

MINUTES OF THE PLANNING AND ZONING COMMISSION

April 14, 1983

Members present were Chairman Wayne Rogers, members Wayne Miles, Luke Gournay, Kent McKinney, Wes Barton and Jack Horn. Duane Gracy was not present. The Commission first considered approval of the minutes of March 10, January 25 and 27, February 1, 3, and 18, 1983. Several members of the Planning and Zoning Commission had questions concerning the minutes. Jack Horn requested that approval of the minutes be tabled until the next regular meeting so that they could be reviewed. Luke Gournay seconded the motion, the same was voted on and carried unanimously.

The Commission then held a public hearing and considered a request from the Frates Corporation for a revision to the approved site plan for Chandlers Landing PD No. 8. Chairman Rogers opened the public hearing. Representatives of the Frates Corporation presented their proposal to the Commission. Bland Pittman, with the Frates Corporation, reviewed the original 1973 plan and then presented the proposed new Master Plan. Several questions were raised as to whether or not specific density should be placed on the Master Plan rather than being dealt with with each development plan. There was also a question which was raised as to whether or not the Planning and Zoning Commission should consider approval of the development plan as submitted for Tract I-A and I-B before considering approval of the Master Plan. Jack Horn made a motion to table consideration of the Master Plan until consideration of Tract I-B and I-A are considered. This motion died for lack of a second. There was some discussion among the members of the Planning and Zoning Commission as to what should be on the Master Plan for consideration. The Board then heard from a number of residents in the area who spoke against the proposed Master Plan and against the development plans as submitted. Several homeowners asked that the Commission table this consideration until such time as the developer and the homeowners could reach more of a consensus on their proposal. After some additional discussion, Jack Horn made a motion again to table consideration of the Master Plan until development plans for Tracts I-B and I-A were considered. Luke Gournay seconded the motion, and the motion failed, with Luke Gournay and Jack Horn voting for, and Wayne Miles, Kent McKinney and Wes Barton voting against. There was some additional discussion among the Commission members as to what should be reflected on the Master Plan for consideration. After some additional discussion, Luke Gournay made a motion that the public hearing for revision to the approved site plan for Chandlers Landing PD No. 8 be continued until May 12th, the next regular Planning and Zoning Commission meeting date, to be held in the District Courtroom at 7:30 P.M. to allow the developers more time to meet with the homeowners. Kent McKinney seconded the motion, the same was voted on and carried, with Wayne Miles, Wes Barton, Luke Gournay and Kent McKinney voting for and Jack Horn voting against.

Chairman Rogers then opened a public hearing for the development plan on Tract I-B within Chandlers Landing PD No. 8 and asked for a motion to continue consideration of this item. Kent McKinney made a motion that the public hearing for consideration of the development plan for Tract I-B within Chandlers Landing Planned Development No. 8 be continued until the next regular Planning and Zoning Commission meeting on May 12th at 7:30 P.M. in the District Courtroom, Rockwall County Courthouse. Wayne Miles seconded

the motion, the same was voted on and carried, with members Luke Gournay, Kent McKinney, Wes Barton and Wayne Miles voting for and Jack Horn voting against. Chairman Rogers then opened a public hearing for the development plan on Tract I-A within Chandlers Landing PD No. 8 and asked for a motion to continue consideration of this item. Wayne Miles then made a motion that the public hearing to consider approval of the development plan for Tract I-A in Chandlers Landing PD No. 8 be continued until May 12th, the next regular Planning and Zoning Commission meeting to be held in the District Courtroom, Rockwall County Courthouse at 7:30 P.M. Luke Gournay seconded the motion, the same was voted on and carried, with Wayne Miles, Luke Gournay, Kent McKinney and Wes Barton voting for and Jack Horn voting against.

Jack Horn then made a motion that the Planning and Zoning Commission hold a Work Session on April 21st concerning the revisions to the site plan and development plans for Chandlers Landing. Luke Gournay seconded the motion, the same was voted on and carried unanimously. Wayne Miles made a motion that the Work Session begin at 7:00 o'clock. Kent McKinney seconded the motion, the same was voted on and carried unanimously.

The Planning and Zoning Commission then held a public hearing and considered approval of a request from Paul Davis and Jerry Heflin for approval of a site plan on "PD-19", a four acre tract of land located west of FM-740. Paul Davis and George Hicks were present to present the proposed site plan. Several questions were raised by the Staff concerning the location of the required parking, the width of the entrances into the development, and the location of sanitation facilities. After some discussion, Jack Horn made a motion that the site plan be approved, Wes Barton seconded the motion, the same was voted on and carried unanimously.

