROAD NO. 141

68 LOTS

DOUPHRETT & ASSOCIATES, INC.
 SURVEYING • PROJECT MANAGEMENT • SPLITTING
 2231 RIDGE RD., # 200 ROCKWALL, TEXAS 76087
 PHONE: (972)771-0004 FAX: (972)771-9005

PRELIMINARY PLAT
 HEAVEN CREEK ESTATES
 M.B. JONES SURVEY, ABSTRACT NO. 1207
 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

REVISION	
CHECKED	W.L.D.
DRAWN	K.E.B.
DATE	1/8/99
PROJECT	9849 PPLT
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52.481 AC.
LUMBERMAN'S INVESTMENT CORP.
VOL. 1140, PG. 318

ROB WHITTLE
VOL. 694, PG. 47

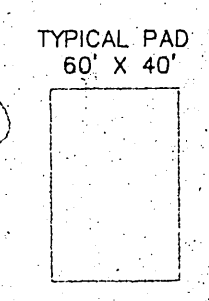
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ROB WHITTLE
VOL. 694, PG. 47

$R=533.14'$
 $L=130.40'$
 $T=65.53'$
 $D=14^{\circ}00'51''$

STATE HIGHWAY NO. 66

F.M. ROAD NO. 1141

60 LOTS



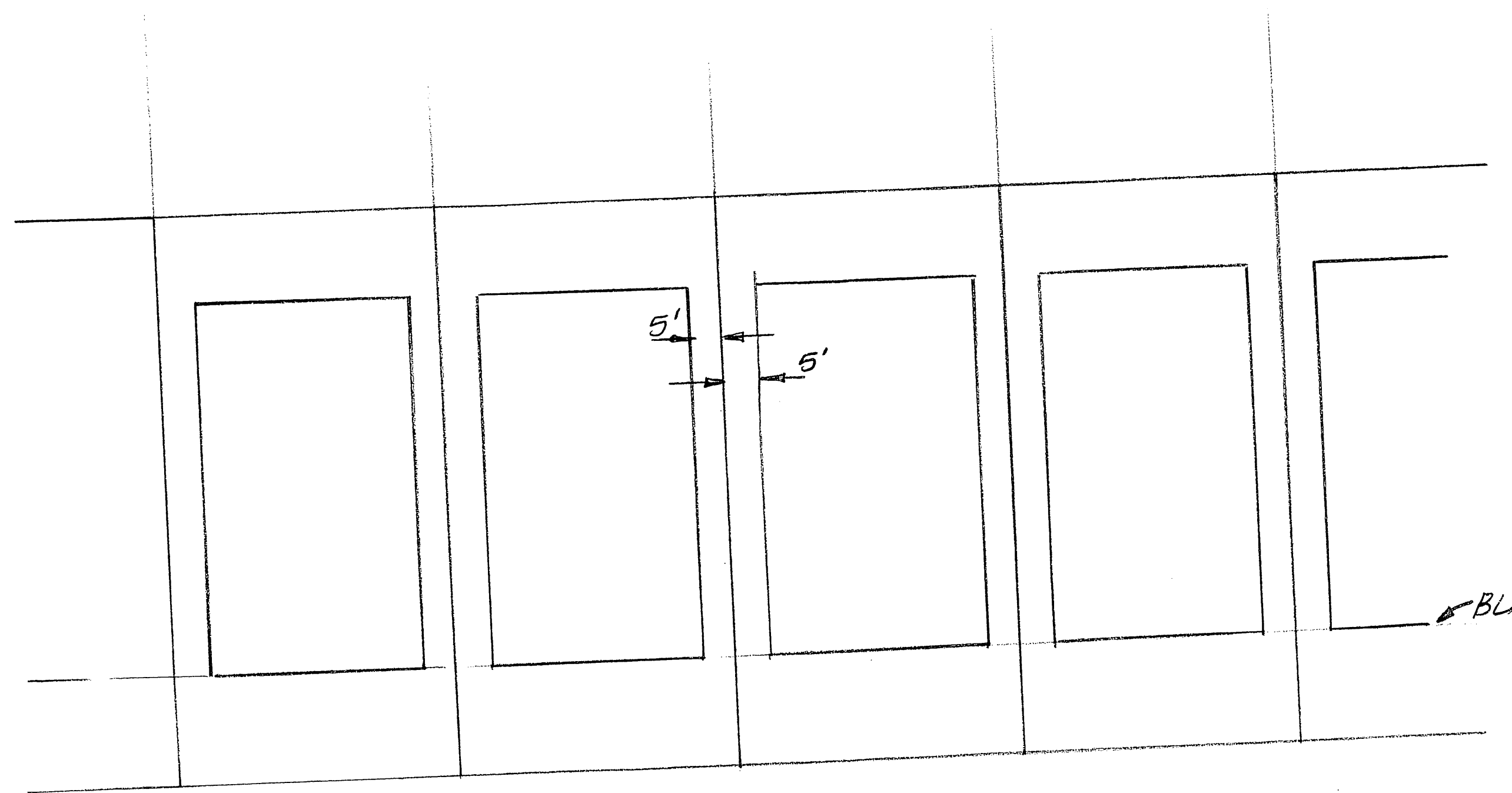
DOUPHRATE & ASSOCIATES, INC.
ENGINEERING • PROJECT MANAGEMENT • SURVEYING
2231 RIDGE RD., # 200 ROCKWALL, TEXAS 75087
PHONE: (972)771-8004 FAX: (972)771-9005