The Commission then opened a public hearing and considered approval of a request from Signal Ridge Development Corporation for a revision to the approved site plan for Signal Ridge, PD No. 15, for inclusion of a signal tower. Rob Whittle was present to present the request to the Planning and Zoning Commission, asking for a 48 ft. tower which would exceed the maximum height requirement of 36 ft. by 12 ft. Several members of the Commission indicated that they felt the height should be kept at a minimum in development along the lake shore. After some additional discussion, Luke Gournay made a motion that the request for the signal tower be denied, Kent McKinney seconded the motion, the same was voted on and carried unanimously.

The Commission then considered approval of a final plat on Signal Ridge, Phase II, a one lot subdivision located off of Country Lane. Harold Evans reviewed the plat with the Commission. The Staff asked that the approval be subject to final engineering which was not at this point completed. After a brief discussion, Wayne Miles moved approval of the final plat on Phase II, Signal Ridge, subject to final engineering, Wes Barton seconded the motion, the same was voted on and carried unanimously.

The Commission then held a public hearing and considered approval of a request from Jerry Lafon for a Specific Use Permit for outdoor storage on a 10.5 acre tract of land located on I-30 to be used for a car auction and considered approval of the final plat on the Lafon Addition, a one lot subdivision located on I-30. After a brief discussion on the plat, Jack Horn made a motion that it be approved, Wes Barton seconded the

motion, the same was voted on and carried unanimously. The Chairman then opened the public hearing on the request for a Specific Use Permit. Mr. Lafon was present to answer questions of the Planning and Zoning Commission. He was asked if he would be willing to install a 6 ft. chain link fence along the frontage of the property that he intends to develop, as well as pave the parking lot with rock and seal coat in order to provide a dustless surface, and to plant and maintain screening plants along the 6 ft. fence. The property owner agreed to do these items, and after a brief discussion, Jack Horn made a motion that the Specific Use Permit be approved subject to these requirements, Kent McKinney seconded the motion, the same was voted on and carried unanimously.

The Commission then considered approval of a final plat on Spyglass Hill, Phase III, a one lot subdivision located on Henry M. Chandler Drive. The Mayor Pro Tem from the City of Heath read a letter to the Commission, asking that certain items be included in the review of the plat regarding protection of the adjacent property owners in Windward Slopes. Harold Evans presented the plat to the Planning and Zoning Commission, reviewing five items which the developer had agreed to comply with regarding concerns of the adjacent property owners. The five items included the following: 1. Provide a 50 ft. setback from the building closest to the Windward Slopes property line. 2. The building closest to the Windward Slopes property line would be a two story building rather than a three story building. 3. The grade for the parking lot adjacent to the Windward Slopes property line would have a 4 ft. cut which would prevent headlights from the condominium project from shining into the backyards of the Windward Slopes residences. 4. The building closest to the Windward Slopes development project would have a cut of approximately 10 ft. which would further reduce the impact of the height of the building. 5. A wrought iron guardrail would be placed along the property line between Windward Slopes and Spyglass Hill by the developers of Spyglass Hill in order to provide protection from someone falling off of the 4 ft. cut in the parking lot. With those agreements by the developer, Wayne Miles moved approval of the final plat subject to engineering. Jack Horn seconded the motion, the same was voted on and carried unanimously.

The Commission then considered approval of a final plat on the Goldencrest Condominiums, Phase I, a one lot subdivision located on Yellow-jacket Lane north of I-30. Harold Evans was present to present this plat. Jack Horn requested that the street names be placed on the plat. After a brief discussion, Jack Horn made a motion to approve the final plat subject to final engineering and to names being placed on the plat, Wes Barton seconded the motion, the same was voted on and carried unanimously.

The Planning and Zoning Commission then considered approval of a final plat on the Richard Harris Addition No. 4, a one lot subdivision located on SH-205. Luke Gournay moved approval of the plat, Kent McKinney seconded the motion, the same was voted on and carried unanimously.

The Commission then considered approval of a final plat on the Richard Harris Addition No. 3, a two lot subdivision located on Hartman Street. Jack Horn made a motion that the final plat be approved, Kent McKinney seconded the motion, the same was voted on and carried unanimously.