PRELIMINARY PLAT
CAMDEN CORNERS ADDITION
M.B. JONES SURVEY, ABSTRACT NO. 1207
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

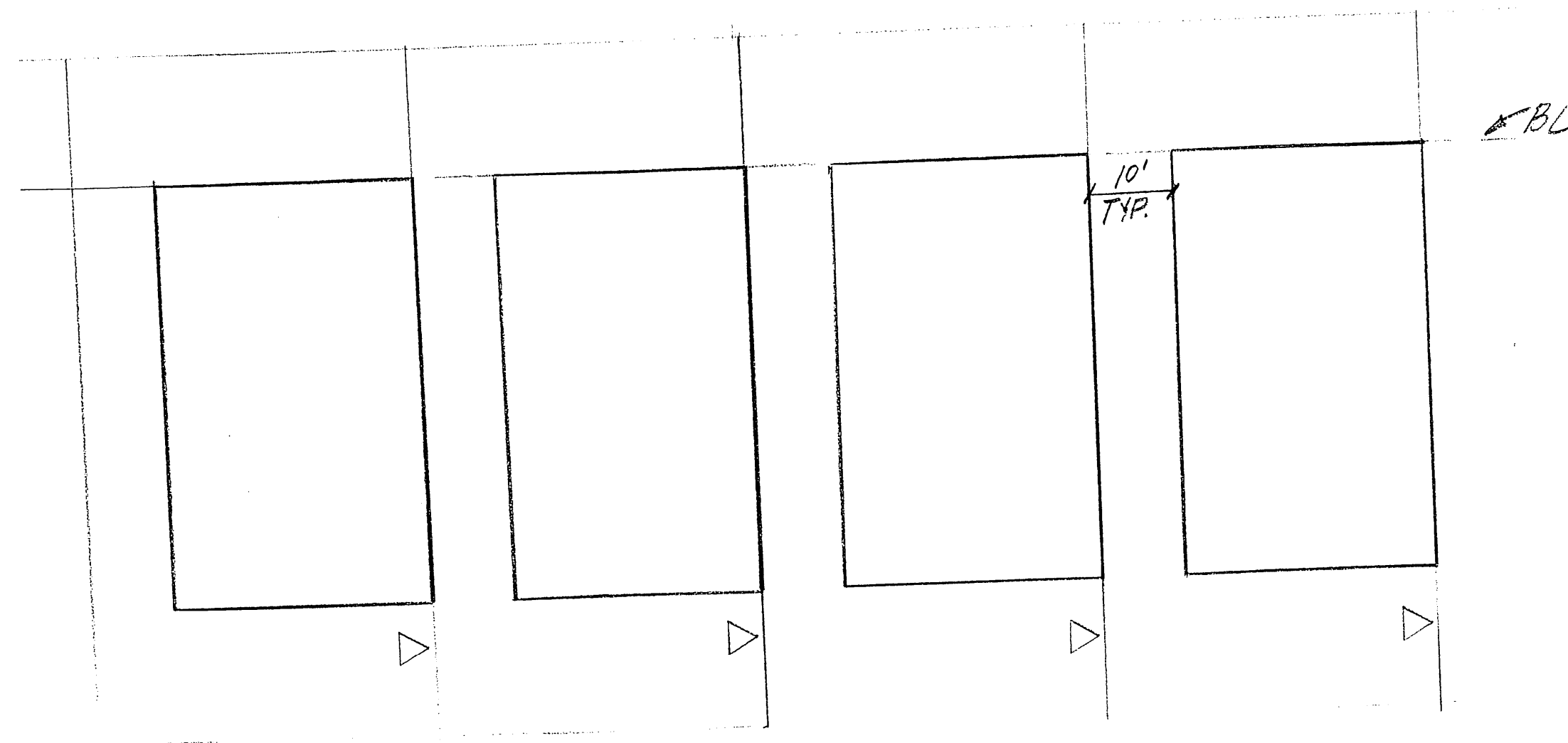
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CHECKED	W.L.D.
DRAWN	K.E.B.
DATE	2/2/99
PROJECT	9849 PPLT

FILE COPY

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99-7



GEB
Zoning
CASE
FILE



ZLL

▷ Denotes 0 Lot Line Side

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**MINUTES OF THE
ROCKWALL CITY COUNCIL
February 15, 1999**

10

Call to Order

The Rockwall City Council met in regular session at the City Hall Council chambers. Present were the following: Mayor Hatfield, Mayor Pro Tem Welborn, Councilmembers Buffington, Coleson, Morgan, Morris and Self. Hatfield called the meeting to order at 6:00 p.m. Invocation and Pledge of Allegiance were led by Dale Morgan.

15

Presentation of Proclamation:

Mayor Hatfield presented a proclamation for Black History month to Larry Wooten and he expressed his appreciation.

20

Consent Agenda

- 20 A. Consider Approval of Minutes of January 27, 1999 and February 1, 1999 and Take Any Necessary Action.
- 25 B. Consider Approval of an Ordinance Approving Rate Schedules for Texas Utilities Electric Company, providing an effective date therefor, providing conditions under which such rate schedules may be changed, modified, amended or withdrawn, finding and determining that the meeting at which this ordinance is passed is open to the public as required by law. (2nd reading)
- 30 C. Consider Approval of a Resolution Finding a Necessity Exists to Acquire Real Property for Construction of Improvements to FM 740 , Authorizing City Attorney to Institute Eminent Domain Proceedings for Acquisition of Easement for Parcel 34 and Take Any Necessary Action.
- 35 D. Approve Appointment of Officers for City of Rockwall General Election and Take Any Necessary Action.
- E. Consider Approval of a Bid for Water Meter Purchases Annual Contract and Take Any Necessary Action.
- 40 F. Consider Approval of Purchase of Vehicles under HGAC or State Contract and Take Any Necessary Action.
- G. Consider Approval of a Contract Award for FM 740 Utility Relocation Project and Take Any Necessary Action.
- 45 H. Consider Approval of land acquisition for Parcel 24 for FM 740 and Take Any Necessary Action.
- I. Consider Adoption of a Resolution Providing for the Collection, Handling and Transfer of Sales Tax Revenues due and owing to the Rockwall Economic Development Corporation and Take Any Necessary Action.
- 50 J. Consider Adoption of a Resolution Ratifying , confirming and approving the bylaws of the Rockwall Economic Development Corporation and Take any Necessary Acton.
- 55

Hatfield requested the minutes of February 1 be pulled for a separate vote as he was absent from the meeting. Welborn indicated she had recommended changes in the minutes to Staff and that those changes were reflected in copies placed at each councilmember's seat. She moved for

60 approval of the January 27, 1999 minutes with the corrections as well as items B,C,D,E,F,G,H,I,
and J of the Consent Agenda. The motion was seconded by Morris and Kindred read the caption:

Ord. 99-04

65 AN ORDINANCE APPROVING RATE SCHEDULES FOR TEXAS UTILITIES ELECTRIC
COMPANY, PROVIDING AN EFFECTIVE DATE THEREFOR, PROVIDING CONDITIONS
70 UNDER WHICH SUCH RATE SCHEDULES MAY BE CHANGED, MODIFIED, AMENDED
OR WITHDRAWN, FINDING AND DETERMINING THAT THE MEETING AT WHICH
THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

70 The vote to approve these items was unanimous in favor. Buffington moved for approval of the
minutes of February 1, 1999 and Coleson seconded the motion. The vote to approve these
minutes was as follows:

75 AYES: Buffington, Coleson, Morgan, Morris, Self, Welborn
NAYS: None
ABSTENTIONS: Hatfield

Appointments/Plats/Plan/Public Hearings

80 **Appointment with Jerry Wimpee to hear report on County Thoroughfare Plan and Take Any
Necessary Action**

85 Jerry Wimpee came forward and gave a review of the planning process and final draft of the plan.
Michael Burbank, Planner for the Council of Governments, came forward and gave a review of the
committees which formulated the plan and an overview of the county's long term transportation
needs. He indicated the plan was consistent with the current City of Rockwall Thoroughfare Plan.
90 He indicated the primary objective was to set aside right of way for existing and future
transportation needs. He stated that it was a long reaching plan, 50 to 100 years and stated that
they looked at the build out of the County to a moderate rural community. Welborn commented
that the COG plan affirmed the City's well thought out thoroughfare plan and asked how the plan
would be used to obtain funding from TxDot once approved by the various cities. Burbank stated
that TxDOT had indicated they were not willing to fund anything unless a plan had been officially
95 adopted and that this plan would be adopted and presented to TxDOT so they could consider
putting it in their long range plan or funding. He indicated that the level of growth in the County
would most likely warrant TxDOT addressing the plan in the near future. Buffington stated that he
appreciated the work done by the Council of Governments. Morgan asked Burbank if he had
information on the extension of the southern portion of 190. He reported on the progress of that
100 project and stated that there was currently a technically preferred alternative from Rowlett,
Garland and Sachse and that there would be public input taken and a locally preferred alternative
would be proposed. Hatfield thanked the Commissioners Court for their proactive leadership on
this critical planning.