The Commission then considered approval of a final plat on the Rock-wall Central Fire Station, a one lot subdivision located on Boydston

Street. Luke Gournay made a motion that the final plat be approved, Wes Barton seconded the motion, the same was voted on and carried unanimously.

The Commission then considered approval of a final plat on the Eastplex Industrial Park, Phase II, a one lot subdivision located on Enterprise Drive. After a brief discussion, Wayne Miles made a motion that the final plat be approved, Luke Gournay seconded the motion, the same was voted on and carried unanimously.

The Commission then considered approval of a final plat on the Six-O Addition, a one lot subdivision located on Quail Run Road. Ed Heath explained that engineering would have to be submitted for the extension of a City water main to serve this property, but that the plat itself was satisfactory. After a brief discussion, Jack Horn made a motion that the plat be approved subject to submission of final engineering, Kent McKinney seconded the motion, the same was voted on and carried unanimously.

There being no further business to come before the Commission, the meeting was adjourned at 11:50 P.M.

APPROVED:


Chairman

ATTEST:


City Secretary

MINUTES OF THE ROCKWALL CITY COUNCIL

May 2, 1983

Members present were Mayor Leon Tuttle, Councilmen Ken Dickson, Bob Sparks, Russell Phelps, Art Kuhlman and Richard Slaughter. The meeting was called to order at 7:35 P.M. The Council first considered approval of the minutes of April 4 and 18, 1983. There being no additions or deletions, Councilman Kuhlman moved approval. Councilman Dickson seconded the motion, the same was voted on and carried unanimously.

The Council then considered approval of the Consent Agenda as follows:

A. Approval of a final plat on the Richard Harris Addition No. 3, a two lot subdivision located on Hartman Street.

B. Approval of a final plat on the Richard Harris Addition No. 4, a one lot subdivision located on SH-205.

C. Approval of a final plat on the Rockwall Central Fire Station, a one lot subdivision located on Boydstun Street.

D. Approval of a final plat on Eastplex Industrial Park No. 2, a one lot subdivision located on Enterprise Drive.

E. Approval of a final plat on the Six-O Addition, a one lot subdivision located on Quail Run Road.

F. Approval of an ordinance approving a change in zoning from "A" Agricultural to "C" Commercial on three tracts of land containing 3.512 acres, 10.5 acres and 15.557 acres for a total of 29.12 acres located at the southwest intersection of High School Drive and Yellowjacket Lane.

G. Approval of an ordinance approving the addition of office uses for "PD-1" Planned Development.

There being no discussion and no additions or deletions, Councilman Dickson moved approval of the Consent Agenda as published, Councilman Kuhlman seconded the motion, the same was voted on and carried unanimously.

The Council then considered a motion to continue the joint public hearing with the Planning and Zoning Commission concerning the adoption of the proposed revised Zoning Ordinance until May 16, 1983, at 7:30 P.M. in the Rockwall County Courthouse in order to provide adequate time to complete the final draft of the ordinance for public and Council review. Councilman Kuhlman made the motion, Councilman Dickson seconded it, the same was voted on and carried unanimously.

The Council then held a public hearing and considered approval of a request from Paul Davis and Jerry Heflin for approval of a site plan on "PD-19" a four acre tract of land located on FM-740. The Mayor opened the public hearing and called for comments. Paul Davis and George Hicks were present to explain the plan to the Council. Mr. Hicks was asked if they would be willing to agree to the same masonry requirements that were placed on the Signal Ridge Development Corporation under their

Left Blank Intentionally

Planned Development. Mr. Hicks indicated that he would. The Mayor called for additional comments. There being none, he closed the public hearing. Councilman Sparks moved approval of the site plan for the "PD-19" subject to the inclusion of the same masonry requirements as are included in the ordinance for the Signal Ridge Development, Councilman Dickson seconded the motion, the same was voted on and carried unanimously.

The Council then held a public hearing and considered approval of a request from Signal Ridge Development Corporation for revision to the approved site plan for Signal Ridge "PD-15" for inclusion of a signal tower. Joe Zehr, with Signal Ridge, was present to explain his request. He stated that he was asking for an increase from the 36 ft. height limitation to 43 ft. rather than the original 48 ft. he had requested from the Planning and Zoning Commission. He explained that with the 7 ft. cut that had been necessary in order to make the grade on the road acceptable, the 43 ft. height on the tower would bring it to the height that it would have been had the grade not been altered. After some discussion, Councilman Kuhlman made a motion to amend the approved site plan to allow the revised request for a 43 ft. signal tower at the entrance to Signal Ridge, Richard Slaughter seconded the motion, the same was voted on and carried, with Councilmen Kuhlman, Phelps and Slaughter voting for and Councilmen Sparks and Dickson voting against.