105 **Appointment with Joetta Currie of the Cultural Arts Commission to present proposal for
Development Directives and Needs Assessment Survey provided to the Texas Alliance for
the Arts and Take Any Necessary action.**

110 Currie came forward and reported that the Cultural Arts was requesting approval of expenditure of
funds to the Texas Alliance for guidance to the Commission with successful development of the
organization, allowing them to be more informed, more prepared and more capable to serve the
needs of Rockwall's cultural community. She stated that the commission members had voted to
join Texas Alliance and accepted the proposal for their services. She stated the membership dues
were \$50.00 and the cost for the services would be \$2,955 , but only if the Commission received
115 the TCA Cultural Connections Grant of \$3,000 and that she had been told that they were virtually
guaranteed to receive the funding. Hatfield commented that the Cultural Arts Commission was
doing a great job. Coleson moved to accept the request as outlined and approve the expenditure

of funds. Hatfield confirmed that the money was already in the group's account. Currie stated that they did have \$6,000 in the fund from the Celebrity Art Auction, but if they did not receive the grant, they wouldn't be able to pay for it solely on their own but that they could either work out some type of payment plan or wait until October to use Hotel/Motel funds. Self seconded the motion. Welborn asked when the group will know if they would receive the grant. Currie stated approximately March 1. Welborn commented that if they did not receive the grant, she may want to come back and see if Council can find the funding from somewhere else. The vote to approve the request was unanimous in favor.

Hatfield indicated a couple of Councilmembers would need to leave the meeting early and moved forward to item VII.C., Political Signs.

Discuss and Consider Approval of an ordinance revising Ord. # 84-61, 85-4, 85-45, 86-86, and regarding political signs and Take Any Necessary Action. (1st Reading)

Crolley gave background leading up to proposed changes to the sign ordinance. He stated that there was a concern on the number of signs, visual clutter, litter, and the desire to try to clean it up. He indicated that the ordinance proposed set a maximum allowance of 32 square feet and reviewed the various recommendations regarding lighting, maximum duration, number of signs allowed and materials. He reported that Staff had looked at maximum sign area per lot and reviewed the alternatives. Couch commented that the draft ordinance was based on an aggregate square foot basis and that was content neutral. She stated that the easiest way to regulate it was on a one sign per candidate per lot or track of land basis, but that it could be challenged because it would be content based. Coleson asked if the 128 square feet in the draft was total allowed per lot or per candidate. Couch stated that would be per lot. Coleson commented that could be unfair and difficult to administer and that he would be more in agreement with allowing one sign per lot per person. Morris indicated he would also prefer the one sign per candidate per lot and would appeal to the candidates to not litter and to clean up their signs. Welborn expressed the concern of aggregate square feet because the use of many small signs was what Council wanted to avoid. She further asked about the usage of on site and off site in the ordinance and asked that it be listed as residential and other than residential and stated she preferred 6 square feet maximum area in residential. The setback of zero was discussed and Couch stated that the problem with a 10' setback was with enforcement so that it was preferable to limit it to outside the right of way. Welborn commented she also was in favor of one per candidate per lot. Welborn stated other signs were regulated on number in the sign ordinance. Coleson moved to have staff draw up an ordinance indicating the council's preference for a one sign per candidate per lot provision and Buffington seconded the motion. It was noted that the ordinance would need to come back for first reading at the next meeting. The vote to make the changes to the ordinance passed by a unanimous vote.

Appointment with Chairman of the Planning and Zoning Commission.

Carl Jackson was recognized and he offered to answer any questions that might come up. Coleson asked about the case involving center loading of the lots and the 5 to 2 vote. He asked why the two members opposed the concept. Jackson stated that some of the members felt that a center load on a zero lot line could possibly create a precedent of a new type of zoning being created. Hatfield indicated it might be prudent to move forward to the case since there was discussion on this item, V.H. Jackson stated that he felt that those who voted in favor of the request felt the circumstances warranted it in this case.

1999-07-1-PP 1999-07-2-Z Hold Public Hearing to Consider Approval of an Ordinance approving a request from Gee Development for Change in Zoning from zero lot line to allow center loaded structures with 5' side setbacks and Consider Approval of a preliminary plat for a tract of land currently zoned zero lot and containing approximately 14 acres of land with 60 lots known as a single family development and generally located at the north west corner of SH-66 and FM-1141

and Take Any Necessary Action.

175 Crolley outlined that the application consisted of a zoning request and a preliminary plat request. He indicated that requests to take a zero lot line zoning and do a traditional set back of five feet on each side had come before Staff in the past, but that Staff was of the opinion that the zero lot line was a concept more than a setback and that if a center loaded, more traditional, single family product was desired, a zoning request would be required. Morris asked if the lots met the 50' minimum width in the ordinance. Crolley indicated they were all at least 50' width at the building line. It was indicated that the smallest lot was 5,250' square feet and that there were 60 lots proposed. Crolley indicated how Staff established the right of way and easements shown on preliminary plat. He indicated that if the zoning was approved the preliminary plat would be in conformance. Crolley reported that the Planning and Zoning Commission recommended approved by a vote of 5 to 2. He indicated that staff recommended approval of the Preliminary Plat with the following recommendations:

- 185 A. Submittal and approval of the engineering plans with final plat
- B. Release from the soil conservation service if necessary
- C. Right of Way dedication for FM 1141 and lot 24 for future intersection
- D. Recommendations of the Park Board

190 Hatfield opened the public hearing. Dub Douphrate, Rockwall, came forward and indicated concerns which had been addressed with the Staff. Welborn asked who would maintain the access and maintenance easement. Douphrate indicated that the City Engineer had requested it be maintained by the City of Rockwall. Welborn expressed the desire for screening along FM 1141. Conversation took place as to the need for screening along all major roadways and it was determined that Staff would address requiring that. Discussion took place as to center loading and Coleson indicated he was not in favor or if. Welborn expressed concern over maintenance of a 5' section on each side of the home versus 10" section on one side and indicated it also would make it hard to have a side entry garage with the center loading. She indicated she was not in favor of changing the zoning. Morris concurred with Welborn and moved to deny the zoning request for center loading. Coleson seconded the motion and the vote was as follows:

200 AYES: Buffington, Coleson, Hatfield, Morgan, Self, Welborn
NAYS: Morgan

The zoning request was denied by a vote of 6 to 1. Crolley stated that the applicant would need to bring back the preliminary plat with designation as to which side of the lots would be the zero lot line side. Whittle asked if the plat could be approved with the understanding that would be done at final plat. Welborn indicated she would also want the provision that staff would look at screening on all major roadways. Welborn moved for approval of the preliminary plat subject to the designation of zero lot line and looking at landscaping and screening standards. Buffington seconded the motion and the preliminary plat was approved by a unanimous vote.

210 **1998-79-1-CUP Hold Public Hearing to consider approval of an Ordinance granting a request from the Black-Eyed Pea restaurant for a Conditional Use Permit to allow a private club as an accessory to a restaurant located at 2861 Ridge Road suite # 101 at the Steger Towne Center and Take Any Necessary Action.**

215 With no one present to represent the application, it was moved to later in the meeting. With no one arriving by the end of the meeting, the case was then tabled. Buffington moved to table the case until the March 1, 1999 meeting and Self seconded the motion and the vote was unanimous in favor. It was noted that a fine of \$250 would be assessed the applicant.

220 **Councilmember Sam Buffington left the meeting at 7:00 p.m.**

225 **1998-87-1-Z Hold Public Hearing to consider approval of an Ordinance approving City initiated zoning change for tracts listed below from agriculture to commercial planned development J. A. Ramsey Survey, Abstract 186, The Following Tracts:**

Pannell Subdivision Tract 2-00 Tract 2-2,2-6,2-11 Tract 2-3 Tract 2-4 Tract 2-7 Tract 2-8 Tract 2-9 Tract 2-13 and Generally located at the northeast corner of S.H. 276 and F. M. 549 and Take Any Necessary Action.

Crolley outlined the request and indicated that the properties were in the newly annexed area. He

230 stated that Staff was proposing to put the property into a commercial zoning planned development
and allow permitted uses to be what was currently being done on the property today. He reviewed
the various tracts as to what was currently being done and recommendations of staff. He indicated
from a building code standpoint all codes would have to be met on a new application and that with
15 existing buildings, there would need to be a change to the standards to upgrade the existing
buildings if substantial amount of work was done on them. He reported that the PD ordinance
would included the clause that if any existing building was expanded to equal the value of 50% of
the existing building, the building would have to meet the requirements of the exterior materials
requirements of the commercial zoning district unless otherwise approved by City Council.

240 Hatfield opened the public hearing. Welborn moved for approval of the Ordinance and Morgan
seconded the motion. Kindred read the caption:

Ord. No. _____

245 AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING
THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF
ROCKWALL HERETOFORE AMENDED SO AS TO CHANGE THE
ZONING ON A TRACT OF LAND WHICH IS MORE FULLY DESCRIBED
250 HEREIN FROM "A" AGRICULTURAL CLASSIFICATION TO PLANNED
DEVELOPMENT ZONING "PD-45 PLANNED DEVELOPMENT
NUMBER 45 ; CORRECTING THE OFFICIAL ZONING MAP;
PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM
OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;
255 PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A
REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

The motion was approved by the following vote:

260 AYES: Coleson, Hatfield, Morgan, Morris, Self, and Welborn
NAYS: None

Crolley indicated that one clarification needed to be made to allow for current uses on the Houser tract.

265 **1999-02-1-RP Hold Public Hearing to Consider Approval of a Request from Reba Mansell for a replat of two single family lots into one lot know as Lots 7 and 8, Block A of Chandlers Landing Phase 18 and Take Any Necessary Action.**

270 Crolley outlined the request and indicated that the applicant proposed to combine two existing lots into one single family lot to allow larger area for development. He reported that Staff recommended approval and that the Planning and Zoning Commission recommended approval by a vote of 7 to 0.