The Council also considered approval of a final plat on Signal Ridge, Phase II, a one lot subdivision located off of Country Lane. The Staff indicated that all of the engineering had been resolved on the plat and it was ready for Council approval. There being no further comments, Councilman Sparks moved approval of Phase II of Signal Ridge, Councilman Slaughter seconded the motion, the same was voted on and carried unanimously.

The Council then held a public hearing and considered approval of a request from Jerry Lafon for a Specific Use Permit for outdoor storage on a 10.5 acre tract of land located on I-30 to be used for a car auction. The Mayor opened the public hearing and called for comments. Mr. Lafon was present to present his request. He explained that he was unaware he was in the City at the time he began construction. After a considerable discussion, Councilman Kuhlman asked if Mr. Lafon would be willing to place a masonry front and 10 ft. of masonry on either side of the building which would bring it somewhat in conformance to the requirements of the new ordinance in addition to the requirements the Planning and Zoning Commission had placed on his use. Mr. Lafon indicated that he would. Councilman Kuhlman moved that the Specific Use Permit for outdoor storage for a car auction be approved, subject to the construction of a masonry front and 10 ft. on either side of the building, and subject to the requirements established by the Planning and Zoning Commission that a 6 ft. chain link fence be erected along the frontage of the property that is to be developed, with the fence to be screened with landscaping and that the parking lot shall be paved with a rock base and seal coated to prevent dust. Councilman Slaughter seconded the motion, the same was voted on and carried, with Councilmen Kuhlman, Sparks and Slaughter voting for, and Councilmen Phelps and Dickson voting against.

The Council also considered approval of a final plat on the Lafon Addition, a one lot subdivision located on I-30. After a brief discussion,

Left Blank Intentionally

Councilman Kuhlman moved approval of the plat, Councilman Slaughter seconded the motion, the same was voted on, with Councilmen Kuhlman, Phelps, Sparks and Slaughter voting for, and Councilman Dickson voting against.

The Council then held a public hearing and considered comments concerning, repair, removal or demolition of dangerous buildings located on SH-205 on a 6.563 acre tract of land in the King Survey, Abstract No. 31. Mr. King, the Building Inspector, explained that two structures on this tract of land were in a dilapidated and dangerous condition and that he had received no communication from the property owners as to their intentions to either remove or repair the buildings. Mayor Tuttle opened the public hearing and called for comments concerning these buildings. There being none, he closed the public hearing. Councilman Sparks made a motion that the ordinance regarding dangerous buildings be followed and that the structures either be repaired or demolished within 90 days. Councilman Kuhlman seconded the motion, the same was voted on and carried unanimously.

The Council then held a public hearing to hear comments concerning the repair, removal or demolition of a dangerous building located on North Alamo on a 9 acre tract in the H. H. B. Jones Survey, Abstract No 24. Mr. Collins was present to discuss this structure and explained that he did not wish to tear the building down because it was his old family homeplace. He also indicated that he did not want to bring it up to City codes for residential structures due to its location, but that he would be willing to clean up around it. The Council indicated that they would give him six months to improve the conditions around the building and the building itself, and it would be reviewed at that time by the Building Inspector.

The Council then heard from the Concerned Citizens for Animal Control concerning the construction of an Animal pound for the City and the County. Ed Tipps made the presentation to the City Council, reviewing their proposal for development of an animal shelter and their proposals for raising the revenues to operate the shelter. Mayor Tuttle indicated that Mr. Tipps would have five minutes to make his presentation to the Council. When Mr. Tipps' time was up, Councilman Kuhlman made a motion that his time be extended for an additional five minutes. Councilman Sparks seconded the motion, it was voted on and carried unanimously. No action was taken by the Council on their proposal.

The Council then considered approval on the final plat for St. Marys Place Addition, a 14 lot subdivision located at the intersection of Fannin and St. Marys Streets. After some discussion concerning the layout of the lots, Councilman Kuhlman moved approval of the plat, Councilman Sparks seconded the motion, the same was voted on and carried, with Councilmen Kuhlman, Sparks, Phelps and Slaughter voting for and Councilman Dickson abstaining.