275 Hatfield opened the public hearing. The applicant's representative, Pat Luby, was acknowledged and requested approval. With no other speakers, Hatfield closed the public hearing. Coleson moved for approval of the request and Self seconded the motion. The vote was unanimous in favor with the following members present: Coleson, Hatfield, Morgan, Morris, Self, and Welborn

280 **1999-03-1-RP Hold Public Hearing to Consider Approval of a request from Kirby Albright for a replat of two single family lots into one lot known as Lots 2 and 3, Block A of Benton Court and Take Any Necessary Action.**

285 Crolley outlined the request and indicated that the applicant proposed to combine two existing lots into one single family lot to allow larger area for development. He reported that Staff recommended approval and that the Planning and Zoning Commission recommended approval by a vote of 7 to 0. Hatfield opened the public hearing. Kirby Albright, applicant, was acknowledged. Coleson moved for approval and Morgan seconded the motion. The vote was unanimous in favor with the following members present: Coleson, Hatfield, Morgan, Morris, Self, and Welborn

290 **1999-08-1-RP Hold Public Hearing to consider Approval of a request from Otis Ferguson with**
Roome Surveying for a replat of 1 single family lot located at 1240 Fairlakes Pointe in the Shores
Addition and Take Any Necessary Action.

295 Crolley indicated the request was necessary to relocate a TU easement on the tract. Crolley stated that
Staff would recommend approval of the request and that the Planning and Zoning Commission
recommended approval by a vote of 7 to 0. Hatfield opened the public hearing and it was determined
that the applicant was not present. Welborn moved to continue the public hearing to the March 1, 1999
meeting unless the applicant appeared before the end of the meeting. Coleson asked if a fine would be
300 assessed on this applicant and seconded the motion. It was noted a fine would be assessed if he didn't
attend. The vote to continue the public hearing was unanimous in favor with the following members
present. Coleson, Hatfield, Morgan, Morris, Self, and Welborn

The applicant arrived later in the meeting and the public hearing was reopened by Hatfield. The public
hearing was closed. Morgan moved for approval of the replat and Morris seconded the motion. The
305 vote was unanimous in favor at 6 to 0.

**1998-82-1-LP 1998-82-2-SP Consider Approval of a request from Lake Pointe Baptist Church for
a landscape plan and site plan for a 35.97 acre site located at 701 I-30 to accommodate a
Children's Educational Building, along with parking and drainage improvements and Take Any
Necessary Action**

310 Crolley reviewed the request and indicated the property was zoned commercial and that the proposal
was an attempt by the church to reorient the site to Ralph Hall Parkway. He reported that most of the
parking to be added would be on the property just purchased behind the site and that the remainder
would be restriping of existing parking and redoing lighting. He indicated that Staff recommended
315 approval with the following conditions:

- A. Approval of the Engineering Plans
- B. Approval of the lighting plan

He reported that the Planning and Zoning Commission also recommended approval.

320 Morris moved for approval of the request with staff recommendations. Coleson seconded the motion
and the vote was unanimous in favor at 6 to 0.

**1998-89-1-FP Consider Approval of A request from Dowdey Anderson & Associates for a final
plat for 65 single family lots currently zoned PD-3 on a tract of land containing approximately 17
acres known as Hillside phase 3A / 3B and generally located south of Champions Drive And Take
325 Any Necessary Action.**

330 Crolley reviewed the request and indicated this was a continuation of the existing Shores development.
He reported that Staff recommended approval with approval of the engineering plans and that the
Planning and Zoning Commission also recommended approval. Coleson moved for approval. It was
noted that the applicant was present. Morris seconded the motion and it passed by a vote of 6 to 0.

**1999-05-1-PP Consider Approval of A request from Whittle Development for a preliminary plat
for a tract of land currently zoned PD-9 and containing 44 acres of land and 113 single family lots
known as the Fox Chase Addition Phase 6 and generally located north of White Road east of FM-
335 740 and Take Any Necessary Action.**

340 Crolley outlined the request and stated that the property had traffic access from FM 740 and that the
access was not easy to achieve to this development. He stated that the Traffic Engineer had reviewed
the access situation and that Staff felt that another point of access from Tubbs Road was necessary.
Crolley reported that Rainbow Road was a white rock road connecting to White Road, Horizon and FM
3097, but that it carried quite a lot of traffic and that Staff felt it was necessary to address what would
happen with Rainbow Road. Crolley reported that Staff recommended approval of the request with the
following conditions:

- 345 1. Tubbs Road connection to FM 3097
- 2. Alternative Route for Rainbow Road

3. Recommendations of the Park Board

He reported that the P & Z Commission had recommended approval with the same conditions. Welborn commented that the thoroughfare plan showed Tubbs as a four lane divided roadway and cautioned against changing it to a lesser size road. Welborn asked if Rainbow Road was public now. Crolley reported there was no dedicated right of way but only prescriptive right. Welborn asked about the procedure to abandon it. Crolley reported there would need to be public hearings for abandonment and replacement of access and that the applicant had been asked to bring back a plan for that. He stated that with the conditions Staff would have the latitude to address Rainbow Road and access to FM 3097. Welborn moved for approval of the preliminary plat subject to Staff recommendations and Morris seconded the motion. The vote was unanimous in favor at 6 to 0.

1999-06-1-FP Consider Approval of a request from Rockwall Economic Development Corporation for a final plat for a tract of land currently zoned light industrial containing 146 acres and known as the Rockwall Technology Park generally located at the north west corner of SH-276 and FM-549.

Crolley reported that the request was part of the Rockwall Technology Park and would have access off FM 549 to the east and S. H 276 to the south and was a park planned by the Rockwall Economic Development Corporation. He indicated Staff recommended approval with the following conditions:

- A. Approval of the engineering plans
- B. Delete zoning references from Plat.

Crolley reported that the P & Z commission also recommended approval with those conditions. Coleson moved for approval and Morris seconded the motion with the request that the developer be sure to make the driveways wide enough to handle the 18 wheeler trucks. The vote was unanimous in favor at 6 to 0.

Welborn asked Staff to give an update as to the exterior building material overlay zones. Crolley stated that something would be presented at the meeting on March 1st.

Hatfield recessed the meeting for a break at 7:35 p.m. Council returned to order at 7:50 p.m. with Ron Coleson absent for the remainder of the meeting.

1999-09-1-FP Consider Approval of a Request from Douphrate & Associates for a final plat for a tract of land currently zoned agriculture and containing approximately 62 acres with 5 single family lots known as The McLendon Companies Addition generally located at the south east corner of FM-549 and south of Sterling Farms Addition and Take Any Necessary Action.

Crolley reviewed the request and indicated that the tract would gain access off FM 549 and that a 50 foot right of way was recommended to the north along tract five. He reported that the lots would be served by septic tanks and that because of the development type which had no internal street system, the size of the lots and the number of lots, Staff had no concerns with the request. Welborn asked why the zoning wasn't being changed to single family residential rather than agricultural. Crolley stated that those lots would be eligible for the agricultural exemption as zoned and Couch stated that another advantage of maintaining the agricultural zoning was that the lots couldn't be replatted into smaller lots. Welborn moved for approval of the final plat and Morris seconded. The vote was unanimous in favor with the following Councilmembers present: Hatfield, Morgan, Morris, Self, Welborn at 5

Councilmember Buffington returned to meeting at 8:00 p.m.

1999-10-1-RP 1999-10-2-SP 1999-10-3-LP Consider Approval of a Request from PSA Engineering for a replat, site plan and landscape plan and Facilities Agreement and Hold Public Hearing to Consider Approval of an Resolution approving Roadway abandonment for a portion of Tubbs Road for a tract of land currently zoned commercial and containing approximately 9 acres and known as Rockwall Market Center East generally located at the south east corner of I-30 and Mims Road and Take Any Necessary Action.

Crolley reviewed the request and indicated that the site was located at the southwest corner of I-30 and Mims Road and proposes a 86,000 square foot Retail Department Store (Kohls) with a parking lot with 302 spaces. He reported that the public hearing was required to abandon the portion of Tubbs Road in

405 front along the south property line. She stated that Staff was proposing to allow that section of the road to be abandoned with the replat and the property owner to grant a temporary street easement that would be used as the public road until Ralph Hall Parkway was connected to Mims Road. Crolley reviewed the access in detail. Crolley reported that Staff recommended approval of the replat with the following conditions:

- 410
- a. Approval of the engineering plans
 - b. Revise Right of Way dedication along Mims Road to match Ralph Hall Parkway plans
 - c. Approval of the facilities agreement for Tubbs Road abandonment.

He reported that the Planning and Zoning Commission recommended approval with the same conditions by a vote of 7 to 0.

415 Crolley indicated that the Site plan was also recommended for approval with the following recommendations:

- 420
- a. Approval of the engineering plans.
 - b. Right of way Abandonment of Tubbs road
 - c. Provide traffic circulation until Ralph Hall Parkway is opened
 - d. All roof mounted equipment must be screened from all sides
 - e. Approval of the lighting plan

He reported also that the Planning and Zoning Commission recommended approval with the same conditions by a vote of 7 to 0.

425 Hatfield opened the public hearing. Applicant, Pan Sribhen, indicated he was present to represent Kohls. With no one coming forward, Hatfield closed the public hearing. Morgan moved for approval of the resolution for abandonment of Tubbs Road. Morris seconded and the vote was unanimous in favor with the following present: Buffington, Hatfield, Morgan, Morris, Self, Welborn

430 Welborn moved to authorize the City Manager to enter into the facilities agreement and to approve the replat to include the portion of Tubbs Road that has been abandoned and subject to staff and Planning and Zoning recommendations and moved for approval of the site plan subject to Staff and Planning and Zoning recommendations and the landscape plan as submitted. Morris seconded the motion and the vote was unanimous in favor with the following councilmembers present: Buffington, Hatfield, Morgan, Morris, Self, Welborn

440 **1999-11-1-FP Consider Approval of a request from Bobby Stovall for a final plat for a tract of land currently zoned SF-10 containing approximately 7 acres with 11 lots known as Ralph Hall Addition generally located on the east side of North Lakeshore north of Haven Hill Court and Take Any Necessary Action**

It was noted that there was no representative for the next two applications. Welborn moved to table the next two items. Buffington seconded the motion and the vote was unanimous in favor.