C: The Council then considered approval of a final plat on Spyglass Hill, Phase III, a one lot subdivision located on Henry M. Chandler Drive. Harold Evans explained that the developers were willing to meet
 P all of the conditions for development that they had agreed upon at the Planning and Zoning Commission meeting with the exception of the 4 ft. cut for the parking lot and the 10 ft. cut for the two story buildings

Left Blank Intentionally

The Council then considered approval of the bids for the construction of restroom facilities at the new Rockwall Central Park. After some discussion, Councilman Kuhlman made a motion to reject all of the bids, Councilman Dickson seconded the motion, the same was voted on and carried unanimously.

The Council then considered approval of bids for the purchase of rock, sand and gravel. Councilman Kuhlman made a motion that the bid be awarded to Jerry Jayroe for 90 days. Richard Slaughter seconded the motion, the same was voted on and carried unanimously.

The Council then considered approval of bids for contract mowing for the City. After a brief discussion, Councilman Dickson made a motion that the bid be awarded to Allen Hogue, Councilman Kuhlman seconded the motion, the same was voted on and carried unanimously.

The Council then discussed the use of the Municipal Community Building. The Council agreed with the recommendation of the Park Board for the temporary use of the facility.

The Council then considered appointing a Mayor Pro Tem. Bob Sparks nominated Richard Slaughter as Mayor Pro Tem. There being no further nominations, the Council voted unanimously to appoint Richard Slaughter as Mayor Pro Tem.

The Council then considered appointing a Council representative to the North Central Texas Council of Governments General Assembly. Richard Slaughter nominated Russell Phelps. There being no further nominations, the Council voted unanimously to appoint Russell Phelps to this position.

The Council then considered appointing a representative to the North Texas Municipal Water District Board of Directors. Councilman Kuhlman nominated Brett Hall to continue in this position. There being no further nominations, the Council voted unanimously to appoint Brett Hall.

The Council then discussed appointing a Charter Committee. Mayor Tuttle asked each of the Councilmen to list their proposed representatives. Councilman Dickson nominated Ed Eubanks, Tom Quinn and Regina Ploch; Richard Slaughter nominated Philip Hail, Joe Holt and Eloise Cullum; Bob Sparks nominated Stan Sowrance, Jim Mitchell, Earl Slaughter, and Blakley Hall; Russell Phelps nominated Larry Peebles, Stella Brightman, and John Reeder; Councilman Kuhlman nominated Richard Harris, Ray Sumrow and O. L. Steger; the Mayor stated his nominations as Martha Sue Keegan, Joe Hollarn and Luke Gournay. After a brief discussion, Ken Dickson made a motion that the above nominations all be appointed to the Home Rule Charter Committee, Russell Phelps seconded the motion, the same was voted on and carried unanimously.

The Council then discussed the existing note on the City Hall site. Councilman Kuhlman indicated that he was concerned that the City could not legally build a city hall on property it did not own a clear title to. Jesse Gilbert indicated that he would check with Bond Counsel to make sure that there was no problem.

The Council then discussed the Fire Department Equipment Fund. Bob Sparks made a motion that the Fire Chief be allowed to spend up to a maximum of \$3,000 for Fire Department expenditures out of the Fire Department Equipment Fund as long as a majority of the Volunteer Fire Department had voted for the expenditure without having to present the request to

Left Blank Intentionally

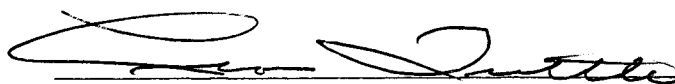
the City Council or to the Mayor. Councilman Kuhlman seconded the motion. There was considerable discussion among the members of the Council concerning this motion. The Mayor called for a vote, and the motion failed, with Bob Sparks voting for and Councilmen Kuhlman, Phelps, Slaughter and Dickson voting against. Councilman Slaughter then made a motion that an amended budget for expenditures be submitted to the Council for this year and for subsequent years. It was pointed out that there was already a budget provided for operating expenditures and that expenditures out of the Fire Department Equipment Fund are only for capital items. The motion died for lack of a second. Councilman Sparks then made a motion that the Fire Chief be allowed to acquire a radio and a flash bar for the Fire Chief's car. This motion also died for the lack of a second.

The Council then heard a brief report from the Police Chief and the City Administrator.

There being no further business to come before the Council, the meeting was adjourned at 11:40 P.M.



APPROVED:


Mayor

ATTEST:


City Secretary

Left Blank Intentionally

**Ordinance
Unavailable**