445 **1999-12-1-FP Consider Approval of a request from Bobby Stovall for a final plat for 1 lot currently zoned SF-10 known as the Ralph Hall Addition Lot 10 and Take Any Necessary Action.**

Tabled as indicated above.

450 **1999-01-1-SP Consider Approval of a request from Ivor McKeown for a site plan on a tract of land currently zoned light industrial for a mini-storage facility on 1 lot containing 3.3 acres located at 1760 I-30 and Take Any Necessary Action.**

455 Crolley reviewed the request and stated that proposed were six buildings and that the site would have access off the eastbound IH 30 Service Road. He stated this was the expansion to the existing storage units and that the building that faces IH-30 would have a masonry face. Crolley reported the other buildings would match the existing construction. He reported that Staff recommended approval as well as the Planning and Zoning Commission with the following conditions;

- 460
- a. Approval of the Engineering Plans
 - b. Additional fire hydrants added
 - c. Tree type added to plan with a three inch minimum size and red oak or live oak trees planted

35 Morris moved for approval of the request and Self seconded the motion. Crolley stated that as proposed the drive connecting to the existing facility would be concrete as well as all the drive aisles between. The applicant was present. The vote to approve the request was unanimous in favor.

City Manager's Report

470 Couch reviewed her report including the INI study to be conducted in Chandlers Landing. She reported that TxDOT had reported to Staff that SH 205 and the FM 552 did not meet the warrants for signalization, but some changes would be made to the intersection. She reported that they would install blinking lights and post some advisory speed signs. Couch reported that the speed study was also done by TxDOT and that the speed limit would be 55 mph. She reported they also would be restriping the intersection.

475 Couch gave an update as to the action of the Lake Cities Coalition and take line agreement.

480 Hatfield commented on intersection at FM 740 and Steger Towne as being dangerous. Couch stated that the intersection had been analyzed prior to Lowes opening and it did not meet warrants and that now that Lowes was open Staff would have it re-analyzed. Couch stated that another trigger would be when Ralph Hall Parkway was completed and connected to Steger Towne, the load will increase on that roadway as well.

485 Buffington asked for an update on the dangerous buildings demolition program. Crolley stated that Staff would have an updated report at the March 1 meeting. He stated that Mr. Widmer had identified several buildings to be added to the list.

Action/Discussion Items

490 Consider Approval of a Resolution nominating Menasha Corporation as an Enterprise Project and Take Any Necessary Action.

95 Couch reviewed the creation of the enterprise zone and stated that under the guidelines of the State, the Council could designate four projects within a two year period and stated this would be the first project. She reported that if Menasha Corporation was designated as eligible, it would be submitted to the State and if approved they would be eligible for sales tax reductions on the State level and for discounts on the T.U. rates as well. She reported that it was recommended by the EDC that Council approve the nomination of Menasha as first enterprise project. Welborn asked Council to approve the resolution and Buffington seconded the motion. The vote was unanimous in favor.

500 Consider Approval of Municipal Court computer software and hardware and Take Any Necessary Action.

505 Couch indicated that the Court software program was provided by Court Specialists and that the department had reviewed other software available and was recommending that the City stay with the current provider and upgrade the software in use. Self moved for approval and Buffington seconded the motion. The vote to approve the software and hardware was unanimous in favor.

510 Discuss and Consider Approval of an Ordinance revising Ord. # 85-2 regarding Private Clubs and Take Any Necessary Action (1st Reading)

515 Crolley indicated that the change in the ordinance was to bring it into conformance with State Law. Welborn moved for approval of the ordinance and Morris seconded the motion with a question as to how the Door to Door would be determined. Crolley stated typically it was front door to front door and that it would need to be looked at in each case. Kindred read the ordinance caption:

Ord. No. _____

520 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
ROCKWALL, TEXAS AMENDING ORDINANCE NO. 85-2, AS
AMENDED BY ORDINANCE NO., 87-36, ORDINANCE NOL 88-57
AND ORDINANCE NO., 88-8 BY PROVIDING THAT NO PRIVATE

525 CLUB MAY BE LOCATED WITHIN 300' OF ANY CHURCH, SCHOOL
OR HOSPITAL; PROVIDING FOR DEFINITIONS ; PROVIDING FOR
A PENALTY OF A FINE NOT TO EXCEED THE SUM OF \$2,000;
PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN
EFFECTIVE DATE.

530 The ordinance was approved by a unanimous vote.

Hatfield recessed the meeting into Executive Session at 8: 30 p.m.

Hold Executive Session under Sections 551.072 of the Texas Government Code To Discuss:
a. Land Acquisition for City Facilities and FM 740

535 Council came out of Executive Session at 8:45 p.m.

Take Any Necessary Action as Result of Executive Session

540 **Adjournment** Hatfield adjourned the meeting at 8:50 p.m.

APPROVED:

545 

Mayor, George R. Hatfield

ATTEST:

550 

City Secretary Cindy Kindred

